



FACT SHEET

Public Service Essential Services Act

What is the purpose of the new essential services law?

The law requires employers and unions to identify workers whose jobs are deemed essential to public safety. Those workers will not be able to engage in a work stoppage during a labour dispute.

How are "essential services" defined?

"Essential services" are defined as services intended to prevent danger to life, safety, or health; serious damage to equipment, facilities, or the environment; or disruption to the courts.

How and when will essential services be identified?

The new law requires that the employer and the union negotiate an essential services agreement 90 days before the existing collective agreement expires.

What does the essential services agreement cover?

The essential-services agreement must specify:

- services to be maintained during any work stoppage;
- classifications of workers who provide these services;
- the number of workers in each such classification who are essential; and,
- the names of these individual workers.

What happens if both sides cannot reach an agreement?

If negotiations do not result in an essential-services agreement within 30 days of the expiry of the collective agreement, the employer's list of services, classifications, numbers, and names becomes the operative list.

How will a worker be affected if they are deemed "essential"?

Anyone designated as an "essential services employee" cannot take part in a work stoppage, including a full or rotating strike or lock-out, an overtime ban, a work slow-down, or any other concerted action designed to limit output or the effective delivery of services.

Can the union challenge who is "essential"?

The union has the right to appeal to the Saskatchewan Labour Relations Board to change the number of essential employees in each classification. There is, however, no guarantee that the Board would hear the case and issue a decision before a dispute began, let alone before it ended. There is no appeal of Board decisions under the Act.

Who is covered by essential services legislation?

The law requires the following employers have an essential-services agreement:

- Government of Saskatchewan
- certain Crown Corporations
- regional health authorities
- Saskatchewan Cancer Agency
- SIAST
- municipalities
- any other employer specified in the Essential Services Act regulations (which have not yet been made public).

What are the penalties for striking if you are deemed "essential"?

A union or employer that is found guilty of breaching the new law can be fined up to \$50,000 and an additional \$10,000 a day that the offence continues. A person found guilty can be fined up to \$2,000 and an additional \$400 a day as long as the offence continues.

For more information: <http://www.sgeu.org/campaigns/index.html>