



The Professional Institute  
of the Public Service of Canada

Office of the President

L'Institut professionnel  
de la fonction publique du Canada

Bureau de la Présidente

October 23, 2020

The Honourable Chrystia Freeland  
Deputy Prime Minister and Minister of Finance  
House of Commons  
Ottawa ON, K1A 0A6  
Sent by email: [Chrystia.Freeland@parl.gc.ca](mailto:Chrystia.Freeland@parl.gc.ca)

The Honourable Maryam Monsef  
Minister for Women and Gender Equality  
House of Commons  
Ottawa ON, K1A 0A6  
Sent by email: [Maryam.Monsef@parl.gc.ca](mailto:Maryam.Monsef@parl.gc.ca)

Dear Ministers,

I am writing on behalf of the over 60,000 members of the Professional Institute of the Public Service of Canada (PIPSC) who work across Canada's public service, principally at the federal level. PIPSC is the largest union in Canada representing professionals working in the areas of science, information technology, health care, auditing and many other fields.

I would like to bring an issue to your attention in your respective capacities as Deputy Prime Minister, Minister of Finance and Minister for Women and Gender Equality. Our members recognize you both as strong feminist leaders in your government.

Since the start of the pandemic, federal government workers have done their utmost to provide assistance and services to Canadians. We built the systems to get Canadians the money they desperately needed. We helped thousands of stranded Canadians to return home. Laboratories were converted to make hand sanitizer. Our members worked miracles to get personal protective equipment to those in need. We built the technical infrastructure that allows public servants to continue their work from the safety of their homes. Our level of commitment and productivity never wavered.

Throughout the pandemic, federal employees have had access to a Leave Code 699. Before March of 2020, it was a little known provision that allowed for Leave with Pay eligibility for "other" circumstances. At the beginning of the pandemic, many public servants did not have the tools and resources typically provided by the employer to do their job, and they were forced to use Code 699. As across the country schools and daycares were closed, 699 also provided relief to parents who were not able to work with children and other dependents at home. The government's response, at that time, was both swift and appropriate given the need to protect the health and safety of its employees. This has been consistent with other critical elements of the government's pandemic response and recovery plan.

As evidenced by the Parliamentary Budget Officer's own data, the use of Code 699 has now declined considerably as employees are equipped to work from home and because schools and daycare centres across the country have reopened, admittedly in a haphazard way. Yet those

who still require access to Code 699 are arguably the most vulnerable amongst federal employees and they need our protection more than ever.

The Treasury Board Secretariat has now released changes to the Leave provisions and issued new guidance around the use of Code 699. While we have been able to convince them to consult with federal unions and some progressive changes have been made to their initial position, we are still extremely disappointed and concerned with the direction they have taken on this issue.

As your government has correctly recognized, the COVID-19 pandemic has exacerbated gender and other inequalities. Women's participation in the labour force has declined to its lowest level in three decades. Women disproportionately shoulder the burden of unpaid work, and the elimination of Code 699 will have a significant and impact upon women, parents and members of vulnerable groups.

Given this reality a GBA+ analysis was conducted. Although we were assured that its results would be shared with us, your government is now claiming Cabinet Confidentiality over this document. We have nevertheless been able to ascertain that employees in roles that were predominantly female or gender-neutral experienced a higher reliance on Code 699, most frequently for family care responsibilities.

Those of our members still using Code 699 are doing so because of exceptionally difficult circumstances. They may be immune-compromised themselves or have a child or dependent who is, making school or daycare too dangerous for everyone's well being. The impact of the new changes could force them to exhaust all their other types of Paid Leave and could even force them to use Unpaid Leave for what remains an accomodation issue. The most vulnerable federal employees will likely bear the brunt of income or job loss.

The recent Supreme Court of Canada decision (Fraser vs. Canada) confirms the Employer's obligation to ensure that such policy decisions do not have an adverse and disproportionate impact upon members of groups protected on an enumerated or analogous ground, including but not limited to women, racialized and indigenous people, persons with disabilities and family status. We were told as recently as October 19, 2020 that the proposed guidance has not been evaluated within the context of this most recent jurisprudence. This too is very distressing.

I am asking you, as strong female government leaders, and with relevant portfolios, to look into this issue, ask the tough questions, and reverse the decision to make these harmful changes to federal employees. The government's response to the pandemic and its treatment of federal workers has been very commendable so far – this approach must not be changed now to the detriment of women and their families.

I thank you for your time and consideration of this very important matter. I look forward to your response.

Sincerely



Debi Daviau  
President PIPSC