



## NATIONAL CITIZENS INQUIRY

Truro, NS

Day 2

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### EVIDENCE

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**Witness 11: Sabrina McGrath**

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[00:00:00]

**Ches Crosbie**

Thank you everyone. We're going to resume the proceedings. The next witness is Sabrina McGrath. And Ms. McGrath, do you affirm that you will tell the truth, the whole truth, and nothing but the truth?

**Sabrina McGrath**

I do.

**Ches Crosbie**

Thank you.

**Nicolle Snow**

Good afternoon, Ms. McGrath.

**Sabrina McGrath**

Hello.

**Nicolle Snow**

Ms. McGrath, I understand you're here today to testify with respect to the loss of your employment due to provincial COVID mandates.

**Sabrina McGrath**

Yes.

**Nicolle Snow**

Okay, where were you working?

**Sabrina McGrath**

Nova Scotia Liquor Corporation [NSLC].

**Nicolle Snow**

All right. And that's a provincial government job?

**Sabrina McGrath**

Yes.

**Nicolle Snow**

And what were you doing there?

**Sabrina McGrath**

I was manager for the last three years. And three years previous to that—or two years previous to that—I was assistant manager.

**Nicolle Snow**

Okay, and were you represented by a union?

**Sabrina McGrath**

Yes.

**Nicolle Snow**

Did your collective agreement provide for any sort of vaccination status as part of the terms of your employment?

**Sabrina McGrath**

No.

**Nicole Snow**

And what position? Sorry, you indicated you were a manager. Were you a valued employee for the Liquor Commission?

**Sabrina McGrath**

I was. Just the year previous to being placed on unpaid leave, my store had won top-performing store, so it recognizes overall sale results in leadership

**Nicolle Snow**

And that reflects on you as manager of the store?

**Sabrina McGrath**

Yes

**Nicolle Snow**

All right. And anything else with respect to your value to the store you were working for?

**Sabrina McGrath**

Yes, I received model performance on my latest PA, performance appraisal, which is a very rare— It's very rare to get that because I just don't give them out to just anybody. I did a pretty good job to get it.

**Nicolle Snow**

Nice. And so, what year did you have that, the model performance?

**Sabrina McGrath**

2021.

**Nicolle Snow**

Okay. What mandates and protocols did the Nova Scotia Liquor Commission adopt?

**Sabrina McGrath**

We did masking, Plexi[glass], six feet distance, and then the latest was the vaccine mandate.

**Nicolle Snow**

And when was the vaccine mandate brought in?

**Sabrina McGrath**

We knew about it in October, but it was implemented January 15th.

**Nicolle Snow**

In October, they delivered the message to the employees, but it was going to be effective January 15, 2022?

**Sabrina McGrath**

Yes, for current employees. Anyone that was new to the corporation had to be done by November the 1st.

**Nicolle Snow**

It had to be done, meaning—

**Sabrina McGrath**

Fully vaccinated.

**Nicolle Snow**

All right. And were they required to show proof of that?

**Sabrina McGrath**

Yes, there's a declaration form that had to be filled out.

**Nicolle Snow**

And with respect to the deadline of January 15, 2022 for the existing employees, was proof required?

**Sabrina McGrath**

Yes.

**Nicolle Snow**

And what was going to happen if proof was not required? I'm sorry, I phrased that wrong: What was going to happen if proof was not provided?

**Sabrina McGrath**

People would be placed on an unpaid leave of absence.

**Nicolle Snow**

Okay. Was the adoption of this vaccination mandate contrary to some of the earlier views held by the employer?

**Sabrina McGrath**

Yes.

**Nicolle Snow**

In what way?

**Sabrina McGrath**

Well, in May of 2021, there was an occupational health and safety meeting. And at that meeting, vaccinations were brought up. And the response was vaccination is not required by law. It is an individual choice. Therefore, employees are not required to be vaccinated to be in the workplace.

**Nicolle Snow**

Okay. And were you reading from the minutes from that meeting?

**Sabrina McGrath**

Yes.

**Nicolle Snow**

All right. And, those minutes have been delivered for filing as an exhibit, but we don't have an exhibit number yet [Exhibit TR-22d]. How did you feel about the vaccination mandate?

**Sabrina McGrath**

I was 100 per cent against a vaccination mandate. I think everyone should have the choice as to what they put in their body, and it shouldn't be a choice as to keeping your bodily integrity or losing your job.

**Nicolle Snow**

And so how, if at all, did the environment in your workplace change after the vaccination mandate was announced?

