



## NATIONAL CITIZENS INQUIRY

Saskatoon, SK

Day 2

April 21, 2023

### EVIDENCE

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**Witness 6: Ryan Orydzuk**

Full Day 2 Timestamp: 06:16:03–07:28:04

Source URL: <https://rumble.com/v2jlxvm-national-citizens-inquiry-saskatoon-day-2.html>

[00:00:00]

**Louis Browne**

Next, we have Mr. Ryan Orydzuk. Mr. Orydzuk, can you please state your name and spell your last name for us, please?

**Ryan Orydzuk**

It's Ryan Orydzuk, R-Y-A-N O-R-Y-D-Z-U-K.

**Louis Browne**

Would you prefer to swear an oath or solemnly affirm today?

**Ryan Orydzuk**

I'll swear an oath.

**Louis Browne**

Do you swear that the testimony you are about to give in this National Citizens Inquiry will be the truth, the whole truth, and nothing but the truth?

**Ryan Orydzuk**

Absolutely.

**Louis Browne**

Thank you. Sir, what city or town do you reside in?

**Ryan Orydzuk**

Edmonton, Alberta, currently.

**Louis Browne**

And how long have you lived there, approximately?

**Ryan Orydzuk**

Well, I lived outside of Edmonton for a short period of time, but pretty much my whole life.

**Louis Browne**

Okay. And I understand that you worked as a federal public servant, is that correct?

**Ryan Orydzuk**

Correct.

**Louis Browne**

And how long were you so employed?

**Ryan Orydzuk**

Just about over 15 years, I'd say.

**Louis Browne**

Okay. And are you still so employed?

**Ryan Orydzuk**

No.

**Louis Browne**

Okay. Now, I understand that you're here today as an expert witness. We're going to get into your CV and whatnot shortly. And David, I can just maybe invite you to tee up— Mr. Orydzuk has a number of the documents we'll use, but we will be looking for [Exhibit] SA-9a in a moment.

But, Mr. Orydzuk, can you just tell us, in a nutshell, what is your expertise?

**Ryan Orydzuk**

Primarily in occupational health and safety, recognized as kind of a jack-of-all-trades in that department.

**Louis Browne**

Okay, and we have your CV up on the screen. So this document here, do you recognize that document?

**Ryan Orydzuk**

Correct.

**Louis Browne**

And do you want to just tell us, did you generate that?

**Ryan Orydzuk**

Yes.

**Louis Browne**

Okay, what is it? Tell us a little bit about this.

**Ryan Orydzuk**

This is just a document I use to kind of give a little bit of information as to my background. A little bit of what I've done, my most recent experience, some of the things that I'm proficient at, et cetera.

**Louis Browne**

Okay. And as far as your expertise in occupational health and safety, we're going to look at a document here shortly. But can you just tell us: How did you come to become an expert? How did you gain your expertise in occupational health and safety?

**Ryan Orydzuk**

It was primarily through Canada Post Corporation. I started out originally as a letter carrier with the organization and found myself what they call a Local Joint Health and Safety Committee Co-chair, after about five years of employment.

It was in that role that I showed some promise, I believe. Some executives thought I had some promise in occupational health and safety, so they told me to apply for a job as a safety officer for the Edmonton Mail Processing Plant [EMPP]. I was hired in the position, was successful in attaining it, and I worked in that position for about four years. I was peer-mentored for two years straight by a very competent safety officer. He showed me the ropes of everything I was doing and we worked as a team.

Then from there, obviously, there were lots of education events in relation to that provided by the Corporation. I did a little bit of external training. Because of my role and what I encompassed it was more of a generalist role, so I never specialized specifically in one aspect of occupational health and safety.

**Louis Browne**

Okay. And I believe, David, we're going to need the learning history, [Exhibit] SA-9a. I believe Mr. Orydzuk does not have that document.

If we could pull up that document, please—SA-9a? It's the learning history, second from the left there. Okay, yeah, that's the one.

Mr. Orydzuk, are you able to manipulate that document from where you are?

**Ryan Orydzuk**

Not that I'm aware of.

