
The Part-Time Times

A newsletter for Ontario community college part-time employees and friends

Supreme Court says ‘Yes we can!’

Ruling affirms collective bargaining is a charter right

A June 8 supreme court ruling that affirms collective bargaining rights are protected by the Canadian Charter of Rights and Freedoms was welcomed by the entire Canadian labour movement, and could have very positive implications for part-time college workers.

OPSECAAT President Roger Couvrette said the legislation barring college part-time workers from joining a union is in clear violation of the Charter.

Collective bargaining is a right

“Collective bargaining is a right in Canada, and the legislation that restricts this right in our case is illegal and unconstitutional,” he said.

Warren (Smokey) Thomas, President of the Ontario Public Service Employees Union, was equally excited to hear about the ruling.

“This ruling is so clear that we don’t think we even have to go to the expense of a court challenge on it,” Thomas said. “I’ll be calling on Dalton McGuinty to pay heed to the Charter, and act immediately to provide collective bargaining rights to 17,000 exploited part-time workers in the colleges.”

Unfortunately, the Legislature won’t sit until after the provincial election planned for Oct. 10, 2007. So OPSEU and OPSECAAT are calling on all parties to commit to bring the laws governing Ontario’s colleges into line with the Charter as soon



OPSEU President Smokey Thomas says rights for part-time college workers are a priority.

as possible, immediately following the election.

In view of this ruling, Couvrette is calling upon all political parties in Ontario to include a commitment to amend the Act as part of their campaign platforms.

“The writing is on the wall -- we need to amend the legislation, and do it soon,” Couvrette said. “Working people should not be put to the expense and delay involved in litigating this clear violation of the Charter,” he added.

In November 2006, the International Labour Organization (ILO) called upon the Ontario government to move “rapidly” to amend the Act

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and give part-time college workers the right to bargain collectively, “as any other workers.”

“The government ignored the ILO,” Couvrette said, “but it can’t ignore the Supreme Court of Canada.”

Thomas said OPSEU will be asking for a meeting with Premier McGuinty and the other party leaders in the coming weeks. His aim: to get an iron-clad commitment from each that if elected, they will change the legislation governing labour relations in the colleges immediately.

Thomas said the fact that part-time college workers have been denied their rights for so long in Ontario was shameful. “Part-timers are not second-class workers, or second-class citizens, and should not be treated as such,” he said.

“The Supreme Court has confirmed what the International Labour Organization said last year. Bargaining is a fundamental right for these and all workers. Now we have to work hard -- together -- to make sure the politicians understand it too.”

Toronto Star June 11 - letters

Plight of Part-timers recognized by court

As a part-time teacher at Centennial College, I want to thank the Supreme Court of Canada for ruling that collective bargaining is a protected right under the Charter of Rights and Freedoms. I am one of about 17,000 part-time workers at 24 community colleges who are excluded from collective bargaining by a bizarre section of Ontario's Colleges Collective Bargaining Act.

Full-time college workers can bargain. Part-time workers at universities, school boards and virtually every other workplace in Ontario can bargain. College part-timers in every other province in Canada can bargain. We can't.

Without collective bargaining, college part-timers are a source of cheap labour that can be used to subsidize the system. In light of this ruling, the premier should recall the Legislature immediately.

Denise Blinn, Toronto

www.collegeworkers.org



OPSECAAT President Roger Couvrette spoke to the OPSEU Broader Public Service conference in Toronto June 1.

What the judges said

“The right to bargain collectively with an employer enhances the human dignity, liberty and autonomy of workers by giving them the opportunity to influence the establishment of workplace rules and thereby gain some control over a major aspect of their lives, namely their work.”

“Recognizing that workers have the right to bargain collectively as part of their freedom to associate, reaffirms the values of dignity, personal autonomy, equality and democracy that are inherent in the charter.”

- Chief Justice Beverley McLachlin and Mr. Justice Louis LeBel

Get on board! Call the part-time campaign hotline 416 448-7433 or 1 866 811-7274

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