

## That's one for the 'win' column!

by SHERALYN ROMAN

Never let it be said that my bias is showing. Sure, I often write about the current provincial government and yes, it's quite possible it is not always in the most favourable way. But I'm not above giving praise where praise is due – even if it took a court case to force the issue. The recent decision by the Court of Appeal for Ontario to uphold a lower court decision that Bill 124 is unconstitutional is good news. That Ford's government has now decided to repeal the Bill in its entirety is even better.

A quick recap will remind readers that Bill 124 was enacted by the Progressive Conservatives in 2019 as a 'way to help the government eliminate a deficit.' That it was doing so on the backs of workers, and mostly workers in female dominated professions such as teaching and nursing, was abhorrent. Additionally, the Bill took effect at a time when a worldwide pandemic struck forcing some of the very people we were calling 'heroes' on the one hand, to be capped at a one percent per year wage increase on the other hand, despite their exceptional efforts to keep us all safe. Finally, and perhaps the most important addition to the list of reasons Bill 124 was so divisive, was the fact that the bill was essentially a constitutional violation of the collective bargaining rights of public sector workers.

While I'm tempted to hedge my bets when it comes to giving any high praise to Premier Ford (as we obviously don't know what still might come in its place) overall the Premier's announcement this past Monday that the government would repeal the bill is, as I said, good news. Labour unions too are happy, calling this a victory against the Ford government. Of course, who isn't happy? Premier Ford. After all, his hand was forced by the courts and according to him, the government had already spent 'billions of dollars' as a result of the legislation and he doesn't believe the courts should have played any role at all in making decisions about Bill 124.

Personally, I'm not sure if his comments mean he laments 'the billions' spent on reparations to workers, or 'the billions' spent on the government's decision to appeal their position in the courts. However, perhaps, in an effort to save face, Premier Ford went on during this press conference to claim that 'times are different now' largely because his government have been 'prudent fiscal managers,' presumably meaning that now it's ok to pay unionized workers what they had the constitutional right to bargain for in the first place.

It's important to note (again as a friendly reminder to provide historical context) that even though Bill 124 was in place to cap wages, and save the government money, exceptions were made at that time for municipal fire-fighters and police officers, still largely known as male dominated professions. The true impact of this decision was that while calling all 'first responders' heroes, the Ford government was in fact discriminating against at least one profession in that category, nurses, which in direct contrast to firefighters and police officers, is still largely a female dominated profession.

If that's not gender-disparity at its finest on full display, I don't know what is and I'm not the only one who felt (and still feels) that way. In an article written in February of 2022, (during the appeals process) Sarah Kaplan, a professor and director of the Institute for Gender and the Economy, said while a policy itself may seem neutral, intentionally or not, 'the impact is actually gendered.' Whether we're talking about corporate downsizing or government caps, often these impacts of these policies end up disproportionately affecting not just women but other marginalized people – actually exacerbating inequality when you put them in place.

In terms of Bill 124, the fact is that 55% of the public service employees impacted were women. Kaplan went on to call this 'an example of the way that our society is not valuing the caring professions and (how such policies) actually are creating really negative outcomes when it comes to achieving equality in our society.' At the end of the day, as I said at the outset, the repeal of Bill 124 and the related court victory for labour unions is a definite addition to the 'win' column. Whether or not we can give all the credit to Premier Ford? That's debatable.