**Louis Browne**

Okay, if we could have that? Okay, sure, we'll come back to it.

Mr. Orydzuk then, let's go over to your letter of October 25th, 2001 [sic, 2021]. Are we able to open that? There we go.

[00:05:00]

So can you just tell us, Mr. Orydzuk: Do you recognize that document [Exhibit SA-9d]?

**Ryan Orydzuk**

Yeah, absolutely.

**Louis Browne**

And what is it?

**Ryan Orydzuk**

It's a document that I called my Letter of Informed Consent and this was a document that I sent to my employer. It's dated in October but it wasn't submitted to my employer until about mid-November. I originally was trying to speak to my employer verbally before I submitted anything officially. But this was the document that I gave them to advise them of the concerns I was seeing with a lot of the breaches of occupational health and safety policy.

**Louis Browne**

Okay. We won't go over it in detail but it is a fairly substantive document. In here, Mr. Orydzuk, though, I'll draw your attention to—for example, point number four. If we're able to go to that part of the letter, please. Therein you pose the question to Canada Post— And just to be clear, was Canada Post your employer at this time?

**Ryan Orydzuk**

Correct.

**Louis Browne**

Okay. So the question you posed at number four is, "Does Canada Post believe that their proposed vaccines are safe for their employees to take? From the start of the pandemic, Canada Post has stated that it follows the guidance from the Public Health Agencies of Canada. Vaccines are approved for use in Canada by Health Canada."

Do you recall generating that question and putting that in the letter?

**Ryan Orydzuk**

Absolutely.

**Louis Browne**

Do you want to just give us a bit of background? Because I noticed that there are several references and links underneath that though. Just tell us what was the intention here, with point number four and all of these links and references that you have.

**Ryan Orydzuk**

Well, in essence, what I wanted to paint to the employer—and again, this is about informed consent. So a lot of folks have been mentioning that through the testimonies. And informed consent from different aspects. It could be, you know, medical informed consent, people talking about employer informed consent.

But for me, I wanted to find out exactly what my organization knew about COVID and the vaccines themselves—everything to do with what they were implementing, right? So I posed to them 90 questions or so and I provided a bunch of research. Because I had researched this for probably about six months ahead of time, because they were announcing the vaccines— At the beginning of 2021, it came out.

I wanted to just find out where they were at with their level of knowledge and what they did in terms of their due diligence as the employer to ensure that what they were providing their employees was safe to take. This one question was just an obvious one: Do you guys feel that it's safe to take? They couldn't even answer something as simple as that.

**Louis Browne**

Okay, thank you for that. If we can just move over to point 12 in your letter, please. And therein you state: "Does Canada Post believe that the SARS-CoV-2/COVID-19 vaccines that they are mandating their employees to take are safe, when compared against the federal occupational health and safety definition of danger?" And then you had a link therein, as well.

So now we're starting to see a blend of your occupational health and safety training being infused into the questions. I mean, it's all throughout, but this question specifically brings to bear your occupational health and training expertise.

Can you just tell us a little bit about that particular question, what you were driving at, what you were hoping to get from your then-employer?

**Ryan Orydzuk**

Yeah, so when it comes to occupational health and safety, it's regulated by the federal employer. A lot of things—especially work refusals and any kind of process or work that the employee does—are based on the concept of danger or hazard or risk. If something is considered a danger by the legal definition that's provided by the Canadian government or the interpretive guidelines that coincide with that definition, then the employer should be informed of that danger and the concerns that they may be facing legal liabilities with that.

So for me, in this case, I was saying to the employer, "Do you recognize what the definition of danger is as it's written in the *Canada Labour Code*? And do you think that maybe, by

chance, these vaccines meet that definition as it stands?” It was my particular opinion at that time that it absolutely met the definition of danger.

**Louis Browne**

And what sort of response did you get from your employer?

**Ryan Orydzuk**

From the start of the pandemic, Canada Post has stated it follows the guidance of the PHAC [Public Health Agency of Canada]. And I received that answer for, I think, 78 per cent of the questions that I submitted. There were 90 questions.

