

Strike and Lockout Support



unIFOR

theUnion | lesyndicat

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Strike and Lockout Support



About

While 98 % of all contract negotiations are settled without a strike, Unifor's Strike and Lockout Department is here to provide resources, support and guidance for Unifor bargaining committees who are forced to take strike action or walk a picket line during a lockout when a mutually acceptable agreement cannot be reached at the bargaining table. At Unifor, 10% of dues goes towards our strike fund to support and provide strike benefits of \$300 a week to Unifor members.



Frequently Asked Questions

What is a Strike?

A strike is a collective action taken by all workers in a bargaining unit to put pressure on the employer to take their concerns seriously by withdrawing all or some of their labour.

What is a Lockout?

A lockout is when an employer refuses to allow employees in the bargaining unit to work. Legally, the employer can only lock employees out after conciliation has taken place and a specified period of time (as identified by the provincial or federal legislation) has passed since a No Board Report has been issued by the Minister of Labour.

What is a “No Board Report”

This is a report issued by the Minister of Labour on the recommendation of the conciliator at the request of employer and/or the Union. The term ‘no board’ comes from the fact that in this report, the Minister states that they do not consider it advisable to appoint a ‘conciliation board’ to further attempt to help the parties reach an agreement. Either the employer and/or the Union can request a no board report to be issued, and after a specified period of time the parties are legally allowed to strike or lockout.

What is Conciliation?

Conciliation is when an official is appointed by the provincial or federal Minister of Labour to assist the parties in reaching a tentative agreement. The conciliator cannot require the parties to agree on anything, has no decision-making power and is not a compellable witness in any legal proceeding. Either party may ask the Minister to appoint a

conciliator. The parties are not legally allowed to strike or lockout until after they have met with a conciliator and a No Board Report has been issued by the Minister.

What is Mediation?

Mediation is when a neutral third party, often the same person that acted as the conciliator, is appointed from the Ministry of Labour to assist the parties to resolve a dispute by suggesting possible areas of compromise, bringing a different point of view, clarifying issues and using many other techniques designed to bring the parties closer together and narrow the disagreement. The function of mediation is to assist the parties by being creative and innovative in finding areas of agreement and compromise to reach final resolution of an impasse. This is the stage in the bargaining process immediately preceding a strike / lockout deadline set out by the No-Board Report.

What is a Scab?

A scab is a replacement worker hired to cross a picket line and do the work of members in the bargaining unit. Unifor is actively calling on all elected officials at the provincial and federal level to enact anti-scab legislation, which already exists in Quebec and B.C. [Learn more on our website.](#)

** Note some emergency essential workers in Canada are currently forbidden by law from going on strike. If this is the case in your situation, and your bargaining committee and the employer can't reach a deal, a neutral arbitrator will determine the final contract in a legal process called interest arbitration.*

The Right to Picket Statement

The right to picket is part of our fundamental rights of expression and assembly in Canada.

Workers have the right to picket their employer's premises and the premises of its allies or related companies. Workers also enjoy the right to picket the premises of employers not directly involved in the dispute. Still, the right to picket is guided by the rules of civil law and criminal law.

The civil law recognizes that striking workers and unions may wish to communicate to the public about the issues in their labour dispute. The Supreme Court of Canada has recognized this rule and found that peaceful picketing is protected by our Charter of Rights unless the manner in which it is conducted is unlawful.



Unlawful conduct that could justify a limitation on picketing may include the commission of civil torts, or defamation. Picket signs should therefore communicate a message about the issues, not about personalities. Pamphlets should be factual and issue-oriented, not insulting or personal. Courts have recognized that picketing is bound to interfere with the normal operations of a business and that a labour dispute is not a “tea party”. Picketers can communicate about their issues and can ask people to respect and support their strike.

If and when police officers are called to a picket line or demonstration, picketers should do their best to cooperate with their directions. However, communications with police should be conducted in an organized and disciplined way. A picket captain should be the union's spokesperson. It is often useful to be in contact with local police officials before a dispute occurs in order to build a fair and respectful relationship.

Injunctions

Employers often apply for an injunction to limit or control picketing.

It is established in Canadian law that injunctions in a labour dispute should be issued sparingly, and as a last resort. Despite that, injunctions are often granted when there is an obstruction or interference with property. Generally, the civil law does not permit misconduct such as threatening damage or harm, blocking access to property for a long time, causing harm to property or people, or unreasonably interfering with the use of property. A Court will issue an injunction if a Court finds that without the injunction the employer will suffer serious and irreparable harm. The Court has to

balance the right of workers to engage in Charter-protected expression before granting an injunction.

In Ontario, additional requirements must be satisfied. An employer must show that the police have been called to a picket line and were unable to resolve the obstruction.

Criminal Law

The criminal law of Canada also applies to the exercise of the right to picket.

Picketers may not engage in criminal conduct, such as assault or mischief (i.e. causing damage to property). Picketers may not damage property in any way. Picketers have a right to effectively communicate information on a picket line and can do this on public property if they do not obstruct ordinary traffic on such thoroughfares.

Most members assembled in a picket area should carry a sign. Every picket line should have a picket captain who in turn should be a spokesperson. As long as demonstrators exercise their fundamental right of assembly, and peacefully cooperate with the directions of police constables in attendance, no arrests should occur.

