



September 27, 2021

Hello UHCWO,

Thank you for your courage and endurance while we face the torment of job loss and loss of our rights and freedoms. At this time, it's probably clear to all of us that the only way to overcome this tyranny and assault on the people is THROUGH US, standing TOGETHER. United we prevail, divided we fall.

UHCWO as a collective along with many of the people under this banner have consulted with employment lawyers and they have stressed the importance of UNITING and STANDING together. They are clear that we have one recourse at this time in light of the policies being enforced and the lack of union support.

UHCWO recently sent out a communication update that outlined our position as a collective and the next steps that we were working on. **If you haven't already read this document, please see the PDF included in the email with an update from Sept 23.**

The employment lawyers also advised us that they are not able to represent any unionized employee because our unions are the legal representatives of their members. Even if unionized workers are dismissed for cause, lawyers are still unable to represent them. In the event that should happen, the only legal representative we have is the union – they will need to grieve this termination.

Employment lawyers heavily advised that UNIONIZED and NON-UNIONIZED health care workers stand UNITED together. Doctors STANDING by the nurses will also be a tremendous force to be reckoned with.

- Stand UNITED together NOW and **hold this line.**
- Next steps can be taken by unionized and non-unionized health care workers.

### **Next Steps**

Our next step that each and every one of you can take is to send a **Good Faith Letter** to your union or your employer if you are a non-unionized worker.



We have two carefully and conscientiously Good Faith Letters drafted by Stand Up Canada and your peers within the UHCWO collective. These letters have been reviewed by a lawyer and Stand Up Canada has paid for the legal fees associated with this. Please have confidence in these letters.

- Unionized worker: Good Faith Letter to send to union
- Non-unionized worker: Good Faith Letter to send to employer

These letters place the burden on our unions and our employers and we realize now that this should have been our first course of action. But it is absolutely not too late and we need to send them now. *Thank you for your patience as we gather more information and discern our action course, which has taken a lot of intelligence, consultation, and time that many of us did not expect.* Remember that this situation has never occurred before in our Canadian history, and even lawyers are unsure of the advice to offer or the possible outcomes.

### **Purpose of the Good Faith Letter**

By sending the letter as an individual and part of this UHCWO collective, you are seeking clear and unequivocal responses to your questions and concerns. You are asking for specific action items to be immediately taken by either the union or employer, with the goal of moving forward towards a mutual resolution and plan.

These letters are giving the union/employer a set period of time to respond to your letter. Either they give you a response to your questions and confirm they will act as requested, or they won't. Their response will let us know if we need to proceed to the next step of further action. In any case, we are holding them accountable.

Unionized workers expect their union to uphold their rights and lobby vigorously on their behalf to make all of their employers remove their mandatory COVID-19 vaccination policies that are predicated on an infringement of our medical privacy. We expect the same result from our hospital employers for all non-unionized employees.

***We have included suggested instructions for your Good Faith Letter. Please read this information very carefully.***



## 1. Instructions for Union Employees

- **READ** the Good Faith Letter attached titled “**Unionized Health Care Workers - Good Faith Letter to Unions**” to understand your rights and how powerful these questions are. *We cannot stress this enough.* You will hopefully feel very empowered by the contents. These are YOUR rights and YOUR questions to your Union. This is how you stand in your power.
- **AMEND** the **date** if necessary, noting that the letter is pre-dated with September 27, 2021
- **AMEND** the **yellow highlighted address** section to reflect who you are addressing the letter to, which is your union President and Local Reps. As an example, an ONA member will address their ONA president Vicki McKenna (you may choose to address your local representatives as well).
- **AMEND** the **yellow highlighted # of calendar days** that you need a written response by. The number of days you give them to respond to will depend on your organization’s deadlines. If you do not see the yellow highlight in this section it means that your UHCWO leader determined and amended it for you.
- **AMEND** the **yellow highlighted bottom signature** section, to include your name and your address.
- **SAVE** as a PDF.
- **EMAIL** Good Faith Letter as an **attachment** to your central and local union presidents/local reps.
  - In the **body of your email**, respectfully request a face-to-face (or Zoom) meeting with your president/ reps. The purpose of this request is to give you the opportunity to discuss and receive answers to your questions in a manner like no other. There is nothing more powerful with regard to proper communication than face-to-face interaction. This would give us individual opportunity to tell them what compels us to not disclose our information



and to not accept the mandates. Our personal stories need to be shared. We need to show them our human position. Show them that we are not what the media has portrayed us to be. We are not “conspiracy theorists” living in dark basements searching for any reason to rebel. We are humans with real reasons behind our decisions

*\*These letters do not need to be notarized but you can do so if you would like.*

If you do not receive a written response or acknowledgment to your letter by the date in which you specified, this will trigger your next move. You can launch an individual complaint to the Ontario Labour Relations Board for **Duty of Fair Representation**.

