



April 9, 2021

The Honourable Jean-Yves Duclos
President of the Treasury Board
90 Elgin Street, 8th floor
Ottawa, Ontario K1A 0R5
By email: President@tbs-sct.gc.ca

Dear Minister Duclos,

I write today to as a result of continued Treasury Board Secretariat (TBS) inaction respecting SARS-CoV-2 (COVID-19) vaccinations. In my March 23, 2021 correspondence with the Office of the Chief Human Resources Officer, I expressed serious concerns on behalf of members performing critical work across Canada who are unable to access timely vaccinations. The unsatisfactory responses I recently received from Assistant Deputy Minister Stephen Diotte compel me to escalate this issue directly to your office.

As I noted in my prior communications with Mr. Diotte:

- TBS, the Public Health Agency of Canada (PHAC) and the Public Service Occupational Health Program (PSOHP) continue to promote the vaccination of federal public service employees through provincial and territorial vaccination programs. PIPSC supports this approach, provided these programs respect National Advisory Committee on Immunization (NACI) guidance on the prioritization of vaccinations, and so long as provinces and territories recognize federal public servants' eligibilities for priority vaccination under the NACI guidelines.
- We fully recognize that provincial and territorial vaccination programs vary, and that the vaccination of various employee groups will not necessarily be synchronized across the country. The exclusion of certain critical federal workers from provincial priority vaccination programs does not constitute acceptable "variation" in the implementation of NACI priorities. Rather, it reflects an abandonment of NACI guidance when it comes to federal public servants.
- One particularly alarming example of a departure from NACI's vaccination plan involves our front-line health care workers: Nova Scotia inexplicably excludes many SH Group members from priority vaccinations, despite currently offering priority vaccinations to anyone who works for a provincial hospital. Our physiotherapist members, for example, work in direct contact with their patients at Department of National Defence (DND) multidisciplinary clinics. The inherent risks our members face by virtue of their work providing "hands-on" health care are exacerbated by the national and international travel requirements of the Canadian Armed Forces. Social workers and psychologists who provide front-line health care as federal public servants are likewise excluded from Nova Scotia's priority vaccination program, despite the clear NACI identification of health care workers as Stage 1 and Stage 2 vaccination priorities.
- The Nova Scotia experience is not unique. Nurses in British Columbia, for instance, have been informed their vaccinations will take place based on the province's age-based distribution of

vaccines, rather than through a risk-based NACI prioritization. PIPSC is further concerned by reports from our other Occupational Groups across Canada, where some members who provide critical services from regular work locations and in close proximity to one another are beginning to encounter similar problems accessing priority COVID-19 vaccinations.

- Commitments bargained into collective agreements are not optional or discretionary. The vaccination of members at risk of contracting COVID-19 in their workplaces remains a TBS obligation. For example, clause 24.02 of the SH Group Collective Agreement states: *"The Employer shall provide the employee with immunization or prophylactic drugs against communicable diseases or infection where there is a risk of incurring such diseases or infection in the performance of the employee's duties."* Where provincial or territorial vaccination systems fail to appropriately prioritize federal workers performing critical work, PIPSC cannot support any abdication of the employer's responsibility for vaccinations.

In response to our concerns, TBS merely claimed to be following the best expert advice available today, while continuing to defer to provincial and territorial vaccine administration decisions. PIPSC does not accept this line of reply. By refusing to take ownership of its obligation to ensure the timely provision of vaccines to vulnerable federal public servants, TBS neither follows NACI's expert advice nor displays leadership sufficient to ensure the health and safety of our members who continue to perform critical work on behalf of the safety, security, and well-being of Canada and of Canadians.

PIPSC and TBS clearly agree that directions from Canada's foremost experts on vaccination policy –the NACI guidelines– ought to be followed when determining which federal public servants require priority vaccination. TBS must now step up to ensure all employee groups identified by NACI as priorities for vaccination actually have access to timely vaccinations in circumstances where external vaccination programs fail to action the NACI framework (or otherwise privilege provincially-employed workers to the detriment of federal public servants). If TBS cannot achieve the timely modification of external programs to ensure the inclusion of our members, then TBS must establish an appropriate internal vaccination program, similar to the ongoing Canadian Armed Forces' internal vaccination program.

In light of identified gaps between NACI vaccination priorities and certain provincial vaccination practices, and in light of the desultory response to date from TBS, I trust you understand why I now raise of this matter as an urgent priority for your attention and correction. Consultations in respect of COVID-19 related matters have thus far been generally productive, and we hope your intervention can put this issue back on track. Should TBS not fulfil its responsibilities, however, PIPSC will need to assess what other steps we can take to ensure our members' protection. TBS must make the timely vaccination of our members an absolute priority. Their well-being depends on it.

I look forward to your timely response on this critical matter.

Sincerely,



Debi Daviau
President

CC.: The Honourable Patty Hajdu, Minister of Health (hcminister.ministresc@canada.ca)
Iain Stewart, President, Public Health Agency of Canada (iain.stewart@phac-aspc.gc.ca)
Peter Wallace, Secretary, Treasury Board Secretariat (Peter.wallace@tbs-sct.gc.ca)
The Honourable Zach Churchill, Minister of Health and Wellness, Nova Scotia
(Health.Minister@novascotia.ca)