

Mounties have the right to collective bargaining

Supreme court's 6-1 ruling in favour stops short of right to form a union

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The Supreme Court of Canada gave rank-and-file RCMP members a major morale boost Friday when it affirmed their right to engage in meaningful collective bargaining.

The high court did not explicitly state that the Mounties have the right to form a union, but the justices effectively cleared a path to that possibility.

The landmark 6-1 ruling gives the federal government a year to create a new labour relations scheme, setting the stage for talks among RCMP members, commissioner Bob Paulson and the Conservative government.

The Supreme Court overturned a previous ruling of its own from the 1990s that upheld an exclusion barring the Mounties from forming unions like federal public servants, who gained the right to collective bargaining in the late 1960s.

The high court says that overturning its precedent "is not a step to be lightly taken," but in this case it was justified because case law has evolved since it ruled in 1999, when it was dealing with a narrower issue.

Friday's decision was written by

Chief Justice Beverley McLachlin and Justice Louis LeBel and will ultimately affect officers across the country.

The case is a major win for RCMP members, some of whom were seen hugging in the foyer of the Supreme Court building after the ruling was released.

"Today is an awesome day for all members in the RCMP," said Ray Banwarie, president of the Mounted Police Professional Association of Canada. "It is also a great day for Canada — it's a great day for democracy in this country."

Banwarie said RCMP members want to work together with management to address "myriad" issues facing the force, including resources, pay, benefits and equipment and grievances that have not been addressed for over a decade.

One major issue is a class-action lawsuit against the force, alleging years of harassment and discrimination, in which about 300 serving and retired female RCMP officers and civilian employees are taking part. The suit has yet to be certified by a court.

Such points of conflict could be more easily resolved if the interests of RCMP members were properly represented, Banwarie said.