



NATIONAL CITIZENS INQUIRY

Truro, NS

Day 2

March 17, 2023

EVIDENCE

Witness 14: Joe Behare

Full Day 2 Timestamp: 08:16:38–08:33:00

Source URL: <https://rumble.com/v2djisi-nci-truro-day-2.html>

[00:00:00]

Ches Crosbie

Mr. Behare, do you affirm that you will tell the truth, the whole truth, and nothing but the truth?

Joe Behare

Yes.

Ches Crosbie

Thank you.

Alison Steeves

Can you tell us your full name, where you're from, and your occupation?

Joe Behare

Joe Behare. I'm from Baie Verte, New Brunswick, and I'm a civil servant in the federal government.

Alison Steeves

And how long have you worked for the federal government?

Joe Behare

Twenty years.

Alison Steeves

The same department or you moved around?

Joe Behare

I did one brief stint in another department just during COVID.

Alison Steeves

So primarily in the same department?

Joe Behare

Yes.

Alison Steeves

And you were in this position in 2020–2021?

Joe Behare

Yes

Alison Steeves

How would you describe your experience working there prior to the pandemic and up to that point?

Joe Behare

It was positive, you know. I enjoyed my job. I had become a manager in my department and built up some good relationships both with colleagues and with clients. So it was very positive.

Alison Steeves

And in 2020, as you began to hear about COVID-19, were you concerned?

Joe Behare

With COVID? Again, not for myself. Maybe for others like my wife and my mom, but not overly concerned, no.

Alison Steeves

So when the vaccines became available, did you take one?

Joe Behare

No.

Alison Steeves

At what point did you realize that your decision not to take the vaccine might cause problems for you?

Joe Behare

I didn't— Right up until the time that I was put on leave without pay, I didn't believe that—I couldn't believe that anything would be done that I would be negatively impacted.

I did see that there was a lot of negative stuff in the media and even in personal interactions that I'd had. But I didn't think, you know— I didn't think I'd lose my job.

Alison Steeves

And do you recall when the federal government announced the mandates for federal workers?

Joe Behare

I remember my wife saying she'd read something in the paper about this being talked about sometime in September—I guess, or so—of 2021, maybe October. I don't remember when the election was at that time—sort of right after the election.

I remember saying to her, "There's no way that's going to happen. I've got a union and we have courts in this country. We've got a Charter of Rights. They can't do that."

Alison Steeves

So you weren't concerned?

Joe Behare

Not really, not at first. Not when I heard that, no.

Alison Steeves

And the time that they officially announced the mandate, were you working in the office?

Joe Behare

No, at that point nobody was. At that point I was on a secondment agreement with another department and the office was in Dartmouth. I was in Baie Verte. It's a two-hour drive away, so there was never a question of being in an office. We were all working remotely at that point.

Alison Steeves

And did you inquire as to whether you'd still be subject to the mandate even though you were not going into the office? Did you request accommodation on the basis that you were not going into the office?

Joe Behare

Yes. I mean— I did sort of— I did try and make a case that this was not a matter of workplace safety, and so there was no rationale for a mandate. There was some case law as well by that time that sort of backed up my point. I didn't expect to be accommodated, but I still made the case.

Alison Steeves

And what was the response?

Joe Behare

“Sorry, this is the policy. There’s no accommodation.”

Alison Steeves

Had you offered to do anything such as masking when you go in, or social distancing?

Joe Behare

Sure. I did note that we were working remotely. But if I was required to go in the office, I said, “I’ll do tests. I’ll do tests at my own expense. I’ll wear a mask, et cetera.” Everything like that.

But that wasn’t the point of the policy. The point was to try and coerce you into taking the vaccine. So it wasn’t about being healthy or public health, that wasn’t what it was about.

[00:05:00]

Alison Steeves

So you offered to do testing as well and still—

Joe Behare

Yes, if I ever had to attend at the office—which, by the way, I never did.

Alison Steeves

So you were ultimately placed on leave without pay?

Joe Behare

Yes.

Alison Steeves

And can you tell us a bit about the day when you were placed on leave?

Joe Behare

So the day was November 17th and that was to be my last day.

I remember working in the morning to finish up doing something and then sort of leaving— Or thinking that in the afternoon I would take some correspondence, some personal emails, some phone numbers, and contacts off of my computer and from my files at work. I’d kind of planned to do that: that’s why I didn’t do it in the morning, because I had other things to do from a work perspective.

But then, when I went to do it, I was completely locked out of the system. My phone was wiped. It was almost like I was cancelled. So I couldn't get any of those things done. I didn't have any access to things like my leave balances or, even later, any of the HR stuff I needed like T4s, stuff like that.

Alison Steeves

So they had locked you out before you had even left?

Joe Behare

Yes. But they did it in such a way it was very, kind of pre-emptive. They didn't even wait till the end of the day. I assumed I had until the end of the day, which would have been four o'clock.

It felt very punitive that it was done in that fashion.

Alison Steeves

And how were you feeling that day and that night after being placed on leave from this job you'd been working at for 20 years?

Joe Behare

I mean, again, like I said: I didn't believe it would happen until it happened. People were telling me, "Oh, there's no way they can do that. Don't worry. That's not going to happen." But by then, I thought that it would happen.

So it felt very— It felt real when it did happen. The aftermath was quite— It was probably the most shocking day to realize that I was in fact left without pay and just at that time of year too.

Alison Steeves

Are you unionized?

Joe Behare

How do you mean?

Alison Steeves

Do you have a union, sir?

Joe Behare

Oh, yes. Yes. Sorry, I thought you said something else.

