



GNWT and NTPC POTENTIAL STRIKE Q&A

This Question and Answer document is meant to give UNW members who work for the GNWT and the NWT Power Corporation some general information, should strike action become necessary.

What is a strike?

A strike is any form of job action. It includes, but is not limited to, full scale walk out (general strike), rotating strikes, strategic strike action, information pickets, work to rule campaigns, etc.

When would we go on strike?

The Public Service Act of the NWT outlines the timelines that must be met before strike or lock out can occur.

Can the GNWT lock us out?

The Public Service Act does not address employer lock out. However, it does say that once specific timelines and conditions have been met, the Minister may change any terms and conditions of employment for employees in the bargaining unit. The current terms and conditions of employment are those set out in your Collective Agreement. This means, that if the conditions set out in the Public Service Act are met, the Minister could impose altered terms and conditions of employment. The UNW would consider this to be a confrontational move by the Government and a provocation to take strike action.

What type of strike action would we take?

The strike must be effective. The Strike Committee will make these decisions. The Union would not want to tip our hand and let the Employer know what strike action we would take. The Strike Committee would assess effective targets, timing, and impact. Strike plans and actions are reviewed constantly, and may change as required to be the most effective.

What do I receive for pay if we go on strike?

Strike pay is administered by the PSAC. For full time workers, strike pay is \$117/day for a minimum 4 hours of strike action, in a 5 day a week strike. There are different amounts, outlined in the PSAC Constitution Regulations, for part time workers. Locals may also set up hardship funds and protocols, and may do fundraising. **Strike pay is tax-free.** You must participate in job action to receive strike pay.

Can I take leave during a strike?

There is no Collective Agreement in force during a strike and the Employer sets the terms and conditions of work. If you are already on vacation or sick leave (for example) the Employer may choose to cut off any benefits such as vacation pay, sick leave pay. This leave would remain in your leave bank.



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Maternity/Parental Leave

Your entitlement to maternity or parental leave is established by legislation and therefore continues during a strike. The Employer may choose to withhold your top up during a strike. The GNWT's Q&A for managers currently addresses maternity/parental leave.

<http://www.hr.gov.nt.ca/resources/online-managers-toolkit/bargaining/q>

What about deferred leave?

We cannot speak to what your Employer would do about deferred leave. The GNWT's Q&A for managers currently addresses deferred leave.

<http://www.hr.gov.nt.ca/resources/online-managers-toolkit/bargaining/q>

What if I am on travel status within the territory during a strike?

As a member of the bargaining unit, you should join the picket one where you happen to be. There is the possibility the Employer may refuse to reimburse your expenses (meals/accommodation/per diems etc). As strikes can last a varying amount of time, those in travel status who wish to return home early should contact their Local strike committee for assistance.

What about my pension?

Your time on strike is not considered a break in pensionable service. Short periods of strike participation would have minimal negative impact on your overall pension. For more detail, please see the attached PSAC document regarding Public Service Superannuation

What happens to my Benefits during a strike?

The Union will ask the Employer to continue our members' medical and dental, and invoice the UNW for the cost during a strike.

What if I don't believe in strikes?

For almost everyone, the decision to take strike action is a difficult one and can be justified only after everything else has failed. Most people will support strike action if they believe that the cause is worthwhile and no other actions have worked. People who cannot bring themselves to picket can support the strike simply by staying away from work. However, you will not receive strike pay for this.

Do I have to picket?

Legally, you are not required to picket. However the strength of the picket line can determine the outcome of the strike so more people on the line can lead to shorter strikes. As well, you only collect strike pay if you perform picket or strike related duties.



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What happens if I cross the picket line?

Legally any individual can choose to cross a picket line and go to work. However, this is very divisive and causes a lot of stress between coworkers. You would also be in violation of the PSAC Constitution and UNW By Laws, and subject to discipline.

What are strike related duties?

Walking the picket line is the most important. Some examples of other strike related duties include: making picket signs, making phone calls, handing out flyers, childcare, manning phone lines for question calls, bringing/arranging food and beverages for picket lines, running errands, etc. The Strike Committee will determine what duties are required, depending on the type of job action.