**Louis Browne**

Okay. Just a couple more with the letter and then we'll move on. But if I could get you to go over to point number 14. Fourteen: “Does Canada Post consider myocarditis or pericarditis a serious medical condition? Would refer to Health Canada experts.” And then you had a couple of links there.

[00:10:00]

What were you driving at with that particular question and what was the response?

**Ryan Orydzuk**

Again, this is falling in line with the definition of danger to a degree, in the fact that at that particular time, there was recorded events of myocarditis, pericarditis in people that were taking the vaccine. So again, for it to be a side effect of the vaccines themselves—and as Canada Post was implementing them as personal protective equipment—for me, I wanted to say, “Are you guys aware that this is a side effect? And do you think that this is dangerous, then?” Because that is a potential side effect of the vaccines themselves. So again, leading towards that definition of danger.

**Louis Browne**

Right on. Okay, last one in the letter and then we'll move on. I think it's on the same page there, but number 18. And therein you posed the question, or made the point to Canada Post: “Is Canada Post aware that the injections that they are demanding their employees to take—Pfizer BioNTech, Moderna, AstraZeneca and Johnson & Johnson—are currently listed in the National Library of Medicine under [clinicaltrials.gov](https://clinicaltrials.gov) as experimental, and that these injections are not scheduled for completion until 2023 and beyond?”

Again, just tell us a little bit about where that question was coming from, how it fit into your role and your expertise regarding occupational health and safety. What was their answer?

**Ryan Orydzuk**

Yeah. With this question, there was a lot of doctors at the time that I was following that were explaining that these were still under experimentation guidelines. And they were providing links in the documentation that they were putting on their websites or their web pages, whatever it was. I clicked on a few. I went to the clinical trials site. I checked out a

couple other ones in the U.S., for sure. They were showing that there was experimentations for all the vaccines still and they were all ongoing until 2023.

So to me, I was just again trying to illuminate to my employer: We don't know exactly what we're dealing with here. Maybe we don't want to push this forward yet because there could be some concerns that we're unaware of or long-term effects that we're unaware of. And I know maybe on its surface right now it could seem somewhat safe but we really don't know. So maybe we shouldn't undertake this as a workplace activity.

**Louis Browne**

Right on. And their response was?

**Ryan Orydzuk**

Again, very similar: following the Public Health Agency's guidelines.

**Louis Browne**

Okay, is there anything else about your letter that you'd like to reference or say at this point in time, Mr. Orydzuk? Otherwise, we'll go to the learning history.

**Ryan Orydzuk**

The only thing I'd like to say is, to me as a safety professional, given what I provided them straight off the get-go, this should have stopped any employer from continuing forward. Just based on the fact that I painted a very fair picture on what the legal liability was for the employer.

Not only that, I also made it very clear, abundantly clear, that the vaccines themselves met the legal definition of danger in occupational health and safety. So to me it was frustrating to have basically, a one-answer response for every question, right? So I couldn't figure that part out. But to date— I mean, this was all made part of an official work refusal at Canada Post. And I think any Canada Post employee could access this, if they just looked up the local Joint Health and Safety Committee minutes.

**Louis Browne**

Okay, thanks very much. So that letter of October 25th 2021 is already marked as an exhibit, SA-9d. So David, it looks like we've got the learning history up and running. Thank you for converting it.

If we could turn our attention to the learning history. This here, Mr. Orydzuk, do you recognize this document?

**Ryan Orydzuk**

Absolutely.

**Louis Browne**

What is it?

**Ryan Orydzuk**

It was a document provided by my learning and development team. It was originally in, I think, a different format. I just did some screen captures offline of all my event or training history at Canada Post as a federal employee.

**Louis Browne**

Okay, so is it fair to say that this captures a lot of your training at Canada Post, but there's still some courses that you took that are not captured here. Is that correct?

**Ryan Orydzuk**

Yeah, correct.

**Louis Browne**

Okay, so this is a 49-page document going over the various courses and in-house trainings [Exhibit SA-9a]. And again, I don't want to go through it in detail but if I could get us to page three of 49, please. Oh, 50, sorry.

