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Running an effective strike

For centuries, workers have withdrawn their labour to pressure their employers to improve wages and working conditions. Some strikes have achieved their goals; some have not. All have provided valuable lessons on how to strike effectively.

An effective strike depends on thoughtful strategy, strong solidarity, intelligent organization, and well-defined roles for all participants. The OPSEU strike policy aims to provide clear rules and guidance in each of these areas.

Our strike policy makes no distinction between legal and illegal strikes, continuous strikes, rotating strikes or lockouts.

OPSEU adopted a new strike policy at its 2003 Convention. It is the result of a lot of effective strike experience. Our first province-wide walkout was the 1979 one by college support staff. Faculty struck twice in the 1980s, and the Ontario Public Service had the biggest strike in Ontario history in 1996, and repeated it in 2002. We've also had our fair share of smaller strikes in the Broader Public Service.

These actions have resulted in important victories for our members, stronger contracts and better public services.

And we've learned with each one of them. We've learned how to do it better, and we've learned that defending our contracts builds our strength and solidarity.

This strike manual reflects all of this experience.

In here, we have concrete tips and ideas for mobilizing members and for the day-to-day running of strikes. We also have all the forms required for running an effective strike and keeping the money straight.

This manual is geared specifically to our members who bargain under the Colleges Collective Bargaining Act (the CCBA). It applies to the two huge bargaining units who work across Ontario in the Colleges of Applied Arts and Technology and the Institutes of Technology and Advanced Learning – faculty and support staff.

One of the most important aspects of winning a strike is avoiding the need for it in the first place. So in addition to the sections on running a strong strike, this manual includes a large section on pre-strike mobilizing.

When everyone knows that the strike threat is real, then the pressure is on the employer to come up with the best offer possible so that a strike won't be necessary. Making the threat of a strike serious is the job of strike preparation.

It's hard work, but not nearly as hard as being on strike – and the pay is much much better.

I hope that this new manual will help all the locals – faculty and support staff – across the province to give their bargaining teams the support they need to come back with strong contracts.

In solidarity,



Leah Casselman, President

Bargaining under the CCBA

This strike manual for members bargaining under the Colleges Collective Bargaining Act is based directly on the OPSEU strike policy. It omits references that do not apply under the CCBA, and expands on areas where the CCBA differs from other bargaining legislation.

Under the CCBA, OPSEU negotiates with the College Compensation and Appointments Council (formerly called the Council of Regents). In addition to bargaining for the employer, the Council appoints the members of college boards of governors, and advises the minister on college matters.

The CCBA sets out its own series of steps which must occur before a legal strike or lockout can take place. These are:

- The previous contract must have expired.
- Notice to bargain a new contract must have been given.
- All matters in dispute must have been referred to a fact finder, and 15 days must have elapsed after the College Relations Commission (CRC) makes the fact finder's report public.
- The latest offer to the union from the employer "in respect of all matters remaining in dispute between the parties" must be submitted to the members for a vote and rejected by them in a secret ballot supervised by the CRC.



- The members must have voted in favour of a strike in another secret ballot vote supervised by the CRC. This vote cannot be held before the rejection vote, nor can it be earlier than 15 days after the release of the fact finder's report.
- The union must give the employer at least five days notice of the strike deadline.

In the colleges, the union cannot combine the rejection and strike votes into a single ballot as it does with most other bargaining units. This means that a rejection vote is essentially risk free for members. However, if they do not follow up with a strike vote when required, the bargaining team has little leverage with which to get the improvements members want. This increases the importance of member mobilizing in advance of a

rejection vote and a subsequent strike vote.

Under the CCBA, the process of fact finding takes the place of conciliation under the Labour Relations Act. In theory at least it is a step in which an outside person tries to point the parties in the direction of settlement. It is also a necessary step to reach a legal strike position.

Members decide

Bargaining begins with local demand setting meetings, where local members decide what changes they would like to see in their new contract, and vote on which changes have the highest priority.

After all the college locals have had an opportunity to set their local demands, a provincial demand setting meeting brings delegates from all the colleges together to pool the results of the local meetings and create a list of central demands, again with priority rankings. This final demand setting meeting also elects a bargaining team, with seven members and seven alternates. The bargaining team, in turn, elects its own chair and vice-chair.

The process is essentially the same for both the support staff and the faculty bargaining units.

The elected bargaining teams, with technical support from OPSEU staff, develop their own

bargaining strategy at the provincial level.

Bargaining begins long before the collective agreement expires, after notice to bargain has been given. It continues up to and following fact finding, after a rejection vote, and after a strike vote, right up to a strike deadline. And after a strike begins, bargaining again takes place until a settlement is reached or the strike is legislated to an end.

The objective, throughout, is to negotiate a good contract. A strike is never the desired result, but sometimes it is the only way to get members a decent agreement.

A lockout is the other side of the strike coin. It happens when an employer decides to lock all the employees out. Running a lockout is essentially the same as running a strike. The only difference is that the employer pulled the plug rather than the union.

Sometimes media and public opinion can be more sympathetic in the case of a lockout, but others will blame the union for forcing it.

The final stage in bargaining, with or without a strike or lockout, is a ratification vote. The contract reached by the bargaining team comes back to the members for a vote, again supervised by the CRC. If members accept the contract, bargaining is finished. A bargaining team won't bring a contract back for ratification unless it thinks it has achieved everything possible at the bargaining table.

Be prepared

Our collective agreement is an extremely valuable asset. It sets out our contractual relationship with our employer. The most important contribution union members can make to their union – and to their own working future – is to support negotiations for a renewed contract.

Every article in the contract has been negotiated over the years with the College Compensation and Appointments Council. Many were “paid for” by giving up something else. Some were hard won on the picket line or in post-strike contracts when the employer wanted to ensure labour peace. Nothing is there because the employer decided to be nice. None of it was free.

We go into bargaining to build on the work of past bargaining teams. We go to get improvements, and to get language to reflect changes in our workplaces – new technology, changed processes, changes in our workforce, changes in society as a whole. That’s the assignment we give to the bargaining teams that we elect. But they cannot do it alone.

Seven people have, by themselves, very little bargaining clout. Their ability to achieve a good contract depends on the thousands of members who sent them in to do the job. Our support, visible and enthusiastic, will pay off in the contract we get. Support means being prepared to act. In the final analysis, it means being prepared to strike if necessary.

Walking away from our jobs to take up picket signs is a serious action with consequences for us and for the colleges. That’s what makes it a powerful incentive for both sides to reach a settlement without a strike. And of course, that’s the goal. But solid strike preparation is essential to reaching that goal.

The employer looks around the workplace to get an idea of what union members are thinking as bargaining moves into a serious phase. If they see that nobody is much interested in the contract, and the union isn’t in any position to pull off a strike, they know they can play hardball at the table and the union won’t be able to do anything about it.

On the other hand, if they see people signing up for picket duty, huge turnouts at union barbecues, union buttons and T-shirts, posters on bulletin boards and lunchrooms buzzing with union talk, then a different message goes to the members of the employer bargaining team – “Be careful. These folks are serious.”

