

LABOUR RIGHTS + CIVIL RIGHTS

Thursday, September 6, 2012

The Putting Students First Act, 2012 is an undemocratic attempt to impose the collective agreements on education workers across the province. The legislation contains provisions specifically designed to ensure that the only outcome possible is a collective agreement with the same terms that were negotiated by the Catholic Teachers union (OECTA). No matter how inappropriate these terms would be for support staff and others, the legislation gives exclusive power to the Minister of Education and Cabinet to ensure that the OECTA deal applies to across the board.

There are also powers granted under the Act that take away the right to strike or lockout and seeks to shield the actions of Government from any review by the courts, the Labour Board or boards of arbitration. This legislation represents an unprecedented intrusion by the McGuinty government into collective bargaining, and is a direct violation of rights to freedom of association under the Charter of Rights and Freedoms as recognized by the Supreme Court of Canada.

The McGuinty Liberals are now replicating the shameful approach of the Harper government in stripping basic labour rights from working people. The Canadian Civil Liberties Association has joined education unions in objecting to Bill 115, noting that:

“We are concerned that this bill violates the right to meaningful collective bargaining. Why is it necessary, for instance, remove the right to strike before any job action has occurred or even been contemplated? Collective bargaining enhances the dignity of workers and is a constitutional right, in part, for this reason. This isn’t only about the pocket book, it is also about participating in the governance of the workplace. People’s rights are not something to be trifled with. We are concerned that this legislation goes too far and violates the civil liberties of all Ontarians,”

It appears that the ham-fisted approach to teachers and education workers is both a response to the deficit and a gamble on the Waterloo by-election to fill the seat of former Tory MPP Elizabeth Witmer. We have long pointed out that a contributing factor to the deficit is the series of reckless corporate tax cuts they have chosen to implement. The spirited turnout at the Queen’s Park rally should warn them of the damage they are doing to a once healthy relationship with teachers in Ontario.

The musings of the Premier that provincial and municipal employees may be targeted is guaranteed to create a backlash amongst others who have been sympathetic to his government in the past. As well, the willingness to strip union construction language from the \$8.4 billion LRT transit project will lead to further alienation of another large section of the labour movement. The Liberals are playing a risky game embracing neo-liberalism, and they need to feel some real consequences to their approach.