

**EXECUTIVE BOARD REPORT  
TO THE  
TORONTO & YORK REGION GENERAL MEMBERSHIP MEETING  
THURSDAY, MAY 1, 2008**

**“THE RIGHT TO STRIKE”**

Recent musings by Premier McGuinty and other politicians about stripping public transit workers of their right to strike were both unwarranted and inappropriate. The right to join a union and engage in effective collective bargaining is a basic human right. So too, is the right to withdraw one's labour. Canadians fought many battles to secure these rights since the days when the Masters and Servants Act determined our place in society.

It is unacceptable to say to working men and women that they can only exercise their rights until someone is inconvenienced, and then at that moment their rights are removed. There are many people in this province whose rights were seen to be inconvenient in the past – women asking for pay equity, people of colour asking for protection from hate crimes, those with different sexual orientation asking for health benefits, workers asking for a limit on toxic materials....each faced powerful interests who deemed them to be troublesome.

It is the mandate of the provincial government to defend those rights, even at times when majority opinion goes the other way. Tremendous sacrifices have been made by working people to secure their rights, going back to the 1872 jailing of union printers for the crime of striking the Globe newspaper to secure a shorter workweek. A century later, teachers across Ontario had to submit mass resignations to win their rights. Nobody takes a decision to go on strike lightly, and while transit workers may impact on the public, there is no threat to public safety at stake.

In their landmark ruling on June 8, 2007, the Supreme Court of Canada confirmed that collective bargaining is protected by the Charter of Rights and Freedoms. As Chief Justice Beverley McLachlin and Mr. Justice Louis LeBel stated in their ruling: “The right to bargain collectively with an employer enhances 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.”

There is no cry from the media or governments to restrict the strikes by capital - when CEO's decide to close profitable operations here and move to poverty-wage jurisdictions. But the impact on communities is far more damaging and permanent than any strike by workers ever could be. On the other hand, it is clearly a fundamental right in a “free society” for workers to withdraw their labour from an employer, and we need to speak out strongly to defend it.

The Executive Board recommends:

1. Labour Council and affiliates communicate with City Councillors and MPP's our opposition to any restriction of the right to strike for transit or other public employees.
2. Labour Council ask all affiliates to educate their members on this basic right of workers to bargain and take collective action to secure decent contracts with their employer.