



April 28, 2021

Education unions file Charter challenges against Ford government legislation that violates freedom of expression

TORONTO, ON—Elementary Teachers' Federation of Ontario (ETFO), Ontario English Catholic Teachers' Association (OECTA), and Ontario Secondary School Teachers' Federation (OSSTF/FEESO) have individually filed constitutional challenges against the Ontario government's Bill 254, *Protecting Ontario Elections Act, 2021*. They issued the following statement today:

Bill 254 is unconstitutional and violates freedom of expression and association rights guaranteed by the Canadian Charter of Rights and Freedoms (the Charter). It was crafted to benefit the Ford government by:

- increasing its access to substantial financial resources, while exacerbating the undue influence of wealthy donors on government decisions;
- reducing or eliminating the role of organizations, such as unions, public interest groups, non-governmental organizations, community groups, and others in the public, to debate important public policy issues;
- suppressing dissent and debate, essentially silencing their critics' legitimate concerns, through significant changes made to the rules governing third-party political advertisements.

Despite calls from ETFO, OECTA, OSSTF and others for the bill to be withdrawn, Bill 254 was shamefully adopted and received royal assent on April 19, 2021.

ETFO, OECTA, and OSSTF participate in Ontario's political debate through public advocacy campaigns as part of our commitment to supporting the democratic process. We aim to represent the interests of our members and to bring forward their views and concerns regarding government policies and the positions of other parties, with the goal of protecting and promoting high-quality publicly funded education. This role has been challenged significantly under this new legislation.

The timing of the introduction of Bill 254, during the third wave of the pandemic, provides evidence of the Ford government's ill intentions. Their plan to privatize public education is being exposed, and the public is growing increasingly concerned about their failure to deliver a vaccination plan that is consistent, equitable and effective across the province. It is within this political context that the Ford government introduced this legislation, in a deliberate attempt to shield itself from legitimate criticism and accountability from voters.

By limiting the ability of most Ontarians to effectively engage in important social, political and economic discussions, silencing government critics and empowering the wealthy, the impact of Bill 254 will be felt well beyond the next provincial election.

Rest assured, our voices will not be muted. We will continue to hold this and future governments to account as we advocate for a publicly funded education system that is student-centred, equitable and responsibly funded.

Submissions

On March 29, 2021, ETFO President Sam Hammond, OECTA President Liz Stuart and OSSTF President Harvey Bischof made presentations to the Standing Committee on the Legislative Assembly calling for significant changes to Bill 254. View the submissions here: [ETFO](#) | [OSSTF](#) | [OECTA](#).

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