

Media Advisory

March 4, 2020

COALITION OF ONTARIO UNIONS FILES CHARTER CHALLENGE TO PROTECT FREE AND FAIR COLLECTIVE BARGAINING

COALITION TO DEFEND COLLECTIVE BARGAINING



A coalition of Ontario unions, coordinated by the Ontario Federation of Labour (OFL), and representing approximately 270,000 thousand employees and over forty different unions, announced today that they have filed a constitutional challenge to Bill 124, the *Protecting a Sustainable Public Sector for Future Generations Act*.

Bill 124 violates the collective bargaining rights enshrined in the freedom of association guarantee of the Canadian Charter of Rights and Freedoms.

A growing list of public and private sector unions opposes Bill 124, with this constitutional challenge being a part of the Ontario labour movement's broader campaign to repeal the Bill.

"Every worker in Canada has the right to freedom of association and to collectively bargain with their employer. The members of this coalition, together with the other unions who have already and will soon launch similar challenges, will protect that right," said OFL President Patty Coates. "Opposition to Bill124 will continue to escalate until the government repeals this unconstitutional legislation."

Bill 124 limits compensation increases, including salaries, pensions and benefits, for millions of unionized broader public sector workers in Ontario to 1% for three year periods, a rate even lower than inflationary increases to the cost of living.

“Workers in this province are standing against cuts to public services in our communities and against violations of our rights under the Charter,” said CUPE Ontario President Fred Hahn. “There are more of us than there are of them, and we are battling this on every front, from MPP offices to the halls of Queen’s Park, rallies in the streets, and now to the courts. The Ford government created a crisis and is now looking for someone to blame, but we refuse to be their scapegoat or to pay this price.”

“This legislation interferes with the rights of Ontario’s faculty to bargain collectively, undermines the autonomy of Ontario’s universities, and will erode the foundations of Ontario’s important public services,” said Michael Conlon, Executive Director of the Ontario Confederation of University Faculty Associations. “OCUFA is proud to be part of this coalition of unions challenging a needless and unconstitutional law.”

“In 2015, the Supreme Court of Canada recognized that the freedom of association guarantee in the Charter of Rights and Freedoms provides constitutional protection for a meaningful right to collectively bargain, and for the right to strike,” said Steven Barrett of Goldblatt Partners, lead counsel for the union coalition.

The coalition of ten unions which first announced their intention to file a Charter challenge in December 2019 has quadrupled in size.

Workers affected by Bill 124, and forming part of the coalition, include those employed by the provincial government, crown agencies, school boards, universities and colleges, hospitals, non-profit long-term care homes, children’s aid societies, social service agencies, and the electricity and energy sectors.

By coordinating resistance efforts, unions have previously successfully challenged legislation that violates workers’ rights, including the previous Liberal Government’s Bill 115. The courts found that Bill 115 violated workers’ Charter rights, and it was ultimately repealed.

“Let me clear: the labour movement in Ontario is united in our opposition to this unnecessary, unfair, and unconstitutional attack on workers’ rights,” said Coates.

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