

To: All Full-time, Appendix D and Appendix G
Support Staff Employees

MEMORANDUM

From: Don Sinclair, CEO
College Employer Council

Date: September 7, 2011

Re: Your right to work during a strike

During a work stoppage you are faced with choices. Whatever decision you make, whether it is to serve on the picket line, come into work or just stay at home, we fully respect that choice.

You have the right to continue to work during a strike, provided your College has work available for you. The law specifically gives you that right. Your College has already indicated that those of you who wish to work will be accommodated.

We have been informed that the Union has been threatening employees with fines and penalties if they choose to exercise their legal right to work. This is wrong. We have consulted our legal advisors and have been informed that such fines would be unenforceable. Threatening employees in an effort to prevent them from exercising their legal rights also amounts to an unfair labour practice under the *Colleges Collective Bargaining Act*.

In the event you chose to exercise your right to work and OPSEU attempts to impose a fine on you, the College will refuse to implement such a fine. If OPSEU attempts to recover this money from you through the Court system we will provide you with legal counsel for your defense at our expense. In the unlikely event that the Courts uphold these "fines" we will pay them. You have the right to continue to work and we are disappointed that OPSEU would try to impede these rights.

Again, whatever your choice, we will fully respect that decision.

Sincerely,

Don Sinclair



Chief Executive Officer
College Employer Council