



Quebec / Local News

Teachers' union seeks injunction forcing better classroom ventilation plan

The injunction request alleges violations of Canadian and Quebec charter rights, including the right to life and safety, and the right of teachers to "just and reasonable" working conditions "that respect their health."



Presse Canadienne
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The EMSB showed off their newly installed air purifiers (seen here at top) at Pierre Elliott Trudeau elementary school in Montreal on Monday Jan. 11, 2021. Principal Tanya Alvarez and EMSB chairman Joe Ortona spoke to the media. PHOTO BY DAVE SIDAWAY /Montreal Gazette

A teachers' union asked a judge to rule Monday on an injunction to force the Quebec government to put together a better plan to improve ventilation in the province's classrooms. It's an urgent matter, the union says, particularly after the arrival of variants of the coronavirus that causes COVID-19.

The Fédération autonome de l'enseignement also criticized the "inadequate management of the pandemic in education" by the Quebec government. Its injunction also names Education Minister Jean-François Roberge, Health Minister Christian Dubé and public health director Horacio Arruda, saying their inaction puts students at risk.



The injunction request alleges violations of Canadian and Quebec charter rights, including the right to life and safety, and the right of teachers to "just and reasonable" working conditions "that respect their health."

F&E lawyer Tetiana Gerych argued that the government's methods for protecting against COVID-19 are "insufficient and inadequate" and the system in place to test ventilation in classrooms has faulty methodology.

The union also asked the judge to order mass rapid testing in schools and for the government to put information on variants online when they are detected.

The government refuted the allegations of bad management, saying it has been responsible for air quality in schools since 1996. It said schools worried about air quality could alert their regional public health centre, which has the power to act immediately. It also said schools should cease using classrooms that are not adequately ventilated.

Lawyer Charles Gravel also rejected the mass rapid testing, saying Quebec's public health department recommends tests only when there are symptoms of COVID-19. Rapid tests are useful when the source of an outbreak cannot be found. Gravel said the education sector "does not represent a higher risk than other workplaces."

His colleague, François-Alexandre Gagné, said the F&E could not demonstrate that without an injunction, there would be a serious or irreparable prejudice that a final judgment could not rectify. A simple worry is not enough, he said, and "our opinion is that there is no imminent peril."

Judge Brian Riordan said he would issue a judgment "within a few days."

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