However, if an arrest is made, the person put in custody should make no statement of any kind, at any time, to the officer about what has happened. Reasonable information about personal identification should be provided. Apart from that one should remember that everything a person says to an officer, no matter how informal or offhand the remark may be, and even if the officer says the conversation is “off the record”, may be quoted against the person in a trial later. Statements made in a police cruiser may be just as damaging as statements made in an office. One should cooperate reasonably with officers; but not by providing any statements about the events in question.



If a picketer is arrested, the officer has a discretion with respect to the time when and the conditions under which he/she will release that person from detention. For less serious offences, such as mischief (i.e. damaging or interfering with property – no one is injured) a person put under arrest may be released at the site or at the closest police office with a summons compelling them to appear in Court on a future date or by way of a kind of appearance notice.

Alternatively, a person may be kept in custody in a police station and released by an officer in charge by entering into a document called a recognizance under Section 498 of the Criminal Code of Canada. Finally, if a charge against a striker is particularly serious, he or she may be detained for up to 24 hours in custody. However, before the 24 hours have expired, the arrested person must be brought before a Justice of the Peace for a hearing with respect to their release from custody.

sdcope343/Sept'21 Revised

Summary Of Unifor Strike Assistance Rules



You are eligible for strike benefits if you meet the following qualifications:

1. Members must be in good standing before a strike begins to be entitled to strike assistance, provided they meet the other qualifications (this means that a member must be in good standing the day before a strike commences).
2. Probationary and new hires may become eligible for strike benefits only if they join the Union by paying the initiation fee and current months' dues prior to the strike taking place. If workers signed a completed Application for Membership and a Union Check-off Card, which was forwarded to the company prior to the strike taking place, they would be considered a member in good standing and are entitled to strike assistance.
3. Only members who are on the active payroll at the time strike began are entitled to strike benefits.
4. You must participate in a strike activity assigned by your Local Union, including picket line duty and in addition may include: time spent on the community services committee, strike kitchen duty, educational classes, soliciting committee, lectures or other activities established by your Local Union.
5. You must register and make application for strike benefits on the day assigned by your Local Union.
6. You must pick up your strike pay cheque on the specific day and time assigned by your Local Union. **NOTE:** It is necessary to cooperate with your Local Union by registering for strike benefits on the day assigned. It is also important that you pick up your cheque on the day you are asked to be there.

You are not entitled to Strike benefits if:

7. Your dues are not paid up-to-date the day before the strike commences or you have not signed an Application for Membership and a Union Check-off Card.
8. You are on layoff prior to the strike.
9. You are drawing Sickness and Accident, Long Term Disability, Workers' Compensation, E.I. benefits or vacation pay.

Schedule Of Benefits

10. A member shall accumulate strike pay beginning with the 1st day of the strike (for this purpose, Saturdays and Sundays shall be used when determining the strike pay week). For each work day missed due to the strike, a member shall receive one day's strike pay, at the daily rate.
11. Striking members receive \$42.86 per day for each day they are on strike, commencing with the 1st day.
12. The weekly strike pay is \$300.00 per week, payable to the member on or after the 8th day.
13. A Local Union must ensure that the Ottawa office has all current membership data and dues up-to-date. The Local's Financial Secretary should contact the Ottawa Strike and Defence Fund department to confirm all relevant membership information is current and up- to-date.
14. Your active participation in the strike duty assigned will entitle you to the following group insurance benefits: hospital care (as provided), drug, life, accidental and dismemberment premiums (not optional Life-AD & D, for which the member must pay the premium) and out-of-province paid for by the Unifor Strike and Defence Fund. These benefits will only be provided if they are part of your collective agreement.

Lana Payne National Secretary-Treasurer

If you have any questions regarding your dues payments, please see the Local Union Financial Secretary, immediately!

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The Right to Picket

Picket Captain's Handbook

Revised September, 2021

The Picket Captain

The Picket captain is:

- The representative of the union on the picket line.
- The liaison with the police and security guards on the picket line.
- Responsible for maintaining the morale of everyone picketing on their shift.

Duties of the Picket Captain

Picket captains:

- ✓ Arrive at the line 15 minutes before the start of their shift to receive information from the previous picket captain. Stay on the line until the next picket captain arrives.
- ✓ Greet all picketers and solidarity pickets as they arrive. Pass on new information from the Executive or Strike Committee.
- ✓ Take attendance by completing the daily picket line roster – ensuring all members sign in and out and remain on duty for the duration of their shift.
- ✓ Provide leadership on the picket line and bolster the morale of picketers
- ✓ Assign tasks to picketers – leading chants, leafleting and talking to people in cars, pedestrians, taking pictures, keeping the area clean, etc.
- ✓ Identify key leaders on the line, and especially those who might be interested in getting more involved in other actions to support the strike or lockout.
- ✓ Confirm identity of any scab crossing the picket line.

- ✓ Communicate with police and security guards if necessary.
- ✓ Ensure the safety of picketers.
- ✓ Make sure that someone cleans up the area around the picket line at the end of each shift.
- ✓ Pass on all forms to the next picket captain.

