

January 30, 2015

Workers Win!

CUPW anticipates Supreme Court ruling will affect its constitutional challenge of the back-to-work legislation

The Supreme Court has affirmed that there is constitutional protection for the right to strike.

In a case involving the Saskatchewan Federation of Labour and the Saskatchewan government, the Supreme Court has recognized that the right to strike is an essential part of a meaningful collective bargaining process.

The Court ruled that "[a]long with their right to associate, speak through a bargaining representative of their choice, and bargain collectively with their employer through that representative, the right of employees to strike is vital to protecting the meaningful process of collective bargaining within s. 2(d)" of the Charter.

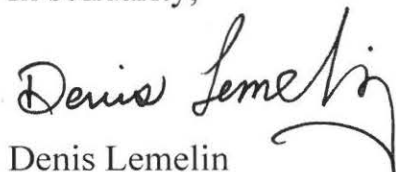
It also pointed out that "...it is the possibility of a strike which enables workers to negotiate their employment terms on a more equal footing."

This is good news for workers across Canada, especially postal workers. The Supreme Court ruling lays the groundwork for our constitution challenge of the 2011 back-to-work legislation. In this challenge, we are arguing that the Conservative government's back-to-work legislation violated Section 2(d) of the *Canadian Charter of Rights and Freedoms* because it denied CUPW members the right to collective bargaining and the right to strike.

Justice has prevailed in the Saskatchewan Federation of Labour case, in which CUPW was an intervener. We are hoping for a similar result.

The union would like to congratulate the Federation and all the workers affected by the Supreme Court decision,

In solidarity,



Denis Lemelin
National President

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