



**MEMO**

**TO: NSCAD FUNSCAD UNIT II, NSGEU, AND UNION EXEMPT EMPLOYEES**

**RE: WORK STOPPAGE PROTOCOLS**

To NSCAD Employees:

On February 26, 2019, NSCAD received official notice of the Faculty Union's intention to strike (FUNSCAD, Unit I). This means that the Union will be in a legal strike position on Thursday, February 28 at approximately 4:00 p.m. **FUNSCAD has advised that they have chosen to take strike action on Friday, March 1, commencing at 8:30 a.m.**

NSCAD respects the rights of Unit I to commence a legal work stoppage, and it is NSCAD's responsibility to ensure, to the best of our ability, that the university continues to operate and provide important services to our students and the community.

**Your legal responsibilities during a work stoppage:**

**NSCAD employees who are not members of FUNSCAD Unit I have an obligation to attend work.** The *Trade Union Act* of Nova Scotia only permits employees in a legal strike position to withdraw their services, but that is generally not true for other employees; further details set out below. Some employees may believe that they are entitled to honour a picket line, however this is considered an illegal strike. Some FUNSCAD Unit II and NSGEU members may believe there is a 24-hour grace period to not cross the picket line, but this is not the case.

For clarity, FUNSCAD Unit II employees are expected to report to work and any failure to report for work without a *bona fide* reason may be subject to disciplinary action.

**Information on picketing and how it may affect you:**

NSCAD appreciates that crossing a picket line may present difficulties for employees who are not on strike. Appropriate measures will be taken to ensure that union members who are picketing follow the law. The following information provides guidelines on picket lines for all employees:

- While employees within the bargaining unit may have the legal right to picket, all other employees have the right to attend work without fear of harm to his/her person, property or reputation.

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- Employees on the picket line have the same rights under the law to be free from coercion and discrimination. Employees attending work must refrain from any words or actions which might suggest that an employee will be discriminated against or coerced in any way because he/she is on the picket line.
- Picketers may not block access to university property, prevent entrance to buildings, use abusive or threatening language, or throw objects. These types of actions are illegal and may be subject to criminal charges or other legal action.
- As employees come and go from work, they should use the main entrance as there will be only one entrance available at each campus. If you are stopped, explain politely that you are not involved with the labour dispute and that it is within your legal rights to report to your job. Do not engage in further discussion or try to force your way in.
- If you have difficulty with the picketers or entering the building record the name or description of the person(s) making the threats or using physical force and the surrounding circumstances and report these actions to the Director of Human Resources or the Acting Director of Facilities Management.

Striking employees will not be granted access to NSCAD property. They will have no right to access any services, equipment or electronic communication systems of the university. If any non-striking employees assist in providing access to, or utilization of, NSCAD services it will be considered a serious matter.

Please note should you receive inquiries from the media, please direct the inquiry to [labour@nscad.ca](mailto:labour@nscad.ca).

We sincerely regret the disruption that a strike may have on students and employees and will do everything reasonable to conclude a collective agreement as soon as possible. During this time, it is important that we maintain good relations with all employees on campus, including those on legal strike who engage in legal picket activities.

Regular updates for employees will be provided on the NSCAD Navigator site at <https://navigator.nscad.ca/labour/>.

Sincere regards,



Prof. Dianne Taylor-Gearing, FRSA  
President, NSCAD University