Picket Captain's Survival Kit

Picket captains need to bring the following every time they are at the picket line:

- ✓ Picket Captain Vest / Button / Armband
- ✓ Copies of any pamphlets being given out to anyone crossing the picket line.
- ✓ Copies of the latest strike bulletin for the picketers.
- ✓ A copy of any picketing protocols and forms.
- ✓ Traffic Cones (to slow traffic crossing the picket line and limit the chances of picketers being hit by scabs crossing the picket line)
- ✓ A mobile phone with contact numbers for everyone on your "shift" plus strike related numbers (strike headquarters, picket coordinator, strike committee members, police, etc.)
- ✓ A camera, pen, clip board and paper (to record incidents)
- ✓ First aid kit, Flashlight, Matches, Garbage Bags
- ✓ Strike and bargaining support buttons, etc.

Note: The information in this section should be given to every member before his or her first picket.

A picket line has two purposes:

- To convey the information to the public that a strike is in progress.
- To bring pressure upon the employer so as to convince him/her to negotiate a reasonable settlement.

How to Picket

- Report to your picket captain prior to the start and end of your shift.
- If you are sick or have some other reason for not being able to do your shift phone your picket captain as soon as possible.
- To avoid thinning the line, take your breaks at the assigned time
- Dress warmly. Bring snacks and a lunch.
- Wear your picket sign or vest while on duty.
- Keep moving! Patrol the assigned area and refrain from loitering.
- Inform anyone attempting to cross the picket line of the strike and politely ask them to respect the picket line. Do not argue or debate. Refer problems to the picket captain.
- If anyone insists on crossing, try to get their name, address, firm represented and the license number of the vehicle. If you have a camera, take a picture. Give the information to your picket captain.

- Do not obstruct the public using the sidewalks or roadways in front of the picket line.
- Conversation with the public should be as courteous as possible. Focus on take-aways; too many issues discussed at one time limits effectiveness.
- Bring your family to the picket line from time to time. It is important for them to understand what you are doing and what you are going through.
- Keep the picket line clean. If possible, have garbage pail near the line and have someone empty it into a garbage bag at the end of each shift.
- If approached by the media do not speak to them, refer them to the picket captain.

Dealing With Scabs

A scab is someone who makes the employer's life easier during a legal strike or lockout. They can be obvious, such as when they openly cross a picket line, or more subtle such as when they return emails and phone calls and do scab work from home or other locations. If you know that someone is scabbing, refer the matter to your local union Leadership.

Frequently Asked Questions About Picketing



What should I bring to the picket line?

- ✓ Comfortable clothes especially comfortable walking shoes.
- ✓ Snacks and food for lunch.
- ✓ A cell phone to keep in contact with your picket captain and your family.
- ✓ A camera (if you have one) and a small pad to record incidents.
- ✓ A sense of humour to help deal with the ups and downs of walking the line.

Will I be punished for my role during the strike?

- Management cannot discipline members for supporting their union.



How many picketers do we need on each picket line?

- It depends on what is happening at the work location. The strike committee will work out a picketing strategy.

Will we have any effect on the bargaining process with this strike?

- A strong presence on the picket line sends a message to the Employer that the local has strong support from its membership. As the saying goes, "the longer the line, the shorter the strike."

How long can I hold up traffic?

- Vehicles can be delayed at a picket line so that picketers can inform the occupants of the issues involved in the job action.

Can I stop people from walking into the workplace?

- It is recognized that some delay of persons crossing a picket line can occur when picketers communicate a message about the strike. That communication includes your presence on the picket line and the things that you express in your spoken words, picket signs and pamphlets. If anyone tries to cross the picket line, inform them of the issues and ask them to respect the picket line.

What should be done when the police come?

- Only the picket captain should talk to the police. Be polite and answer any questions.
- Record all visits by police to the Picket Coordinator.

Do I have to obey security guards?

- The picket line belongs to the union. Picketers take their direction from the picket captain. Security guards have no authority on the union's picket line.

Is there a limit to the noise that we can make?

- Picket lines should be noisy. Although noise by-laws apply to picket lines, there should be no problem before 11 pm and then only if someone in the neighbourhood complains.

Who do I contact in the event of problems on the picket line?

- Talk to your picket captain. There will be a cell phone on each picket line for emergencies. If you have one, bring your cell phone and camera when you picket.

Can we take pictures of events on the picket line?

- Yes, take pictures and videos of security, managers and scab activity. Don't forget that you can also take pictures of solidarity, great picket signs, etc. Pass them on to the Strike Committee.



What do we do about scabs?

- Scabs need to be identified, preferably by taking their photograph. Pass on the information to the picket captain.

What if I'm sick, have a doctor's appointment etc?

- Inform your picket captain if you can't do your shift. If the union is not informed you may not be eligible to collect strike pay.
- If you have a doctors appointment you may be asked to picket at some other time or do some other job to make up the time.

I don't feel comfortable picketing or I have a disability that makes it hard for me to picket. What can I do?

- Contact your picket captain about alternative work.
- Doing nothing is not an option if you want to get strike pay and not alienate your coworkers.

Dealing with the Media

If the news media arrives on the line, introduce yourself as the picket captain. Be friendly and be sure that your site is safe, orderly and clean. Beef up the chants and singing if the media is filming.

Show them how solid the line is and how supportive the picketers are for the bargaining and strike committees.

Refer all requests for interviews to the Strike Headquarters.

