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Coalition of Ontario unions to launch Charter challenge, vowing to defend the rights of all Ontarians with aggressive campaign to repeal Bill 124

(TORONTO, ON) - Today, ten Ontario unions representing more than 250,000 thousand affected broader public sector employees, announced their intention to launch a coordinated Charter challenge against Bill 124. As well, the Ontario Labour movement, with the Power of Many, will be initiating an aggressive campaign to repeal Bill 124.

The joint Charter challenge announced today is being brought by a coalition of public and private sector unions that represent workers across the broader public sector. The coalition includes: the Canadian Union of Public Employees (CUPE); Service Employees International Union (SEIU Healthcare); United Steelworkers (USW); Public Service Alliance of Canada (PSAC); the Society of United Professionals (IFPTE) Local 160; Canadian Office and Professional Employees Union (COPE Ontario); AMAPCEO – Ontario’s Professional Employees; the International Brotherhood of Electrical Workers (IBEW); the Professional Institute of the Public Service of Canada (PIPSC), and the United Food and Commercial Workers (UFCW) Local 175. Additional unions and organizations representing public sector workers in Ontario are expected to join this coordinated challenge or pursue their own separate legal challenges to Bill 124 in the coming weeks.

“The workers of this province, represented by their unions, will not allow Bill 124, which erodes the Charter rights of every worker in Ontario, to stand uncontested,” said Ontario Federation of Labour (OFL) President Patty Coates. “The OFL stands in solidarity with the education unions that have recently launched their challenges to the application of Bill 124 in the education sector, as we escalate the opposition to this government’s continued attack on the Charter rights of all Ontarians. Together, we are launching an aggressive campaign to demand the Ford Conservatives repeal this unconstitutional legislation.”

Ontario Labour is united in their call on the Conservatives to repeal Bill 124, euphemistically named the *Protecting a Sustainable Public Sector for Future Generations Act*, which violates the Charter’s protected right to free and fair collective bargaining.

“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, counsel for the union coalition.

“By failing to respect these fundamental constitutional rights, Bill 124 runs roughshod over free collective bargaining, and fails to respect what every experienced negotiator understands: the collective bargaining parties themselves are best able to negotiate agreements that reflect fiscal and workplace priorities and realities”.

As Barrett added, “these restrictions on free collective bargaining cannot be justified by the government’s manufactured fiscal crisis, or by its desire to cut taxes when Ontario already has the lowest social spending per capita of any province.”

“This challenge is about defending workers’ rights protected under the Charter of Rights and Freedoms,” stated CUPE Ontario President Fred Hahn. “When the Ford Conservatives demand that we must all do our part, instead of targeting working people the government should be taxing profitable corporations and the wealthiest in our communities. Charter Rights matter, Human Rights matter, Workers’ Rights matter.”

Bill 124 allows the government to impose compensation caps, including for pension and health care improvements, on a variety of unionized and non-unionized public sector workplaces.

“For workers in equity-seeking groups – racialized workers, workers with a disability, Indigenous, and women workers, collective agreements are essential to ensuring fairness in the workplace,” said Sharleen Stewart, President of SEIU Healthcare. “For the government to set limits on bargaining undermines the rights of workers who already face systemic discrimination across the board.”

In recent years, unions have successfully coordinated together to challenge legislation that violates workers’ rights, such as the Liberals’ Bill 115 which interfered with collective bargaining in the education sector. The courts ruled that Bill 115 violated workers’ Charter rights. In the face of legal challenges, a coordinated resistance campaign and public opposition, the Bill was repealed.

“Families in our province have relied on negotiations for decades to secure their working conditions. This has resulted in the establishment of the middle class. Middle class families are the backbone of our province and country, and it is fundamentally wrong to strip them of their collective bargaining rights”, said Marty Warren, Director of United Steelworkers District 6. “The USW and its engaged membership are aggressively pushing back on this one-sided legislation. Justice must be upheld for Ontario's working families.”

Workers affected by Bill 124 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.

The OFL represents 54 unions and one million workers in Ontario. For information, visit www.OFL.ca and follow @OFLabour on [Facebook](#) and [Twitter](#).

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