

INTERNATIONAL STUDENTS AND WORKERS STRIKE FACTSHEET

CUPE

I'M AN INTERNATIONAL STUDENT OR INTERNATIONAL WORKER MEMBER. IS IT LEGAL FOR ME TO PARTICIPATE IN A STRIKE?

Yes. Not only is striking entirely legal for non-citizens working in Canada, it is a protected activity under the Canadian Charter of Rights and Freedoms. You cannot be punished for participating in a strike, performing strike duties, and/or showing support for the Union during contract negotiations. You are allowed to receive strike pay and perform strike duties under your study permit. A strike doesn't change the fact that a university may be both your school and your employer.

DOES A STRIKE IMPACT MY WORK OR STUDY PERMIT?

No. Your study permit is tied to your student enrollment, not your employment. In addition, Nova Scotia Trade Union Act protects all workers' rights, including international students, to participate in legal strikes and makes it unlawful for employers to intimidate employees into refusing to strike. You cannot lose your visa or work permit by voting in a strike, in a contract ratification vote, or by taking part in a strike. All votes are confidential.

Immigration, Refugees and Citizenship Canada (IRCC) protects the right of foreign workers to lawfully strike and provides protections to study permits when international students are unable to complete their studies due to circumstances entirely beyond their control, such as a strike. Their website states:

"This situation is beyond your control, and your status as a study permit holder should not be affected. As a result of the strike, you will

- not face any penalty or enforcement action because you can't pursue your studies during this time
- be able to work off campus for up to 20 hours per week if your study permit allows you to work (and also work full-time during regular breaks such as winter holidays and reading week)
- still be eligible for the Post-Graduation Work Permit Program

You must continue to have valid status as a student in Canada to be able to return to class after the labour dispute is resolved. If you need to apply to extend your study permit during the strike, include a letter from the registrar of your designated learning institution that confirms that the strike has stopped you from attending school and pursuing your studies."

Source: [IRCC Help Centre](#)

HOW WILL CUPE SUPPORT ME AS AN INTERNATIONAL STUDENT IF THERE IS EMPLOYER BACKLASH?

As addressed above, it is illegal for the university to punish you for strike participation. In the very unlikely event that the university engages in these illegal actions, CUPE will fully support you through the relevant legal processes.

WHAT HAPPENS TO MY GRADUATE FUNDING DURING A STRIKE?

For students who are members of CUPE 3912, please be aware that you will not receive your TA or PTA stipend during a strike. However, funding from other sources, including grants, scholarships, awards, research funding, et cetera, will not be impacted by job action. Other employment income will also not be affected.

For example, if you work part-time in food services, your job is not related to your status as a student, just as it would be unrelated if you worked a job off campus.

So, a strike should not affect any income or funding outside of stipends received for TA or PTA work. Job action should not impact your status as a student and should not directly interfere with your studies.

If you participate in strike duties, you will be eligible to receive strike pay. Strike pay is tax-free and international students and other international workers are just as eligible as domestic students or other workers.