The media may also want some photo ops, some human-interest stories, etc. Get to know your picketers, listen to their stories and identify what might be a positive way to reinforce support for the strike. For example, the single mom who is coping

with the strike through the generosity of friends and supporters on the line might be interested in getting her story out there. Call the strike headquarters with the story so that someone can try and arrange an interview.

Pass on positive stories about your picket lines to the Strike Headquarters to include in the newsletter or web site. These stories will give everyone a morale boost and help win support for the strike.

If you encounter any problem, please call the Picket Coordinator or the Strike Headquarters.



Dealing with the Police

It is very important to remember that the picket line belongs to the union.

The approach of police services varies. Police normally treat labour disputes as civil disputes between management and labour and do not take sides. If there is no breach of the peace or criminal misconduct, **the police have no authority in the dispute. This can change if there is an injunction which is a court order telling picketers what they can or cannot do. Police may be involved in the enforcement of injunctions.**

Police officers should therefore attempt to maintain a neutral presence. This includes limiting their involvement to enforcing the law and safeguarding the fundamental rights guaranteed by the *Charter of Rights and Freedoms*. Police will sometimes need to be reminded of their role to remain neutral.

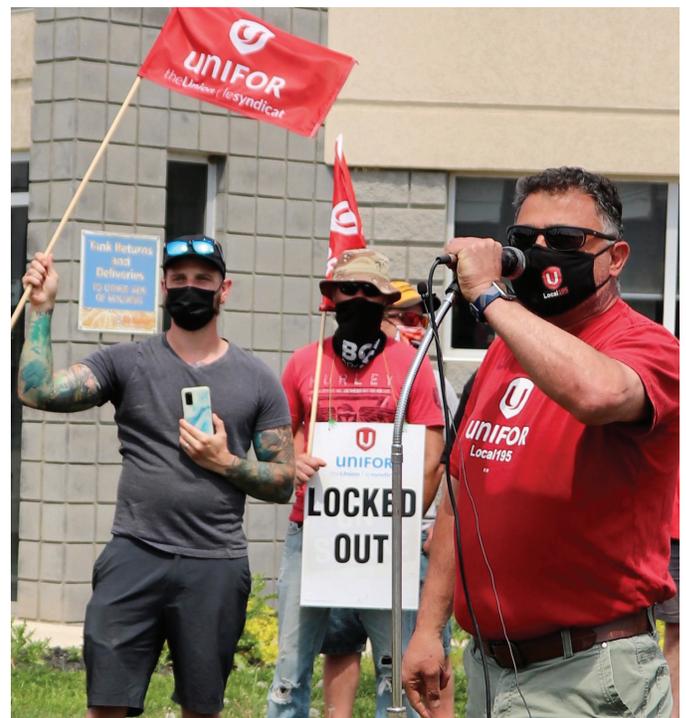
There is sometimes a discrepancy between their response times when the employer or the union calls the police. Response time needs to be documented.

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COVID-19 Impact on Strike/ Lockout Preparation and Activities

- All protocols as identified by municipal and provincial health authorities must be followed.
- Unifor's Vaccine Policy is in effect.
- All participants must fill out a screening questionnaire.
- 2 metre social distancing is encouraged.
- Hand sanitizer needs to be available.
- Face masks or coverings must be worn and must be available for members.
- All protocols for buildings must be adhered to (this includes trailers, offices etc) such as face covering must be worn and social distancing.
- If renting a trailer see if you can rent one with two doors so that doors may be identified as enter, exit.
- Face coverings must be worn inside buildings, in common areas.
- If booking porta potties, arrangements need to be made for frequent cleanings, it is also important to ensure they have wash basins, gel soap dispensers or hand sanitizer dispensers.
- Wipes for sanitizing.
- Gloves for sanitizing.
- Meeting spaces should be wiped down at intervals such as breaks and when the meeting concludes.
- Pre-screening of all attendees meetings per the Unifor Pre-screening document.





- Maintain a contact sheet to be filled out with the contact information of all attendees (picket captain would be responsible for this and should hand in to the strike coordinator to keep on file) for the purpose of contact tracing.
- Any food provided must be individually packaged, and single serve, no buffet meals.
- If the local has runners, flying squads etc, follow public health guidelines..
- When locals are signing members up for picket duty, issuing strike pay cheques or any situation where large numbers of members will gather, you need to keep in mind the limitations on gatherings inside and outside, locals may want to consider holding some of these activities outside where larger numbers of people can gather (remember face coverings are a must), options include spreading these activities over full days and several days.
- If there are members working in offices, or if members may visit offices, ensure there are directional signage on floors (arrows), 6 feet marking, mandatory face covering signage.
- Any rallies may need to be revisited and done creatively to reflect municipal and provincial guidelines, drive by rallies.
- Public health and emergency orders are broad, sweeping and enforcement can be immediate.
- Restrictions can be “weaponized” by authorities.
- Any policing authority, health authority, transit/ transportation, municipal authority can enforce COVID-19 restrictions.

Language for Events or Meeting Invitations

COVID-19 Prevention

The health and safety of our members and staff on this picket line is a priority. The ongoing pandemic requires us to collectively work together to ensure that everyone participating in this action, as well as their families and loved ones, are kept safe.

Unifor has adopted a union-wide comprehensive policy on COVID-19 prevention for Unifor picket lines, events, meetings and offices.

