

# BILL 28 & BILL 2

On October 7, 2019, the provincial government introduced Bill 2, *The Public Services Sustainability Amendment Act*. On November 28, 2019, the provincial government introduced Bill 2 as Bill 9.

This bill does not replace Bill 28, *The Public Services Sustainability Act*.

## **BILL 28**

*The Public Services Sustainability Act*

Effect on collective bargaining:

1. Freezes salaries for public sector workers in the first two years of their next collective agreement, followed by a 0.75 per cent increase in the third year and a 1 per cent increase in the fourth.
2. Restricts the ability to bargain increases to other monetary benefits such as premiums, bonuses or allowances.
3. By 2022, this amounts to about \$222 million in foregone salary increases for Manitoba teachers.

Status: Passed but not proclaimed.

## **BILL 9 (Formerly Bill 2)**

*The Public Services Sustainability Amendment Act*

Effect on collective bargaining:

1. Gives cabinet discretion to exempt a collective agreement or portions of an agreement from the law.
2. Allows the government to shorten the restraint period where a bargaining unit has already seen wage freezes and very low pay increases.
3. This bill undermines the role of arbitrators and gives ministers the authority to determine wages. The right to arbitration is a fundamental element of Manitoba teachers' right to collectively bargain.

Status: Introduced in the last session.

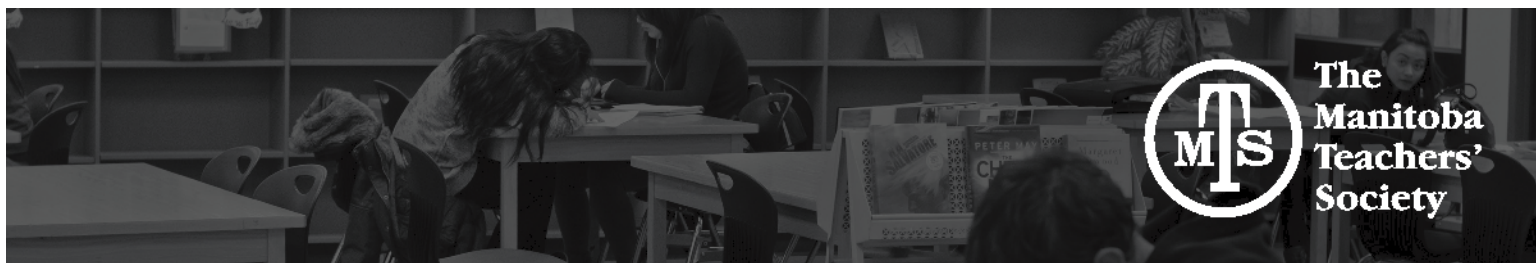
## **WHAT IS MTS DOING ABOUT IT?**

In 2017, The Manitoba Teachers' Society joined with other public sector unions through the Partnership to Defend Public Services (PDPS) to fight the constitutionality of Bill 28. The trial will begin in Court of Queen's Bench on November 18, 2019.

The Manitoba Teachers' Society strongly opposes both bills and believes they are unnecessary.

## **WHAT CAN I DO?**

We encourage you to speak out and stand up against this unconstitutional legislation. Consider sending a letter or email to your MLA, spread the word amongst colleagues and encourage them to do the same. We will keep you updated.



## WHAT IS BILL 9? (formerly Bill 2) (Amendment to Bill 28)

On October 7, 2019, the Pallister government introduced Bill 2 (*The Public Services Sustainability Amendment Act*) in the Legislative Assembly of Manitoba. On November 28, 2019, the Pallister government reintroduced Bill 2 as Bill 9. This is the Pallister government's 11<sup>th</sup> hour amendment to Bill 28 (*The Public Services Sustainability Act*), it's unconstitutional and heavy-handed legislation that calls for public sector workers to have their wages frozen for two years, followed by a 0.75% increase in the third year, and a 1.0% increase in the fourth year.

Bill 9 comes a few weeks before the commencement of the trial sought by Manitoba's public sector unions, including The Manitoba Teachers' Society, to stand up for workers and their Charter right to free collective bargaining. Bill 9 also came mere weeks before the Louis Riel interest arbitration.

Bill 9 picks winners and losers by allowing the Pallister government to exempt any collective agreement it chooses from its heavy-handed legislation. Bill 9 also threatens to claw back any remuneration from public sector workers, including teachers, not approved by the Pallister government. **More importantly, Bill 9 attacks the independence of arbitrators and arbitration boards, and therefore attacks the interest arbitration process, a fundamental element of Manitoba teachers' right to collectively bargain.**

## IS BILL 9 NECESSARY? (formerly Bill 2)

Neither Bill 28 nor Bill 9 was ever necessary. The Pallister government claims that the wage freeze is necessary to get Manitoba's fiscal house in order, stating repeatedly that it will take "all hands on deck" to tackle the deficit. However, there **is no fiscal crisis!** According to the Provincial Auditor, the Province of Manitoba should have shown a \$9 million surplus in the 2018/19 fiscal year. How can there be a fiscal crisis when federal transfers are generous, the PST has been reduced by one percentage point, millions have been squirrelled away in a rainy day fund, and education property taxes will be phased out?

## IS BILL 9 FAIR? (formerly Bill 2)

No. Based on Manitoba's projected inflation rates, teachers will suffer a **6.65% reduction** in purchasing power over the so-called four-year sustainability period imposed by Bill 28. For an average teacher in Manitoba, this translates to a **cumulative loss of \$15,478** in income. **In other words, Bill 28 represents an additional tax on teachers' earnings.** Meanwhile, unionized workers outside the provincial public sector have secured average wage increases of approximately 2% per year since Bill 28 was introduced. Furthermore, average salaries in Manitoba are expected to rise by 2.5% per year in the coming years.

As recently as November 2016, the Supreme Court of Canada has affirmed collective bargaining as a Charter right. Public sector workers in Manitoba, including teachers, must defend that right. **Bill 9 represents a targeted assault on the collective bargaining rights of Manitoba teachers. Now, more than ever, teachers must unite and push back against these attacks.**

