

## **Hello fellow fighters of freedom,**

We know that the stress is extremely palpable right now and tensions are high, with decisions looming over our heads in the extremely near future. We want to take a moment to get real with everyone. We've embarked on a battle that we never could have imagined happening to us in this lifetime. We are being backed into a corner, having our liberties taken from us with absolutely no regard for the Canadian Charter of Rights or the letter of the law. We know that all of you have had many deep thoughts and conversations about the decision that lies ahead and have not taken this challenge lightly. We have faced ridicule, bullying, bitterness and hate from friends and or family, for standing firmly in our decision for medical autonomy.

We've reached the pinnacle of decision making. A decision which could result in many of us struggling to put food on the table and pay our bills. The fact that we are even writing these words brings us to tears. It's unrecognizable what is happening with our company and our world. But here we are, at a crossroads.

Our intent here is to try to make it clear what our options are, right now, in this moment. As you well know, things seem to evolve quickly and by the time we send this, things could be different. We just want everyone to go into decision day with as much information as you can so that you can feel confident in your decision, whatever that may be. We also want everyone to understand that the challenges we are facing are extreme and there is no quick way to fix them.

It has become abundantly clear that HSAA has no interest in fighting for ALL of their employees' best interests and have become aligned AHS. We have been trying our hardest to answer questions and provide suggestions as recommended by the JCCF, but in all honesty, we just don't know how this will play out. This has never been done before and there is no precedent for what to expect. We have continued to do all that we can; pressuring HSAA to stand up against AHS, to stand for our human rights, despite being faced with harassment and discrimination. You have all played your role in that, submitting everything you possibly could to both HSAA and AHS.

Here is the stark truth. HSAA is our only representation until we are no longer employed with the company. It is extremely hard to obtain outside legal counsel while we are still under a union. Most lawyers won't even consider us while we are with HSAA. That being said, the Physicians group has retained a lawyer to go on an information gathering expedition to try to analyze exactly what is the best approach for us, both as unionized employees, or once we are not. There is contradictory information put forth from different lawyers as to whether or not we have a chance fighting this in the court of law. One option the lawyer is looking at is a cease-and-desist order for AHS. However, this may not work. Another option is to file a DFR (Duty for fair representation), either individually or as a group, to HSAA for not fulfilling this responsibility for us. This is a long legal process, and we will likely lose our employment before any outcome will be materialized. A third option is filing a grievance to AHS. We have asked HSAA to do this. Unfortunately, a grievance cannot be filed until there is something to grieve, such as an LOA or termination. As there is procedure in place which is required when placing someone on unpaid LOA, we are in the process of formulating a letter which will outline that procedure.

We all know that this extremely short deadline has been put in place for a purpose, to make us feel like we have no choice. They have effectively tightened the screws on us. BUT, we always have a choice! Everyone's choice might look a bit different and that's ok, as long as it is YOUR choice. We are all in different positions with different responsibilities, and ultimately, each have to make the best decision for ourselves.

### **Timeline:**

**Oct 16** – This is the date by which they are asking us to verify our vaccine status. Whether submitting your status to say "not vaccinated" VS not submitting your status at all, this will be a decision you will have to make

on your own. This is the link that will take you to their forms should you CHOOSE to give them your personal information: <https://insite.albertahealthservices.ca/tools/Page25479.aspx>

Be aware that further down on the form they state *“If you do not consent to AHS obtaining your records directly from Netcare or another applicable provincial information repository, or if you are a volunteer under the age of 18, obtain your COVID-19 immunization records and deliver a scanned copy to Workplace Health and Safety no later than October 16, 2021.”* **This is another way to get you to *volunteer* your information.**

Whether using the “Got my COVID 19 Immunization Form”, or submitting your record to WHS, you are consenting to allow AHS to access to your medical records.

Please note that Bill S201 is not in favour of health practitioners. Bill S 201 which speaks to disclosure of genetic testing states that Health Practitioners are exempt from section 3, 4 and 5. Currently we are unsure if they are able to access our records regardless of our volunteerism.

Neither choice is easy, nor fair, so you will have to go with your values on this one.

**Oct 31** - This is the date we "must" be “fully immunized for COVID-19” as stipulated by AHS.

As per the policy:

“Except where a workplace accommodation, or exception (for medical or midwifery staff), applies, failure to comply with this Policy shall result in:

- a) a meeting being held with the worker to discuss their concerns with vaccination against COVID-19 and provide educational materials on the COVID-19 vaccines;
- b) if the worker remains non-compliant with this Policy, the worker being placed on an unpaid leave-of-absence for the period of time required to become Fully Immunized

Since there is no exact date written for this process, we have some flexibility. Potentially, we still have the opportunity to change our mind within the month of October to get our shot in November and submit verification to be back to work mid December. This is a 5-week process, starting with the shot on day 1.

That could mean that you have all of October to watch how this unfolds. If you are having a difficult time with this decision and are contemplating taking the job to keep your job, why not take the month of November off? If you can financially afford to do so, this seems like a great approach. It buys you a little more time and as we all know, everything could change on a dime. And honestly, it could save your health.

Many groups have ongoing actions currently. Everything is very fluid right now, (with different groups taking different approaches) and there are still many unknowns.

With the recent release of the open letter with over 3500 signatures, AHS has yet to respond. At least one media outlet has made it public. It is hard to know how much of an impact this will have. Although job action is not an available option for EMS (due to our contract), could the nurses create enough of an impact should they strike, or when they aren't at work come Oct 30<sup>th</sup>?

