



News Release

FOR IMMEDIATE RELEASE

Thursday, October 17, 2013

SUPREME COURT OF CANADA AGREES TO HEAR CHARTER CHALLENGE OF BILLS 5 & 6

A panel of three Supreme Court Justices has decided that the Supreme Court of Canada will, in fact, hear the case of the SFL et al, in the matter of the constitutionality of the Government of Saskatchewan's Bills 5 and 6 – so-called “essential services” legislation and amendments to Saskatchewan's Trade Union Act.

“It is extremely unfortunate that we find ourselves in this position,” said Saskatchewan Federation of Labour President, Larry Hubich. “Obviously, we would rather not be forced into taking our government to court. Unfortunately, however, Bills 5 and 6 represent significant infringements upon the fundamental rights of Saskatchewan working people. On behalf of the people of the province, and on behalf of the generations of people that struggled for the rights we enjoy today, we believe it is our responsibility to challenge laws that appear to be unconstitutional, particularly when they concern people's basic rights at work.”

In 2010, the United Nation's International Labour Organization (ILO) found that Bills 5 and 6 violate Canada's international law commitments, as well as working people's rights. In April of this year, the Saskatchewan Court of Appeal released a much-anticipated decision recognizing that Canadian law has evolved to a point where a right to strike may be protected by the Constitution. At numerous points, the Court of Appeal notes that, though it could not overturn previous Supreme Court decisions respecting a right to strike, striking could very well be a fundamental right protected by the freedom of association.

“We believe it is time for the Supreme Court of Canada to recognize that Saskatchewan people, and all Canadians, enjoy a right to strike that is constitutionally protected. We are also asking for a declaration that the 2008 changes to the Saskatchewan Trade Union Act substantially interfere with workers' right to form unions of their own choosing, for the purpose of bargaining collectively with their employers.”

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The SFL represents over 100,000 working people across the province in 37 affiliated unions.
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