All public health guidelines as outlined by the regional public health unit will be followed for this event.

Proof of immunization

All participants at this Unifor picket line are required to be fully vaccinated against COVID-19 in order to gain access to the site. Unifor requires proof of vaccination provided by the province or territory in which the individual resides, verifying receipt of a vaccination series approved by Health Canada or the World Health Organization. We will not keep records of vaccination disclosure information.

Any participant who does not provide proof of vaccination or valid medical exemption will not be allowed to access the space and will be required to travel home and cover any lost travel, time or accommodation costs.

Prior to arriving on site

Prior to arriving on site, we require that every participant respond to the pre-screening questionnaire. You must self-screen with the attached questionnaire daily before presenting to the physical location of event.

If you answer “yes” to any questions, or are feeling ill in any way, do not come to the event location.

We ask that you cancel your participation immediately by notifying:

You must then follow your local public health guidelines, including getting tested for COVID-19.

Questions? Concerns?

Please contact:

Barb Dolan, Director Strike and Defence Fund
Barb.dolan@unifor.org
416.998.3954



COVID-19 Pre-Screening Questions



In order to ensure the health and safety of all staff and members, please ask the following questions to limit the spread of COVID-19.

If you answer yes to any of the questions below, please do not come to the event location and contact your local health authority.

1. Are you experiencing any of the following symptoms:

- Fever of 38°C or higher?
- Cough?
- Difficulty breathing or shortness of breath?
- Severe fatigue or feeling of being generally unwell?
- Loss of smell or taste?

2. In the last 10 days have you:

- Tested positive for COVID-19 or been advised by a doctor, health care provider or public health unit that you should currently be isolating or staying home?
- Tested positive on a rapid antigen/home-based test and not completed a follow up test at an assessment centre?
- Had close physical contact:
 - with someone you live with who is experiencing any new COVID-19 symptoms and/or waiting for a test result?
 - with someone who has tested positive for COVID-19 or who is considered a probable case?
- Received a COVID Alert exposure notification on your cell phone?

3. In the last 14 days have you:

- Travelled outside of Canada and been told to quarantine (per the federal quarantine requirements)

If you answer “yes” to any questions, or are feeling ill in any way, do not come to the event location.

We ask that you cancel your participation immediately by notifying:

You must then follow your local public health guidelines, including getting tested for COVID-19.

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Tips for Taking Photos on the Picket Line



Please designate someone to take photos on every shift.

One of the key tactics that will help us achieve our goals is a strong, continuous, and fresh presence on social media. To achieve that, we need a constant flow of coverage of our awesome members on the picket line.

Do:

1. Go horizontal. Turn your phone sideways and get a picture that is wide, not tall.
2. Get close. Don't zoom, instead get physically closer to your subject and eliminate empty space (sky/ground) so we can get great high quality images of our members.
3. Take more pics than you need and sort them later. Send us only the best ones (with everyone's eyes open).



Don't:

1. Don't zoom* Smart phones use a digital zoom that degrades the quality of the photo. If you feel the need to zoom, move closer!
2. Don't send small files. If your email app asks you, send the original/large file. We need high-resolution photos.
3. Don't apply filters. Please don't use iPhone's Live Photo features or any other bells and whistles like filters or vignettes. Those features are nice but give us the #nofilter photo so we have the flexibility to edit as needed.

Videos:

If you can film short (5 - 15 seconds) "b-roll" (eg. Members walking a picket line or a short "One Day Longer - One Day Stronger" chant, that is helpful. As with photos, the higher resolution, the better. Video should be shared via Dropbox or Google Drive or another cloud-based service so you don't burn all of your cell plan data. If this sounds too complicated, we can help—or don't bother, static pictures are the priority.

How many should I send?

1-5 photos per day is plenty.

Are selfies okay?

Yes! Especially if you get your fellow picketers in the background.

Strike and Defence Fund Checklist



Please note **needs will vary** from local to local.

Please note the strike fund does not cover any costs incurred prior to the commencement of a strike/lock out and no costs incurred after ratification.

Any exception costs not identified on the budget **must be pre-approved** by the Director Strike and Defence Fund.

Also, please note that **this is not an exhaustive list** of what you may require.

- On strike signs
- Lock out stickers
- Rain ponchos
- Burn Barrels (note: verify municipal fire guidelines before setting up)
- Firewood
- Gas – flying squads, generators, runners
- Trailer, tent, protection from the elements
- Porta potties
- Strike kitchen \$5.00 per picketing member per day – note this includes coffee, water, muffins etc. All food must be individually package
- Generator
- May or may not need portable table(s)
- Safety vests (high traffic areas)
- Safety cones (high traffic area)
- Office costs – paper, photo copying, postage
- May require walkie talkies to communicate from one entrance (gate) to another
- First aid kits
- Flash lights – lighting for night picketing
- Caution tape, if roping off an area
- Garbage bags
- Rope
- String or stakes for signs
- Staple gun
- Clipboards/pens
- Tarps
- Toilet paper, paper towels, kleenex
- COVID-19 protection – face masks, hand sanitizer

Questions? Concerns?

