

Affidavit #1 of Wendy Weis
Sworn: October 17, 2008

No. S08 5226
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

BRITISH COLUMBIA TEACHERS' FEDERATION, FEDERATION OF POST
SECONDARY EDUCATORS OF BRITISH COLUMBIA, BRITISH COLUMBIA DIVISION
OF THE CANADIAN UNION OF PUBLIC EMPLOYEES, BRITISH COLUMBIA NURSES
UNION, AND MARCIA TOMS

PLAINTIFFS

AND:

ATTORNEY GENERAL OF BRITISH COLUMBIA

DEFENDANT

AFFIDAVIT #1 OF WENDY WEIS

I, Wendy Weis, Integrated Support Teacher, of 2974 Evergreen Street, in the City of
Abbotsford, in the Province of British Columbia, SOLEMNLY DO SWEAR AND SAY AS
FOLLOWS:

1. I am a Integrated Support Teacher and a member of the British Columbia Teachers' Federation ("BCTF"), and as such I have personal knowledge of the facts and matters to which I have hereinafter deposed.
2. I am employed by Surrey School District #36 and have been so employed since 1997.
3. My employer is bound by a collective agreement with BCTF. The collective agreement provides that as a condition of continuing employment, all employees in the bargaining

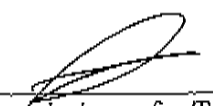
unit must be and remain members in good standing of BCTF. My membership in the BCTF arises solely from that provision.

4. The collective agreement between my employer and the BCTF further provides for mandatory check-off of union dues. Under that provision, my employer deducts approximately \$755 annually from my periodic paycheques and submits it to the BCTF.
5. Pursuant to the collective agreement provisions set out in paragraphs 3 and 4 above, I have been a dues paying member of the BCTF for approximately seven years. During this time, the BCTF has engaged in political advertising during election campaigns.
6. I understand that this political advertising during election campaigns, with which I do not agree, has been paid for by the BCTF out of the membership dues received by it under the mandatory check-off provisions like the one in the collective agreement between my employer and BCTF, by which I am bound. The BCTF has never sought my consent to the use of dues monies for political advertising purposes during election campaigns, and I do not consent to it doing so.
7. I have reviewed the Statement of Claim filed July 23, 2008 in the within action and have now learned that the BCTF says it spent over \$1,000,000 on political advertising in 2005 relating to the provincial election in that year. My consent to this expenditure was never sought. I would not voluntarily be a member of the BCTF for political purposes. I do not need or want the Union to speak on my behalf or to use my dues monies to finance its political agenda and to support its preferred political party during an election campaign.
8. I have recently learned that the BCTF is challenging the constitutional validity of the cap on spending for political advertising during election campaigns in the B.C. *Election Act* on the basis that it infringes the freedom of speech, voting and freedom of association rights of union members.
9. I am opposed to having the BCTF use my dues monies to advance a political agenda during an election campaign with which I do not agree. I believe that this infringes my

freedom of speech, voting and freedom of association rights, because through my compelled membership in the Union, I am identified with and forced financially to support political views and parties that I do not support. I do not need or want the Union to speak on my behalf or to use my dues monies to finance its political agenda during an election campaign.

- 10. I support the legislation which prevents the BCTF from spending more than \$150,000 in the campaign period as it provides a limit on the amount of my dues money which can be spent on promoting political views and parties during an election campaign.
- 11. I make this Affidavit in support of a Motion to be added as a Defendant or Intervenor in the within constitutional challenge.

SWORN BEFORE ME at the City of)
 Abbotsford, in the Province of British)
 Columbia, this 17th day Of October, 2008.)


 _____)
 A Commissioner for Taking Affidavits For)
 British Columbia)


 _____)
 WENDY WEIS)

J. AMBER GODDYN
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 NOTARY PUBLIC
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