



**CIPP
IPPM**

Civic Institute of
Professional Personnel

L'Institut professionnel
du personnel municipal

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April 21, 2022

BY E-MAIL

Ms. Margaret-Marie Steele
Legal Counsel
City of Ottawa
110 Laurier Avenue West, 3rd Floor
Ottawa, Ontario, K1P 1J1

Dear Ms. Steele:

Re: Policy Grievance of CIPP – Workplace safety measures against COVID-19

This letter constitutes a policy grievance by the Civic Institute of Professional Personnel (“CIPP”) which is submitted at Step 2 of the grievance procedure pursuant to Article 19 of the Collective Agreement.

CIPP is filing this policy grievance as a result of the Employer’s failure to continue implementing and enforcing reasonable safety precautions for the workplace against COVID-19. CIPP reserves the right to amend this grievance.

Grievance details:

- In January 2020, the World Health Organization (WHO) declared COVID-19 to be a world health emergency. This status remains unchanged and the WHO has projected that new variants will continue to emerge. Public health measures such as masking, physical distancing as well as ventilation and air filtration continue to be part of a comprehensive strategy highly recommended by the WHO for protection against COVID-19.
- On March 9, 2022, the City of Ottawa met with CIPP to confirm their plans to start re-integrating some members back to the workplace as early as April 1, 2022. It was also noted at the time that, by June 30, 2022, members that had not been deemed eligible for a hybrid arrangement would be returning to the workplace. Since this meeting, CIPP has been advised by the Employer of a phased approach to the return to the workplace and that timelines previously communicated have been extended. Still, CIPP has been made aware of members for whom the return to work has already been required by the Employer.
- On March 18, 2022, the City of Ottawa announced that effective March 21, 2022, the COVID-19 guidelines would be updated and that mandatory masking, physical distancing and formal

screenings before attending the workplace would no longer be required in most City workplaces, with a few exceptions in specific settings.

- Per the Occupational Health & Safety Act, Joint Health & Safety Committees (JHSC) play a critical role with health and safety in the workplace and with the Internal Responsibility System (IRS). In the context of the COVID-19 pandemic and the strategy of the Employer in response to the pandemic, communication and ongoing consultation with JHSCs is expected and should inform the decision making of senior management regarding plans for the return to work and workplace safety measures. Unfortunately, we understand that JHSCs have not been consulted on recent decisions of the Employer to discontinue mandatory masking and physical distancing and on other measures that may impact health and safety in the workplace of all members.
- Vera Etches, Ottawa's Medical Officer of Health has issued recent statements noting that the pandemic was not over, that we were experiencing another resurgence and encouraging Employers to consider implementing their own policy for masking in the workplace. While Provincial guidelines have recently changed and public health restrictions have been lifted, Ottawa Public Health continues to strongly recommend masking and physical distancing.
- Wastewater has been a key indicator of the prevalence of COVID-19 in our community. This indicator is relied on by Ottawa Public Health and has recently, shown concerning and record high numbers for the presence of the virus in our community. COVID-19 hospitalizations are also on the rise in the National Capital Region after weeks of relative stability. These are clear indications that COVID-19 remains a threat to health and safety in the workplace.

The grievance arises as a result of the:

- ✓ Employer's violation of their obligation under the Occupational Health & Safety Act
- ✓ Employer's violation of their obligation under article 43 of the Collective Agreement – Occupational Health & Safety.
- ✓ This policy grievance also includes the violation of any other relevant article(s) of the collective agreement and/or statutory provisions.

CIPP is requesting redress in full, including, but not limited to:

- That reasonable safety precautions for the workplace be reinstated immediately. This includes mandatory masking, physical distancing and enhanced ventilation and air filtration.
- Working from home has proven to be effective and a zero-risk alternative for the Employer. As such, that members able to work from home continue doing so for the time being and in the future, when facing an emerging variant.
- That consultations with the Joint Health and Safety Committees be initiated immediately as it relates to the plans for the return to work as well as for reasonable workplace safety precautions against COVID-19.
- Any other remedies deemed fair and reasonable by an Arbitrator.

Yours truly,



Peter Bleier
Executive Director
Civic Institute of Professional Personnel