OPSEU has been negotiating with the Council for about 30 years, and during that time Support staff have only struck once, and faculty twice. Most contracts are settled on the peaceful side of a strike deadline. Being ready for a strike doesn’t mean you are going to do it. Buying home insurance doesn’t mean you plan to torch the place. It’s a question of being prudent, being prepared.

Accommodation

All members of a striking bargaining unit have the right to participate fully in the strike. However, some members may not be able to perform all strike duties. In such cases, the Strike Committee has a legal and moral obligation to modify the member's strike duties to enable him or her to earn strike pay. This is called "accommodation."

The Human Rights Code may require accommodation so as not to discriminate on the basis of the prohibited grounds.

Members have a duty to inform their Strike Committee if they need to be accommodated. Members seeking accommodation also have a duty to co-operate in finding accommodation solutions.

Accommodation requests are confidential. A member of the Strike Duties sub-committee shall be assigned to deal with these requests.

Accommodation must be provided in a manner that respects the dignity of the person. This includes the way accommodation is provided and the individual's participation in the process.

The Strike Committee should respond to accommodation requests in a timely fashion

and make sure that the accommodation continues until the member no longer needs it.

Members who feel they are not being accommodated may seek help from their regional harassment and discrimination advisors and their OPSEU Regional Vice-President. OPSEU's Harassment and Discrimination policy provides a process for filing and resolving complaints.

No member shall be denied strike pay because the Strike Committee cannot provide alternate duties.



Pre-strike mobilizing

OPSEU has learned from strike experience that a lot of factors go into organizing and winning a strike, but the most important one of all is the strength of the members.

Long before a strike deadline, we need to have our members involved. Distributing leaflets in the workplace, talking to members about contract issues, organizing barbecues and lunch-hour protests, wearing union buttons and so on all bring our members into the process.

Selecting picket captains, setting up a strike headquarters, and having a day to register members for strike duties all send serious signals to management.

Most union members become more interested at contract time. Many who are normally apathetic will take action because they know that this affects their future. So strike preparation is a good time to make sure that everyone has signed a union card – no strike pay unless you have signed a card.

It's also a good opportunity to connect with all members individually, to make sure they understand the union and how it works, to answer questions and give them a chance to participate.

Strike preparation also assures members that the union knows what it is doing. They see that the union is ready to take on the employer

if it has to, and that gives them confidence that the union can, and will, protect their interests.

Don't spread rumours

Reaching out to all members is an important way of keeping rumours in check. Whenever bargaining gets serious, rumours start circulating. Some are generated by management or the news media, but most are just idle speculation. “What would happen if...” mushrooms into “When we ...” and that balloons into “The bargaining team has given up our job security and sold us out.”

Communication from a bargaining team cannot give you every exchange across the table. It just does not work that way. When the bargaining team has information to share, you will find it on the OPSEU web site (www.opseu.org). Regular reports from bargaining teams are an important part of OPSEU's approach to negotiations. They keep you up-to-date on the key issues and the general tone of bargaining.

If you hear a rumour, don't spread it. Check it out with someone in a position to know. Check the web site. Make sure your information is accurate.

Locals should have contact people throughout their workplaces who can take information from the web site and share it with their colleagues.

An early start

Each local is responsible for its own strike preparation, with help from staff representatives. Planning and preparation takes a lot of time, particularly in large colleges and colleges with far-flung campuses. If the bargaining unit wishes, the union can bookmembers off to help with mobilizing, sharing information, and generating interest and awareness.

This should be happening at the same time as the bargaining team is working toward the important votes and a potential strike deadline.

If a strike cannot be avoided, the local has to be ready to lead the members in the strike, and to plan and carry out the full range of strike activities.

Getting ready should involve the Local Executive Committee, stewards, staff representatives and ordinary members who hold no office in the union. There is plenty of work to be done and all volunteers should be encouraged. Many different skills come into play when a union goes on strike. Everyone is important.

Show solidarity

Any activity that shows that the members are prepared to take organized action will help the bargaining team achieve a good settlement.

Sometimes the bargaining team will suggest an activity, such as a button day, or a day when everyone is asked to wear clothing of the same colour. But the local can also organize activities to show that members are united in their desire for a good contract.

The point is to get as many people as possible to participate. So plan your event to be inclusive, and plan it for a time that is convenient for the maximum number of members.



The scope is endless:

- a large demonstration,
- a petition on a bargaining issue,
- having members assemble before coming in to work, and all walking in together,
- collecting money for a worthy cause,
- a barbecue,
- a rally,
- a mass meeting with a special speaker,
- a workplace educational on bargaining,
- a coffee break to explain a specific issue.

Be creative and design something that people will have fun doing.

If you are doing it at lunchtime, it helps to provide refreshments.

A spate of grievances involving an issue on the bargaining table can remind management that members are unhappy with the status quo.

An information picket, not designed to keep people out of the college, is a good way to attract attention and hand-out a leaflet explaining the state of contract talks.

Build your communications

In the event of a strike, you are going to have to be able to reach people quickly. The fastest approach is a telephone tree.

Ideally, nobody has more than about 10 people to call, and the network reaches everyone at their home. Phone trees work best with short and simple messages. If you have a more complex message to get across, use the tree to direct people to the full message – at a meeting, on the bulletin board, on the web site.

The strength of the phone tree is that everyone in the local is connected. Nobody feels left out.

Communications from the bargaining team come through the web site, e-mail and bulk distribution of bargaining bulletins. Member mobilizers can help to make sure that these messages reach all the members.

The local is responsible for setting up an effective internal communications network. It's important to have contacts at all work sites, and to be able to reach them. A work area without computers won't get the email and website messages. Someone has to print things off and deliver them.

An effective communication network is the best way to answer members' questions and to keep them informed.

It's also the best way to nip rumours in the bud.

Locals can help the effort by making sure that the central union has an accurate and up-to-date list of all stewards with their phone and fax numbers and e-mail addresses. Home e-mail addresses are particularly important. In the event of a strike, nobody has access to their e-mail at work.

In fact, strike preparation is the ideal time to update the listing of all members of the local, gathering again the contact information to be able to reach them in the event of a strike. Stewards should collect this information from the people they represent. Again, member mobilizers can help co-ordinate this activity.

In the lead-up to a strike, stewards are the link between members and the bargaining team. They should keep members informed, distribute bulletins, and listen to the questions and concerns that members raise. Feed those questions back to the bargaining team, through the LEC, so it will have a reading on what the members are thinking and feeling.

Let people know that they can get e-mail directly from the union if they provide OPSEU with their name, local number and e-mail address.

