



December 15, 2021

Kathleen Roussel  
Director of Public Prosecutions  
Public Prosecution Service of Canada  
160 Elgin Street  
Ottawa, Ontario  
K1A 0H8

Dear Ms. Roussel:

**RE: EASING WORKPLACE RESTRICTIONS**

On December 6<sup>th</sup> I wrote to the Department of Justice and requested that the Department pause its plan to transition to Phase 2 workplace restrictions which would have allowed an increased number of employees in the workplace. I requested that the Department maintain (or return to) the Phase 1 workplace restrictions.

As the Department employing the second largest number of our members, I am writing to you to make the same request with respect to the Public Prosecution Service of Canada. 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, recently the CEO of Moderna stated that vaccines are unlikely to be as effective against the Omicron variant as they have been against previous variants. Indeed, the current thinking and approach is that a third shot of a vaccine will be necessary to give a reasonable level of protection against the Omicron variant.
- 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. Omicron infections are spreading at an unprecedented rate and will likely overtake the Delta variant as the dominant strain of COVID-19 in a matter of days or weeks.

- 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 any easing of workplace restrictions that would permit a higher number of employees to be present in the workplace as 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 PPSC employees to gather in the closed indoor spaces of the Department's offices. This would turn the PPSC 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 PPSC 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 PPSC to stay at Phase 1 of workplace restrictions and minimize the number of employees in the workplace.

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