



September 29, 2026

## Bill C-39, the Canadian Labour Code and Workers' Rights

The federal government is proposing many changes to the Canada Labour Code through Bill C-39. While the government claims these changes are intended to improve labour relations, CUPW is deeply concerned about what they could mean for workers, our unions and our fundamental right to strike.

CUPW members know firsthand what happens when governments interfere in collective bargaining. We have experienced the impact of government intervention in our disputes with Canada Post, and we know that the threat of back-to-work orders and imposed arbitration can undermine our ability to negotiate fair collective agreements.

Below, we outline some of the key changes proposed in the Bill.

### Section 107 and the Right to Strike

The Bill aims to solidify the government's understanding of Section 107. This is the section the government has used many times since 2024 to end legal strikes. While the government claims the changes put up "guardrails" around its use, this is not the case.

The Bill gives the Minister the explicit power to "take any measure" to end a legal strike which they think could have a negative impact on the "national interest."

This is a direct attack on our right to strike and our ability to negotiate fair collective agreements. When employers know the government can step in to end a legal strike, they have no reason to negotiate seriously.

### Special Mediation Process

The Bill would allow the Minister to appoint a special mediator to work with the parties for 21 days to help settle a dispute before a strike or lockout could be triggered. If the parties can't reach an agreement, the special mediator would have to provide the Minister a report, which would then be released publicly if there were still no agreement after 5 days.

The Minister would have to "consider" the special mediator's report before issuing a Section 107 order. However, the decision to use Section 107 is the Minister's alone. The mediator's report may simply serve as a step along the way to government intervention.

### Longer Conciliation Period

The Bill proposes lengthening the conciliation period from 60 days to 90 days, adding 30 days to the time before a union can exercise its right to strike.

### Mandatory Early Bargaining

When a collective agreement is reached following a strike, a lockout or binding arbitration, bargaining will have to start at least 180 to 200 days before the agreement expires, with the support of the Federal Mediation and Conciliation Services from the start.

### Mandatory Mediation

After a strike, lockout or binding arbitration, the Minister will appoint a mediator to help the parties improve their relationship within 6 months of reaching a new agreement.

### Our Fight Back

In giving the Minister of Labour new powers to end legal strikes on a whim, the government has launched a frontal assault on our hard-fought rights. What we have secured over decades of struggle, the Carney government wants to take away with the stroke of a pen. We can't let them get away with it.

An informed, engaged and mobilized membership will have to be at the heart of our fightback. Together, we will defend our rights and the strength of collective bargaining.

In Solidarity,

Jan Simpson  
National President

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