Strength in solidarity

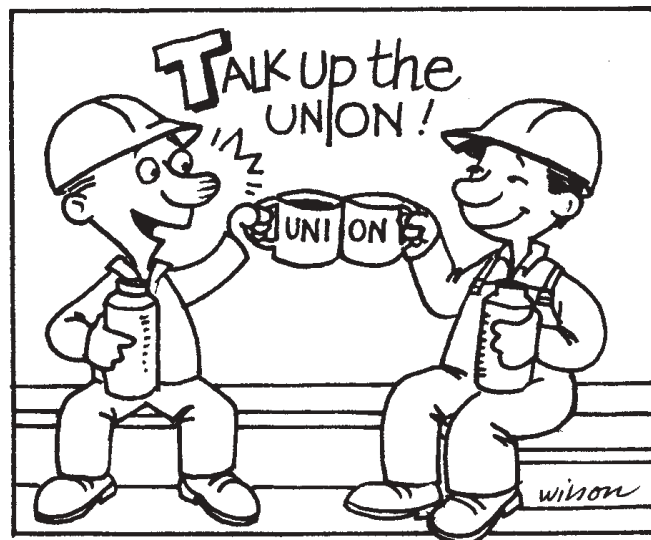
Strike action is collective action. During a strike by any OPSEU bargaining unit, union leaders at every level shall act deliberately to strengthen the strike by building solidarity:

- among striking members;
- between striking members and non-striking OPSEU members;
- between striking members and the labour movement;
- between striking members and the users of the service they provide; and
- between striking members and the community at large.

The members, bargaining teams, strike committees, and other OPSEU bodies shall strive to work co-operatively and act in concert at all times.

Except for Essential and Emergency Services workers, which are not a factor under the Colleges Collective Bargaining Act, no member of a striking bargaining unit shall perform bargaining unit work or cross a picket line.

In fact, the CCBA assumes that all members of the bargaining unit will participate in the strike, and forbids the employer from paying



wages or benefits for the duration of the labour dispute. This dramatically decreases any incentive for strike breaking.

OPSEU does not support any effort or attempt to break a legal strike. OPSEU will not condone or support the actions of any workers who engage in strikebreaking.

The OPSEU Constitution (Article 30) describes penalties for strikebreaking. Members are to be made publicly aware of the consequences of strike breaking. This is to be done by posting Article 30 before all strike votes and during meetings where strike votes are taken.

– OPSEU strike policy

Strategy and tactics

No OPSEU bargaining unit should strike without first analyzing the forces working for and against it in the current round of bargaining. This means the members and their allies, the employer and its allies, service users, the community, the news media, municipal and provincial politicians, current events, and so on.

Well before any strike, the bargaining unit should do as much as possible to build co-operative relationships with potential allies.

Strike Committees, Area Coordinating Groups, and the Provincial Coordinating Group should develop strike strategies and tactics appropriate to their level. It is the duty of Strike Committees to work in concert to implement these strategies and tactics. The goal of strike strategy is to support the bargaining strategy.

In any strike, striking bargaining units must make sure that the withdrawal of services is as complete as possible. At the same time, they should make sure that the strike activities used are the ones that have the greatest impact on the employer.

A strike withdraws services; it also frees up resources. People on strike have the time and the motivation to take part in activities that

would otherwise be very difficult. Thus, strike duties may include:

- picketing;
- lobbying of MPPs, local politicians, directors of employer organizations, and the employer's allies;
- outreach to service users and groups that represent them;
- outreach to labour, community, and other potential allies;
- mass rallies and demonstrations;
- media relations work and advertising; and
- any other activities that help end the strike with the desired result.

The goal of any strike is to get the best possible result at the lowest possible cost to members and the union. Bargaining units should make every effort to get the desired results without a strike.

The activities listed above can be just as effective before a strike as they are during a strike. Every bargaining unit should mobilize its members to take action well ahead of the strike deadline. To this end, a mobilization committee shall be organized at the local, area, or provincial level. This committee may become or merge with the Strike Committee as strike preparations begin.

– *OPSEU strike policy*

Roles and structures

The Members

All members of a striking bargaining unit are expected to perform strike duties as assigned by their Strike Committee.

The Bargaining Team

It is the job of the elected bargaining team to bargain collective agreements. To guide negotiations, bargaining teams shall consult regularly with members, the Strike Committees, Area Coordinating Groups, and/or the Provincial Coordinating Group where applicable.

The Strike Committee

The Local Executive Committee shall establish a Strike Committee. The LEC should be the nucleus of the committee, but it may include other stewards, member mobilizers and the union staff representative. If there are worksites that are not represented on the LEC, people from those areas should be pulled onto the Strike Committee.

The Strike Committee is responsible for conducting a strike at the local level.

That means deciding what tactics suggested by the bargaining team will work locally, and how best to put pressure on the employer to settle. It means making sure that all the preparation has been done, that members are



fully aware of what is going on, and that management is clear that the members are serious about negotiations.

It includes analyzing the local geography and deciding the best locations for picket lines, and dealing with any safety problems around line locations.

In composite locals where not all bargaining units are on strike, the striking bargaining unit is responsible for the conduct of its own strike. However, the local shall, through its role on the Strike Committee, provide the maximum help and support possible for any striking bargaining unit in the local.

The Strike Committee is responsible for strike strategy, strike duties, financial administration, strike communications, and other issues that may arise. The Strike Committee shall establish sub-committees to deal with strike duties, strike finances and

strike communications. Sub-committee chairs should sit on the Strike Committee to keep the lines of communication open. The Strike Committee remains responsible for ensuring these tasks are handled effectively.

Tips for selecting committee members

- Make sure committee members clearly understand the job of their committees and how it relates to the overall work.
- Search out stewards and members who are competent, energetic, show an interest or have experience.
- Involve new people. In most cases, there is too much work for the core of local leaders to handle. Mobilizing around contract talks is a good opportunity to recruit new activists because of the wide variety of tasks and heightened feeling of group spirit.
- Committees should reflect the makeup of the work force, with a good balance by department, type of job, seniority, age, gender, race, ability and ethnic background. This balance will help ensure that the union's proposals and strategy accurately reflect the membership's concerns, and that we have the greatest possible support from the members.
- Hold people accountable for getting the job done.

Tips on Committee Operations

- Start planning early – weeks before any strike deadline.
- Don't call a meeting unless there's a purpose. Meetings need not be long but should be held daily in the early stages of a strike.
- Each subcommittee must report daily to the Strike Committee.
- Try to keep the same members on

committees during the strike.

- Meetings should include a report on progress and a search for solutions to problems arising.
- Teach people how to get other workers to help them. Without training, committee members may try to do everything themselves, either because they think it is their job, it seems easier, or they don't know how to ask for help.
- Discuss assignments committee members have taken on and how other workers could help with those tasks.
- Maintain a system for accountability and support. Spell out each task clearly, including a target date for completion.
- Check with committee members to see how their work is going. Otherwise, we may not discover they need help until it is too late.
- Make sure each person knows what everyone else is doing.
- Have committee members give progress reports. This should be an opportunity to share ideas and to decide what to do if plans are not working as expected.

