

Strikes have been essential in collective bargaining since at least the 12th century<sup>1</sup> because of the inherent power imbalance between workers and employers. Worker's rights that are now seen as standard were almost all obtained through strike action. The eight-hour workday and the forty-hour work week took years of dedicated strikes, most prominently the 1872 Toronto Typographical union's strike which eventually led not only to a shorter work week but the right to unionize in Canada.<sup>2</sup> Without collective action, capitalism incentivizes employers to exploit their workers for profit. Chief Justice Dickson's 1987 dissenting Supreme Court opinion, which was frequently cited by the 2015 decision<sup>3</sup> acknowledges all of this and that freedom of association and by extension the freedom to strike "is essential [...] to ensure equitable and humane working conditions."<sup>4</sup> The right to strike decreases the power imbalance between workers and employers and supports meaningful change in pay, working conditions, and overall quality of life.

However, there was no strike fund for that 1872 strike. Going on strike meant giving up income for however long the strike lasted, which was a significant financial risk. A strike fund, which pays striking workers enough to cover the essentials, has several advantages. First it makes going on strike less risky for employees; while pay has improved since the 1800's, rampant inflation means that nearly half of all Canadians are living paycheck to paycheck.<sup>5</sup> Second, it makes a strike significantly more threatening to employers as it ensures that an extended strike is possible. The recent SAG-AFTRA strike was able to last 118 days<sup>6</sup> because of several support funds.<sup>7</sup> A strike fund doesn't just enhance a possible strike; it makes strikes possible. Having a legal right to strike means very little if union members can't afford it.

Both the right to strike and NASA's strike fund are likely to have an impact current and upcoming negotiations. There are upcoming issues that matter to many (I'm particularly

concerned about flexible work arrangements) and being able to strike puts us in a much better position throughout the negotiations regardless of whether it actually gets used. However, our ability to strike is still somewhat limited. NASA's members are officially classified as essential workers by the government of Alberta<sup>8</sup> despite significant debate about the classification of non-academic staff at public universities.<sup>9</sup> For instance, I work as a research assistant and largely do data entry, transcription checking, and article screening for reviews. None of those tasks make me an essential worker under either definition in section 15.1 of the Labour Relations Code.<sup>10</sup> However, there has not yet been a legal strike under the new essential services legislation in Alberta<sup>11</sup> so there are still many unanswered questions. How much and what tasks of NASA members are considered essential? Having that information gives us a much better understanding of our bargaining power and is vital for informed decisions on strikes going forwards.

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