

CANADIAN TELECOMMUNICATIONS WORKERS
ALLIANCE (CTWA)



BRIEF ON BILL C-39

*Act respecting certain measures to strengthen the
economy*

**SUBMITTED TO THE LEGISLATIVE COMMITTEE ON
BILL C-39**

OCTOBER 26, 2026

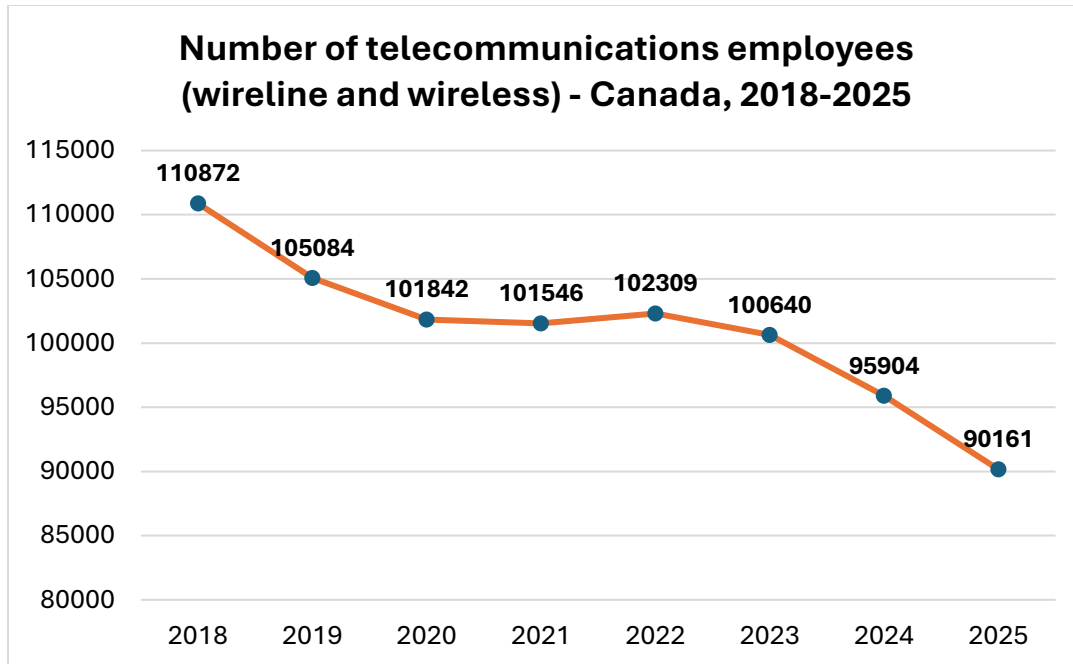
INTRODUCTION

1. The Canadian Telecommunications Workers Alliance (CTWA) is a non-partisan resource bench for parliamentarians and others, bringing the practical expertise of more than 32,000 telecommunications workers represented by Unifor, the United Steelworkers (USW), and the Canadian Union of Public Employees (CUPE). Our members build, operate, maintain and support the networks relied upon by Canadians, businesses, public institutions and emergency services.
2. The CTWA stands with its three affiliated unions in their positions on Bill C-39, particularly their concerns regarding the proposed expansion of ministerial powers under section 107 of the *Canada Labour Code* and the protection of meaningful collective bargaining rights.
3. Our submission builds on those positions by raising three concerns specific to telecommunications:
 - A. The contradiction between the federal government's commitment to national interest by protecting critical infrastructure and domestic economic capacity while telecommunications jobs continue to be outsourced and offshored;
 - B. The real-world challenges of protecting collective bargaining rights when employers are, by their nature, financially motivated to test the boundaries of any legislation; and
 - C. The absence of a demonstrated need for expanded ministerial powers.

NATIONAL INTEREST CONTRADICTIONS

4. In December 2025, the federal government implemented its Buy Canadian Policy, explicitly identifying telecommunications within a strategic sector important to national security and economic resilience, with an emphasis on domestic industrial capacity and supply-chain resilience¹. Yet telecommunications companies continue to outsource and offshore the very jobs and expertise needed to operate, maintain, and restore the networks the government considers strategically important.
5. According to Statistics Canada, employment among Canadian wired and wireless telecommunications carriers declined from 110,872 in 2018 to 90,161 in 2025, a reduction of more than 20,000 jobs. Almost 1 in 5 jobs disappeared in 7 years in the sector, part of which has been offshored.

