

Following in Trudeau's footsteps,

Quebec government moves to eviscerate the right to strike

Hugo Maltais
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Jean Boulet, the labour minister in the right-wing, chauvinist Coalition Avenir Québec (CAQ) government, tabled a bill in Quebec's National Assembly last month that eviscerates workers' rights to strike and to collectively determine their work contracts.

Bill 89 bears the Orwellian title "An Act to give greater consideration to the needs of the population in the event of a strike or lockout." In reality, the only purpose of the legislative changes it outlines is to further legally shackle workers and strengthen and embolden big business. It is part of a rapidly expanding assault on working people's basic democratic and social rights, being mounted by the capitalist oligarchy in Canada and around the world.

Bill 89 would introduce into the Quebec Labour Code two new mechanisms to further limit the right to strike.

Although supposedly guaranteed under the Canadian constitution's Charter of Rights and Freedoms, the right of workers to collectively withhold their labour-power has been under systematic attack for decades. Federal and provincial governments of every stripe, from the Liberals, Conservatives and Parti Québécois to the social-democratic NDP, have repeatedly adopted emergency back-to-work laws, criminalizing worker job action. And in the last six months of 2024, the Justin Trudeau-led federal Liberal government repeatedly used a newly cooked-up reinterpretation of Section 107 of the Canada Labour Code to arbitrarily rob workers of their right to strike.

Under Bill 89, the Quebec government is giving itself the power to order the Tribunal administratif du travail (TAT—Quebec Labour Court) to determine whether services ensuring the "well-being of the population" should be maintained during a strike or lockout. Hitherto, so-called "essential service" restrictions on the right to strike have been limited to ensuring the "health and safety" of the public. This has resulted in sweeping restrictions on many workers' right to strike, especially in the health care sector—restrictions the TAT has rigorously enforced.

But now the CAQ government is expanding the definition of "essential services" to make it a veritable catch-all. One that

will be used to arbitrarily strip large sections of workers of the legal right-to-strike, and thereby render strikes completely ineffectual.

According to the provisions of Bill 89, should TAT determine that a strike or lockout could cause "irreparable harm" to "the social, economic or environmental security of the population," the employer and the workers' trade-union bargaining agent will have 15 days to determine what levels of service need to be maintained to ensure the population's "well-being." Should they fail to agree, the TAT will itself determine what levels of service must be maintained, and it can suspend workers' right to strike altogether pending that determination.

The second new anti-strike mechanism is, if anything, even more sweeping and arbitrary. Once Bill 89 becomes law, Quebec's Labour Minister will have the dictatorial power to order an immediate end to virtually all strikes falling under the jurisdiction of provincial labour law.

Whenever the minister deems that a strike or lockout "threatens to cause serious or irreparable harm to the public," the Minister will be able to illegalize any ongoing or future job action and empower an arbitrator to dictate the workers' "collective agreement."

Boulet's statements and the examples he has given of situations where his new powers could have been applied to end a labour dispute, demonstrate that the notion of "serious and irreparable harm to the population" will be interpreted very liberally, and that Bill 89 will be used to vastly curtail, if not for all intents and purposes abolish, the right to strike in Quebec.

Provocatively, Boulet identified the strikes that have taken place in recent years at Montreal and Quebec City-area schools, childcare centers, Montreal's Notre-Dame cemetery, pork and chicken slaughterhouses, and ferry services as examples of strikes in which the "population" was "taken hostage" by workers.

From this long list, it is clear that the employers' economic interests will be systematically equated with "serious and irreparable harm." Whenever a company or group of companies complains that a strike is causing them significant financial losses, the Minister will intervene to put an end to it and impose

contract rollbacks via an arbitrator.

Employers are almost always more than happy to have state-imposed “binding arbitration,” because they know that the supposedly “neutral” Labour Ministry-appointed arbitrators all agree that workers’ job, wages, and working conditions should be conditional on bumper profits for the bosses and investors.

Under Bill 89, only the public and para-public sectors will be excluded from the application of the government’s new power to impose binding arbitration. Boulet declared that it would not be “acceptable” for a “third party to determine how public funds are to be used.”

With the complicity of the unions, Quebec governments have on numerous occasions imposed by government decree concessionary contracts on public sector workers that slashed wages and increased workloads, thereby adversely impacting on services to the population. If the government fears that a pro-big business arbitrator might impose contract terms more favourable to the workers than it is ready to accept, this is only an indication of the scope of the austerity offensive it is now preparing. However, Bill 89 does give the government the power to lock out workers in the public and para-public sectors, a practice up till now prohibited.

Demonstrating that the entire ruling class is behind this frontal attack on workers’ basic rights, the Parti Libéral du Québec (PLQ) and the Parti Québécois (PQ), the two traditional governing parties now in opposition, have expressed their support for the bill.

Echoing the Conseil du Patronat’s (Employers Council) declaration that Bill 89 is “good news” and a “pragmatic solution,” PLQ leader Marc Tanguay declared that the CAQ’s proposed changes to the Quebec Labour Code would strike a “fair balance.” More cautiously, the PQ declared that it was “open to discussion” and that the bill “deserves very careful study.”

Only Québec Solidaire (QS), the pseudo-left party that occasionally claims to speak on workers’ behalf, has opposed Bill 89, while expressing its true orientation, which is suppressing the class struggle, and promoting the interests of the nationalist, pro-capitalist union bureaucracy and the affluent middle classes. QS legislator and former Quebec Federation of Labour official Alexandre Leduc declared that the bill risked breaking “the union instrument” and that with “the end of strikes” it would “not be pretty for the middle class.” QS has pleaded to Legault and Boulet to withdraw their sweeping anti-strike bill.

As for the unions, they dismissed out of hand any action to mobilize their more than 1 million members in Quebec, let alone workers across Canada, to oppose what CSN (Confédération des syndicats nationaux) President Caroline Senneville described as a “declaration of war.” Instead, they begged Prime Minister Legault, known for his ultra-right-wing, anti-worker stance, to back down. And if Legault doesn’t budge, a certainty given the CAQ’s parliamentary majority and

the big business’ full-throated support, the unions plan to challenge the law in court—a process that will take years and, whatever the legal outcome, will not end the ruling class’s drive to abolish the right to strike and criminalize social opposition.

The use of increasingly authoritarian methods such as those envisaged in Bill 89 to repress the class struggle reflects an objective process of intensifying class tensions in Quebec and Canada, at a time when income inequality is at its highest level ever measured by Statistics Canada.

Just as in the United States, where Donald Trump’s second term as president expresses a violent realignment of the political system with a socio-economic order dominated by an oligarchy hostile to any semblance of democratic limitations on its power, the Canadian ruling class is increasingly resorting to dictatorial methods to pursue its predatory class interests.

These developments underline that workers, in Quebec as elsewhere in Canada and internationally, face a political struggle. This struggle must be waged through the mass industrial and political mobilization of the working class against a ruling class determined to use its economic power and control of governments to eviscerate democratic rights, wage imperialist war and drastically reduce the social position of working people.

The main obstacle to such a struggle remains the unions, which act as junior partners of employers and the state to impose concessions-laden contracts and keep workers trapped within the state-regulated, pro-employer “labour relations” and “collective bargaining” system.

Workers must break out of the stultifying confines of the corporatist trade unions by building new organs of struggle—rank-and-file committees politically and organizationally independent of the union apparatuses—that can mobilize the social power of the working class to defend jobs, wages and workers’ democratic rights.

This must be combined with a political struggle against the profit system, which is the source of imperialist war, social inequality and the resurgence of fascism.



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