**Sabrina McGrath**

We recently had a new regional manager, Kim Jackman, and she came into the store about the first of November. And we had a cut-out of Dana White—he's a UFC [Ultimate Fighting Championship] person—promoting his new liqueur. When she came in and she seen it—a lot of stores had it, it wasn't just our store—she demanded we take it down immediately because he was anti-vaxx.

**Nicolle Snow**

Okay. And was there anything on the poster that was related to vaccinations?

**Sabrina McGrath**

Just a picture of him. That's all.

**Nicolle Snow**

And he was promoting his own product, his own product liqueur.

**Sabrina McGrath**

Yeah.

**Nicolle Snow**

Anything else?

**Sabrina McGrath**

Yeah, that same regional manager—it was 7 o'clock on a Friday—she came flying into the store. And she was being aggressive because she had reports that we had anti-vaxx propaganda up in the store.

[00:05:00]

Which we absolutely did not. But she went through the store with a fine-tooth comb. Didn't find anything but she made us take a poster that we had up at the front of the store down. It was handmade by our team. It was just telling the pouring amounts, the proper pouring amounts, but it said "Cheers to Pour Choices" on it. So that's what she had us take down, just in case that's what people were complaining about.

**Nicolle Snow**

Okay, and so the "Cheers to Pour Choices" was with respect to the portion amount that you might be consuming of alcohol.

**Sabrina McGrath**

Right. Because we want to be socially responsible and making sure that people are ingesting the right pouring amounts.

**Nicolle Snow**

All right. Anything else?

**Sabrina McGrath**

Yeah, I was having a conversation with an employee from another store on LinkedIn, and he wrote a comment—because we have been discussing the mandates and things like that. He wrote a comment to me saying, "I thought you were leading your store to becoming fully vaccinated, not becoming fully unemployed."

**Nicolle Snow**

Okay. And that was in the context of some conversation you were having with him about the mandates?

**Sabrina McGrath**

Right. Yeah. And then he deleted me.

**Nicolle Snow**

And then what?

**Sabrina McGrath**

He deleted me.

**Nicolle Snow**

Okay. Did you acquiesce to the mandate to vaccinate?

**Sabrina McGrath**

What's that?

**Nicolle Snow**

Did you go ahead and vaccinate due to the mandate?

**Sabrina McGrath**

No. No, I did not.

**Nicolle Snow**

And what happened as a result?

**Sabrina McGrath**

I was placed on unpaid leave.

**Nicolle Snow**

And when did that happen?

**Sabrina McGrath**

January of 2022.

**Nicolle Snow**

Okay. Did you ever go back to the Nova Scotia Liquor Commission?

**Sabrina McGrath**

No, we had the option of going back in May on the contingency that we fill out a vaccination declaration form.

**Nicolle Snow**

All right. Tell us about that form.

**Sabrina McGrath**

It's just a form to say whether or not we were vaccinated. They still wanted to know. We could go back into the workplace being unvaccinated, but they wanted to know whether or not we were. So we still had to attest to our status.

**Nicolle Snow**

Okay. So at that point the mandate to vaccinate had been lifted in the store?

**Sabrina McGrath**

Yes.

**Nicolle Snow**

Had it been lifted generally in the province?

**Sabrina McGrath**

It had been lifted in the province seven weeks before. The NSLC extended theirs for another seven weeks.

**Nicole Snow**

Okay. During that period you were off—you said from January 2022 through to May—did you have any other source of income?

**Sabrina McGrath**

No.

**Nicolle Snow**

And did you apply for EI, employment insurance?

**Sabrina McGrath**

Yes, yes, I did.

**Nicolle Snow**

What happened with that?

**Sabrina McGrath**

I was denied.

**Nicolle Snow**

On what basis?

**Sabrina McGrath**

Service Canada deemed it as misconduct.

**Nicolle Snow**

And what were they calling misconduct?

**Sabrina McGrath**

Not following the vaccination mandate.

**Nicolle Snow**

Did you file an ROE with Service Canada for your application?

**Sabrina McGrath**

Yep.



**Nicolle Snow**

And did the ROE say anything about misconduct?

**Sabrina McGrath**

No, it just said unpaid leave.

**Nicolle Snow**

And so, were you able to determine how someone at Service Canada found that there was misconduct related to the vaccine policy when that was not on your ROE?

**Sabrina McGrath**

They said they called the NSLC. And when the NSLC told them it was mandate-related, they put down misconduct.

**Nicolle Snow**

Okay. Did you apply for a reconsideration of that decision?

**Sabrina McGrath**

I did.

**Nicolle Snow**

And what happened?

**Sabrina McGrath**

Denied.

**Nicolle Snow**

And you have a union?

**Sabrina McGrath**

Yep.

