

8. FREEDOM OF ASSOCIATION	8. LIBERTÉ D'ASSOCIATION
An artist is free to join an artists' association and to participate in its formation, activities and administration.	L'artiste a la liberté d'adhérer à une association d'artistes et de participer à la formation d'une telle association, à ses activités et à son administration.

CORRESPONDING SECTIONS:

SAA: 8	CLC: 8(1)	PSLRA: 5
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COMMENTARY:

Freedom of association is also guaranteed by paragraph 2(d) of the *Canadian Charter of Rights and Freedoms*:

- 2. Everyone has the following fundamental freedoms:
 (...)
 - (d) freedom of association.

For a recent interpretation of this Charter provision in the labour law context see: *Health Services and Support - Facilities Subsector Bargaining Assn. v. British Columbia*, 2007 SCC 27.

It has been held that subsection 8(1) of the CLC permits an employee to hold membership in more than one trade union, even if they are rival unions. A union will infringe this right to freedom of association if it disciplines a member for holding concurrent memberships. See *Paul Horsely* (1991), 84 di 201, 15 C.L.R.B.R. (2d) 141 (CLRB #861), aff'd 33 A.C.W.S. (3d) 1311, *sub nom. CUPW v. Horsley* (F.C.A.).