So up at the top there, Mr. Orydzuk. Again, I just want you to tell us that it's the same format that we see. There's a document, there's a number, there's a title—in this case it's "A Workplace Free of Discrimination and Harassment (pre-reading)." There's a date and some other numbers and whatnot.

So just in a general sense, before we go into this one specifically, what do each of these entries tell us, as far as the course that you took, or the level of detail, or how much was involved, et cetera?

**Ryan Orydzuk**

Unfortunately, these ones don't tell you too much on the course detail itself. But I can say that this list includes 165 training events and I probably had over 1,000 hours of training, easily.

[00:15:00]

If not more, maybe even 2,000 in safety.

A lot of what I learned was all hands-on. That's where you really learn the job, by actually going through the process. That was why it was really good to be peer-mentored with a Canadian Registered Safety Professional for the first two years.

**Louis Browne**

Okay, great. So I do want to touch on a couple of the courses, just so we all understand the nature of your expertise. This one here: "A Workplace Free of Discrimination and Harassment." In a nutshell, what would that course have taught you? What knowledge would you get from that? How would you apply that in the workplace?



**Ryan Orydzuk**

It would depend on the level of the course. So different courses were given to different grades of employees, I guess you can say, because some people would have different responsibilities when it came to the actions with the courses.

For me myself, I believe this course would have been something along the lines of supervisory, so: How do you prevent this from happening? What do you do? How do you handle the employees? What do you record? Where do the documents go? Et cetera, et cetera.

**Louis Browne**

Okay. And if we could please go over to page 10. And if we could go one more down please, page 11, I guess.

So that one there, Mr. Orydzuk, where it says, "Introduction to Labour Relations (online)." I note that you completed this course and so again, we're not going to go through all of them but what would these types of courses have taught you?

**Ryan Orydzuk**

Yeah. So after my safety position at the EMPP, the organization did a big restructure and they pulled people from different parts of the organization and put them in, what was called, a human resources business partner role. And in that role my territory expanded, all my area of responsibility.

This particular course was all about— We were adopting aspects of labour relations. So I was 90 per cent safety but then I also had labour relations to deal with, and grievances. So they started to give me courses along those lines so that I could manage that as part of my portfolio. The labour relations course was: How do you respond to employee concerns? How do you prevent them from happening, so they don't go to a grievance? If a grievance does occur, what are the steps you have to take? How do you log it? Et cetera, et cetera.

**Louis Browne**

And so would you have also learned about the legal framework and the laws in some of these courses, or in that one in particular?

**Ryan Orydzuk**

Yeah, definitely. I would say more so in the safety aspect. Labour relations was dealing more with the collective agreement side of it, but Canada Post is governed under the *Canada Labour Code*, so that's like a subset. Occupational health and safety is part two of that, so that's a little bit of a different learning and a little bit of a different course material.

**Louis Browne**

So where would you have learned, for example, the obligations or consequences for an employer if they don't adhere to the occupational health and safety standards? Or would you have learned that sort of thing?

**Ryan Orydzuk**

You learn them in courses. I mean, they make it very clear. And when you hit that management step when it comes to federal entities, they provide handbooks, they provide everything in the world so that managers are very aware of their legal liabilities when it comes to occupational health and safety specifically. Because that's the stuff that a lot of employers—if they don't fulfill their due diligence, they can go to prison, they can suffer huge fines, et cetera.

**Louis Browne**

Okay, excellent. If we could please go to page 16. Yes, that one there. So I guess, three quarters of the way down, or the last full one, Mr. Orydzuk, it says, "Care to be Fair: Fostering Respect and Fairness at Canada Post."

Tell us a little bit about that course, what did you learn, how did you use that?

**Ryan Orydzuk**

Those courses were all about: how do you manage your relationships in the workplace, what the expectations are, how you address conflict discourse in the workplace. That was more of a lighter course. It wasn't heavy. I think it was, maybe 30 minutes to an hour. It was just to go through the basics of what you can do to address concerns, what you think discourse should look like between yourself and an individual in the organization, and how to resolve that. Specifically, again, if it doesn't have a resolution between yourself and the person that you have an issue with, you would raise it to your supervisors and go through that process and escalate.

