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LockTalk



A PUBLICATION OF OPSEU/SEFPO'S CORRECTIONAL BARGAINING UNIT



Bargaining without constraints after Bill 124 struck down

On November 29, 2022, public sector workers in Ontario won a significant victory! Bill 124 was struck down after a challenge was brought before the courts by a coalition of unions, including OPSEU/SEFPO. The draconian legislation was deemed unconstitutional and “void and of no effect” by the Ontario Superior Court of Justice. You can read Justice Koehnen’s full decision [here](#).

Bill 124 limited improvements to collective agreements, through either collective bargaining or arbitration, to 1% total compensation.

In a move that surprised absolutely no one, on December 29, 2022, at the 11th hour, the Conservative Ford government filed an appeal of this decision. This appeal comes even though the majority of Ontarians are against Bill 124 as indicated in a recent poll conducted by the Ontario Federation of Labour. You

can read the government’s appeal filing [here](#).

Despite this appeal, **Bill 124 remains null and void**. At this time, the government has not filed for a stay of the decision, which means that Justice Koehnen’s decision stands. While the government can apply for a stay at any time, with each passing day their rationale carries less weight.

With this significant change in parameters at the bargaining table, after the government’s appeal was filed, your Correctional Bargaining Team consulted with arbitration lawyers Nini Jones and Lauren Pearce to determine next steps. We served written notice to the employer on February 2, 2023 that we expect the parties to return to the table for a meaningful exchange of reasonable monetary proposals in line with our comparators.

At this time, we are awaiting the employer's response. The Team will be gathering in the coming weeks to continue consultations with Ms. Jones and Ms. Pearce to re-evaluate the proposals we have on the table, and determine our strategy for monetary gains without the constraints of Bill 124. Our goal, as it was at the outset of the bargaining cycle, is to advance the needs of the Correctional Bargaining Unit.

The employer has run out of excuses to dodge meaningful collective bargaining to improve the working conditions, compensation, and benefits for the Correctional Bargaining Unit. We have waited long enough – our time is now.

We will continue to provide updates as they become available.

If you have any questions, please forward them to your Correctional Bargaining Team at CorrectionsOPSBargaining@opseu.org.

In solidarity,

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