

COALITION TO DEFEND COLLECTIVE BARGAINING



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Over 40 Ontario unions take next steps in lawsuit against Ford government's wage restraint legislation

(Toronto, ON) – A Coalition of over 40 Ontario unions has formally filed evidence in a lawsuit to repeal legislation which severely limits wage and benefit increases for public sector workers, a move the Coalition says violates bargaining rights enshrined in the Charter of Rights and Freedoms.

“We have always believed that the Ford government’s attack on collective bargaining is a serious interference with the constitutionally-protected right to collective bargaining, which has repeatedly been affirmed by the Supreme Court of Canada”, said Patty Coates, President of the Ontario Federation of Labour (OFL), “the COVID-19 pandemic has further demonstrated the outrageousness of Ford’s attack on public sector workers who have been relied upon to combat this crisis.”

The Coalition, representing approximately 270,000 employees, has taken the significant step of a lawsuit due to the detrimental impact of Bill 124 on those employed in the broader public sector. The 14 volume, 4,500-pages of evidence filed on January 29 outlines these impacts.

“Free and fair collective bargaining is a foundational principle that simply can’t be violated without a collective response,” said Fred Hahn, President of CUPE Ontario. “This violation of Charter protected rights is, in and of itself, a huge problem, but in the midst of COVID-19 it’s even more obscene. Premier Ford keeps saying ‘if it was up to me, I’d just give them the bank’, yet this legislation holds workers in long-term care and all throughout healthcare, social and developmental services workers, shelter and crisis care workers, education and post-secondary workers, to wages below the rate of inflation.”

“With Bill 124, the Ford government targeted professions primarily performed by women. But this pandemic has revealed just how essential PSWs, childcare workers, nurses, educators, and so many other working women are to Ontario’s economy and to the services families rely on,” said Sharleen Stewart, President of SEIU Healthcare. “It was wrong to try to balance the budget on the back of essential workers before the pandemic, and it’s especially cruel to continue to deny them better pay after all we’ve asked them to do during the pandemic.”

A Manitoba court recently found that similar restrictions on collective bargaining in Manitoba violate the Charter, describing that legislation as a ‘draconian measure that inhibited and dramatically reduced’ the collective bargaining rights of unionized public sector workers.

“The decision in Manitoba affirms our position that unconstitutional legislation such as Bill 124 must be struck down by the Courts,” said the Coalition’s lead counsel, Steven Barrett, managing partner of Goldblatt Partners.

Dates have not yet been set for the Ontario government to file its responding evidence, and it is hoped that the case will be argued in court before the end of this year.

The Notice of Application, together with the 14 volumes of affidavit evidence filed by the Coalition to Defend Collective Bargaining can be viewed [here](#).

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