Please contact:

Barb Dolan, Director Strike and Defence Fund
Barb.dolan@unifor.org
416.998.3954

Pre-Authorization Request Strike Plan Budget

(submitted by Local Union)



Local Union #		National Representative	
Address:			
Name of Unit:			
Location:			
# of Members on Strike/Lockout:		Date Strike Started:	
EXPENSES		Start Up	Weekly
Trailer Rental			
Utilities/Generator			
Telephone			
Firewood			
Gasoline			
Portable Toilet Rental			
Strike Kitchen			
Office Supplies & Postage			
Other Picketing Expenses: Specify			
Total			

x _____
Signed by Local Union Financial Secretary

Date _____

x _____
Approved by Regional Director

x _____
Approved by Quebec Director

x _____
Approved by Assistant to the President

Date _____

cc. Ottawa office
Director of Strike and Defence Fund

Weekly Analysis of Strike Expenditures

(submitted by Local Union)



Local Union #		Report #	National Representative
Address:			
Name of Unit:			
Location:			
# of Members on Strike/Lockout:	Date Strike Started:	Date Strike Ended:	
SUMMARY OF EXPENSES			
Trailer Rental			
Utilities/Generator			
Telephone			
Firewood			
Gasoline			
Portable Toilet Rental			
Strike Kitchen			
Office Supplies & Postage			
Other Picketing Expenses: Specify			
Total			

x _____
Signed by Local Union Financial Secretary

Date _____

x _____
Approved by Regional Director

x _____
Approved by Quebec Director

x _____
Approved by Assistant to the President

Date _____

cc. Ottawa office
Director of Strike and Defence Fund

Strike and Lockout Support

Strike and Defence Policy

Policy number:	Category:	Type:
C-004	Strike and Defence	Fund Operations

Effective Date:	Replacing file:
September 1, 2013	Revised

1. PURPOSE

1. The primary purpose of the Strike and Defence Fund (the Fund) is to support members who participate in authorized strikes or lockouts.
2. A regulated portion of the Fund may be used for campaigns and defence of the membership with the approval of the National Executive Board.
3. Fundamental to the concept of the Fund is the principle that success in a strike or lockout situation cannot be purchased. The unity and sacrifice necessary to win a conflict is never dependent on finances alone. The Fund and this policy reinforce our member's solidarity, but can never replace it.

2. DEFENCE FUND BENEFITS AND OPERATING PRINCIPLES

4. The following set of principles governs the operation of the Fund.
5. A percentage of the National dues received as determined by the Constitution Article 16 (15), will be transferred to the Fund by a monthly transfer into a separate account.
6. The Fund shall be used to assist Locals in the event of a strike or lockout.
7. Strike benefits shall be paid according to Article 17 Section C of the Constitution which as of August 21, 2019 are:
 - Strike assistance pay of \$300.00 shall be provided for each week of an authorized strike or lockout, prorated by day, including the first week. Strike assistance pay will cease on the members individual return to work, not to exceed 28 days following the ratification date.
 - Medical and health benefit costs for members in a strike or lockout may be provided by the Fund according to criteria established by the National Executive Board.

8. All strike votes and ratification votes are governed by Article 17 of the Constitution and eligibility for benefits from the Fund may be denied if an appropriate strike or ratification vote was not properly conducted.
9. Local Unions which are in arrears in their National dues, Regional or Quebec Council dues or other assessments, or which have failed to reconcile accounts from previous payments from the Fund, may be denied access to benefits.
10. Where Local Unions have no right to strike or face compulsory arbitration they may apply to the National Executive Board for assistance from the Fund to meet the cost of extraordinary expenditures.
11. An amount not exceeding the National dues income of the Fund in the previous year may be used upon approval of the National Executive Board for special campaigns to defend the Union and its membership, e.g. special or mobilization campaigns to protect and promote employment and good jobs, legislative campaigns, defending against raids, boycotts, expenses arising out of court or arbitration cases related to strikes or lockouts or other matters, that have broad national implications including the defense of social and democratic unionism. All expenditures will be made on the basis of National Union priorities and strategic legal considerations.
12. Special campaigns can include assistance to workers in other unions involved in disputes of national importance.
13. Administrative costs shall be paid out of the Fund.
14. All other disbursements must be supported by a National Executive Board resolution or an Executive Board poll.
15. All requests for assistance will be submitted to the National Executive Board for acceptance in advance of arbitrations, legal cases or campaigns commencing.
16. Any dispute on eligibility for benefits from the Fund shall be decided by the National Executive Board, whose decision shall be final.
17. Should the Defence Fund be depleted, the National Executive Board shall have the authority to borrow money as necessary to meet its obligations.

