

Part-time
community
college
workers in
Ontario

The ILO also condemned the ongoing and costly litigation by the College Employer Council being used to impede union certification of Ontario's 16,000 part-time community college workers.

Recalling the importance that part-time academic and support staff in colleges of applied arts and technology in Ontario fully enjoy without delay the right to organize, as enjoyed by other workers, and the need to lift any obstacle in law and practice which would hinder these rights as provided in the Convention, the Committee requests the Government to indicate in its next report any decision taken by the OLRB on the matters currently pending before it.

REPORT OF THE ILO CONFERENCE COMMITTEE ON FREEDOM OF ASSOCIATION
GENEVA: MARCH 28, 2012

This is the third time in seven years the ILO has reprimanded the Ontario government for impeding the basic human right of part-time community college workers to form a union and participate in collective bargaining.

Based on the premise that labour rights are human rights, the McGuinty government obviously has no shame in continuing to allow the basic human rights of these hard working public employees to be denied. It's time for the Premier to recognize that you cannot pick and choose when it comes to human rights.

WARREN (SMOKEY) THOMAS
PRESIDENT, ONTARIO PUBLIC SERVICE EMPLOYEES UNION

The Canadian Foundation for Labour Rights (CFLR) is a national voice devoted to promoting labour rights as an important means to strengthening democracy, equality and economic justice here in Canada and internationally.

■ CFLR was established and is sponsored by the National Union of Public and General Employees (NUPGE).

■ For more information visit:
www.labourrights.ca



GOVERNMENT

WRONGS



DON'T CHANGE OUR

RIGHTS



Canadian governments are not great defenders of labour rights. A March 2012 United Nations agency report proves it.

20 violations

The International Labour Organization (ILO) report cites over 20 instances where governments across Canada have refused to honour their 40-year-old commitment to abide by ILO Convention No. 87 - *Freedom of Association and Protection of the Right to Organize*.

The ILO Convention establishes the universal right of all workers to form and join unions of their own choosing, as well as the right to engage in free collective bargaining and strike action. Canada, with the support of all provincial and territorial governments, ratified Convention No. 87 in March 1972.

The recent ILO report stressed the importance of ensuring all workers in Canada have the right to form and join a union and bargain collectively. The ILO Conference Committee expressed the firm hope that all necessary measures will be adopted in the near future by Canadian governments to provide full guarantees of the rights set out in Convention No. 87.

Most world leaders understand that legislation which strengthens the right to form a union and bargain collectively is an important part of the solution to the biggest challenge we face, that of growing income inequality. Labour rights that promote unions are a critical component of getting the economy back on a path that benefits all citizens.

JAMES CLANCY
CFLR BOARD MEMBER
NATIONAL PRESIDENT OF THE
NATIONAL UNION OF PUBLIC AND
GENERAL EMPLOYEES



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Foundation for
Labour Rights**

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are human rights*



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Denial of the right to join a union

Among the violations noted, the ILO cites the following categories of workers who continue to be denied the fundamental right to join a union:

- Agricultural workers in Alberta and Ontario;
- Domestic workers in Ontario, Alberta, New Brunswick, PEI and Saskatchewan;
- Architects, dentists, land surveyors, engineers and lawyers in Ontario, Alberta, New Brunswick, Nova Scotia, PEI and Saskatchewan;
- Nurse practitioners in Alberta;
- University faculty in Alberta; and
- Part-time employees of community colleges in Ontario.



This ILO report damages the human rights reputation of Canada and many of our provinces. It is hypocritical for Canada to present itself as the friendly giant of human rights Conventions on the international stage while completely sidelining them at home.

NATHALIE DES ROSIERS
CFLR BOARD MEMBER
GENERAL COUNSEL FOR THE CANADIAN
CIVIL LIBERTIES ASSOCIATION

Denial of the right to strike

The ILO report cites a number of categories of workers in Canada who are restricted from exercising their right to strike such as:

- Teachers in BC and Manitoba;
- Certain categories of workers employed by Alberta's Regional Health Authorities like gardeners, labourers and other non-essential services employees;
- Over 500,000 public employees in Quebec who, as a result of the Charest government's Bill 43 in 2006, had their right to strike (as well as their right to bargain collectively) suspended for five years; and
- Public sector workers in Saskatchewan who are effectively denied the right to strike as a result of the 2008

Ontario agricultural workers

far reaching essential services legislation passed by the Brad Wall government.

In many cases, governments in Canada have not even provided the ILO with the courtesy of a reply to its many requests for information. I cannot imagine the Government of Canada or any of its provincial counterparts completely dismissing a ruling of an international trade tribunal. Why is it that our governments will take immediate action to protect the international rights of corporations while being unconcerned about violations against the international rights of Canadian workers?

DREW PLAXTON
CFLR BOARD MEMBER
PRESIDENT OF THE CANADIAN ASSOCIATION
OF LABOUR LAWYERS (CALL)

The report also made reference to the April 2011 Supreme Court of Canada decision regarding the Ontario Agricultural Employees Protection Act (AEPA) which found the anti-union legislation constitutional.

**ILO loses
patience
with
Ontario
government**



Ontario Premier Dalton McGuinty

While acknowledging the Supreme Court decision upholding the constitutionality of the AEPA, the ILO nevertheless notes with regret that the Government of Ontario is not considering any amendments to the AEPA aimed at ensuring sufficient guarantees for the full exercise of freedom of association rights by agricultural workers, particularly bearing in mind the obstacles to organizing that are inherent to the nature of this work ...

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