

Legislative Update: Toronto Transit Commission Labour Disputes Resolution Act

April 20, 2011

By

Toronto Transit Commission Labour Disputes Resolution Act, 2011, SO 2011, c 2.

Labour Law Essential Services Toronto Transit Commission

Ontario introduced new legislation to ban strikes and lockouts by the Toronto Transit Commission ("TTC"). On Wednesday, March 30, 2011, Legislature passed bill 150 by a vote of 68-9.

The preamble of the *Toronto Transit Commission Labour Disputes Act, 2011* (the "**Act**") states that the disruption of transit services gives rise to serious public health and safety, environmental and economic concerns. It goes on to state that the public interest requires that a "dispute resolution mechanism be introduced that encourages and respects the process of collective bargaining to resolve impasses between the TTC and its bargaining agents."

The Act provides for binding arbitration by a neutral third party when collective agreements cannot be reached through bargaining. The appointment of an arbitrator is not subject to judicial review, if made under the provisions in the Act.

The Act is a response to the City of Toronto's request to make the TTC an essential service. Section 15 of the Act outlaws strikes and lockouts, despite anything in the *Labour Relations Act, 1995*.

The Act provides for a review of the legislation after a five-year period.

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