**IMPORTANT:** Employment lawyers have strongly advised **NOT to file a complaint right now** until you have ASKED for help to your Union first by way of sending this Good Faith Letter. This shows that you have acted in good faith and will be to your benefit if this complaint process will be needed. **Filing a complaint should only be taken if your union refuses to help you. That is one of the purposes of these letters – to have proof if your union will help you or not.** We will cross this bridge if/when we get to it.

If we aren't given the opportunity to discuss face to face (or Zoom), then we will have to each send a very personalize letter sharing our stories and the damaging effects they have placed on our lives.

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## **2. Instructions for Non-Union Employees**

- **READ** the Good Faith Letter attached titled “**Non-Unionized Health Care Workers – Good Faith Letter**” to understand your rights and how powerful these questions are. *We cannot stress this enough.* You will hopefully feel very empowered by the contents. These are YOUR rights and YOUR questions to your employer. This is how you stand in your power.
- **AMEND** the **date** if necessary, noting that the letter is pre-dated with September 27, 2021



- **AMEND** the **yellow highlighted address** section to reflect who you are addressing the letter to. You are addressing your letter to the people enacting the COVID-19 vaccination policy at your organization (*the same people you may have sent the Notice of Liability (NOL) to*).
- **AMEND** the **yellow highlighted # of calendar days** that you need a written response by. The number of days you give them to respond to will depend on your organization's deadlines. If you do not see the yellow highlight in this section it means that your UHCWO leader determined and amended it for you.
- **AMEND** the **yellow highlighted bottom signature** section, to include your name and your address.
- **SAVE** as a PDF.
- **EMAIL** Demand Letter as an **attachment** to your HR department and the actual people who enacted the policy (example: CEO, Executive directors, Health and Safety, etc. – they will usually be named on the policy).
  - In the **body of your email**, respectfully request a face-to-face (or Zoom) meeting with those you are sending the letter to. The purpose of this request is to give you the opportunity to discuss and receive answers to your questions in a manner like no other. There is nothing more powerful with regard to proper communication than face-to-face interactions. This would give us individual opportunity to tell them what compels us to not disclose our information and to not accept the mandates. Our personal stories need to be shared. We need to show them our human position. Show them that we are not what the media has portrayed us to be. We are not “conspiracy theorists” living in dark basements searching for any reason to rebel. We are humans with real reasons behind our decisions.

*\*These letters do not need to be notarized but you can do so if you would like.*



If you do not receive a written response or acknowledgment to your letter by the date in which you specified, this will **trigger your next move**. The next course of action will be to take **legal action** against them.

**IMPORTANT:** Employment lawyers have strongly advised **NOT to take legal action right now** until you have ASKED for help to your employer first by way of sending this Good Faith Letter. Sending this letter first will demonstrate that you have acted in good faith and will be to your benefit if legal action will be needed. **Legal action should only be taken if your employer refuses to help you.** That is one of the purpose of these letters – to have proof if your employer will help you or not. We will cross this bridge if/when we get to it.

If we aren't given the opportunity to discuss face to face (or Zoom), then we will have to each send a very personalize letter sharing our stories and the damaging effects they have placed on our lives.

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*If you have further questions, please connect with the regional contact for your group. If you do not have a regional contact, please email [UHCWO@protonmail.com](mailto:UHCWO@protonmail.com). We also have the Signal chat group for group assistance.*

***Disclaimer: We are not lawyers or medical doctors and are not providing any official legal, medical or union advice. We are following the lead of [StandUpCanada](#) (who are also not lawyers or medical doctors). In no way should any information coming from UHCWO and Stand Up Canada be construed as legal, union or medical advice. We are sharing our guidance and documents with you because we want to offer support and help people understand their legal rights. We are stronger in numbers and are all defending the same rights and freedoms.***