

End State Interference in Bargaining! Repeal Section 107 of the Labour Code!



Sept 4th, 2025

Over the last several years, we have witnessed a marked increase in restrictions placed on the rights of working people across Canada. Among the worst of these restrictions has been the escalating, anti-democratic attacks on the right to take the streets to fight for justice. These attacks come after a dramatic rise in working people fighting for dignified work, equity, and peace.

The federal Liberal government's most recent ploy has been its repeated exploitation of Section 107 (s107) of the Canadian Labour Code. Using this little-known and little-used loophole, the Liberals unconstitutionally smashed seven strikes in 2024 including CUPW at Canada Post, CUPE and ILWU at multiple ports, and Teamsters at CN Rail — the highest level of federal government interference in collective bargaining in Canadian history.

Section 107 was employed against workers in the airline, railway, and port industries, as well as against striking workers at Canada Post — who still have been denied a deal for their members. In every case, the federal Liberal government sided overwhelmingly with employers, ensuring that its use of 107 was dictated by the terms of wealthy corporations. The manipulation by corporations is particularly clear in the CUPW-Canada Post labour dispute. The federal Liberals, who had forced arbitration in six prior disputes, refused to grant arbitration for CUPW workers who were prepared to accept it. Why? Because the employer, Canada Post, asked them not to!

These s107 interferences follow attacks from the Ford government on the rights of education workers to bargain in 2022, the implementation of protest-restricting “bubble zones” in Toronto and municipalities in the GTA (e.g., Vaughan, Brampton and Oakville), police crackdowns on protests in support of peace and international solidarity, and attacks on workers on picket lines. The frequency and intensity of the attacks on working people in Canada who are exercising their democratic rights are rising — and labour and the progressive movements must stand up to fight back against them.

Thankfully, CUPE workers at Air Canada have just bravely shown us exactly what that fightback can look like. Just 12 hours after taking to the picket lines to fight for a fair deal, the Liberal government sided with the employer and used s107 to attempt to end the strike. Undeterred, CUPE ACC workers stayed out - defying the Liberal order. Despite their repeated attempts to push their interference forward, CUPE ACC was determined to reach a deal at the table and stayed on the picket lines until they reached one. Canadian Labour Congress President Bea Bruske was definitive after CUPE ACC's defiance: “Section 107 was dead.”

While members of CUPE ACC continue to evaluate the tentative agreement they have reached, their victory over s107 is undeniable. The lesson we can learn here, is that a unified labour movement can overcome state interference in the collective bargaining process. What is needed now is to build a unified and coordinated movement to push back against any further attacks, and win even more gains for working people's rights. As the Labour Council has called for in the past, we need to enshrine a Worker's Bill of Rights at provincial as well as federal levels which includes:

- An unlimited, unqualified, and irrevocable right to strike for all workers.
- A ban on the use of replacement workers (scabs) during a strike.
- A return to a model of “card-check” certification for all union organizing campaigns.
- Extending equal rights to all workers – regardless of classification.
- Improvements to employment standards, occupational health and safety, and workers compensation provisions.

To win these gains, we need to build a movement which is willing to fight for it. To that end, we look forward to working with the CLC and all of our affiliates to remove s107 from the labour code as a first step towards building a labour code which works for working people.

The Labour Council resolves to:

1. Urge affiliates to work alongside each other and the CLC to overturn and repeal Section 107 from the Canadian Labour Code
2. Continue to agitate for a Workers' Bill of Rights
3. Urge affiliates to register their members for the Labour Council's Fight For A Better Future Activists Assembly planned for October 4, 2025

Toronto & York Region Labour Council

895 Don Mills Road
Tower Two, Ste. 730
Don Mills, ON
M3C 1W3



(416) 441-3663



(416) 445-8405



labourcouncil.ca



@labourcouncil