



Representing, Organizing, & Activating the Contract Faculty, Teaching Assistants,  
Graduate Assistants & Research Assistants @ York University, Toronto, Canada

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Canadian Union of Public Employees / Syndicat Canadien de la Fonction Publique Local / Section Locale 3903

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## UNIT 2 POST-STRIKE FAQs

### **Are Unit 2 members required to cross Units 1 and 3 picket lines?**

CUPE 3903 recognizes that our Unit 2 members do not want to cross Units 1 and 3 picket lines. However, the effect of the Unit 2 ratification vote is that Unit 2 is no longer on strike and the new Unit 2 Collective Agreement is in operation. In the absence of language in the Collective Agreement stating that a member will not be required to cross the picket line of another bargaining unit or Union, an employer can require employees to report for work as scheduled. **In the event that academic activities are scheduled to resume in position held by a Unit 2 member, the University will expect the Unit 2 member to report for work as scheduled.**

### **Can I be disciplined for refusing to cross Units 1 and 3 picket lines?**

Yes, York can discipline members of CUPE 3903 who refuse to report to work as scheduled, unless there are legitimate health and safety reasons for not crossing. **Any discipline imposed on Unit 2 members will be subject to the normal grievance and arbitration provisions of the Unit 2 Collective Agreement.**

### **What if I can't cross the picket line due to a legitimate health and safety concern or a medical restriction?**

If you have a legitimate health and safety concern or a medical restriction that prevents you from reporting to work, you must notify the person to whom you normally report. You should also contact the Union for additional assistance. **CUPE 3903 will vigorously defend any member who is subjected to discipline for a failure to report to work due to a legitimate health and safety concern or a medical restriction.**

## **Do I have to do the work of Unit 1 or Unit 3 members during the strike?**

No. You cannot be required to perform the work of Unit 1 or Unit 3 during the strike. You cannot be subject to discipline for refusing to do so. **CUPE 3903 will vigorously defend any member who is subjected to discipline for a refusal to perform Unit 1 or Unit 3 bargaining unit.**

## **What has happened in previous strikes?**

In 2008, the University suspended classes for the duration of the strike and all three units were legislated back to work at the same time. As such, the issue of Unit 2 having to cross Unit 1 picket lines did not arise.

In 2001, a supervised "Final Offer" ratification vote, that was directed by the Ministry of Labour at the request of the University, was held on Thursday January 4 and Friday January 5, 2001. In that vote, Unit 2 accepted the University's Final Offer, while Unit 1 rejected the University's Final Offer. On Tuesday January 9, 2001, a tentative agreement was reached for Unit 1. The tentative agreement was ratified on Thursday January 12, 2001. Thus, there was only a 4 day period where classes resumed while Unit 2 had returned to work and Unit 1 remained on strike. No member of the Unit 2 bargaining unit was disciplined for refusing to cross the Unit 1 picket line during this period.

## **Are students required to cross the picket line?**

**Students cannot be penalized if they decide not to cross any picket line.** The Senate of the University has a policy that outlines students' academic rights and responsibilities during a strike. This policy can be viewed at <http://secretariat-policies.info.yorku.ca/policies/academic-implications-of-disruptions-or-cessations-of-university-business-due-to-labour-disputes-or-other-causes-senate-policy-on-the/>.