How often and how long do people have to picket?

Picket shifts are four hours, or as decided by the Bargaining Team strike committee, per day. Shift selection is on first come – first serve basis. Members on the Bargaining Team, strike committee, and Executive are working much longer days for the same strike pay. This includes the UNW President and 1st Vice President.

What if I am not able to picket because I am sick?

The Employer will most likely discontinue your sick leave benefits. You are still eligible for strike pay. You would need to contact the Strike Captain – there may be other duties that you can perform, like clerical work, phone calls, etc.

Can workers who have not completed their probationary period be fired?

NO. The probationary period may be extended by the length of the strike.

Can I be punished by the Employer for participating in a strike?

Participation in a lawful strike is your right. Any action by the Employer to intimidate or punish members should be immediately brought to the attention of the union; it is illegal and will not be tolerated.

How do I know if I am Essential and Emergency Services worker?

The Employer is responsible for issuing letters to all workers who have been deemed essential under the Essential and Emergency Services Agreement (ESA).



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Picket line protocol for Essential and Emergency Services workers?

If you have received a letter from the Employer stating that you have been designated Essential Services, keep this letter on you at all times. When you go into work, show your ESA letter to picket captain. Show support to your colleagues on the picket line by shaking hands, stopping to talk, bring coffees, wear an “I Support My Bargaining Team” button, etc.

If I am Essential Services, can I participate in strike activities when I am not working?

Absolutely, and your support would be greatly appreciated by your colleagues. Even if a member is deemed essential, it is not business as usual. Hours of work may be less than normal and duties will be the minimum.

Does the union care about the health/safety of the public?

Of course! It is a misconception that the union wanted to whittle down the ESA. In fact, the union agreed with the vast majority of the positions put forward by the Employer during the negotiation of the ESA. The union would never want any citizen to be endangered in any way. The UNW is made up of members of almost every household in the NWT, and is also a part of the community.

What should I do if approached by the media?

It is best if you refer media to your Local President, Strike Captain, or UNW Executive member. However, your Strike Committee may assist you with common messaging. Be very careful what you say, as it may be taken out of context, accidentally or on purpose.



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Impact of Participation in a Work Stoppage (Strike) on a PSAC Member's Pension Entitlements under the *Public Service Superannuation Act (PSSA)*

ISSUE:

PSAC is aware of members having questions concerning the impact of participating in a work stoppage (strike) may have on their eventual retirement pension.

BACKGROUND:

The *Public Service Superannuation Act (PSSA)* defines periods of service which count as pensionable service and are subject to pension contributions. The *PSSA* also prescribes the formula to be used in determining the “highest five consecutive years of highest paid service” for purposes of calculating a member’s pension benefit entitlements.

MESSAGES FOR MEMBERS:

Periods while a member participates in a work stoppage (strike) may not count as pensionable service. Also, the periods participating in a work stoppage (strike) cannot be “bought back”. However, these periods are **not** considered as “breaks” in pensionable service for purposes of calculating a member’s “highest five consecutive years of highest paid service”.

The impact on the future pension for a member who participates in a work stoppage (strike) is to push back - by the number of days on strike - the date on which he or she completes the required years of service to qualify for a pension.

There will be no impact on the average salary on which the pension will be calculated for members whose days on strike do not fall within their five consecutive years of highest salary.

Average salary for pension benefit purposes is always based on the member’s best five consecutive years of highest paid salary. Any salary lost due to a strike during the final average salary period is accounted for by extending back in time the average salary period so that five years of paid earnings are used in the calculation. For example, if a member had been on strike for 10 days during the relevant period, average salary would be based on earnings paid during



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the best consecutive five years and 10 days of employment. It should be noted that average salary is based on five consecutive years of pensionable service, rather than on five continuous years of service.

Supplementary Death Benefit (i.e. life insurance) coverage does continue through the duration of a strike. Arrangements will be made for recovery of any resulting premium areas accrued by employees during a strike.

When contemplating retirement, members should be encouraged to contact the Government of Canada Pension Centre (1-800-561-7930) to obtain information on their exact record of pensionable service before making a decision on their retirement date, to ensure that they have the required service for the pension option on which they are considering.