Strike Duties sub-committee

OPSEU policy says: **The Strike Duties sub-committee shall:**

- **make sure that all striking members are assigned strike duties to implement strike strategy;**
- **in co-operation with the Strike Finance sub-committee, make sure that all striking members have the supports they need (e.g., accommodation for members**

Strike headquarters checklist

	Who will arrange?	When?
Space for headquarters		
Space for production, picket signs		
Place for wall charts		
How/where to keep files		
Where hold to meetings		
Extra phone and FAX lines		
Computer		
Copier or printshop		
VCR		
Secretarial support		
Picket training		
Membership mailing/phone list		
Mailing/phone list for allies		
Phone/fax list for media contacts		
Picket Captain meetings		
Picket team lists		

unable to perform normal strike duties, headquarters if necessary, equipment, materials) to perform their strike duties effectively;

- assign and train Picket Captains to provide on-the-ground leadership and administrative support for members performing strike duties; and
- provide leadership and support to Picket Captains and members to implement strike strategy.

This committee sets up strike headquarters and rest areas, organizes picket teams and deals with logistics.

It also handles relations with the police.

Headquarters

Local strike headquarters should be an information centre for members as well as the meeting place for strike administration.

If it's close to the picket lines, it can also be a rest place for pickets. Mobile construction trailers with washrooms are ideal. Sometimes parking lots will rent spaces for strike trailers.

You will also need electricity, either by wire or generator, to run the lights, coffee maker, a computer and printer. You will need access to a phone line and if possible a fax machine.

Photocopying is important, and you will need the usual office supplies - paper, pens, stapler and so on, as well as picket signs, string, a staple gun, megaphone, etc.

Telephones

The telephone is a vital strike tool. .

It helps if each picket line has a cell phone. You need a list of all members' home phone numbers, and stewards and picket captains should have their own lists of their teams.

Set up teams to answer phones and relay

messages. Use message pads to prevent messages from going astray.

Picketing

The purpose of picketing is:

- to inform the public that there is a strike;
- to discourage people from entering the struck premises;
- to cut off the flow of materials into or out of the struck worksite;
- to inform union members who may not yet be aware of the strike.

Picket Captains

Picket Captains report to the Strike Duties Subcommittee and are responsible for maintaining picket lines at worksites. They should be respected, experienced union stewards or workplace leaders.

Locals or Staff Representatives may stage a training session for Picket Captains to stress our responsibility to maintain a strong picket line, maintain order and report on incidents, monitor picket attendance, and respond to questions from workers.

Enlist Picket Captains well in advance of the strike deadline to map their worksites and contact members for picket duty. That way, all members will become aware of the strike deadline and begin budgeting accordingly.

Picket Captains should meet regularly in the weeks before the strike to discuss worksite logistics and set up a shift schedule.

Make sure there are enough Picket Captains for all shifts at all worksites. Pickets are normally assigned a four-hour shift, but this may vary according to the size of the college and the number of pickets.

If a strike or lockout occurs, picket lines should be established at all campuses. The



Strike Duties Committee should determine the numbers of pickets at each worksite.

Preparing for a strike

- Map your worksites, including all entrances and driveways, to help plan picket sites. Some of this information may be garnered from health and safety committee members.
- Plan picket schedules and contact our picket team members long before the strike deadline. Advise members about the possibility of strike action and ask them to adjust their household budgets, plan for contingencies, etc.

Scheduling pickets

Factors to take into account include:

- Share the burden fairly.
- Take family responsibilities into account to the extent possible. Find alternative tasks or committee work for people with special needs or disabilities who may not be able to picket.
- Use natural social groupings (people who know each other and work together, for example) so picket line duty will be more pleasant. On the other hand, picket duty can be an opportunity to make people from one department or work area more familiar with the concerns of workers from other areas.

- Mix more-experienced and less-experienced union members to ensure that individuals who can provide leadership are always present.
- Arrange for pickets who need transportation to the site.

Picket Captain's pre-strike checklist

- Compile a list of all members at the worksite, with their home phone numbers.
- Approach all non-members to sign union cards.
- Meet with other Picket Captains to set up schedules and discuss worksite logistics.
- Identify nearby coffee shops, rest rooms, pay phones, and sheltered rest areas. If a rented portable toilet is necessary, tell the Strike Duties Subcommittee.
- If it's likely to be cold, scrounge for empty oil drums and scrap lumber for fires.
- Set up a schedule of pickets and call each person on the picket team.

Picket Captain's on-strike checklist

- Train pickets on the schedule, guidelines for conduct on the picket line, and the need to refer reporters or any other visitors to others designated for that purpose.
- Make sure that picket signs and food are at the right location at the right time.
- Be spokesperson on the line to the media and the public, or refer media to Strike Headquarters.
- Maintain communications with police who may be called to the lines.
- Keep accurate records on who fulfils their picket duty, a requirement for receiving strike benefits. Picket Captains must help complete the strike duty record form. This form must be signed by the Local Finance



Subcommittee chair and forwarded to OPSEU head office, accounting department.

- Make sure that the picket line always has access to a camera in case you need independent evidence of incidents or employer tactics.
- Discourage part-time workers or students from crossing picket lines.
- Report to Strike Headquarters by phone or in person after every picketing shift.

Problems on the picket line

Disorderly Conduct: Alcohol and drugs are prohibited on picket lines. Picket Captains have total authority to remove people on the line who engage in improper conduct. At the same time, complaints about Picket Captains should be reported to the Strike Duties Subcommittee, investigated, and resolved quickly before morale is affected.

Pickets should pick a captain if for some reason their designated captain does not appear.

Abuse or insults: Pickets should not respond to abuse or insults from anyone. Be firm in asking people not to cross the picket lines. Picket Captains will determine who is allowed to cross.

Deliveries: Many truck drivers are union

Rules for pickets

By picketing, we protect our jobs, build our own unity, and send a message to management and the community.

Misconduct on the picket line by a few individuals could cause us to be hit with court injunctions and damage our image in the community.

Please observe the following rules. The Picket Captain has the authority to enforce these rules, and to remove anyone who does not follow them:

- Report to the Picket Captain when you arrive and when you leave.
- Be on time. If each group of pickets arrives on time, then everyone will be able to leave on time as well.
- Don't leave your post until the next group is there to relieve you.
- Carry or wear a sign, taking turns resting.
- Dress should be casual but neat. Wear comfortable clothing and shoes, and be prepared for the weather. Do not carry anything that could be labelled as a potential weapon, even a pen, pencil or penknife. Waist pouches are more comfortable than a purse on a picket line.
- Maintain a strong picket line, but don't obstruct public use of the sidewalk or roadway.
- Talk to people who cross the line and try to convince them to support the strike. Think about what would convince you if you were in their shoes.
- Refer all strangers, media, employer representatives or police to the Picket Captain, even if they appear friendly. Statements made by uninformed pickets may be used against the union in court or reported in the media.
- Report any unusual incidents to the Picket Captain, who in turn makes reports to Strike Headquarters.
- If rumours threaten to disrupt the picket line, ask the Picket Captain to check them out with Local Strike Headquarters.
- Rotate rest periods so the line is always strong.
- Do not enter the struck facility for any reason.
- There will be no drugs, no alcohol, no weapons, and no violence on the picket line.

Know your rights

Chances are none of us will be charged as a result of a labour dispute. However, the Local Strike Committee must be prepared to contact a lawyer immediately should any members be arrested.

