



December 6, 2021

Francois Daigle
Deputy Minister
Department of Justice
284 Wellington Street
Ottawa, Ontario
K1A 0H8

Bill Kroll
Chief Financial Officer and
Assistant Deputy Minister
Department of Justice
284 Wellington Street
Ottawa, Ontario
K1A 0H8

Dear Deputy Minister Daigle and Assistant Deputy Minister Kroll:

RE: TRANSITION TO PHASE 2 OF EASING WORKPLACE RESTRICTIONS

Recently, the Department of Justice announced that it was transitioning to Phase 2 of easing workplace restrictions effective November 29, 2021. On behalf of the AJC, I am requesting that you pause this transition and maintain (or return to) the Phase 1 workplace restrictions.

I make this request based on the following:

- The Omicron variant of COVID-19 has recently become a matter of serious concern. This variant is highly infectious and may well elude currently available vaccines. For example, a few days ago the CEO of Moderna stated that vaccines are unlikely to be as effective against the Omicron variant as they have been against previous variants.
- The Government of Canada has demonstrated its high level of concern about this new variant by moving quickly to impose more stringent travel restrictions to combat the spread of the Omicron variant (including travel bans against certain states, more stringent testing requirements, and renewed self-isolation requirements).
- COVID-19 infections have recently grown to increasingly alarming levels, and it seems likely that we will be facing a fifth wave of the pandemic.

- Of greater concern is the number of break-through infections among fully-vaccinated people. Recent reports have suggested that 35-50 percent of new infections are among the fully-vaccinated.
- A large number of our members are employed in the NCR. The Omicron variant is present in the NCR. Unfortunately, Ottawa was one of the first communities in Canada to confirm COVID-19 infections arising from the Omicron variant.

In light of these recent developments, we view a transition from Phase 1 (20% of maximum occupancy) to Phase 2 (30-50% of maximum occupancy) to present an unacceptable risk to the health and safety of our members.

We are all weary of this pandemic. However, at this point the last thing we need is to allow increased numbers of DOJ employees to gather in the closed indoor spaces of the Department's offices. This would turn the DOJ into a Petrie dish for the spread of COVID-19 to public servants in the workplace and to the broader community, including the families of public servants.

Over the course of the pandemic the Department has proven that it can be operationally effective in Phase 1 of workplace restrictions with the majority of employees working remotely from home. As you know, throughout this pandemic the AJC has been a strong advocate of the Precautionary Principle which holds that reasonable measures must be taken to reduce risks to health and safety even in the absence of a scientific certainty. A reasonable measure to reduce the risk of COVID-19 infection (in particular, the spread of the Omicron variant) in the workplace is for the Department to stay at Phase 1 of workplace restrictions.

I look forward to your reply at your earliest convenience.

Yours truly,



David McNairn
President /Président

c.c. Dany Richard, Co-Chair, National Joint Council