

MEDIA RELEASE

**GOVERNMENT LAWYERS SHOCKED AS
NDP GOVERNMENT DECIDES TO PUSH FORWARD WITH BILL 5**

Closed consultations with government's civil lawyers end, independent review rejected, government proceeding with "end run" legislation around LRB process, lawyers reviewing options

Victoria, B.C. (May 3, 2023): After more than two months of closed-door consultations with the BC Government Lawyers Association (BCGLA) over the introduction of Bill 5 in February, the government has abruptly ended discussions and has signalled the controversial legislation is about to be passed.

The discussions included a BCGLA proposal to have an independent expert in labour relations and justice system policy review the issue, a suggestion flatly rejected by the government.

With only a few days left in the legislative calendar for this session, a letter from the Legal Services Branch was sent late Tuesday to all employees under the Attorney-General that dismisses the BCGLA's bid to become a union. The government's motive is made clear in the letter. The legislation forces BCGLA members to join the Professional Employees Association (PEA) – a union of the government's choosing.

Ever since Bill 5 received first reading in February, the BC Government Lawyers Association (BCGLA) has opposed the legislation that would circumvent an ongoing BCGLA application for certification as a bargaining unit that has been before the Labour Relations Board (LRB) since late last year.

"It's clear the government wants to control things, even if it has to unilaterally change the rules of the game to win," said Gareth Morley, President of the BCGLA. "The employer knows the only way to get what it wants this time is to change the rules of the game with new legislation."

The lawyers are now looking at their options to fight Bill 5 which allows the lawyers to have collective bargaining only if they join the PEA.

"We are shocked and dismayed that the government just won't listen to reason," Morley added. "The government acknowledges in the letter we do have the right to bargain our own contract, but the employer will not allow us to form our own union, even though we have followed all of the rules under the new certification legislation. That legislation was passed just last year by this very same government, to smooth the certification process for groups like ours.

"When a group of employees chooses a union through the process the law sets out, then that employer has to bargain with their choice. If any other employer in the province interfered in a certification application to the LRB, it would be an unfair labour practice."

Bill 5 is opposed by labour groups including the BC Federation of Labour, BC General Employees Union (BCGEU), the BC Crown Counsel Association (BCCCA) which represents Crown prosecutors, and the PEA - the very unit the government wants the government lawyers to join.

(more)

The British Columbia branch of the Canadian Bar Association (CBA) has also urged the withdrawal of Bill 5, saying it showed a lack of understanding of “the unique role of public sector lawyers who must ensure government acts in accordance with the rule of law.”

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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