How does Bill 115 affect me?

If you are an educational worker in the publicly funded education system in Ontario, you have lost virtually all rights when it comes to negotiating a collective agreement with your legal employer—your local school board. Any settlement must contain parameters dictated solely by the Minister of Education without any ability to negotiate or challenge them.

If you are a school board trustee, many of the rights and responsibilities that are entrusted to you under the Education Act have been arbitrarily usurped. The Minister of Education now has almost all authority over school board decisions, especially in the area of labour relations and collective agreement negotiations.

If you are a public sector worker, the Act has set a precedent that the Ontario government will now impose collective agreement conditions upon its employees without public accountability. The Liberal Party and Progressive Conservative Party have gone on record saying that other public sector workers may be subject to similar conditions in the near future.

If you are a citizen in Ontario, this Act begins a process where your government can create laws that will restrict your rights in this province. By removing some of the authority of democratically elected school board trustees, the Ontario government has centralized local decision making into the hands of the Minister of Education. In addition, we have seen how governments at different levels have interfered with a worker’s legal right to free collective bargaining both in the private and public sector.

What can I do?

If you are opposed to Bill 115 and the attack on the rights of working citizens in Ontario, contact your local Member of Provincial Parliament (MPP) to express your objection to this law. To find contact information for your MPP, go to www.ontla.on.ca.
What is in Bill 115?

A) Removes the right to collective bargaining
   Federations that represent publicly funded teachers and educational support staff have always bargained collective agreements with their local school board, which is the legal employer. This Act takes away virtually all ability for local school boards and their educational employees to bargain a collective agreement that works for students, local communities and for workers. The Act allows the Minister of Education to impose conditions upon both parties. In effect, the Ontario government is acting as the employer and has overridden the bargaining process as laid out in the Ontario Labour Relations Act.

B) Removes power and responsibility from democratically elected local school board trustees
   School board trustees are elected by the people and charged with the responsibility of running local schools. Among their responsibilities is to accept or reject collective agreements negotiated with education federations. This Act removes that power from these democratically elected trustees and gives it solely to the Minister of Education.

C) Broad and sweeping power is given to the Minister of Education
   Under this Act, the Minister of Education has the absolute authority to accept or reject any collective agreement signed between education workers and a local school board. The decision to accept or reject a collective agreement does NOT need to be brought before the democratically elected Ontario Legislature for review, thus it is not subject to any public accountability. Previously, this level of public accountability used to rest with locally elected school board trustees. In addition, the Act states that there is no obligation for the Minister to consult the public or hold any hearings regarding any decision he/she may make related to any imposed collective agreement.

D) Restrictions and deadlines are now unilaterally imposed by the Minister of Education
   The Minister of Education has the absolute authority to impose conditions upon both education workers and the local school board. Further to that, the Act imposes a specific deadline on when a deal must be reached AND is deemed acceptable to the Minister of Education. All of these decisions are NOT subject to any public review, nor can they be brought to the Ontario Legislature for discussion or debate.

E) Removal of rights under the Ontario Labour Relations Act
   The Act gives the Minister of Education the ability to override certain rights under the Ontario Labour Relations Act, including the right to strike or lockout. Although very rarely exercised, the right of educational workers to strike and the right of school boards to lockout its employees are legitimate steps that assist the parties in reaching local agreements. These agreements are established and ratified at the local level, and they often address many local issues.

F) Imposes restrictions on the Ontario Labour Relations Board, arbitrators and the courts
   The Act states that aspects of the Act itself or any disagreement related to the Minister of Education’s actions under the Act CANNOT be challenged at the Ontario Labour Relations Board, CANNOT be legally resolved by a third party arbitrator, nor can it be challenged in a court of law.

The result...

Bill 115 gives the Minister of Education more authority over local school boards, and takes away responsibilities of democratically elected local school board trustees. It will remove millions of dollars out of the publicly-funded education system in Ontario without public review or scrutiny.