

MEDIA RELEASE

GOVERNMENT’S “MY WAY OR THE HIGHWAY APPROACH” FORCES NEGOTIATIONS TO END

Only workers should decide which union they join, not government: Gareth Morley

Victoria, B.C. (March 6, 2023): The BC Government Lawyers Association (BCGLA) says talks over Bill 5 -- the provincial government’s proposed legislation that would circumvent the BCGLA’s application for certification as a bargaining unit currently before the Labour Relations Board (LRB) – have reached an impasse.

“We remain open to talking about alternatives to Bill 5 that are consistent with our members’ right to choose their union”, said Gareth Morley, President of the BCGLA. “But the current format is not productive.”

Finance Minister Katrine Conroy introduced Bill 5 on February 9, 2023. It responded to the BCGLA’s organizing application to the LRB by requiring most government lawyers to join a different public service union, the Professional Employees Association (PEA).

Bill 5 is opposed by labour groups, including the BC Federation of Labour, BC General Employees Union (BCGEU), the PEA, and the BC Crown Counsel Association (BCCCA), which represents Crown prosecutors.

The British Columbia branch of the Canadian Bar Association (CBA) urged the withdrawal of Bill 5, saying it showed a lack of understanding of “the unique role of public sector lawyers who must ensure government acts in accordance with the rule of law.”

On February 14, the government agreed to “hold off” on Bill 5 to provide space for “meaningful discussions” about Bill 5. “We went into the negotiations in good faith,” said Morley. “After ten hours of discussions over two weeks, it is clear there is no point in continuing discussions in their present form. We remain open to negotiations about alternatives to Bill 5, but we are not going to agree to our employer choosing our union for us.

“When a group of employees chooses a union through the process the law sets out, then that employer has to bargain with their choice. If any other employer in the province interfered in a certification application to the LRB, it would be an unfair labour practice. In 2018, the government promised it would not legislate us into a different union without our consent. But they broke that promise when it looked like they might lose at the LRB. No government in Canada has done this in relation to an organizing drive before. All British Columbians should worry about the precedent when government denies a group of citizens the right to have their case heard and decided upon by independent tribunals. That is why the labour movement and representatives of the legal profession, such as the CBA, have called on the government to withdraw the Bill.”

Shortly after Bill 5 was introduced, the BCGLA’s members voted 97.1 per cent in support of taking job action if needed.

“Our membership is solidly behind potential job action,” adds Morley. “In free societies, employers don’t choose unions; employees do. We’re only looking to have the same right to form a union as anyone else in B.C.”

(more)

About the BCGLA

The BC Government Lawyers Association advocates for 350 government civil lawyers in matters of remuneration, benefits, conditions of employment and matters of professional interest relating to employment.

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