**A response to York University FAQ for Unit 1 and 3 members**

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| **1. Will I receive my regular pay during the strike?** |
|  **University Response** | **CUPE 3903 Response** |
| No. Effective March 3, the first day of the labour disruption, pay has been halted for striking employees represented by CUPE 3903 Units 1 and 3 and pay will not resume for employees who remain on strike. | No. Once the strike was declared all regular pay was suspended. You can make money during the strike by supporting our picket lines or duties other than picketing. We also have a strike hardship fund for those who need extra help with finances. |
| **2. Am I able to return to work even if the strike has not ended?** |
|  **University Response** | **CUPE 3903 Response** |
| Yes, members of Unit 1 and Unit 3 may choose to return to work subject to the following circumstances: a. Employees represented by Unit 1 may choose to return to work as a teaching assistant provided that the course(s) to which they are assigned have resumed and may resume responsibilities as a course director if the Program in which the course is offered has been approved for resumption by the Senate Executive Committee.b. Members of Unit 3 may return to work in units whose programs have been approved by the Senate Executive Committee to resume.You will be paid and will receive benefits based on the expired 2011-2014 collective agreement on the completion of the declaration form (please see below) and resumption of work responsibilities.Employees who voluntarily choose to return to work and resume their work assignments are required to declare their intent to return by completing an on-line form as explained in FAQ #32 below. Employees are also asked to inform their course director or supervisor, if the work assignment is a lab/tutorial or graduate assistantship, or the Department Chair or Dean’s Office, if the work assignment is a course directorship. | **No.** As union members, members should not return to work while their union is on strike. This is called strike breaking or scabbing.York is allowing people to return to work but they are not allowing work done by a CUPE 3903 U1 or U3 member to be replaced. Instead, course directors are being asked to restructure their course if necessary, however this produces a problem for the unionized members of YUFA and our own Unit 2 members who may feel forced to take on extra teaching burdens.If York is hiring you to do work during the strike, they are doing so under a new contract and without any of the protections offered by our Collective Agreements. This includes: health-and-safety guarantees, overwork protections, anti-discrimination and anti-harassment language, a progressive discipline process, guaranteed pay and benefits, etc. This means that CUPE 3903 would not be able to protect or represent members should they have trouble with these new work assignments. It is a risky move that individualizes our work and makes us extremely vulnerable to exploitation and mistreatment.As a graduate student you do not have to cross a picket line (Senate Policy 2). As a worker, you can refuse to cross a picket line if you have health and safety concerns in doing so. |
| **3. Can I face sanctions or negative repercussions for returning to work during the strike?**  |
|  **University Response** | **CUPE 3903 Response** |
| The University’s practice has been to negotiate as part of the return to work a “no reprisals” clause. In the current round of bargaining, the University has similarly sought to negotiate a return to work protocol with a “no reprisals” clause. In the meantime, employees who elect to return to work during the strike will receive pay and benefits according to the provisions of the expired 2011-2014 collective agreement as noted above. | **Yes**. Anyone crossing a picket line to do work that undermines the strike is considered a strike breaker, more commonly referred to as a “scab.” Scabs can be sanctioned by CUPE and lose their good-standing in the Union, though this is a decision that would be made by the membership as a whole. If you return to work, you are ineligible for strike pay.A **return to work protocol** does not come into effect until a collective agreement has been ratified.A **no reprisals clause** essentially means no punishment for breaking certain rules. For example, a supervisor cannot punish you for partaking in a strike, and the union cannot punish you for not partaking in a strike.This no reprisals clause will not cover those who decide to return to work while on strike. |

**I have marked assignments. Should I return them to the Course Director?**

No. We have withdrawn our labour during the strike in order to help emphasize that York works because we work. Returning marked assignments allows the university to go back to “business as usual.” The marked assignments can be returned after the strike is over.

**I am a Unit 1 Course Director. What should I do?**

As a member of Unit 1 you are on legal strike.

**The research project I was assigned is time-based. Can I complete it?**

No, not if it is work done as a CUPE 3903 U1/U3 member. We have withdrawn our labour during the strike in order to help emphasize that York works because we work. Continuing your Graduate Assistantship/Research Assistantship work allows the university to go back to “business as usual.” The work (though the nature of that work may change slightly) can continue after the strike is over.

**Can I write to my students?**

Yes. Writing to your students to let them know what is happening is a good idea. You should not answer any questions related to the course itself.