

GlobeGround/Servisair Employees

Your Rights at Work - Struck Work

What rights do unionized and non-unionized employees of GlobeGround/Servisair at YVR have when asked to perform work that is normally performed by fellow employees who are on strike or who have been locked-out?

The Canada Labour Code gives employees of GlobeGround/Servisair (not including managers), the right to refuse assignment to the duties and responsibilities of a fellow employee who is participating in a strike or subject to a lockout.

The Canada Labour Code states:

Section 94 - Unfair Practices - Prohibitions relating to employers

(3) No employer or person acting on behalf of an employer shall

(c) suspend, discharge or impose any financial or other penalty on an employee, or take any other disciplinary action against an employee, by reason of their refusal to perform all or some of the duties and responsibilities of another employee who is participating in a strike or subject to a lockout that is not prohibited by this Part;

The Canada Industrial Relations Board (CIRB), the body that administers the Canada Labour Code, has consistently upheld and supported decisions of protected workers who have exercised this right.

In the event that a strike or lockout does occur, GlobeGround/Servisair's supervisors can respectfully refuse to perform struck work and are protected by law if they do so. PSAC will support and stand behind these workers if they face reprisal for exercising their legal right to refuse struck work.

What to say if you are asked to perform struck work



Under section 94-3 of the Canada Labour Code, and with respect, I refuse the work that you are asking me to perform. This work is not within my duties, and is considered struck.



Solidarity is important right now.

We're going to continue working with the Supervisory group to send a clear message to the employer that we are one, strong, solid group of members - members who all deserve a fair wage and a fair contract.



For more information, contact Janelle Ho-Shing at the PSAC Vancouver RO (604) 430 4631

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