Alison Steeves

No. And did you talk to your union about filing a grievance?

Joe Behare

Yeah, so at first, the union declined to represent people like me. They said they were in agreement with the policy. But a bit after that, there were a few cases that came through in the courts that basically said workers were working from home; it wasn't right that they be subject to a mandate; that the employer didn't own them. And, you didn't sign away your rights when you've signed a labour contract.

So the union kind of changed its mind and said it would represent us on a case-by-case basis. And I filed a grievance at that time against the policy. So that would have been early December.

Alison Steeves

Have you had any results from your grievance?

Joe Behare

No, and it's been over a year. Obviously, everybody is dragging their heels on it. Even though the collective agreement has set time limits for responding to first, second, and third level grievances, they didn't respond. They still haven't responded to the third level grievance. I kind of didn't expect anything from those grievances. I wanted to take this to a labour relations board, but the process is that you had to go through the first stages of grievance.

And like I say, the whole process should have lasted, according to the timelines, maybe a month and a half or two months. It's been probably 14 months, and I still haven't got a response to the third level grievance. So obviously they're trying to sort of drag it out and hope that I go away and get tired of it.

Alison Steeves

So when you went on leave, how long did you think you would be on leave for?

Joe Behare

Seven months.

Alison Steeves

That's what you expected?

Joe Behare

Oh, I didn't know how long it would last. I expected that that was the end of my job. But I kind of—as I said, I didn't do anything other than file the grievance. I didn't quit.

Alison Steeves

Right, so you were on leave, you weren't expecting to go back, but you had no idea when you might be able to go back if you wanted to?

[00:10:00]

Joe Behare

Right, if I wanted to.

Alison Steeves

Were you receiving any pay at this time?

Joe Behare

No pay or anything like that, no.

Alison Steeves

So did you eventually get any other income during this time?

Joe Behare

I did eventually get another job—a five-month contract—with a company in Ontario. I worked remotely and that was some time in February. So that was good. It didn't pay as much but I liked the job and I liked the people that I was working with.

Alison Steeves

What would you say the financial impact has been of being off your federal government job?

Joe Behare

I mean, leaving aside the fact that I was working at that other job, which kind of defrayed a little bit of the financial impact; it was sort of the equivalent of being fined \$60,000 or \$70,000, right? That was the income that I didn't receive during that time.

Alison Steeves

This alternative job, it was significantly less?

Joe Behare

Yeah, it was less. I mean, that put a dent in it. But we went through our savings quite a bit. Also, all through the months of November and December of '21 and January of '22, we were without an income.

I was looking for work, but it was hard to find work at that time—especially if you were unvaccinated. So, I didn't know. You know, that's when we were going through our savings.

Alison Steeves

Did your decision or your views on this matter impact any friendships or relationships with family at this time?

Joe Behare

Unfortunately, yes, it did. Because, as I said, some friends were very supportive, but others were not. I can't really unsee that now. People who thought that it was okay for this action to have taken place, and to me, I can't forget that they felt that way. I had some arguments with family members as well, and that's kind of put a strain on our relationship.

Again, people want to get past it now and say, "Oh yeah, that was then, but get over it." But I can't unsee what I saw. Yeah.

Alison Steeves

Would you say that the vaccine passports had a significant impact on your life in any way?

Joe Behare

I wasn't able to easily travel. For example, my mom is elderly and not well. She lives in Ontario, so I couldn't hop on a plane to see her. I did go by car a few times, but there was always the worry that you'd get stopped at the provincial border to check your passport and things like that. So there was that: the inability to travel on public transportation. I couldn't visit my daughter, who lives in the States.

There was this feeling of social exclusion as well, which was kind of harsh.

Alison Steeves

You're in a small community, correct?

Joe Behare

Yes.

Alison Steeves

So did you feel the impact within the community?

Joe Behare

Yes, especially in the small town that's right near us. There was this one incident: My wife was on this group for the Green Party, and she made a point about unvaccinated people being sort of excluded and how that was—And how the candidate should be standing up for them as well. Somebody posted, "Well, you know, Meg, we all know you're unvaccinated and I saw you at the market the other day with no mask on," it's an outdoor market, "and it's disgusting."

It's quite hurtful in a small community to have people call you disgusting.

Alison Steeves

So during that time that you're on unpaid leave indefinitely, couldn't visit your mother and ostracized by the community, how was your outlook for the future at that time?

Joe Behare

To echo what Bliss said, I felt very— I felt alarmed at what was happening in our country, and I felt like the fact that seeing people going along with this in a public way, but also what the government was being able to do with seemingly no checks from the courts— Or the Charter didn't seem to matter. I was alarmed and had a fairly dark view of what was going on and I could see that other people were too.

[00:15:00]

The mood in society in general that I saw was depressed. It was a dark time. We even talked about: Where can we go that's better than this? Is there any other place?

For the first time ever, I contemplated leaving my country, which was pretty despairing.

Alison Steeves

Is there anything else you'd like to add, Joe?

Joe Behare

No, I mean, just that I think— I think that it's great what you guys are doing here, giving people a chance to go on record and say what has happened. As we move on from this, we run the risk of forgetting what actually—how it was in the darkest time. So it's good to just put it on record and remember. So thank you for the opportunity.

Alison Steeves

Thank you. I'll turn it over to the commissioners. Thanks very much.

Joe Behare

All right.

[00:16:22]

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

The evidence offered in this transcript is a true and faithful record of witness testimony given during the National Citizens Inquiry (NCI) hearings. The transcript was prepared by members of a team of volunteers using an "intelligent verbatim" transcription method.

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