

Three Alberta companies join legal challenges to Canada Summer Jobs attestation

When Kurt Feigel was faced with agreeing to the controversial Canada Summer Jobs (CSJ) attestation or losing out on hiring a summer student, he chose another option.

“No government should be using the power of the state to coerce a business to express agreement with government ideology in order to receive funding to help employ students” said Feigel, owner of Edmonton-based Saturn Machine Works Ltd.

Saturn Machine Works is one of three Alberta businesses – including Remuda Building Ltd. in the Calgary area, and Lethbridge-based Vantage Trailer Sales Inc. – that have launched the latest legal challenges in Federal Court against the attestation. All three businesses launched their separate challenges in Edmonton July 5.

In order to receive a grant that would fund jobs for summer students, employers must agree to an attestation that affirms support for Charter rights and “other rights” including reproductive rights, or right to an abortion.

Els Van Hierden, owner of Vantage Trailer Sales, argues that the attestation is an example of unnecessary government demands on private businesses.



Albertos Polizogopoulos

“Businesses shouldn’t be compelled to take a position on contentious issues that our customers and employees have diverse views on in order to qualify for a public program, like Canada Summer Jobs,” said Van Hierden. “These programs

must be available on an equitable basis.”

And Steve Schouten, the president of Remuda Building, says that even though his business received a grant last year, this year’s application was rejected because he refused to sign the attestation. The three Alberta businesses are the latest to mount legal challenges to the attestation. Previous challenges were launched by two Ontario businesses, WoodSource in July, and Sarnia Concrete earlier in June.

All five companies are represented by Ottawa-based litigation lawyer Albertos Polizogopoulos of Vincent Dagenais Gibson LLP.

“The minister imposed an obligation on all CSJ applicants to make an attestation which aligned the CSJ applicant with a particular position on abortion,” said Polizogopoulos, who described abortion as “perhaps the most politically divisive issue in Canada.”

The businesses are also being supported by the non-profit Free To Do Business Canada, which describes itself on its website as supporting the rights of ‘business owners and businesses to serve their customers free from governments dictating what business owners must think and believe.’

“If the attestation goes unchallenged, governments will make more grants, programs, and services contingent on the expression of support for a particular ideology,” said Tamara Jansen, a spokesperson for Free To Do Business Canada.

“Today, it’s farmers, small retailers, and general contractors who must parrot a political ideology for access to funds; soon major corporations and individual Canadians could be in the same boat.”

While each case is “pretty straightforward,” said Polizogopoulos, he added that he does not expect these cases to be heard in 2018.

“These things usually take an average of two years, or a year and a half,” said Polizogopoulos, who noted that the court may choose to either delay, fast-track or consolidate the five cases.

“It’s too early to see how that’s going to play.”

-With files from Canadian Catholic News