



May 24th 2017

Dear Prime Minister,
Honorable Senators,
Members of Parliament,

The *Association des membres de la police montée du Québec* (“AMPMQ”) consists of members of the Royal Canadian Mounted Police (“RCMP”) based in Quebec.

Following the ruling of the Supreme Court of Canada in 2015 in *Mounted Police Association of Ontario v. Canada* (Attorney General), RCMP members have earned the historic right to associate and negotiate their working conditions collectively, in recognition of the constitutional right of association provided under the *Canadian Charter of Rights and Freedoms* (“Charter”). Thus, since May 2016, the *Public Service Labour Relations Act* (“PSLRA”) became applicable to members of the RCMP.

On April 5, 2017, pursuant to this decision and in strict observance of the provisions of the PSLRA, the AMPMQ filed an application for certification with the *Public Service Labour Relations and Employment Board* (“PSLREB”) for a bargaining unit consisting of the RCMP members in Quebec (the ‘C’ Division). At present, this application is following the usual steps before the PSLREB; they will eventually decide if the bargaining unit of the members of the RCMP in Quebec is an appropriate bargaining unit.

In this regard, not only is the bargaining unit proposed by the AMPMQ based on the support of RCMP members in Quebec but, moreover, this application takes into account and is justified by the geographical, functional, administrative and linguistic particularities characterizing these members. Hence, this unit recognizes the community of interest of its membership and the factors that fundamentally distinguish them from RCMP members based in the rest of Canada.

In any event, it is up to a neutral tribunal, in this case the PSLREB, to determine the viability of this unit according to criteria generally applicable to labour relations.

In this regard, on May 15th, the *Treasury Board Secretariat* (“Treasury Board”) representing the RCMP, stated their opposition to our application for certification, in accordance with the procedure set out under the PSLRA. This opposition is based on the Treasury Board’s claim that the only appropriate bargaining unit is one including all members of the RCMP in Canada.

On April 18th, the “*National Police Federation*” (“NPF”), a national association of RCMP members, filed an application for certification for all RCMP members in Canada. On May 15th, the NPF requested permission to intervene in the AMPMQ’s application for certification to express the same position as the Treasury Board, namely that only a Canada-wide unit of RCMP members is appropriate.

In application of the rights recognized by the Supreme Court, the AMPMQ was expecting that the procedure prescribed in the PSLRA be complied with and that the PSLREB would eventually determine the rights of the parties in the case.

However, in a contemporary manner, but subsequent to the AMPMQ filing their application for certification on May 12th, 2017, the Treasury Board started proceedings to speed up the adoption of *Bill C-7* (“C-7”).

Bill C-7 stipulates that only a Canadian bargaining unit is appropriate for the purpose of unionization of RCMP members. Similarly, C-7 also provides for a retroactivity provision, which would invalidate the AMPMQ’s certification or its application for certification filed on April 5th, 2017. Thus, C-7 allows the Government to decide and impose its own vision of what constitutes an appropriate bargaining unit within the RCMP, which is obviously a strike to the rights of the RCMP members to associate and be recognized as a representative association based on distinctions and characteristics of their own. Bill C-7 is in fact a substantial interference with the right of association of RCMP members, depriving them of the opportunity to argue the merits of their application for certification before a specialized and impartial tribunal. And yet, the current state of law on certification permits the support of the AMPMQ’s position in favour of a separate bargaining unit for members of the RCMP in Quebec.

The adoption of Bill C-7 has therefore the effect of silencing the RCMP members based in Quebec, the only Division with French as its primary working language, in their efforts to have recognized, through a certification procedure, their right to be part of an association empowered to advocate for their specific claims.

There is no doubt that this issue deserves a thorough and transparent debate before a neutral court, where all parties will have an opportunity to be heard.

In appearance, the hasty adoption of Bill C-7 proves to be a way of avoiding, at all costs, that a determination be made that members of the RCMP based in Quebec can form a separate bargaining unit.

For that reason, we respectfully ask that you suspend the adoption process of Bill C-7 and let the PSLREB decide upon matters in connection with the applications for certification that were submitted to the Board. Alternatively, we ask that the provisions under Bill C-7, which determine that only a Canadian unit of the RCMP members is appropriate, be removed.

The AMPMQ points out that this approach is consistent with a will to avoid delaying the certification of RCMP members across Canada. In November 2016, in a letter to the AMPMQ concerning Bill C-7, the Minister of Public Safety and Emergency Preparedness Ralph Goodale noted that “The Government is committed to bringing forth a Bill that will give officers and reservists the constitutional rights that were for so long denied to them.” In this respect, the sole object is to ensure that we can assert the right to join an association of our choice in accordance with the Canadian policy of multiculturalism and Charter.

Please accept the assurance of our highest consideration.

In case of contradiction between the French version of this document and its English translation, the French version is the reference.

Serge Bilodeau
President
Association des membres de la police montée du Québec
BP 154
Westmount (Quebec)
H3Z 2T2
Tel : (438) 385-4690