### **Exemptions:**

Another topic that needs to be addressed is the use of exemptions. This is a tough one to weigh in on as we are hearing different things from different legal experts. There are only two options that the employer has stipulated to meet the criteria of an exemption.

1. a significant allergy to one of the components. It would include if you had a "significant" allergic reaction to the first dose or heart inflammation following the first dose.

2. a religious exemption which requires specific documentation. (letter from your religious leader, genuine membership of that congregation and proof that your religion opposes the vaccine)

That is it.

Only you can choose, not truly knowing what it will mean long term. If applying for an exemption, you could still be refused or placed on modified duties. It is possible you will not go back to your normal job. This is an accommodation. It may be that you will be requested to undergo frequent rapid testing indefinitely. Truthfully, no one knows exactly what will happen with exemptions. There is also the ethical/moral dilemma of submitting one, as it simply feeds into the system of agreeing that you need papers in order to be a part of society, which is what we all truly are fighting against.

### Financial Options:

1. Bank payouts: You may consider paying out your OT, STAT or Vacation bank pay outs via e-people prior to being placed on your LOA. If you are already on an LOA and want those banks paid out then, you have to fill out this form <https://insite.albertahealthservices.ca/main/assets/frm/frm-18241.pdf> and it needs manager's approval.
2. Employment Insurance: When it is not a straightforward job loss, EI encourages you to apply but it will be reviewed and evaluated on a case-by-case basis. You will need to submit a Record of Employment, for which AHS would need to issue this with the reason for separation. See the link for application. <https://www.canada.ca/en/services/benefits/ei/ei-regular-benefit/eligibility.html>
3. WCB: WCB states that you will be able to file a claim for lost time or illness from vaccine injury because it is mandated. It is unsure on what is and isn't considered vaccine illness as per WCB-
4. Can you work while on unpaid LOA: the LOA policy states: *Working for financial gain while on a leave of absence without the written approval of the respective department's manager is not permitted and may result in disciplinary action up to and including dismissal.*  
Refer to <https://extranet.ahsnet.ca/teams/policydocuments/1/clp-pol-leave-absence.pdf> and <https://hsaa.ca/wp-content/uploads/2018/01/FINAL-AHS-HSAA-Collective-Agreement-April-1-2017-to-March-31-2020.pdf> pg 51/52

**Please, do not take this email as a suggestion of any legal advice.** We all must do our own homework, without truly knowing the full extent of any consequences, as we all make that decision somewhat blindly. Please refer to the <https://stiltskin.ca/action/> site for guidance as advised by the JCCF and use any of the references and links as needed. More vetted documents will be added soon. One may suggest you prepare printed and highlighted documents for your face-to-face meeting. Some documents contain questions you may ask your manager, where some have lots of contradicting information to state your case. The main question is: Who is liable for any damage resulting from the vax? No one can really seem to answer this one.

### Action:

One thing you DO need to do is to articulate in writing to both the union and your manager, your caution in terms of consenting to these vaccines and your unwillingness to give up your informed consent, bodily autonomy, medical privacy, and health freedom. You will need to present a record showing that you have done what you can to be reasonable, and to express your desire for alternatives, testing or otherwise, depending on what you are comfortable with. Always keep a record of any communications you have for future legal opportunities.

Those that fought for us in the past are cheering us on as we gather the strength to carry this weight before us. We encourage you to stand strong, along with other organizations across Canada, to show them that we will not accept this! Know that there are hundreds of Medical personnel, Frontline workers (such as Police & Fire), airline employees and various other service workers that are fighting this battle. We are united in solidarity to forge ahead through the difficult times we will see ahead. Reach out to someone who can help you feel that you are not alone in this. The agenda is to keep us feeling like our voice doesn't matter and keeping us segregated helps to propagate this. Don't let them have their way. We are all here for each other, now more than any time in our history. We may not be the majority now, but one day, people will realize what they've given up and will turn to fight with us for freedom.

Whatever you choose to do, do so with love and peace in your heart. Stay true to what your internal compass is telling you to do, whatever that may be. Do not make any rash decisions, there is still time. **Breathe!** As members of the committee, we are committed to explore our next legal action and will relay that to you all as soon as that becomes viable. In the meantime, DO NOT stop addressing HSAA with your concerns. They aren't fighting for us now, but that could change. They **NEED** to know that we are a large group, and we need to continue asking questions of them that have not been satisfied yet. We also need to keep pressuring them to push AHS to **PRESS PAUSE** before the 30th. That's all we can do...for now.

Please continue to bring any other ideas forth.

With love in our hearts for each and every one of you, we thank you all so much for your support throughout this process. We admire all of your courage and perseverance, and we won't stop fighting on your behalf.

**"The only thing stronger than fear is hope"**

**Don't Ever Give Up Hope**

Your Action Committee

See these other groups who are fighting along side us!

<https://healthprofessionalsunited.ca/>

<https://www.canadianfrontlinenurses.ca/>

<https://policeonguard.ca/>

<https://www.free2fly.info/>

<https://canadianphysicians.org/>

<https://www.canadiancovidcarealliance.org/>

<https://canadahealthalliance.org/>

<https://action4canada.com/>

<https://www.libertycoalitioncanada.com/>

<https://freedominaction.ca/>

<https://vaccinechoicecanada.com/>

<https://standupcanada.solutions/>