**Nicolle Snow**

Or you did have a union. Did you go to your union at all?

**Sabrina McGrath**

I did. I went before the, before it was even mandated. Once we found out it was going to be mandated, I went to them right away.

**Nicolle Snow**

That was October 2021 when you learned about it. Okay, so you went to your union and what happened?

**Sabrina McGrath**

They would do nothing. They said the employer was allowed to mandate vaccinations.

**Nicolle Snow**

And did they base that on any particular opinions?

**Sabrina McGrath**

They just said case law.

**Nicolle Snow**

Okay. And so, was there an indication that they went for legal advice or anything of that nature?

**Sabrina McGrath**

They said that they went to legal counsel and asked legal counsel and that's what they said.

**Nicolle Snow**

And so, the determination was that they felt you would lose, so they may as well not fight it for you.

**Sabrina McGrath**

Yeah.

**Nicolle Snow**

Did you have an opportunity to see whatever legal advice was provided to the union?

**Sabrina McGrath**

No.

**Nicolle Snow**

Did you ask for it?

**Sabrina McGrath**

I did ask for it.

**Nicolle Snow**

And what happened?

**Sabrina McGrath**

They denied my request, saying that they don't provide union members with that information.

**Nicolle Snow**

Okay. Did you bring any other grievances?

**Sabrina McGrath**

There was a grievance in April, but the union approached me about that grievance. It was the time period between when the government ended their mandates and the NSLC kept theirs for an additional seven weeks. The only period of time that the NSGEU [Nova Scotia Government and General Employees Union] was willing to grieve was that time period.

[00:10:00]

**Nicolle Snow**

And what happened with that grievance?

**Sabrina McGrath**

For me, I was—it was withdrawn because I was no longer working at the NSLC. So they withdrew mine, but other people got something.

**Nicolle Snow**

Okay. And so that was for the people who were placed on leave without pay: the grievance was with respect to that short period that they should have received their pay.

**Sabrina McGrath**

Right. Just that seven weeks, yeah.

**Nicolle Snow**

By that time, you had left your employment altogether. Okay. And so, you were on leave without pay for a period of time.

Did termination happen at some point?

**Sabrina McGrath**

They deemed me as being resigned from my position. If I didn't fill out the declaration form by June the 12th, I was considered to have been resigned from my position.

**Nicolle Snow**

Okay. And why were you opposed to filling out the declaration form?

**Sabrina McGrath**

Because it's still giving out my medical information. I would have done it before if that was the case, right? There was no point in doing it that late.

**Nicolle Snow**

Did you take any other positive action to try to combat the mandates and your concerns?

**Sabrina McGrath**

I did. I emailed the Premier, Tim Houston. No response from him—even now. And I wrote my HR and a few senior VPs. I emailed them all.

**Nicolle Snow**

And what happened with those emails.

**Sabrina McGrath**

As far as the senior VPs, no response from them. HR responded within a day saying that the appropriate people would see my email. And then I received a response on January 13th, which was two days before the mandate.

**Nicolle Snow**

And what was the general substance of your letter to Mr. Houston?

**Sabrina McGrath**

Just explaining why. Why mandates shouldn't be implemented. Especially when it comes to losing your job. A lot of people got it just to keep their job and that's forever in them now, right? I mean, people did it to keep their job. At the end of the day, you're still dispensable, you know. Like, you can get that to keep your job and they can still let you go, so then you would have done it for nothing.

**Nicolle Snow**

And the substance of your letter, your emails to HR?

**Sabrina McGrath**

Pretty much the same. A lot of it was copy and paste.

**Nicolle Snow**

OK, all right.

**Nicolle Snow**

You brought with you today—so there's the minutes we referenced. You brought with you also your 2021 annual performance check. You talked about your good performance appraisal. We have that with us, which will be entered as an exhibit [Exhibit TR-22a]. You brought with you today your e-mail to Tim Houston and your termination letter from the

Nova Scotia Liquor Commission. You brought with you today your response from Service Canada declining your claim and the reasons why they declined it, as well as your response from the union with respect to your grievance and your communications to HR. Is that correct?

**Sabrina McGrath**

Yep.

**Nicolle Snow**

OK. And those I believe are scanned. We don't have exhibit numbers yet, but they will be filed. All right, those are all my questions.

Thank you for testifying. And we'll wait a moment to see if there are any questions from the commissioners.

**Sabrina McGrath**

Okay.

**Nicolle Snow**

All right, thank you very much, Ms. McGrath. Thank you. Thank you.

**Sabrina McGrath**

You're welcome. Okay.

[00:13:59]

***Final Review and Approval:*** Jodi Bruhn, August 3, 2023.

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