

UNBLJ FORUM:

RECENT DEVELOPMENTS IN CANADIAN LABOUR AND EMPLOYMENT LAW

EDITORS' PREFACE

Each year, the UNB Law Journal strives to select a forum topic that features a timely and controversial topic that lends itself to a diverse range of opinions. Recent years have seen a number of high-profile Canadian labour and employment cases at all levels of the court system. These cases have had a profound impact on Canadian practitioners, unions, judges, employers, and employees. In addition, in the face of the current economic crisis, greater attention has focused on labour and employment issues, not only in Canada, but also across the world. Given the recent nature of these decisions, there is a dearth of scholarly literature on these topics, and an opportunity to publish important contributions to the existing labour and employment literature.

We enjoyed an overwhelming response to this volume's Forum topic. The diverse views of nationally renowned union leaders, academics, management-side lawyers and union side lawyers are represented within the pages of this journal.

The Forum leads with an article by Dr. Michael Lynk of the University of Western Ontario. Dr. Lynk delivered the Rand lecture at the University of New Brunswick on 5 March 2009. Dr. Lynk offered an insightful discussion of "the new inequality" in contemporary labour law, the text of which is reproduced here.

We would be remiss not to devote special attention in the Forum to the 2007 Supreme Court of Canada ruling *Health Services and Support – Facilities Subsector Bargaining Assn. v. British Columbia* [*B.C. Health Services*]. This case has important implications for everyone involved with labour in Canada, whether from the perspective of worker, employer, union, government, or management side labour. Buzz Hargrove, Beth Bilson, John P. McEvoy and Roy Adams offer the reader various perspectives on this landmark ruling.

Following the articles on *B.C. Health Services*, the Forum then shifts to a broader range of labour and employment issues. Dianne Pothier, Charlotte Yates, Tom Mann, and Michael Sherrard address a variety of issues, from the right to strike to

the duty to accommodate. Finally, the Forum closes with two articles on the Supreme Court case of *Keays v. Honda*, from Daniel A. Lublin and Michael P. Fitzgibbon.

We hope that this forum will be an important contribution to the existing literature on this topic.

Rose Campbell

Avril Dymond

Editors-in-Chief, Volume 59