



Bill 21 – an attack on your collective bargaining rights

Bill 21 (The Ambulance Services Collective Agreement Act) was passed in the provincial legislature on November 7, 2009. This legislation imposes a contract on B.C.'s ambulance paramedics after a seven-month strike in which CUPE 873 members had continued to work at Essential Service levels. While much of the news media's coverage of Bill 21 has focused on ambulance paramedics, the fact is that this regressive legislation has major implications for ALL CUPE members whose contracts expire in 2010 and will be returning to the bargaining table:

- The Supreme Court of Canada has confirmed that the right to free collective bargaining is a right enshrined in the Charter of Rights and Freedoms. The right to collective bargaining is also protected by a resolution of the International Labour Organization. Bill 21 denied CUPE 873 members their right to reach a collective agreement at the bargaining table. To add insult to injury, the contract was legislated while our members were voting on an offer from the government.
- Bill 21 sends us a signal that the provincial government has little respect for the collective bargaining process and will not hesitate to use the heavy hammer of legislation to resolve labour disputes. This is not the first time the provincial government has forced a contract on public employees, but collective protest can and does make a difference in the government's ability to use the legislative hammer to end labour disputes.
- In 2007, the Supreme Court of Canada ruled on Bill 29 (The Health and Social Services Delivery Improvement Act). The court declared parts of the Bill unconstitutional for gutting health care workers' collective agreements and placing limits on the union's future ability to re-establish rights lost through the unilateral government action against its members. In this B.C. case, the Court contended that "long before the present statutory labour regimes were put in place, collective bargaining was recognized as a fundamental aspect of Canadian society."
- Grassroots mobilization by the B.C. labour movement and public outrage against Bill 29 were important parts of the context in which the Supreme Court considered its decision. Our ability as a labour movement to mobilize our members will be critical in ensuring that the government thinks twice before taking further legislative action to conclude collective bargaining.
- In B.C., 200,000 public employees have collective agreements that expire in the course of the next year. Approximately 60,000 of them are CUPE members working in the K-12, post-secondary, health and community social services sectors. These collective agreements will be negotiated with the same government that chose to legislate, instead of bargain, a contract with CUPE 873. We need to send the government a strong message that CUPE will stand strong for the principle of freely negotiated collective agreements.