

# BLAIR – CHAHLEY – KLASSEN

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## By Email Only

May 7, 2025

### **His Majesty the King in Right of Alberta and Minister Nate Horner**

Alberta Justice, Legal Services Division  
9th Floor, Peace Hills Trust Tower  
10011 109 Street NW  
Edmonton, Alberta T5J 3S8

#### **Attention: Director of Civil Litigation**

Fax: 780-427-1230

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### **Attorney General of Canada**

Department of Justice Canada  
10423 101 Street  
3rd Floor, Epcor Tower  
Edmonton, Alberta T5H 0E7

#### **Attention: Prairie Regional Office - Edmonton**

Fax: 780-495-2964

Email: [AGC\\_PGC\\_ALBERTA@JUSTICE.GC.CA](mailto:AGC_PGC_ALBERTA@JUSTICE.GC.CA)

Dear Sir or Madam:

### **Notice of Constitutional Question arising in Alberta Labour Relations Board proceeding**

**Re: An unfair labour practice complaint alleging a violation of section 60(3) as well as sections 148(1)(a)(i) and 148(1)(a)(ii) of the *Labour Relations Code* brought by the Association of the Academic Staff University of Alberta affecting the Governors of the University of Alberta and His Majesty the King in Right of Alberta**

We represent the Association of the Academic Staff University of Alberta (“AASUA” or “Association”) with respect to a complaint in respect of bargaining related misconduct by the Governors of the University of Alberta (the “Employer”) pursuant to the *Labour Relations Code*. Pursuant to



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section 24 of the *Judicature Act*, we hereby give you notice of a Constitutional Question that has been raised by the AASUA.

This matter involves an issue arising in part from the Government of Alberta's ("GoA" or "Government") involvement with provincial public sector bargaining through the use of stringent, confidential directives to public sector employers provided by the Ministry of Treasury Board and Finance's Provincial Bargaining & Compensation Office ("PBCO") by virtue of the *Public Sector Employers Act* SA 2019, c.P-40.7 ("*PSEA*").

The AASUA alleges that such GoA bargaining directives have significantly interfered with the Governors of the University of Alberta collective agreement negotiations with the AASUA, and, given also that the Employer must strictly oblige the GoA or otherwise be overridden by the Government with respect the Employer's negotiations with the AASUA, such activities of the GoA are unconstitutional because they violate the AASUA's members' right to freedom of association set out in section 2(d) of the *Charter of Rights and Freedoms* and are not saved by section 1.

The AASUA has set out reasonable particulars of the complaint made in the Association's application to the Alberta Labour Relations Board, hereto attached.

Thank you for advising us, the Alberta Labour Relations Board and the other parties if you intend to participate in this matter.

Yours truly,

**Blair Chahley Klassen**



Cherie Klassen, Counsel for the AASUA

cc. Dr. Verna Yiu, Todd Gilchrist, University of Alberta  
Geoffrey Hope, usual counsel of record for the Employer  
Client