
The Right to Strike is Supreme in Canada!

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For Immediate Release

Toronto, ON – The Supreme Court of Canada has affirmed that the right to strike is essential to meaningful collective bargaining.

“This is a great start to the new year,” said a satisfied IAM Canadian General Vice President Dave Ritchie. “We pride ourselves in that 99 per cent of our collective agreements are settled without a strike but all too often in recent years, governments turn to unfair essential services arrangements that tip the scales in management’s favour. This decision levels the playing field for Canadian workers.”

The precedent-setting decision determined that the Saskatchewan government’s Public Service Essential Services Act (PSESA) violates the freedom of association protected by the Charter of Rights and Freedoms. This decision overturned a 2013 decision by the Saskatchewan Court of Appeal which had previously ruled in favour of the provincial government.

“While strike activity itself does not guarantee that a labour dispute will be resolved in any particular manner, or that it will be resolved at all, it is the possibility of a strike which enables workers to negotiate their employment terms on a more equal footing,” Justice Rosalie Abella wrote for the majority in a 5-2 ruling.

“This is great news for our members at Air Canada whose collective agreement expires in the spring of 2016,” said Ritchie. As recently as 2012, the Harper government passed legislation taking away the right to strike from 8,600 IAM Air Canada employees after contract talks had reached an impasse and strike notification was issued. Then Federal Labour minister Lisa Raitt insisted a work stoppage would not be in the best interests of the fragile Canadian economy.

“This decision takes away management’s trump card and allows us to use ours if necessary,” explained Ritchie. “The decision spells it out in plain English, the right to strike is essential to meaningful collective bargaining and what governments have been doing in the past will no longer be tolerated.”

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