

FOR IMMEDIATE RELEASE,
June 11, 2020

PARTNERSHIP TO DEFEND PUBLIC SERVICES WINS COURT CASE

Court upholds right to collective bargaining, strikes down Public Services Sustainability Act

Manitoba's labour movement has won an important victory for workers and their Charter-protected right to collective bargaining, Manitoba Federation of Labour president Kevin Rebeck announced today on behalf of the Partnership to Defend Public Services (PDPS).

"Today's ruling clearly shows that the Pallister government's heavy-handed law violates the right to collective bargaining for 120,000 Manitobans who work in the public sector," said Rebeck.

Manitoba Court of Queen's Bench Justice McKelvey ruled that the Pallister government's Public Services Sustainability Act and its actions to impede collective bargaining in the province are a violation of the Charter of Rights and Freedoms and workers' right to collective bargaining. Today's ruling confirms that the Public Services Sustainability Act is unconstitutional.

"We said all along that this government was violating the rights of workers, and that Manitoba should allow the tried and tested process of collective bargaining to take place in the public sector," added Rebeck. "Now, workers and employers can get back to the bargaining table when it becomes safe to do so without the threat of this unconstitutional legislation hanging over their heads."

Rebeck added that he was glad to see the ruling so strongly struck down the government's law and rejected its legal arguments, cautioning that the Pallister government needs to stop interfering with collective bargaining in the public sector with further unconstitutional legislation. He noted that workers throughout the public sector have been working under expired contracts for years, and are now facing the additional challenges of the COVID-19 pandemic.

"I want to thank Manitoba's labour movement and our great legal team for this substantial victory for working people," said Rebeck. "Manitoba's unions will always be there to fight for workers' rights on the job, and this legal victory represents another step in the pursuit of workplace justice."

As was agreed at the beginning of the trial, the court will now set further dates to determine what financial and other remedies will be payable to the union plaintiffs by the government, including compensation for legal costs.

*The electronic file of the court decision is too large for email, but can be provided in several smaller files upon request.

The Partnership to Defend Public Services represents more than 110,000 workers who are members of: AESES, CUPE, General Teamsters Local 979, IBEW 2034, IBEW 2085, IBEW 435, Operating Engineers of Manitoba Local 987, LALA, MAHCP, MGEU, MNU, MTS, PIPSC, UA Local 254, PSAC, UFCW 832, UMFA, UNIFOR, USW 7106, USW 7975, USW 8223, USW 9074, UWFA, WAPSO IFPTE Local 162, BUFA, IATSE Local 63, UBC Local 1515, PCAM, and the MFL.

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