If arrested, follow seven basic rules:

1. Offer no resistance, either physical or verbal.
2. Don't make oral or written statements to the arresting officers.
3. Request that someone inform Local Strike Headquarters immediately. OPSEU will provide legal counsel.
4. Go along to the police station and correctly identify yourself: name, address and phone number.
5. Refuse to answer any questions other than those regarding identity.
6. Request to see a lawyer and ask why

you have been arrested.

7. Keep cool, regardless of the tactics used by police.

As a rule, a person arrested is released in a few hours after signing a "promise to appear" in court. Ideally, a lawyer should read it before we sign it; if no lawyer is available immediately, read the document carefully: it should specify the charge against you and the date of the alleged offence.

No one should be detained more than 24 hours without a court appearance; however, it could be longer on weekends.

Remember:

- **No oral or written statements to police.**
- **Remain calm.**
- **Ask for a lawyer.**

members and will refrain from crossing a picket line if asked. The Local Strike Committee may have negotiated with police to set specific times for deliveries or crossing lines.

Repeated crossing of lines by trucks or busloads of replacement workers should be reported immediately to Local Strike Headquarters and plans made to deal with them. Note all vehicle licence numbers and find ways to identify the reason for their entry.

Trespassing: We have the right to picket on public property such as sidewalks, laneways

and driveways leading to public roadways. Managers, security guards or the police may attempt to intimidate or threaten pickets who are on adjacent private property. Under law, only the actual property owner can lay a trespassing charge; however, the property owner may have designated an agent.

Police relations

One of the first tasks of the Strike Duties Committee is to contact the local police. Police will be interested in reducing the possibility of violence on the picket lines.

Many police forces have special labour

dispute squads and publish guides on the legal aspects of picketing in the community.

Set up an official meeting with the appropriate police force.

Inform the police that we are want to maintain orderly and peaceful picket lines, but our members will not tolerate continuous crossing of the lines by replacement workers or managers.

The best way to ensure a peaceful picket line may to set definite times when managers will be allowed to cross the lines. Make it clear that these times must be as short as possible — no more than 10 minutes at the beginning of a shift. Inform all Picket Captains of the times and the rules.

Normally, if pickets conduct themselves in an orderly manner there will be no police interference with our picket lines. However, managers, an over zealous police officer or a security guard may attempt to harass the pickets.



Our response should be nonabusive but firm: We have the right to legally picket the premises. Any serious harassment by police or security guards should be reported immediately to Local Strike Headquarters so that police officials can be contacted. Note all names and badge numbers.

Strike Finance sub-committee

OPSEU strike policy says: **The Strike Finance sub-committee shall:**

- **make sure that strike pay, and advances for strike administration, are administered and accounted for in accordance with OPSEU policy;**
- **make sure that Form E (Weekly Administration Expense Record) is completed and submitted to the assigned staff representative every week, with original receipts/invoices attached;**
- **when the strike is over, submit to the assigned staff representative a completed Form F (Final Account of Strike Fund) reconciling advances received and expenditures made during the strike; and**
- **when the strike is over, provide a full report to the next General Membership Meeting of the Local on all strike finances.**

This committee is also responsible for trouble-shooting, welfare, fund raising and scrounging. It is often headed by the local treasurer.

Local strike preparation

After the membership has voted to strike and before a strike starts, each local must set up its strike accounting structure.

- Make sure that each member fills out and signs Form B (Member Personal Information Form).

- Complete Form A (Application for Strike Administration Advance).
- Submit the completed Form A to the Regional Office for approval by the staff representative, who will forward it to the Accounting Department (Accounting) at OPSEU Head Office.
- Head office will set up the local strike pay accounts. Locals must designate at least two members of the Strike Finance sub-committee as cheque signing officers. They must complete a bank signature card and return that to Accounting. Accounting will then set up the account and deposit strike pay to it.
- Designate or set up a bank account for strike administration purposes.
- For strike administration, designate at least two members of the Strike Committee or Strike Finance Sub-Committee as cheque signing officers, who must sign a bank signature card from the institution where the account was opened.

Upon receipt of the completed Form A, Accounting will forward a start-up advance of \$1,000 to the Strike Committee or Strike Finance sub-committee to use for strike administration.

Locals that have submitted an up-to-date Trustee's Audit Report to Accounting shall receive an extra quarterly rebate cheque at the start of the strike. This money may be used for strike expenses not covered below.

Strike pay shall be as follows:

	<u>Member</u>	<u>Each dependent</u>
Weeks 1-3 daily max	\$25	\$4
Weeks 1-3 weekly max	\$125	\$20
Weeks 4+ daily max	\$40	\$4
Weeks 4+ weekly max	\$200	\$20

Strike administration

Accounting will reimburse locals for the following strike administration expenses:

- appropriate strike headquarters and/or strike trailer rentals, if approved by the assigned staff representative;
- hydro hook-up or electricity generator, and generator fuel;
- portable toilets, where necessary;
- land-based telephone lines and related charges; and
- cell phone usage charges, where appropriate.

In exceptional cases, expenses not listed above may be reimbursed, if they are authorized by a staff representative first, *and* if they are approved by Accounting *prior to* the expenditure being incurred.

All strike expenses must be supported by original receipts or invoices. Expenses must be reasonable and/or be the low-cost option.

Every week, each striking local must forward a completed Form E (Weekly Administration Expense Record) to its assigned staff representative. This form must be signed by a member of the Strike Committee or Strike Finance sub-committee and accompanied by:

- original supporting receipts/invoices;

- cheque stubs for all issued cheques; and
- cheque and stubs for all voided cheques.

Locals should keep copies of all strike administration forms and supporting documentation such as receipts, disbursements, paid invoices, etc.

Strike Committees shall refer issues arising from lost, stolen or stale-dated cheques to Accounting.

Strike pay

Members who perform a minimum of four or more hours of strike duties per day, or a minimum of 20 or more hours per week, are eligible for strike pay.

Non-members are not entitled to receive strike pay. It is important to ensure that everyone who is receiving strike pay has signed a union card. People often assume, mistakenly, that because dues are deducted from their pay they are union members.

A dependent is:

- a non-income-earning spouse (excluding a spouse on strike);
- a child under 18 (or under 26 if attending school full time) OR a dependent child as defined by the collective agreement or the benefit plan;
- a disabled family member; or
- an elderly family member who normally



receives financial support from the striking member.

If both spouses are on strike, both may claim the dependents.

To receive strike pay and benefits, perform strike duties at a local other than their own, and/or request an accommodation, members must fill out Form B and submit it to the Strike Finance sub-committee. Form B should be filled out ahead of the strike deadline.

A member may apply to perform strike duties at a Local other than his or her own by filling out the appropriate section of Form B. The application will be approved if:

- the member's own Strike Committee approves the release of the member to perform strike duties at another location (such approval shall not be denied unreasonably); and
- the member finds a receiving Local that agrees to assign strike duties.

The receiving Local will only accept a member from another Local upon receipt of a completed and signed Form B. Once accepted, the member will be treated as a member of the receiving Local for the assignment of strike duties and payment of strike pay.

Members working part time or on an occasional basis shall receive the same strike pay as members working full time.

A member who works for two employers represented by OPSEU, and is on strike against both at once, shall not receive double strike pay.