**Louis Browne**

Okay, thank you. I think I've illustrated what I wanted to with respect to this, now 50-page document. Is there anything else you want to say about your learning history and the various courses that you took here before we move on?

**Ryan Orydzuk**

Nothing particular, no.

**Louis Browne**

Okay, that is already marked as an exhibit, as SA-9a. So at this point, Mr. Orydzuk, we will turn it over to you with your NCI testimony. Please, give us your testimony and your evidence.

**Ryan Orydzuk**

Thank you very much. I just want to thank the panel of course, for having me out to present this [Exhibit SA-9b].

[00:20:00]

I hope it's illuminating for everybody.

I just want to remind everybody here, too: this is a very quick and brief overview of occupational health and safety. I could honestly talk about this stuff and talk your ears off for probably about a week on it. I dig it. I don't know why. I just like safety, but there's a lot more to this.

A question to kind of start with—and this is important for the panel to consider, as well as anybody in the audience: If I was bringing this information to you as a safety professional and showing you that there were concerns, both with your liability and the risk of your own life and your employees' lives being at risk, would you consider continuing on with this? Because, ultimately, it could land you in a lot of hot water.

Ann, the former pharmacist: I listened to her discussions and I had to say I agreed with her on a lot of points she was making and I loved her touching on informed consent. She asked a question at the end of her interview, she said, "Who is accountable for all of this?" This is a question that everybody's been asking, right?

So I'm going to share with everybody who I think is accountable and how it all works and how maybe some of the occupational health and safety laws apply around this.

So who is legally responsible for the COVID-19 fiasco? Was it Big Pharma for creating the injections? A lot of people seem to think that. Was it the Public Health Agency for approving the use of the injections? Some people think that. Was it the government for pushing the mandate to begin with? Or was it even ourselves for making the decision to take the vaccine in the end?

And I don't know, maybe a bit of this is all true, but for me, it was your employer. It was everybody's employer because, up until the point employers decided to put in workplace vaccination mandates, it was an option for people to take the vaccine. It wasn't until the employer said you had to that everybody did a mad rush to go get a vaccine, because they didn't want to lose their jobs, right?

This comes back to something that my parents used to say: If all your friends jumped off a bridge, would you jump, too? And what we're, kind of dealing with in this situation, to a large degree, is the Milgram Experiment. What we have is an authority figure—and it's not just an authority figure that's providing pressure on you or coercion to do something. Like it was mentioned earlier, they're forcing you now because they're making it a condition of your employment and it's affecting your ability to pay your bills, get food on the table, et cetera.

This is what happens at the end of it all, when people push things forward a little too fast and they don't do what's expected of them when it comes to occupational health and safety. You start to wonder.

So employers— When they decided to put this in place, they should have asked themselves three basic questions: Am I actually required to follow this vaccination mandate because that's something that's going to come up in this? Is it even legal for me to implement this kind of vaccination mandate? And if I listened to the Prime Minister's request regarding a vaccination mandate, have I completed all my due diligence as the employer?

I can say flat out: no, no, and no.

Let's take a look at the Prime Minister's own announcement—and this was right from his own desk. If we take a look at some of the pieces in here, it should have been very evident

to folks what this was intended to be, which was a workplace policy that they were implementing to protect you.

So as you can see at the very beginning, it says here that we're doing this "to protect the health and safety of all Canadians." Then he mentions, "As the country's largest employer,"—so he mentions he's the employer—"the Government of Canada will continue to play a leadership role in protecting the safety of our workplaces." So again, this falls under occupational health and safety in the workplace.

"Employers in federally regulated air, rail, and marine transport sectors will have until October 30th, 2021 to establish vaccination policies." So he's referring to, what he calls his "Core Public Administration," which he is responsible for and the boss of. However, "Crown Corporations and separate agencies are being asked to implement vaccine policies mirroring the requirements announced today by the rest of the public service."