¹ Government of Canada, [Policy on Prioritizing Canadian Suppliers and Canadian Content in Strategic Federal Procurements](#), modified on February 20, 2026, Point 3.1 : “These sectors are prioritized because they contribute to risk mitigation, drive innovation, **strengthen national security and reinforce Canada’s strong and resilient economy.**” and Appendix A.



Source: Statistics Canada, [Telecommunications Statistics](#), Employment level, May 2025.

6. In 2025, Rogers Communications transferred approximately 400 wireless employees to Ericsson, which subsequently moved critical network operations work to India, eliminating more than 120 Canadian technical positions. The loss of these Canadian jobs erodes the domestic expertise needed to build, operate, maintain, secure and restore our telecommunications networks. It also undermines Canada's telecommunications sovereignty by delegating the ultimate operational control of our networks to workers abroad exposed to foreign laws². Rogers is not the only large telecommunications company to resort to workers in other jurisdictions for Canadian telecommunications work.
7. This raises a fundamental question about how the federal government defines the national interest. If a temporary disruption to telecommunications services could, in theory, justify ministerial intervention in a lawful strike under Bill C-39 for reasons of national interest, why does the permanent transfer of those same operations, jobs and expertise outside of Canada receive comparatively little scrutiny?
8. The CTWA objects to expanding ministerial discretion to intervene in lawful strikes – that are temporary, by definition – in the name of the national interest. By contrast, the continued erosion of domestic telecommunications capacity enabled by the lack of parameters in Canadian legislation continues to impose ever-increasing risks to the national interest.

² India, [The Information Technology Act, 2000](#).

9. Canadian telecommunications networks increasingly rely on work performed by overseas workers governed by foreign laws and labour standards. If the government considers the withdrawal of Canadian labour a potential threat to the national interest, what action plan will the federal government implement to address the growing dependence on foreign labour beyond the direct reach of Canadian laws? Work stoppages are not a Canadian exclusivity!³.
10. The CTWA is of the view that the national interest, security and economy would be better served if C-39 included an objective in the *Telecommunications Act* on the contribution of telecommunications companies to the creation and retention of jobs to build, operate, maintain, secure and restore our telecommunications networks in Canada (see Appendix A). With such an objective, the Canadian Radio-television and Telecommunications Commission (CRTC) would have the mandate to monitor and to act on the level of Canadian employment in telecom.

COLLECTIVE BARGAINING RIGHTS: REAL WORLD EXAMPLES

11. In March 2026, Labour Minister Patty Hajdu defended the federal ban on replacement workers that came into force in 2025, declaring: “Their use eroded trust and prolonged disputes. Those days are over⁴.” Yet one of the legislation's first real-world tests revealed a vulnerability in its application.
12. During the 2025 Rogers strike in Abbotsford, the United Steelworkers reported that Rogers brought in managers from other regions to perform striking technicians' duties, effectively reducing the pressure created by their withdrawal of labour⁵. The strike lasted more than four months, calling into question whether the government has adequately examined how its legislation works in practice before proposing further changes affecting the balance of collective bargaining.
13. In 2024, the one-year-long Videotron lockout of CUPE workers, in Gatineau, reached an end only after the intervention of the Labour Minister. The lockout lasted that long because the employer had access to a workforce in Egypt to replace its Canadian call centre workers. The company also relocated technical workers from Montreal to Gatineau and used the services of a local contractor. The new anti-scab provisions would still permit that because Videotron has regular contractors both in Egypt and Canada⁶.

³ Julien Arsenault, *Égypte – Des sous-traitants de Vidéotron s'estiment sous-payés*, La Presse, January 19, 2023.

⁴ Patty Hajdu, *Opening Remarks for the Honourable Patty Hajdu, Minister of Jobs and Families and Minister responsible for the Federal Economic Development Agency for Northern Ontario for her appearance before the Standing Senate Committee on Transport and Communications (TRCM) in relations to the maintenance of essential services during labour disruptions*, March 11, 2026.

⁵ USW, *Rogers refuses to return to bargaining table; continues to undermine Abbotsford workers' right to strike*, July 8, 2025.

⁶ *Canada Labour Code*, s. 94(4)b).