After the strike is over, any eligible members awaiting recall to work may continue to earn strike pay until they return to work, to a maximum of two weeks' strike pay. In such a case, strike pay is dependent upon the performance of "clean-up" duties, if any, assigned by the Strike Committee.

Disputes over entitlement to daily strike pay may be appealed to the Strike Committee, whose decision shall be final and binding.

The Executive Board will review the level of strike pay from time to time.

Local strike pay administration

At the end of each week, Picket Captains shall deliver a completed and signed Form D (Strike Duty Performance and Payment Register) to their Strike Finance sub-committee.

Strike pay is earned daily and paid if, and only if, the strike lasts for more than one day.

A strike which lasts one day or less does not entitle members to strike pay. However, if the strike lasts for more than one day, strike pay is retroactive to the first day strike duties are performed.

Strike pay is earned daily but paid weekly. The weekly maximum shall be no more than five days of strike pay.

Locals are authorized to issue strike pay to members who are registered for strike duties and/or accommodation.

Supplementary strike pay to members, if paid, must be paid for entirely by the Local. Strike pay cheques must not be used for this purpose.

The bargaining team chair may assign strike duties to bargaining team members, with strike pay dependent upon performance of such duties. Strike pay for bargaining team members will be issued through the home local, upon authorization by the bargaining team chair.

For strike purposes, a week is seven consecutive calendar days. The first day of the strike is the first day of Week One.

The first strike pay cheque must not be issued until seven days after the beginning of the strike. Thereafter, strike pay cheques may be issued on a weekly or bi-weekly basis.

The Strike Committee or Strike Finance sub-committee shall submit all completed and signed Form Ds (Strike Duty Performance and Payment Register) to the assigned staff representative at the end of each week.

Accounting will distribute funds for strike pay to the Strike Committee or Strike Finance sub-committee upon receipt of:

- a completed Form C (Strike Register);
- a completed bank signature card; and

- a completed Form B for each Local member who is requesting strike pay and benefits.

Strike benefits

OPSEU will pay for basic life and health insurance benefits for members on strike who would normally receive these benefits while at work. These benefits will include:

- basic life insurance as per the collective agreement;
- Long Term Disability protection; and
- drug coverage as per the collective agreement.

OPSEU will also supply benefit coverage for any member who is off on a pre-existing disability claim who has had his or her coverage terminated as a result of a strike in his or her workplace.

Where a strike exceeds two months in duration, OPSEU will pay for all normal collective agreement benefits.

Final account of strike fund

No later than two months after the end of the strike, the Local shall:

- complete and return Form F to Accounting;
- pay all bills arising from the strike;
- provide a full account for all funds received, with supporting documentation, to Accounting;
- submit all reports, with supporting documents, to Accounting for review;
- return, to Accounting, any portion of the \$1,000 start up advance that has not been accounted for; and
- provide a full report on strike finances to a General Membership Meeting.

Accounting will hold back quarterly rebates for each Local until the Local has submitted



all original strike forms and/or all advances have been returned.

If the local still hasn't sent in its accounts after three rebates have been withheld, OPSEU may start the process of putting the local into trusteeship as outlined in the Constitution.

Submission of forms

All administration forms are at the back of this strike manual or can be reproduced and completed electronically at the local level on software supported by OPSEU head office.

Scrounging and fundraising

Money, goods and services can be obtained if the right people are on the scrounging committee.

It has the broad mandate to raise funds for the strike, acquiring goods or services that will save administrative costs and some money for members and their families.

Form a scrounging committee to solicit aid from other OPSEU locals, other unions and any organizations in your community who

might support you or be sympathetic to the strikers' situation.

Head office can issue appeals through the Ontario Federation of Labour (OFL), the National Union of Public and General Employees (NUPGE) and the Canadian Labour Congress (CLC) if the strike is a long one.

The scrounging committee should approach the local labour council, as well as OPSEU area councils, for assistance. Members of other unions in the community can be asked to appeal to their fellow workers and take up a collection where they work. Collecting outside plant gates (often called tin canning) should be discussed with the union concerned.

It's a good idea to build up some kind of "credit rating" in advance of a strike by joining labour councils and by assisting other unions with their labour disputes by making donations, joining their picket lines and similar actions. If it's too late for that, be sure to reciprocate in strike support for other organizations after you are back at work.

Scrounging committees might arrange the loan of a camper van, a microwave or large coffee pot for strike headquarters, games and materials if there's a strike daycare centre. Cookies, coffee, sandwiches, or canned goods can come in handy and can be scrounged by the committee, as well as clothing or children's presents if the strike is likely to last over Christmas.

Locate a supply of burning barrels and a good source of scrap lumber to keep pickets warm in cold weather.

Hardship relief

Being on strike is a financial hardship, but not all striking members are equally well-equipped to handle this hardship. The Strike Committee may provide these members with extra help over and above strike pay. This is called “hardship relief.”

Upon receiving a request for hardship relief, the Strike Committee shall set up a Hardship Relief Committee. This committee shall have two or more members. This work requires tact, diplomacy and a good business sense, as relief counsellors need to advise members experiencing financial problems. Counsellors should also be able to recognize signs that a member may require other kinds of assistance.

Local members who have taken the Union Counsellor course or have a similar background have useful skills for this work.

The names of members requesting hardship relief are to be kept strictly confidential.

To maintain confidentiality, the Hardship Relief Committee shall set up a separate bank account. Two members of the committee shall have signing authority over the account.

The Hardship Relief Committee shall:

- administer and/or solicit donations for hardship relief;
- notify local financial institutions that a strike is in progress, and that loan applications and requests for payment deferrals may be forthcoming;
- act, where appropriate, on behalf of members who are unable to meet credit obligations and ask for help from the Vice-President’s Office where necessary; and
- report to the Strike Committee on funds collected and paid out for hardship relief.

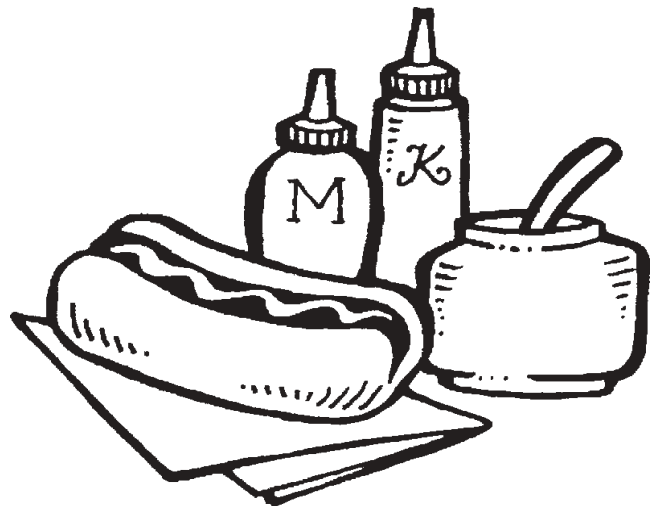
The normal hardships of being on strike do not qualify a member for hardship relief.

