

**REFUSING TO CROSS A LEGAL PICKET LINE: YEU/PSAC CONTRACT EXCERPTS (APRIL 2023)****Yukon Government Workers – Locals Y010, Y017, Y034, Y043, Y045**

52.01 (1) Subject to paragraph (2) below, an employee covered by the Collective Agreement may refuse to cross a legal picket line. Any employee who refuses to cross a legal picket line shall be considered to be absent without pay.

(2) The Parties agree that the designated services pursuant to paragraph (3) below must be maintained by employees of the Yukon Government. No employee who has been designated pursuant to paragraph (3) below shall have the right to refuse to cross a picket line.

(3) The Parties agree that the positions listed in the Essential Services Agreement signed by the Parties on March 29, 1990, and any subsequent amendments shall be designated pursuant to paragraph (2) above. No employee filling such a designated position shall have the right to refuse to cross a picket line they encounter during their regularly scheduled shift, or any overtime scheduled pursuant to Article 16.01. Such an employee shall be required to perform all the duties of their position.

(4) An employee who refuses to cross a legal picket line pursuant to paragraph (1) above shall not be subject to disciplinary action by the Employer for such refusal.

**Yukon University Employees Union – Local Y011**

23.01 Employees may refuse to cross a legal picket line. Where employees refuse to cross a legal picket line, they shall be considered on authorized leave without pay.

**Yukon Women's Transition Home – Local Y012**

Article 47.03: Employees covered by this agreement shall have the right to refuse to cross a picket line. No employee shall be disciplined by the Employer for exercising the right guaranteed in this clause.

**Child Development Centre – Local Y013**

Article 51.3 Subject to directive issued by a Labour relations board, if any Employee refuses to cross a legal picket line, the Employee will be considered

absent without pay and it will not be considered a violation of this Agreement nor will it be grounds for disciplinary action.

**Nakwaye Ku Daycare – Local Y014**

46.03: The employees shall have the right to refuse to cross a legal picket line at the Employer's premises, provided the Employer is given seven days notice by the Union of such impending picket line to make alternate arrangements for service to clients. In making such arrangements, the Employer will consult with the Union.

**KVA – Local Y018**

Article 41.03: Employees covered by this Agreement shall have the right to refuse to cross a picket line. No employee shall be disciplined by the Employer for exercising the right guaranteed in this clause. An employee who is at work when a picket line goes up shall be deemed not to have crossed the picket line. Employees who refuse to cross a picket line shall not be paid for lost time.

**Queer Yukon Society – Local Y019**

No Collective Agreement

**Yukon Arts Centre – Local Y021:**

40.03 Employees covered by this Agreement shall have the right to refuse to cross a legal picket line. No employee shall be disciplined by the Employer for exercising the right guaranteed in this clause.

**Yukon Utility Workers – Local Y024**

38.02 a) Should an employee covered by this collective agreement encounter a legal picket line by another trade union at locations other than the Employer's premises, employees covered by this collective agreement shall have the right to refuse to cross that legal picket line.

b) If an employee encounters such a legal picket line they will promptly report the matter to the Employer, and the Employer will make every reasonable effort to ensure that the employee is deployed elsewhere so that the employee does not suffer a loss of pay or benefits.

**REFUSING TO CROSS A LEGAL PICKET LINE: YEU/PSAC CONTRACT EXCERPTS (APRIL 2023)****Yukon Hospital Workers – Local Y025**

10.02 (a) All employees covered by this Agreement shall have the right to refuse to cross a lawful picket line at locations other than the Employer's premises, that does not involve a lawful collective bargaining dispute between the parties to this Agreement. Any employee who relies on this provision and fails to report for duty shall be considered to be absent without pay. Failure to cross a picket line as described in this Article, in carrying out the Employer's business, shall not be considered a violation of this Agreement nor shall it be grounds for corrective action.

**NDP Caucus – Local Y027**

45.3 Employees covered by this agreement shall have the right to refuse to cross a picket line. No employee shall be disciplined by the Employer for exercising the right guaranteed in this clause.

**Northern Safety Network – Local Y030**

6.03 Employees covered by this agreement shall have the right to refuse to cross a picket line. No employee shall be disciplined by the Employer for exercising the right guaranteed in this clause.

**Air North Local – Local Y036**

Article 11.02: Where an Employee expresses a reasonable concern for their safety in attempting to cross a picket line on the Company's premises, the company will ensure, so far as is reasonably practicable, safe access to the workplace.

**Help & Hope for Families – Local Y038**

45.03 Employees covered by this agreement shall have the right to refuse to cross a picket line. No employee shall be disciplined by the Employer for exercising the right guaranteed in this clause.

**Teegatha'Oh Zheh – Local Y040**

No language protecting the right not to cross a picket line.

**Haines Junction Municipal Workers – Local Y042**

6.03 An employee may refuse to cross a lawful picket line and will not be disciplined for such refusal. Employees shall not be paid for hours missed from work as a result of refusing to cross a picket line.

**Klondike Collective – Local Y043**

YG Article 52.01 (See above)

City of Dawson Article 6.03: An employee may refuse to cross a picket line that has not been declared to be unlawful provided that doing so does not involve participating in an unlawful strike. Employees shall not be paid for hours missed from work as a result of refusing to cross a picket line.

**Skookum Jim Emergency After-Hours Shelter – Local Y044**

7.02 No Employee shall be required to cross any legal picket line or to do any struck work.

7.03 No Employee shall be disciplined by the Employer for exercising their rights contained in this Article.

**Watson Lake – Local Y045**

YG Article 52.01 (See above)

Town of Watson Lake Article 6.03: Employees covered by this agreement shall have the right to refuse to cross a picket line. No employee shall be disciplined for exercising the right guaranteed in this clause.

**Whitehorse Municipal Workers – Local Y046**

19.07 It is not a cause for discipline nor a violation of this Agreement to have employees honour legal picket lines.

**Connective – Local Y048**

No Collective Agreement