

# End the Use of the Notwithstanding Clause in Labour Disputes

## Petition



### To the Legislative Assembly of Ontario

**WHEREAS** the Canadian Charter of Rights and Freedoms is entrenched in the Constitution Act, 1982 and ensures rights and freedoms should not be limited unless “demonstrably justified in a free and democratic society” (Section 1);

**AND WHEREAS** Section 33 of the Charter, commonly referred to as the “Notwithstanding Clause”, is meant to prevent a court from invalidating a law that violates Charter provisions relating to fundamental freedoms (section 2), legal rights (sections 7-14), or equality rights (section 15);

**AND WHEREAS** the use of Section 33 requires a law passed by the legislature;

**AND WHEREAS** Governments across Canada are using Section 33 of the Charter to undermine important fundamental rights and freedoms protected under the Charter;

**AND WHEREAS** in 2021, the Ontario government used the notwithstanding clause for the first time to revive a law that was struck down by the Ontario Superior Court on free expression grounds;

**AND WHEREAS** in 2022, the Ontario government introduced the Keeping Students in Class Act which invoked the Notwithstanding Clause, as part of an effort to end a strike by CUPE education workers, render the strike illegal, and fine the union and any workers who went on strike;

**WHEREAS** in November 2025, the Alberta government implemented back to work legislation that implemented the use of Section 33 to end the Alberta Teachers’ Association strike and bypassed the courts by implementing the use of Section 33.

**We the undersigned petition the Legislative Assembly of Ontario as follows: That the Legislative Assembly of Ontario call on the government to not use the Notwithstanding Clause in order to permit egregious violations of workers’ rights and freedoms. Labour disputes should not be decided with the use of the Notwithstanding Clause because it violates employees’ rights to a free and fair collective bargaining process which is entrenched in the Constitution. Moreover, the Ontario government should end the practice of introducing legislation that invokes Section 33 of the Charter to intervene in collective bargaining.**

First Name	Last Name	Address	Postal Code	Are you a: Parent / Student / Educational Worker / Supporter	Signature