To qualify for hardship relief, a member must first have exhausted all other reasonable options.

Where they exist, Area Coordinating Groups shall coordinate local hardship relief fundraising efforts and channel funds to the neediest members in the area.

The union may collect money centrally for hardship relief, but central union funds shall not be used for this purpose. Money collected centrally will be distributed to Area Coordinating Groups and/or Strike Committees for use by their Hardship Relief Committees.

After the strike is over, unused funds collected for hardship relief shall be used to support other strikes by OPSEU members or other unionized workers.



Budgeting for a strike

We can’t live on strike pay: it’s designed to help us supplement savings and other sources of income during a dispute. The union puts aside a percentage of membership dues towards a Strike Fund. While this fund is in the millions, the amount per member is not large when large bargaining units are on strike.

No union could sustain a strike of any length if it was to make up the total wage loss of its members.

That means every member should plan ways to get through the difficult times ahead. Members should be advised to put aside extra for mortgages and rent, and postpone major purchases. Delaying mortgage payments can be arranged with banks and credit unions.

Only members who register for strike duties and perform picket or other strike duties will receive strike pay. Members who choose not to do strike duties will not receive any pay.

Tips for members:

Mortgages and rents: Talk to the bank or credit union and negotiate a plan for the duration before the next payment is due.

Taxes: Ask if an accommodation can be arranged to defer property taxes.

Utilities: request to spread your payments.

Loans: If your lender won't allow a deferral, consider refinancing to reduce the payments.

Credit cards: Charging purchases while on strike is not recommended, but pay the minimum charge or use a line of credit with lower interest.

Insurance: Investigate ways to spread out the premiums.

Child support: Contact your ex-spouse and try to work something out.

Special problems

Many community agencies can provide assistance to members in time of dire need. In most communities, at least some agencies deal with job finding, assistance for food, shelter, clothing and heat, and child welfare.

Striking members trained in counselling on these matters should be enlisted to assist with hardship cases.



Communications sub-committee

OPSEU strike policy says: **The Communications sub-committee shall:**

- **keep members informed and up-to-date with current information and useful advice;**
- **share information with other OPSEU Locals, Area Coordinating Groups, and OPSEU Communications;**
- **provide information to and liaise with local labour bodies, community organizations, and the community at large; and**
- **handle relations with the local news media, e.g., planning news events, writing and distributing news releases and advisories, returning calls and answering questions from reporters, and leading letter-writing campaigns.**

This committee can put out newsletters and leaflets to be distributed on picket lines. It also plans social events and general morale-boosting activities, and ensures that supporters get appropriate thank-you notes from the local.

At least one member of the committee should have internet access and check the OPSEU website daily, at the very least, for updates on bargaining and the progress of the strike in other locals.

OPSEU will have an information hot line updated regularly with the latest central information. You should consider setting up a local hot line with local updates to keep everyone informed. OPSEU will also produce a regular central strike newsletter.

Make sure the local media have the strike headquarters number as well as the home numbers of the designated spokespersons so they can be reached in off hours.

Our message to the media

We want to make sure that the union is speaking with one voice and not giving out inaccurate or contradictory information or opinions on the central issues of the strike.

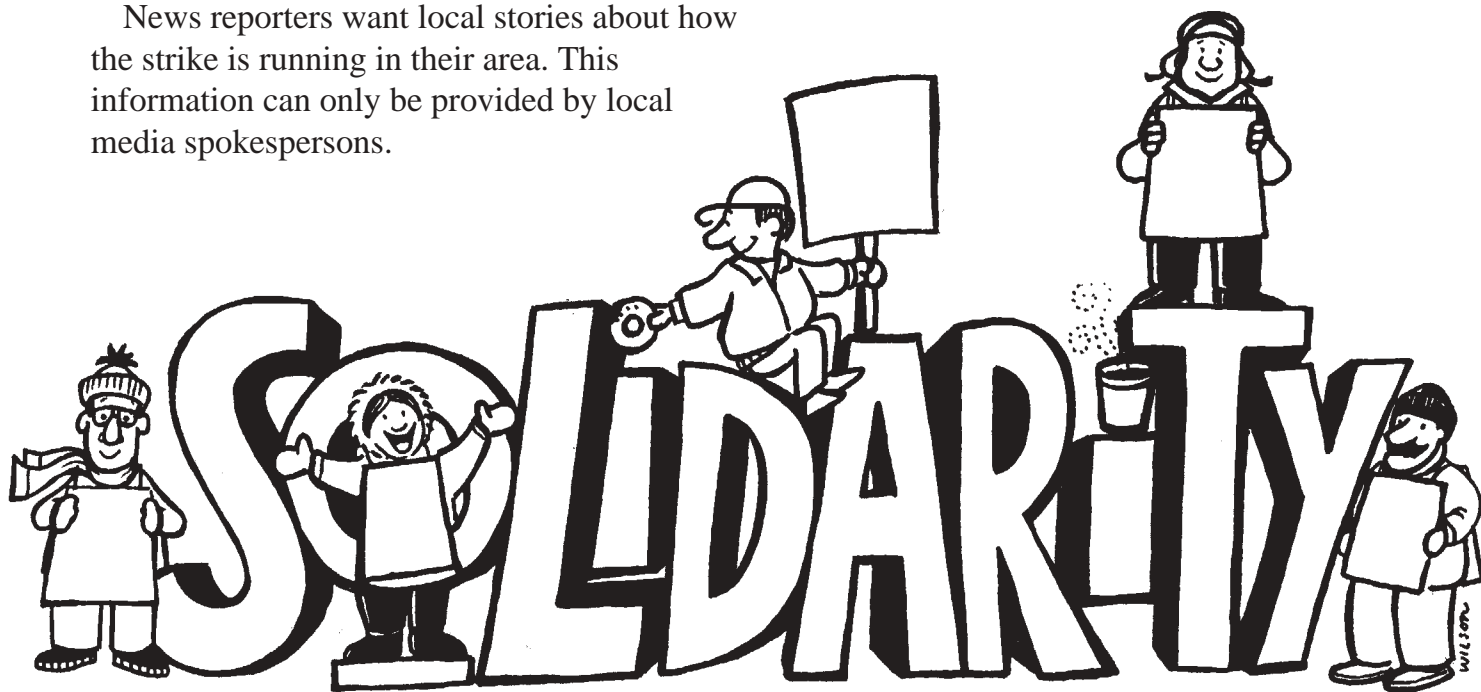
Refer news reporters to Local Strike Headquarters, or to the Communications Department at OPSEU Head Office in North York (phone: 1-800-268-7376).

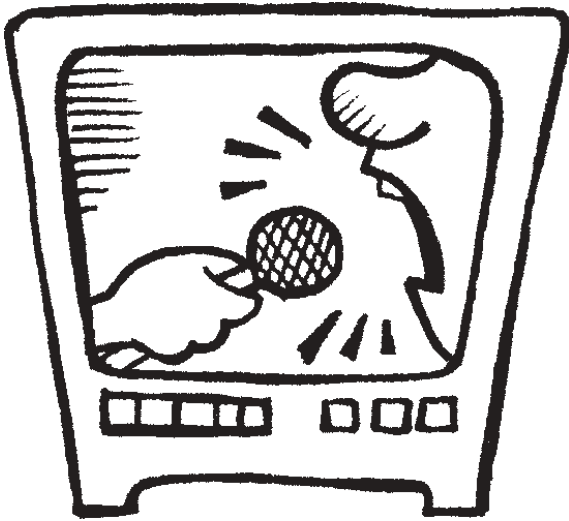
News reporters want local stories about how the strike is running in their area. This information can only be provided by local media spokespersons.

