

# National Union of Public and General Employees (NUPGE)

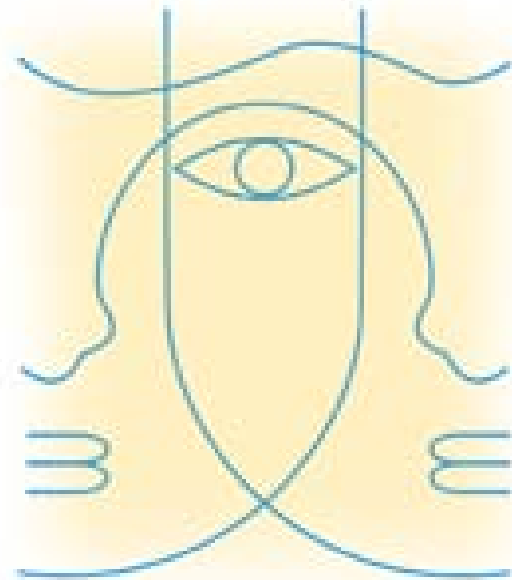


The National Union of Public and General Employees (NUPGE) is one of Canada's largest labour organizations with over 340,000 members.

Our mission is to improve the lives of working families and to build a stronger Canada by ensuring our common wealth is used for the common good.

# NUPGE working for Labour Rights

Pushing for change  
using the  
International Labour  
Organization (ILO)  
with submissions to  
their  
Committee on  
Freedom of  
Association (CFA)



labour rights  
are human rights

INTERNATIONAL  
SYMPOSIUM

# Labour Rights are Human Rights

## Labour Rights

Free collective bargaining  
is a human right.  
It is under attack.



189 pieces of  
restrictive labour  
legislation since 1982

NUPGE has submitted  
28 complaints to the  
ILO with 26 rulings in  
NUPGE's favour.

# BC – Premier Campbell's Bill 29

- 2002 BC's Campbell government passes Bill 29 that paved the way for privatization of health care services
- 2003 NUPGE/BCGEU/HSABC submitted a complaint to the ILO
- 2004 the ILO's committee on freedom of association ruled in favour of the unions
- 2007 Supreme Court of Canada decision declaring Bill 29 in violation of the Charter of Rights and Freedoms

# Supreme Court of Canada Decision



“The Supreme Court of Canada has declared for the first time that the collective bargaining rights of workers are protected by the 1982 Charter of Rights and Freedoms and are also a fundamental aspect of Canadian society predating the Charter”

# Impact of the ILO decision

The court linked these rights protected in the Charter to those in international treaties signed by Canada as in the ILO conventions



# Spin-offs

- ✓ Ontario Supreme Court demands that the Federal government allow the RCMP to unionize (2009)
- ✓ NB Court directs province to allow part-time and casual employees to unionize (2009)
- ✓ NS follows suit with changed to their labour law (2009)



# Saskatchewan's Bill 5 & 6

2007 – Allowed for any public service to be designated an essential service, challenging the right to strike and reformulating the certification process for forming a union.

2008 – NUPGE/SGEU file a complaint with the ILO.

2010 – ILO requests that the province revisit the bills and consult with all parties.

2010 – University of Regina business administration professors study is released that demonstrates Bill 6 amendments are in violation of the CCRF.



# The fight for labour rights continues...

It is likely the Supreme Court will build on its 2007 decision ...

Unfortunately, the progressive steps that these important legal victories represent have been undermined over the past year by the retrograde actions of several governments still intent on attacking the rights of Canadian workers.

Progressive labour law reform must continue to be central to the labour movement's political agenda in 2010 and beyond.

# Ontario College Collective Bargaining Act (OCCBA)

- 2005 – NUPGE/OPSEU filed a complaint with the ILO regarding the OCCBA barring part-timers
- 2008 – ILO agrees and directs the province to amend the OCCBA
- 2008/09 – Province makes changes and announces their compliance with ILO recommendations
- 2009 – OPSEU starts to organize 16,000 part-time community college workers but....
- 2010 – NUPGE requests ILO re-open the case

[nupge.ca/issues/labour-rights](http://nupge.ca/issues/labour-rights)

All NUPGE publications are free and available online.

For hard copies of documents or additional information:

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