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Education Unions Launch Charter Challenge Against Ford Government

TORONTO – Today, four unions representing teachers and education workers across Ontario’s publicly funded education system have filed court challenges against the Ontario government’s Bill 124, the *Protecting a Sustainable Public Sector for Future Generations Act*.

The Association des enseignantes et des enseignants franco-ontariens (AEFO), the Elementary Teachers’ Federation of Ontario (ETFO), the Ontario English Catholic Teachers’ Association (OECTA), and the Ontario Secondary School Teachers’ Federation (OSSTF/FEESO), claim that the legislation violates the teachers’ and education workers’ constitutional rights to engage in unrestricted collective bargaining activity, which is guaranteed by the *Canadian Charter of Rights and Freedoms*.

Given the content and timing of the legislation, in the midst of negotiations for the renewal of collective agreements in the education sector, the unions contend that Bill 124 is a direct attack on free collective bargaining in the education sector, and a violation of sections 2(b) and 2(d) of the Charter, which guarantee freedom of expression and the freedom of association. In addition, the legislation violates the duty of the Crown to bargain in good faith.

“The Charter exists to protect the rights of Canadians, even when those rights are not convenient for governments,” says AEFO President Rémi Sabourin. “That is the backbone of our democracy.”

“Bill 124 violates the democratic rights of all workers in Ontario’s public sector,” says ETFO President Sam Hammond. “No employer should be permitted to undermine employees’ fundamental rights without facing the strongest possible challenge. The Ford government should recognize these rights and repeal Bill 124 immediately.”

“Given the timing of Bill 124, and the haste to get it passed into law, it is clear that it targets teachers and education workers,” says OECTA President Liz Stuart. “This legislation effectively ties the hands of both the employer and employee representatives who are currently negotiating collective agreements. This is unacceptable, and in our view, it is unconstitutional.”

“Governments should not lightly infringe on the civil rights of their citizens,” says OSSTF/FEESO President Harvey Bischof. “They should rely on tried and tested bargaining processes that lead both parties to creativity in the process, and stability thereafter. There is no current economic or fiscal crisis that requires such an extraordinary interference in that process.”