



OPS CONTRACT 2002

Information for OPSEU members in the Ontario Public Service

March 13, 2002

Benefits Q & A

Part 2

Questions and answers about benefits for OPSEU members in the event of a strike or lockout in the Ontario Public Service

Coverage

Q1. What insured benefits (basic life insurance, supplementary and dependent life insurance, dental, supplementary health and hospital including drugs, vision care and hearing aids, and LTIP) do we have while we are on strike?

Your benefit coverage remains the same as when you were at work. OPSEU negotiated an agreement with the employer to allow OPSEU to pay for your coverage. Therefore, you still receive your benefit coverage without incurring any out of pocket costs.

Employment Insurance (EI)

Q2. As a seasonal worker who gets laid off regularly for one week during the March break, am I eligible for EI benefits if my

regularly scheduled layoff occurred prior to the strike? What happens when I perform strike duties and get strike pay during my lay off?

Yes, you are eligible. You would be required to report your strike pay on your weekly reporting cards. However, strike pay is not considered to be earnings for EI purposes, so it will not be deducted from your EI benefits. Since you will be on a regular short-term layoff (i.e., less than one month) you are not expected to be looking for work and therefore should not experience any difficulties when reporting strike pay to EI.

Q3. As a seasonal worker, am I eligible for EI benefits if my regularly scheduled layoff occurs after the strike began?

No.

“Stress Leave”

Q4. If I was on a “stress” leave and receiving short-term sick pay from the employer before the strike, will I continue to get sick pay during the strike?

Once the strike begins, the collective agreement no longer applies. The employer no longer provides short-term sick pay, but you can make an application for EI sickness benefits. However, while a simple doctor’s note can be sufficient to establish a sick leave with the employer, EI will require a more detailed report from your doctor and they will make an independent decision about your eligibility for EI sickness benefits. In other words, being on sick leave prior to the strike **does not** guarantee your approval for EI benefits.

Essential and Emergency Service Workers

Q5. If I work as an essential or emergency service worker during a strike or lockout, what happens to my pension contributions?

For the days that you work, it is mandatory that the employer deducts your pension contribution and makes their share of the pension contribution. After the strike or lockout, you will be able to buy back the pension credits for periods that you did not work.

LTIP and Rehabilitative Employment

Q6. While I am returning to work on a gradual basis, I have been receiving both rehabilitative employment earnings from the employer and LTIP benefits. Will I continue to receive both during the strike?

You will receive both only if you work as an essential or emergency service worker. If you are not working as an essential or emergency service worker, then the employer does not pay you. Your LTIP benefits continue to be paid by the insurer without the usual reduction of 50 per cent of your rehabilitative employment earnings.

WSIB

Q7. Prior to the strike I was getting both WSIB benefits and earnings from the employer. Do I have to tell the WSIB that my earnings ceased due to the strike?

Yes. You are required to inform the WSIB when your earnings cease due to a strike. WSIB policy requires you to report a material change in circumstance (e.g., a loss in earnings from employment) within 10 calendar days of the occurrence. The 10 days includes the day the change occurs (i.e. the first day that you are on strike).



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Authorized for distribution:

A handwritten signature in black ink, appearing to read "Leah Casselman".

Leah Casselman, President