

Public Services Sustainability Act



The Act

Bill 28: The Public Services Sustainability Act (PSSA), brought in by the Pallister government, is a new law which fundamentally undermines collective bargaining rights in Manitoba. It is both unfair and unconstitutional, and that's why Manitoba's unions are challenging the Pallister government in court.

The PSSA unilaterally freezes the wages of more 120,000 hardworking public sector workers, like nurses, paramedics, health care aides, teachers, school bus drivers, custodians, group home staff, social workers, snow plough drivers, construction workers, plumbers, electricians and many more – the people who provide the services that Manitoba families count on every day.

The PSSA completely disregards the right to free and fair collective bargaining by legislating that compensation be frozen for all public sector workers for two years, and then limiting any increases in years three and four to 0.75% and 1% respectively.

Collective Bargaining is a Charter Right

Collective bargaining has been affirmed by the Supreme Court of Canada as a Charter right. It works for several reasons.

First, it requires workers to come together and prioritize things such as safer working conditions, fair wages and retirement plans and then negotiate their narrowed-down list with their employer.

Secondly, collective bargaining requires compromise. Just as employers do not want to see their operations halted, workers do not want to see the services they provide affected, or the paycheques their families rely on disappear.

Lastly, the process provides stability for workers and employers through the life of the contract.

Now this process is under threat from the Pallister Government, which has unilaterally decided to use the heavy

hand of legislation to freeze compensation, rather than come to the bargaining table to hammer out a fair deal.

The Partnership to Defend Public Services

A coalition has been formed to fight back against the PSSA. More than two dozen public sector unions and labour bodies, representing over 110,000 public sector workers in Manitoba, have joined together to create the Partnership to Defend Public Services (PDPS), and are challenging Pallister's law in court.

Public sector unions are already feeling the constraining effects of the law at the bargaining table, as employers say they are unable to bargain outside the handcuffs of the law.

The PDPS legal challenge has two main components:

- A full challenge to the constitutional validity of the law; and
- A request for the court to impose an injunction, preventing the law from being proclaimed.

The legal challenge is expected to take considerable time, but Manitoba's unions are committed to defending the Charter right of workers to free and fair collective bargaining. The injunction will be heard in court by the summer of 2018.

For more information, you can contact the Manitoba Federation of Labour:

Phone: 204-947-1000

E-Mail: mfladmin@mfl.mb.ca

Web: mfl.ca

The Partnership to Defend Public Services represents more than 110,000 workers who are members of: AESES, CUPE, General Teamsters Local 979, IBEW 2034, IBEW 2085, IBEW 435, Operating Engineers of Manitoba Local 987, LALA, MAHCP, MGEU, MNU, MTS, PIPSC, UA Local 254, PSAC, UFCW 832, UMFA, UNIFOR, USW 7106, USW 7975, USW 8223, USW 9074, UWFA, WAPSO IFPTE Local 162, BUFA, IATSE Local 63, UBC Local 1515, PCAM, and the MFL.