

MEDIA RELEASE

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MPPAC seeks to appeal Ontario Court of Appeal ruling

Langley, BC (19 June 2012) – The Mounted Police Professional Association of Canada (MPPAC), the national umbrella organization for members of the British Columbia Mounted Police Professional Association (BCMPPA) and the Mounted Police Association of Ontario (MPAO) is standing strong against the recent ruling by the Ontario Court of Appeal (OCA) in the Mounted Police Association of Ontario (MPAO) v. Canada. The OCA ruling overturned a lower Court's decision which ruled Sec. 96 of the RCMP Regulations, upon which the current RCMP Staff Relations Representative Program (SRRP) is founded, unconstitutional. The ruling confirmed that the SRRP, which was first established by RCMP management in 1974, "is a legitimate employee association that allows RCMP members to voice their concerns, and does not render freedom of association 'effectively impossible'." (See <http://www.ontariocourts.ca/decisions/2012/2012ONCA0363.pdf> for the complete ruling.)

Since the ruling was released earlier this month, members of the Mounted Police Professional Association of Canada have met and reviewed the decision. The MPPAC Executive is disappointed with the ruling and has learned that the BCMPPA and the MPAO, litigants in the OCA ruling, intend to appeal the ruling to the Supreme Court of Canada. The litigants will be seeking clarification via leave application to the SCC, whether management can participate in the formation of an Association with employees and how sections 2(b) (freedom of thought, belief, opinion and expression) and 2(d) (freedom of association) of the *Charter* are to be interpreted in regard to employee labour associations.

"The RCMP remains the only major police force in Canada in which its members have never been able to exercise their constitutional rights, specific to collective bargaining," states Rae Banwarie, MPPAC President. "The current system of labour relations in the RCMP—the SRRP—is not independent of management. In addition, what is clear in this ruling is that the Mounted Police Members' Legal Fund (MPMLF), which is controlled exclusively by the SRRP and whose executives are the SRRP, was used against the entire membership to stop us from exercising our fundamental rights to independent representation and to collectively bargain with our employer. This Fund is intended to be used to protect the membership in cases where management decided they were not acting within the scope of their duties and refused to pay legal expenses, not to keep the SRRP program in place. The OCA ruling will have implications for all organized labour groups across Canada." (See <http://www.mplegalfund.com> for details about the MPMLF and page 54 of the OCA ruling for specifics about its use in the OCA case.)

The National Union of Public and General Employees (NUPGE) publicly called this a "dreadful decision." (See <http://www.nupge.ca/content/5063/court-ruling-banning-rcmp-joining-union-dreadful-decision-nupge>). MPPAC is asking all RCMP members to recognize the significance of the OCA ruling and to stand behind MPPAC financially, now more than ever, to advance our challenge of the OCA ruling to the Supreme Court. Explains Banwarie, "We will continue to fight for all RCMP members to attain the respect, recognition and fair benefits we all deserve from our employer, as is commonplace with all modern day police agencies across Canada."

The Mounted Police Professional Association of Canada was established in 2010 and is fighting for the right to engage in collective bargaining through an independent association on behalf of RCMP regular and civilian members across Canada. The Association does not seek or support the right to strike. To learn more about our national association, visit www.mppac.ca.

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