

MEDIA RELEASE

BC GOVERNMENT LAWYERS ASSOCIATION GOES TO LABOUR RELATIONS BOARD IN BID TO BECOME BARGAINING AGENT

Despite being the writers of BC's new legislation that makes it easier for everyone in B.C. to unionize, the government's own in-house lawyers themselves have been refused the right to bargain

Victoria, B.C. (November 30, 2022): The BC Government Lawyers Association (BCGLA) – advocating for some 350 civil lawyers who represent the provincial government in court, provide it with legal advice and draft the legislation we all live by – has submitted union cards from more than 75% of those lawyers to the BC Labour Relations Board (LRB).

With the passage earlier this year of Bill 10, the government lawyers would be entitled to start negotiating their own contract, pay and working conditions like any other union. However, they are prevented from doing so by a provision of the *Public Service Labour Relations Act* originally passed in 1973. The BCGLA is asking the LRB to say that is a denial of the lawyers' right of freedom of association, as guaranteed by the *Charter of Rights and Freedoms*

The exclusion of government lawyers from collective bargaining is something the BCGLA has been trying to change since 2013, culminating in a legal action that commenced in 2019, set for hearing in February 2023. In the meantime, the lawyers complied with the terms of Bill 10 and are submitting the results to the LRB.

The association asserts that given it has exceeded the minimum 55 per cent threshold, the LRB should order the government to recognize it and negotiate in good faith. Instead, the government, which is also the employer in this case, is trying to coerce the lawyers to join a different, unrelated bargaining organization of the employer's own choosing.

"Who we choose to negotiate for us is up to us, no one else. Three-quarters of government lawyers want our association to represent them, not someone the employer chooses," explained Gareth Morley, President of the BCGLA, a voluntary organization created by provincial government lawyers 30 years ago.

"Bill 10 has given five million British Columbians the choice to join or create a union, but we remain excluded. Elsewhere in Canada, government lawyers have the right to bargain for themselves, but the BC government has refused to allow us to organize, and that's wrong. We just want to negotiate with our employer just like other government employees.

(more)

“A separate group of government-employed prosecutors represented by the BC Crown Counsel Association negotiates its own contracts as a bargaining unit with the same employer, and Legal Aid lawyers in B.C. chose the union that represents them. We’re not asking for anything special, we just want the same treatment as the other lawyers who work for government.”

“We should also be able to do our job without fear of reprisal,” added Margo Foster, Secretary of the BCGLA. “It’s a little-known fact that government lawyers may be subject to dismissal without cause. Unilateral dismissal by the employer is simply unfair, and employment issues should be examined by an independent arbitrator. We simply want the right to discuss our own working conditions directly with the employer, just like any other bargaining association.”

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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