

Court of Appeal declares PC Government violated Charter rights

Interference in Collective Bargaining at U of M continues; strike vote this weekend

Winnipeg, October 13, 2021 – Today the Manitoba Court of Appeal affirmed that the PC Government violated the Charter rights of full-time academic librarians, professors, and instructors at the University of Manitoba in collective agreement negotiations that took place in 2016. That unlawful interference worsened recruitment and retention problems at the university. The Government continues to interfere in collective bargaining, and the Union representing full time academics at the University of Manitoba is conducting a strike vote this weekend.

“Quality education for Manitoba’s students means attracting the best and brightest academic staff to Manitoba, and keeping them here. That becomes increasingly difficult as our salaries dip toward the lowest in Canada,” said Orvie Dingwall, President of the University of Manitoba Faculty Association. “The PC government needs to learn from the mistakes of the past, stop interfering in our bargaining, and let us come to a free and fair deal at the bargaining table with the University administration.”

Despite striking down the Court of Queen’s Bench ruling that the Public Services Sustainability Act was unconstitutional, the Court of Appeal found that the government’s conduct “not only significantly disrupted the balance between the U of M and UMFA, but also significantly damaged their relationship, thereby seriously undermining what had been a meaningful and productive process of good faith collective bargaining.”

In 2016, the government’s actions contributed to a three-week strike at the University. The government directed the University to take salary increases and a four-year deal off the table and replace them with a one year deal with zero salary increases. It also told the University to keep its directives secret from the University of Manitoba Faculty Association. In 2017 the University was found to have committed an Unfair Labour Practice for its role in the 2016 negotiations, and ultimately paid fines worth upwards of \$2.4 million.

At a University Senate meeting last week, University of Manitoba President Michael Benarroch confirmed that the University had received a salary mandate from the government. UMFA has since called a strike vote of its members, stating that bargaining has stalled and the parties are far apart in negotiations.

“The Court of Appeal has reaffirmed that the government’s actions in 2016 were unlawful. As we work towards recovering from the global COVID-19 pandemic we need the government to correct its course and recognize the value of the talent it has here at the U of M”, said Dingwall, “We’re part of the recovery. They could be too.”

UMFA represents over 1,200 professors, instructors, and librarians at the University of Manitoba.

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