



Federal unions to take legal action against Bill C-4

(Ottawa) December 10, 2013 – Federal public sector unions, including the Association of Justice Counsel, are joining forces to challenge an unprecedented assault on collective bargaining and workplace health and safety by the Conservative government.

The unions have agreed to pool their resources in advance of the next round of collective bargaining with Treasury Board in 2014. In order to defend the rights of their members, the unions will take joint action to challenge the constitutionality of Bill C-4, the legislation containing these dramatic changes, now being rushed through Parliament.

Bill C-4 undermines the right to collective bargaining, eliminates important human rights protections, and will make every federal workplace less safe for its workers and the Canadians they serve.

The Bill was drafted with no consultation with public sector bargaining agents and eliminates labour rights gained over the last fifty years, and severely undermines the ability of federal employees to negotiate on a fair playing field.

The Bill gives the federal government's Treasury Board the unfettered right to determine what constitutes an essential service, which workers are denied the right to strike, and which collective agreements will be decided through arbitration. The Bill also changes arbitration by limiting the independence of arbitration boards.

Bill C-4 gives the Minister of Labour the authority to throw out any unsafe work refusal complaint without investigation, leaving employees who refuse unsafe work open to discipline, including dismissal. If the Minister chooses, an investigation can be undertaken in secret. The impact of these changes to health and safety protection will

reach far beyond the federal public service to the 1.2 million private and public sector workers covered by the Canada Labour Code.

In several presentations before Parliamentary committees in the House of Commons and Senate, federal unions and legal experts called on Parliament to withdraw the provisions amending the Public Service Labour Relations Act and the Canada Labour Code from the omnibus budget bill.

The Canadian Bar Association heavily criticized the anti-democratic nature of the Bill in its recent [letter to Parliament](#), and Sack Goldblatt Mitchell, a prominent labour law firm, said that the changes in Bill C-4 “will have a profound impact upon the ability of unions to bargain effectively with the Government and to protect and promote the rights of the employees they represent.”

The questions asked by Conservative MPs at these committees made it clear that the primary aim of the Bill is not to modernize labour relations, but rather to make it easier for the government to attack the pay and benefits of federal public servants.

In addition to preparing a legal challenge, federal public sector unions also agreed to join forces to defend collective agreements in the next round of bargaining, to inform federal workers and the public of the extreme and radical nature of these changes, and to vigorously defend health and safety in federal workplaces.

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The Federal Bargaining Agents of the National Joint Council are:

- [Association of Canadian Financial Officers](#)
 - [Association of Justice Counsel](#)
 - [Canadian Air Traffic Control Association, Unifor Local 5454](#)
 - [Canadian Association of Professional Employees](#)
 - [Canadian Federal Pilots Association](#)
 - [Canadian Merchant Service Guild](#)
 - [Canadian Military Colleges Faculty Association](#)
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- [Coast Guard Marine Communications Officers Unifor Local 2182](#)
 - Unifor, Local 588-G
 - Federal Government Dockyard Chargehands Association
 - Federal Government Dockyard Trades and Labour Council (East)
 - [Federal Government Dockyard Trades and Labour Council \(West\)](#)
 - [International Brotherhood of Electrical Workers, Local 2228](#)
 - [Professional Association of Foreign Service Officers](#)
 - [Professional Institute of the Public Service of Canada](#)
 - [Public Service Alliance of Canada](#)
 - [Research Council Employees' Association](#)
 - [Union of Canadian Correctional Officers - CSN](#)
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