

Appeal Court confirms Bill 124 unconstitutional infringement of education workers' rights

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TORONTO, ON - The following is a statement from Karen Brown, President of the Elementary Teachers' Federation of Ontario (ETFO) on the Ontario Court of Appeal's ruling on Bill 124:

"In November 2022, the Ontario Court of Justice ruled Bill 124 infringed upon union members' right to freedom of association under the Charter and struck it down as unconstitutional. Instead of accepting the Court's decision, the Ford government pressed forward with a costly, taxpayer-funded appeal that was heard last June.

The ruling issued today by the Ontario Court of Appeal rightly confirms what we've known to be true since the unlawful legislation was introduced: Bill 124 is an unconstitutional attack on workers' rights in this province. We are pleased that the Court has upheld democracy and restored the rights of public sector workers in Ontario.

The Ford government's reckless appeal amid negotiations with ETFO undermined the process and wasted taxpayer dollars that should have been directed towards public education. Their disregard for our members' rights created roadblocks during the collective bargaining process, which we managed to push through and resolve through binding arbitration. Now, others can benefit from the Court's decision.

Let the Court's ruling be a lesson for the Ford government to never circumvent bargaining or trample on workers' democratic rights again. Workers have a right to an unrestricted bargaining process, which is guaranteed by the Canadian Charter of Rights and Freedoms, and it must be upheld.

Not another public dollar should be spent by the province on this egregious violation of workers' rights. Their unconstitutional attack on public sector workers must never be repeated. But if it is, ETFO will continue to respond swiftly to protect its members from unconstitutional interference and government overreach."

[ETFO](#) represents approximately 83,000 members, including public elementary teachers, occasional teachers, designated early childhood educators, education support personnel, and professional support personnel. Visit BuildingBetterSchools.ca.

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ETFO Media Relations: Carla Pereira | 416-962-3836 ext. 2332 | cpereira@etfo.org