14. During the 2021 round of collective bargaining between Bell Canada and its 3,000 Unifor technicians in Ontario and Québec, the parties had not reached an agreement on maintenance of activities. When negotiations stalled, Bell relied on the unresolved process, exploiting delays in the legislative framework that effectively worked to the employer's advantage by postponing an eventual strike and therefore affecting the union's leverage. Although bargaining eventually resumed and an agreement was reached, the experience raises questions about how the outcome might have differed had the legislation provided for a timelier resolution.
15. The CTWA believes these experiences demonstrate how employers actively seek bargaining advantages by exploiting vulnerabilities in the Canada Labour Code. Expanding ministerial discretion under section 107 risks creating another such incentive. If employers anticipate government intervention to end a strike, that possibility naturally becomes part of their bargaining strategy and will reduce their incentive to reach a negotiated settlement. In their testimony, CUPE pointed to the 2025 Air Canada flight attendants strike as an example, arguing that the company anticipated government intervention to end the work stoppage and failed to take appropriate steps to mitigate the strike's impacts on travellers⁷.
16. Committee members must carefully consider whether Bill C-39's stated intention to protect meaningful collective bargaining could instead, in practice, further undermine the balance the actual legislation was intended to restore.

MAINTENANCE OF ACTIVITIES: THE BURDEN OF JUSTIFICATION

17. In June 2025, Parliament strengthened section 87.4 of the *Canada Labour Code*, requiring employers and unions to identify and agree upon activities necessary to protect public health and safety before a lawful work stoppage. The framework establishes clear statutory criteria, defined timelines and independent adjudication by the Canada Industrial Relations Board. These provisions provide transparency and predictability while preserving the right to strike or lockout.
18. Bill C-39 takes a very different approach. Instead of establishing clear criteria and expectations before a work stoppage, it expands ministerial discretion through the optional use of a special mediator's report and a national interest test that only advantages one party, the employer. The CTWA questions why Parliament would grant such broad powers to the minister when it strengthened the existing maintenance of activities framework barely a year ago. What shortcomings have been identified, and why are the existing safeguards insufficient? Committee members should demand clear answers before granting more powers to the minister that could override democratic collective bargaining and end lawful strikes.

⁷ CUPE, [Testimony at the Legislative Committee on Bill C-39](#), October 20, 2026.

CONCLUSION

19. The CTWA recognizes the government's responsibility to protect the national interest. But that responsibility must be exercised consistently, with clear limits and respect for established collective bargaining rights. Our experience at the bargaining table has shown that vagueness in legislation can create imbalances to the detriment of our members. Before expanding ministerial powers under section 107 of the *Canada Labour Code*, the government must identify specific shortcomings in existing legislation and demonstrate how the proposed changes will protect meaningful collective bargaining without further tipping the balance in employers' favour.
20. The CTWA further questions how the national interest is served by legislation that could authorize ministerial intervention in lawful strikes to prevent temporary disruptions to Canada's telecommunications networks, while the permanent offshoring of Canadian jobs, technical expertise and operational capacity needed to sustain those same networks continues unabated with comparatively little scrutiny.
21. An amendment is proposed to make sure the national interest is considered at all times in the telecommunications sector and not only when a work stoppage occurs.

APPENDIX A – PROPOSED AMENDMENT

The *Telecommunications Act* was enacted for the first time at the beginning of the 1990's and therefore has no objectives pertaining to employment. Internet was still a niche network at the time, and telecommunications jobs could not be moved outside of the country. That is not the case anymore. Since the CRTC has no labour objective to implement in the Act, they have no mandate to monitor and no power to ensure sufficient Canadian employment levels in the national interest of Canada, its economy, security and sovereignty.

Section 7 of the *Telecommunications Act* is replaced by the addition (underlined and bold) of the following:

“Objectives

7. It is hereby affirmed that telecommunications perform an essential role in the maintenance of Canada's identity and sovereignty and that the Canadian telecommunications policy has as its objectives

- a) to facilitate the orderly development throughout Canada of a telecommunications system that serves to safeguard, enrich and strengthen the social and economic fabric of Canada and its regions;
- b) to render reliable and affordable telecommunications services of high quality accessible to Canadians in both urban and rural areas in all regions of Canada;
- c) to enhance the efficiency and competitiveness, at the national and international levels, of Canadian telecommunications;
- d) to promote the ownership and control of Canadian carriers by Canadians;
- e) to promote the use of Canadian transmission facilities for telecommunications within Canada and between Canada and points outside Canada;

e.1) to use Canadian workforce located in Canada to build, operate, maintain, secure and restore transmission facilities for telecommunications within Canada and between Canada and points outside Canada;

- f) to foster increased reliance on market forces for the provision of telecommunications services and to ensure that regulation, where required, is efficient and effective;
- g) to stimulate research and development in Canada in the field of telecommunications and to encourage innovation in the provision of telecommunications services;
- h) to respond to the economic and social requirements of users of telecommunications services;
- i) to contribute to the protection of the privacy of persons; and
- j) to promote the security of the Canadian telecommunications system.”