

**OECTA Submission to the
Standing Committee on
General Government**

***Bill 124, Protecting a
Sustainable Public Sector for
Future Generations Act, 2019***

ONTARIO ENGLISH
Catholic
Teachers
ASSOCIATION

The Ontario English Catholic Teachers' Association (OECTA) represents the 45,000 passionate and qualified teachers in Ontario's publicly funded English Catholic schools, from Kindergarten to Grade 12.

Liz Stuart
President

David Church
General Secretary

Ontario English Catholic Teachers' Association
65 St. Clair Avenue East, Suite 400
Toronto, ON M4T 2Y8
416.925.2493 or 1.800.268.7230
Fax: 416.925.7764

catholicteachers.ca

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1. INTRODUCTION

1.01 The Ontario English Catholic Teachers' Association (OECTA) welcomes the opportunity to share our views on Bill 124, the *Protecting a Sustainable Public Sector for Future Generations Act*. On behalf of the 45,000 professionals teaching Kindergarten to Grade 12 in publicly funded English Catholic schools in Ontario, we oppose this proposed legislation in the strongest possible terms. In our view, the legislation is unconstitutional, because of its very prejudicial effect on the collective bargaining process. Moreover, there is no economic justification at this time to so severely interfere with the constitutional right of teachers to freely bargain with our employers.

2. AFFRONT TO BARGAINING RIGHTS

2.01 While the language of the bill expressly provides that the right to bargain collectively and the right to strike continue, the effect is to abrogate these rights. This is a blatant attempt by the government to tie the hands of both the employer and employee representatives at the bargaining table, which has the potential to interfere with workers' rights to join and advance our own interests, as well as to interrupt the free flow of ideas and proposals.

2.02 Workers' bargaining rights have repeatedly been upheld by courts at all levels, including the Supreme Court of Canada. Ontarians understand the importance of workers being able to negotiate with our employers on a variety of issues, including compensation for our labour, in a free and fair bargaining process. Passing this legislation will put a permanent stain on this government's record when it comes to protecting Ontarians' fundamental rights and freedoms.

3. REALITY OF PUBLIC SECTOR WAGES

3.01 This legislation is based on an erroneous assumption that public sector wages are out of control. In reality, according to data from the Ministry of Labour, private sector wage increases have outpaced those in the public sector in all but one year since

2010. Over the same period, public sector wage increases have been below the annual rate of inflation in all but one year.

3.02 Furthermore, given the timing of the introduction of this bill, and the haste to get it passed into law now that the legislature has finally resumed sitting, it seems clear it is targeted toward teachers and education workers, who are currently negotiating renewals of our collective agreements. But teachers have already borne the brunt of wage restraint in the public sector over the past decade. As was recently confirmed by the independent Financial Accountability Office, the average annual growth rate of teacher salaries since 2010 has been half of that in the private sector. Like any other Ontarians, teachers and education workers deserve the right to engage in free and fair negotiations regarding compensation for the vital work we do.

4. NO FISCAL EMERGENCY

4.01 The government's rationale for this bill also rests on misrepresentations about Ontario's finances. After the bill was introduced, Treasury Board President Peter Bethlenfalvy took to right-wing tabloids to explain that a cap on compensation is necessary because of the province's "fiscal reality," including a deep deficit and an explicit aversion to taxation.

4.02 However, it has been well established that the Ford government used controversial accounting practices to inflate the deficit, and then bumped it up further with unrealistic projections. As was revealed in October, the real deficit figure is about half what the government originally claimed.

4.03 Meanwhile, Ontario remains the lowest per capita spender on government programs of any province. At the same time, thanks to personal and corporate tax cuts implemented since the 1990s, Ontario continues to experience a structural shortage of revenue. Rather than enacting solutions, the Ford government has promised to exacerbate the problem, by cutting taxes for wealthy individuals and corporations, and eliminating revenue-generating programs such as cap-and-trade. It is important to make efficient and effective use of public resources, but fixating on reducing spending and cutting taxes is shortsighted and counterproductive. It should not be left to public sector workers to make up for the government's poor policy decisions.

5. CONCLUSION

5.01 There is some irony in the naming of this legislation. While most Ontarians would agree that protecting a sustainable public sector is a worthwhile goal, this bill goes about it entirely the wrong way. The government should be looking to recruit and retain the best possible talent to Ontario's public sector, while fostering an environment in which public sector workers feel we are respected and supported. Instead, with Bill 124, the government is deliberately interfering with public sector workers' fundamental rights, while engaging in a transparent public relations exercise meant to cast blame and sow division among Ontarians. No revisions or amendments would correct this bill; the government should withdraw it immediately, and instead work toward positive, productive relations with Ontario's public sector workers.