



MEDIA RELEASE

ONE YEAR AGO

THE DAY THE PROVINCIAL GOVERNMENT INTRODUCED BILL 5 – AN “END RUN” THAT PREVENTED GOVERNMENT LAWYERS FROM CHOOSING THEIR OWN UNION

A legal challenge remains in the works, after the bill forced BCGLA members to join the Professional Employees Association, cutting the lawyers’ unionization bid “at the knees”

Victoria, B.C. (February 14, 2024): The one-year anniversary of an unprecedented provincial labour milestone passed without much notice last Friday, unless you were a member of the BC Government Lawyers Association (BCGLA).

February 9, 2023 was the date the Finance Minister stood in the House to announce the introduction of Bill 5, a law designed to avoid an active hearing of the BCGLA’s application to the Labour Relations Board, after over 70 percent of the government’s civil lawyers signed cards supporting formation of their own union.

Bill 5 denied the very people who draft, interpret and apply provincial laws the benefit of those laws. Bill 5 forced most government lawyers into a bargaining unit of the government’s choosing, represented by the Professional Employees Association (PEA), a union they never wanted to join and which had supported the lawyers’ right to represent themselves. And yet, one group of government lawyers – legislative drafters – are deliberately and inexplicably excluded from union representation at all.

Despite fierce criticism from labour groups and opposition members during lengthy debate in the House, Bill 5 was finally implemented in July. The BCGLA immediately filed a constitutional challenge of Bill 5 in BC Supreme Court. So far, no court date has been set.

“So far, our lawsuit has made little progress. We believe this is because the government is in no hurry to defend their conduct in open court.” says Micah Weintraub, President of the BCGLA. “Employers don’t get to pick unions, workers do. No other employer in the province can do what the government has done. It is plain to us that the government used Bill 5 to impose their will because they stood a chance of losing the LRB hearing. We consider these actions by a labour-friendly government to be hypocritical and unjust. We’re not letting this go away.”

“Even though most of the BCGLA members are now in the PEA as a result of Bill 5, the government is still trying to impose its will unilaterally.” adds Margo Foster, BCGLA Vice President. “The employer wants to have it both ways – forcing us into the PEA, and then unilaterally dictating the terms and conditions of our employment. That is not how labour relations works. The whole matter is going to arbitration. If we’re going to be part of the PEA, then we should have access to benefits of the PEA agreement, not less favorable terms imposed on us by our employer.”

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About the BCGLA

The BC Government Lawyers Association has represented the interests of government civil lawyers for over 30 years in matters of remuneration, benefits, conditions of employment and matters of professional interest relating to employment.

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