3. ADMINISTRATION OF THE FUND

18. Overall responsibility for all operations of the Fund resides with the National Executive Board. For administrative efficiency and in accordance with the Constitution, the following specific duties shall be carried out.
19. The President of the National Union, or designate, shall:
 - Authorize strike action by a Local, Locals or bargaining units;
 - Approve Fund payments to a Local or Locals;
 - Rule on requests from Locals regarding Strike Support Plans;
 - Designate and assign responsibility for the proper conduct of a strike or lockout to the appropriate Assistant, Quebec Director, Regional Director or Representative(s);
 - Provide information and notification as appropriate to the Quebec Director, Regional Directors and Assistants;
 - Ensure that the National Executive Board is kept informed of important developments.
20. The Secretary Treasurer of the National Union, or designate, shall:
 - Be responsible for maintenance of the Fund in accordance with the Constitution;
 - Advise the President of the National Union of the current status of a Local or Locals involved in a dispute, including the number of members in good standing in the bargaining unit(s) involved according to National Union records;
 - Arrange for Fund payments, in accordance with proper procedures, to a Local or Locals involved in a dispute;
 - Invest monies of the Fund to achieve the best possible return for the good of the membership;
 - Provide written reports on the status of the Fund, including balance, payments made to Locals and members, investments and investment plans, at regular meetings of the National Executive Board, and provide an audited financial statement at least once a year and at other times as required or directed by the National Executive Board;
 - Furnish any forms or directives in connection with the administration of the Fund, which may be required from time to time;
 - Ensure that a Local or Locals involved in a dispute are properly trained and prepared on the Defence Fund Rules and on Strike Authorization Procedures.
 - Shall have the authority to make final decision on behalf of the National Union on issues that may fall outside of this policy

21. The Quebec Director, Regional Directors or Assistants shall:
- Keep the President of the National Union apprised of all bargaining developments and particularly those situations where a dispute appears imminent;
 - Make recommendations to the President of the National Union in connection with strike authorization, payment of Fund benefits, and termination of same;
 - Review and approve the Strike Plan in accordance with this policy;
 - Be responsible to release strike authorization to a Local or Locals at the appropriate time.

4. STRIKE AUTHORIZATION

22. Strike authorization and all payments from the Fund are authorized by the President under Article 17 of the Constitution.
23. The President shall grant strike authorization if a strike vote was held in accordance with the Constitution and if the membership have clearly authorized a strike as provided for in this Policy. The President has the responsibility to withhold authorization if a strike would result in serious harm to the membership or the National Union.
24. A strong strike mandate is an important element in successful bargaining. It sends a clear message to the employer and it strengthens and demonstrates the solidarity of our members. Leadership and staff should strive to achieve at least 66 2/3% and as high a vote as possible. If this is not achieved, the President shall determine whether a strike is warranted by strategic considerations.
25. As a matter of bargaining strategy, a strike vote is often taken early in the bargaining process. When this occurs, strike authorization requests should be delayed until a strike is considered possible.
26. If a new and substantive offer has been made subsequent to a strike vote, the President shall determine that the new offer has been considered by the membership, or appropriately considered and rejected by the Bargaining Committee.
27. A request for strike authorization shall be sent to the President by the National Representative assigned to the bargaining, and a copy of the request for authorization shall be sent to the Regional Director or the Quebec Director and to the Strike and Defence Department.

28. Typically, strike authorization may require 72 hours' notice and consideration by the office of the President.
29. A request for strike authorization shall be completed on a form provided by the office of the President and include the following information:
 - Description of the company, workplace and members affected by the dispute;
 - Status of negotiations, mediation or conciliation, including outstanding issues;
 - Details of the strike vote, including date, location, voter turnout and voting results;
 - Other unions or workers that would be affected by a strike;
 - Strategic matters that would affect the conduct of a strike, including pattern or industry bargaining considerations, corporate relationships, supply chains and government policy or interventions.
30. The Quebec Director or the Regional Director shall provide additional information and advice to the President if required.
31. Strike authorization shall be signed by the President and sent to the Quebec Director, Regional Director or designated Representative and to the Strike and Defence Fund Department. No work stoppage shall take place until the authorization has been released to the Local Union or Bargaining Unit by the President's Office, Quebec Director, Regional Director or Representative.
32. If the circumstances which gave rise to a strike authorization have substantially changed, the President may withdraw strike authorization, subject to the approval of the National Executive Board.
33. Strike authorization ends with the ratification of an agreement that ends a strike or lockout.

5. ELIGIBILITY FOR BENEFITS

34. If a labour dispute commences, Local Unions or bargaining units shall establish a Local Strike Committee to assist in the implementation of this policy.
35. Rules of eligibility for strike assistance concerning hours of picketing or other strike-related duties shall be determined by the Local Strike Committee.
36. Under no circumstances will a member be eligible for strike assistance unless that member performs the strike-related duty assigned or is duly exempted from performing that duty by the Local Strike Committee.

- a. Subject to written request and approval of the National Executive Board, a Local Strike Committee may distribute weekly strike pay on an “accumulated hours of picket duty” basis. This shall apply only in exceptional circumstances. Each request shall be reviewed and decided by the National Executive Board on a case-by-case basis.
37. A surviving spouse of a member who passes away during a dispute may continue to receive assistance from the Fund on an equitable basis. The member or the surviving spouse of a member who passes away during the dispute receiving the payment must sign a form acknowledging the amount and that such payment has been received (the President of the National Union may approve alternate arrangements in special or unusual circumstances).
38. Any member receiving Workers Compensation, Employment Insurance, vacation pay or any similar form of income will not be eligible to receive strike assistance from the Fund. However, it is understood that members may still receive strike assistance even if they receive other employment income given that they meet all other requirements of this policy.