Helping news reporters

Local officials should meet well in advance with reporters who will be covering the strike or lock-out to brief them on the issues and the bargaining process. Identify the labour reporters and education reporters, or call the city desk at the newspapers or the news director at a TV or radio station. Don't overlook the smaller community newspapers – they may prove to be our best allies.

- Give reporters the facts so they don't have to hunt for them. The easier we make their job, the better coverage we are likely to get.
- Before an interview or in planning a statement for a news release or news conference, try to develop a catchy way of expressing our main message so reporters can come away with the good, short quotes they need.
- If we want a reporter to cover a particular event such as a rally or community meeting, always call with an invitation. The news release we sent may have been lost in the mail or may not have stood out from others





received.

- Ask reporters about schedules that are most convenient for them. For example, scheduling a news conference for late in the afternoon may be good for our members, but may come at time when most reporters must have already completed their stories.
- Don't lie and don't guess. Even if we get reporters to use inaccurate information once, eventually they will find out and be angry that we put them in an embarrassing position. If we don't know an answer, find out and get back to them.
- Don't assume that any statement is truly "off the record." A reporter's first loyalty is to "getting a story." That's what their boss pays them for. If we don't want to see a particular fact in print or on the air, don't give it to the media in the first place.
- Don't be upset that reporters report what the other side has to say. That's their job.
- Don't assume reporters understand anything about the labour movement. Offer to explain the basics. Do assume they are bright enough to understand what you tell them.
- Don't take a hostile approach or cut off contact with the reporter; that only hurts your chances of getting better coverage.

Tips for great rallies and demonstrations

Well-organized rallies can be one way to pressure the employer by demonstrating our solidarity and support from allies and by attracting public attention. Rallies also can boost group spirit by letting workers see proof of their strength in numbers.

However, rallies which are poorly attended and poorly run can be worse for morale than no action at all.

- **Don't assume that people will come just because we gave them printed material advertising the event.** Organize a network of on-the-job contacts or the phone tree to remind everyone.
- **Involve members in making banners, signs, or other props ahead of time.** Keep the message simple and in large enough type to read at a distance and to show up well in photographs or on TV.
- **Consider balloons with slogans printed on them** to make the event seem more spirited.
- **Give people an opportunity to play an active role** by singing, chanting, or marching. Otherwise, instead of feeling pumped up people may feel like they've watched someone else's rally on TV.
- **Arrange for musicians** to lead the crowd in singing before and after the speeches and, if appropriate, once or twice between speeches. (Don't have too many speeches.)
- **Brainstorm ideas for chants** ahead of time.
- **Incorporate a short march** into the event.
- **Include among the speakers members of the unit** and, if appropriate, members' spouses – all of whom can talk from the heart about what the contract means to them.



- **Negotiate with speakers ahead of time** about what they are going to say and set a limit on the time have to say it. For example, if politicians are going to speak, get their agreement that they will use the time to clearly endorse the union's position. Send a message to all the speakers by interrupting the first who runs over the prearranged time limit.
- **Consider using humour to make some of the points that might otherwise be buried in serious speeches.** For example, ask one of the members to dress up as the top management official and give a "speech" that parodies management's positions.
- **Talk to local police well in advance** about permits you may need.
- **For a big rally, train marshals to keep order** and help anyone who becomes ill or lost. Provide arm bands to identify the marshals.
- **Test the sound system** far enough in advance that you can get other equipment to the scene if something is not working.
- **Make sure someone calls each media outlet and invites the appropriate reporter to attend.** Offer to have a member meet the reporter at a particular time and place and stay with the reporter throughout the event to provide any necessary help such as identifying workers to interview or explaining something one of the speakers said.
- **Arrange for someone to take pictures.**
- **End the rally with a clear statement of what the next step is** and how people can get involved.

Area Coordinating Groups (ACGs)

Striking locals within a geographical area shall work together to coordinate strike activities. Locals may form “Area Coordinating Groups” (also known as “clusters”) to do this work.

ACGs shall work to implement the decisions of the Provincial Coordinating Group to strengthen the strike.

Assigned staff and Executive Board Members from the region shall provide help, support, and direction to the ACGs as needed.

Reasonable costs for the work and activities of the ACGs (meetings, conference calls, transportation, etc.) will be paid by the central union where authorized by assigned staff representatives.

Where practical and useful, ACGs may establish area-level versions of any of the strike sub-committees, including the Hardship Relief Committee.

The Provincial Coordinating Group (PCG)

The President shall, in consultation with staff and the bargaining team of the striking bargaining unit, establish a Provincial Coordinating Group to coordinate strike activities.

The PCG is responsible for providing overall strategic direction and making decisions around the activities of striking bargaining unit members. The PCG will be made up of:

- a) the President and First Vice-President/Treasurer of OPSEU;
- b) the chair(s) and vice-chair(s) of the bargaining team(s);
- c) staff and additional members as assigned; and
- d) Executive Board Member(s) as assigned.

The strike deadline

The negotiating team sets the strike date and lets the locals know. A strike protocol may be negotiated, covering the logistics of how services will be withdrawn and other issues such as employee benefits. Its terms will also be distributed to locals.

Stewards and Picket Captains must know the precise time of the strike deadline to minimize confusion. **No member can go on a legal strike before official notification from the Negotiating Team.**

If a strike or lock-out is called:

- Arrange that Picket Captains meet members as they come off the job.
- If possible, arrange a **large strike meeting** somewhere near the work location or in a nearby hall you've rented.
- For the first few hours, all members should be on the picket lines as a show of solidarity and strength.
- Picket Captains should meet with or contact all members of their picket teams to confirm picket shift schedules.

Back-to-work protocol

After a strike or lockout, the bargaining team will negotiate a "back-to-work" agreement with the College Compensation and Appointments Council covering issues that may be hangovers from the strike.

Usually in these agreements, the employer

must agree to drop any discipline, legal actions or other sanctions against union members. It also covers pension, benefits and seniority issues. Outstanding criminal charges may have to be dealt with at a later court appearance.

Reasonable deadlines will be set for an orderly return to work.

Postscript

Whether or not you've been forced to strike, been locked out or been forced back to work by legislation, everyone who fully participate in strike preparation and action has acted in solidarity with their sisters and brothers.

Whatever the outcome, you can be satisfied that you have undertaken **the best possible defence of your members and your collective agreement.**

For further information about collective bargaining or how you can get involved in OPSEU strike preparation, contact your Local Executive Committee.

Ontario Public Service Employees Union
100 Lesmill Road, Toronto M3B 3P8
www.opseu.org

