

November 26, 2025  
D/BU #071/2025–2026

## OSSTF/FEESO Petition to Oppose the Government's Misuse of the Notwithstanding Clause

To: Presidents and All Members

From: Joel Duff, Associate General Secretary – Professional Services

### For Action

OSSTF/FEESO is launching a pre-emptive petition campaign to call upon the Government of Ontario to renounce the misuse of the Notwithstanding Clause (Section 33 of the Canadian Charter of Rights and Freedoms) in labour relations matters. This petition is a critical step in defending democratic principles and protecting the right to free collective bargaining. The Petition “*End the Use of the Notwithstanding Clause in Labour Disputes*” is attached as Appendix A.

- Bargaining Units and Districts are encouraged to share the petition widely with members and allies.
- Return original copies of completed petitions to the Provincial Office in order to formally submit the petition to the Ontario Legislative Assembly (note: digital copies are not accepted).

### Why does this petition matter?

The use of the Notwithstanding Clause to impose settlements or undermine collective bargaining rights is a direct attack on fundamental democratic and labour rights of workers.

- **Ontario:** In 2022, the Ontario Government used Section 33 of the Charter to impose contracts on education workers through Bill 28 and restrict political advocacy by unions.
- **Alberta:** In 2025, the Alberta Government invoked Section 33 of the Charter to pass Bill 2, the *Back to School Act*, forcibly ending a teachers' strike, imposing a rejected contract, and stripping educators of their Charter rights. The Alberta Teachers' Association has launched a constitutional challenge, calling this a gross abuse of power that threatens the rule of law.

These actions undermine free collective bargaining, erode trust in democratic institutions, and set a dangerous precedent that weakens rights for all Ontarians.

OSSTF/FEESO remains dedicated to defending collective bargaining and advancing workers' rights, and as such we must take a clear stand against these undemocratic practices. This petition allows members and allies to:

- Publicly demonstrate opposition to the misuse of the Notwithstanding Clause.
- Reaffirm our shared commitment to democracy and human rights.
- Call on the Ontario government to end the abuse Section 33 of the Charter in labour relations.

Please promote this petition to your members through worksites, labour councils, staff bulletin boards, union offices, and community spaces. Promote in-person signatures and return all copies to Provincial Office. Together, we can send a strong message that these attacks on rights will not go unchallenged.

For more information contact Jessica Burnie at [jessica.burnie@osstf.ca](mailto:jessica.burnie@osstf.ca).

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Attachment A