6. PAYMENTS TO MEMBERS AND LOCAL UNIONS

39. The Local must send a complete list of their members in good standing in an electronic format stating the status of each member and their eligibility.
40. For clarification, only those members (or the surviving spouse of a member who passes away during the dispute), who are working in the bargaining unit where the strike or lockout occurs and on whose behalf national dues to the National Union has been paid (or have been exempted from paying per capita in accordance with the Constitution) will be counted. Excluded will be individuals the Local has reported as "gone", "left", etc., but are still considered members in good standing because they are not more than three (3) months in arrears in per capita.
41. Newly hired members: The Defence Fund payments on behalf of these members will not be made until the Local provides adequate documentation concerning the good standing of those members.
42. Newly organized units shall receive strike assistance based upon the membership application cards received by the National Union, or an authenticated list signed by the Local Union Secretary Treasurer, no later than the Friday of the week in which the dispute commences.
43. In the case of Amalgamated Locals which do not break down their National Dues reports by separate bargaining units, such a Local shall send to the Secretary

Treasurer of the National Union a list of the names of the members in the affected bargaining units as of the commencement of the strike or lockout before they can receive any payment or strike pay from the Fund.

44. Members returning from leaves during the dispute may be added to the list, starting on their return date, if Locals provide adequate information.
45. All strike assistance to members shall be paid in person only, by cheque. The Fund will provide the weekly strike cheques and members listing to the local's designate who will be responsible for the distribution to the members who have completed their full duty as defined by the strike committee.
46. Cheques covering the total entitlement for the Local Union will be issued on Day 8 of the conflict and include \$300 per member for the first week of the dispute, or \$42.86 per day. Payments shall be made each seven (7) days thereafter.
47. In accordance with the Fund principles, payments shall cease on the members individual return to work date. Such payments should not exceed 28 days following the conclusion of the dispute.

7. STRIKE PLAN SUPPORT

48. In addition to benefits to members as provided by the Constitution and subject to the approval by the President of the National Union, additional support may be provided to support a strike plan covering costs for receipted costs directly associated with administrating the strike/lockout, including picket line facilities and special needs.
49. A strike support plan, set out on a form provided by the office of the President, once approved, shall be funded taking into account factors such as the number of members involved in the dispute, the number of sites to be picketed, gates or picket lines, the location of the dispute etc.

8. CONCLUSION OF DISPUTE

50. Within 90 days of the ratification date of the agreement that put an end to the strike or lockout, the Local Union insures that all outstanding cheques distributed to members, they must also provide copies of all strike receipts and return all undistributed cheques to the National Union. Failure to comply may result in revocation or suspension of Charter in accordance with our Constitution.

9. DONATIONS AND APPEALS FOR FINANCIAL ASSISTANCE

51. Appeals for financial assistance to each Local Union and outside organizations may be made after the fifth week of a dispute by the President of the National Union after consultation with the Quebec Director or Regional Director(s) involved.
52. Monies received from donations and appeals must be distributed to the members by the Local.

LP/JP/bmk/lgcope343

Revision history	Approval date:
November 7, 2019 September 9, 2020 - to include resolution from Local 597	

References
<ul style="list-style-type: none">• Resolution to NEB September 9, 2020 - Amendment from Unifor Local 597: Distribution of Strike Pay Based on Accumulated Hours of Assigned Picket Duty.• Local 597 Option form for Students

Anti-Harassment Statement



March 2016

Every individual has the right to dignity and respect within the union and within the workplace. Creating and preserving a safe harassment-free environment at all union activities, events and meetings is our collective responsibility.

Unifor will not tolerate or condone words or actions that undermine the dignity or self-esteem of any individual or which create an intimidating, hostile or offensive environment. Any form of harassment within the union environment undermines our solidarity and runs contrary to our commitment to equality. Any such harassment may result in sanctions pursuant to this Policy

Harassment is not a joke. It is unwelcome, unwanted and uninvited. It is an expression of power or perceived power by the harasser(s). Harassment includes words and actions which humiliate, insult or degrade. It may include, but is not limited to, unwanted comments, slurs, racist or sexist jokes, pictures or posters, bullying or intimidation, graffiti, physical contact of any kind, remarks about a person's appearance or personal life, unwelcome sexual advances or demands, suggestive looks or gestures, mockery of religious practices or customs or desecration of religious imagery.

Harassment that violates human rights legislation, on any prohibited ground, violates this policy. Bullying and personal harassment are equally offensive to union principles and may also result in sanction under this Policy. Bullying is the assertion of power through aggression, physical or otherwise and can include intentional isolation of an individual or group. It usually involves repeated incidents or a pattern of behaviour that is intended to intimidate, offend, degrade or humiliate a

particular person or group of people. Expression of differing opinions is expected in every organization and such expression does not, on its own, constitute a violation of this Policy.

If you believe you have been harassed you are encouraged to take action. If you are able to express that the offensive words or conduct are unwelcome you are encouraged to do so. If you are unable or if you are uncomfortable doing so, or if the behaviour persists, you are encouraged to approach an ombudsperson for assistance.

Unifor commits to taking every harassment complaint seriously and will treat each incident with sensitivity and confidentiality. Informal resolution is always encouraged and may include, but is not limited to, apologies, reprimands or removal from the event.

If a matter cannot be resolved by informal processes or where a complainant desires, a formal complaint may be filed in writing to the National Anti-harassment Coordinator at the National Office. The designated Ombudsperson(s) can provide direction on the process of filing a formal complaint. Where the safety of any individual is compromised appropriate authorities will be contacted.

For the Unifor function the designated ombudsperson(s) is:

so:cope343