So in this sense, again, this is proof that the employers, especially mine at Canada Post—they were never mandated to follow this process. They were asked by the government to follow this process, which means they assume all the legal liability for the process itself.

Prior to COVID-19, what was going on? Employers typically didn't try to mitigate flu viruses in the workplace, right? If anybody had the flu, take a sick day, go home. And even back then, I remember, if I was sick, my employer would be like, "Well, come into work, we need you. Come into work. I know you got the sniffles. No big deal."

[00:25:00]

But then things changed.

They did not re-engineer the work environment to try and control viral spread. They did not provide their employees any sort of personal protection equipment to stop exposure. They rarely had any seasonal signs posted in their facilities. Most employers, outside of a few exceptions like the military and maybe the medical industry, never asked their employees to take an influenza vaccine or any other medical product as a condition of their employment.

Employers would never violate the *Genetic Non-Discrimination Act* by forcing employees to undergo genetic testing as a condition of entering or continuing a contract agreement with that individual. So what a lot of employers were offering were an accommodation process where you would go get a PCR test three times a week and keep confirming to the employer that you weren't sick, you didn't have COVID. That's going to be a part we're going to touch on here and I'm going to explain to you why the employer can't do that.

Members of the public were never questioned on health and safety matters, nor were they asked to wear personal protective equipment. So our employers were literally asking people coming into the post office, "Can you wear a mask? Can you get a mask on?" And we never bothered any customers with that before and it just seemed kind of strange we were doing it now.

After that, employers—this is post-COVID-19—decided to try and mitigate SARS-CoV-2 as a workplace hazard, right? They never did the flu before but all of a sudden, they needed to mitigate SARS. They began to build barriers and install Plexiglass walls in their facilities, which were completely useless. Employers went overboard with unproven personal protective devices that were never designed to prevent the wearer from COVID.

So the paper masks that people were wearing, the cloth masks, those aren't regulated personal protective equipment devices, right? People need to wear very specific personal protective equipment that needs to be designed to mitigate the hazard in question. And paper masks that aren't fit-tested to your face, they're not going to protect you against the virus. There's no way. So providing you that is just for show. It's just, "Yeah, we look like we're trying to do something."

Employers decided to put signs everywhere, constantly reminding people to use chemical hand sanitizers, wear their masks, and remain six feet apart from one another. Then finally, employers went to the extreme and decided to create vaccination policies. I mentioned the PCR testing. And of course, people were questioned and pursued regarding medical status and mask compliance. This was at every degree in the company.

So when it comes to federal employers, this is a little bit of a flow chart here to try and explain to everybody how it all works, what due diligence is. When any employer puts a new process, piece of equipment, or they initiate a new activity in the workplace, they have to roll everything under part 2 of the *Canada Labour Code* and the Canada Occupational Health and Safety Regulations. This is to make sure that they don't harm an employee and then miss something and then go to jail for it down the road. It's really simple.

What does this break down to? Well, there's certain aspects of this: there's the Criminal Code of Canada and there's the Westray Law. The Westray Law, what a lot of people don't maybe know about it, was a law that was designed to hold employers accountable after the 1992 Westray mine disaster in Plymouth, Nova Scotia that killed 26 workers. In that same situation, we had employers that thought they knew better than the employees that were raising concerns. They thought they knew better than the safety officers that were saying that the site itself was suffering from industrial hygiene issues. And then, sure enough, an explosion occurred from all the mining dust and 26 workers were killed. So then amendments were made to the *Criminal Code of Canada* that include the employer's liability in this.

Other acts that are in consideration for the employer while they're implementing the new process are the *Hazardous Products Act*, and this has to do with stuff like your WHMIS [Workplace Hazardous Materials Information System] categories. And everybody took that training when they went to the work, right? You take WHMIS training at the beginning. And then you have of course your hazardous products themselves—and these are the ones that are recognized and registered as dangerous goods. Then of course with my corporation we had collective agreements.

And these are all what I would call fail-safes of safety, right? The employer uses these to make sure that they're doing all the necessary steps so that they don't get themselves in trouble.

And these break down into further brackets. So under the Westray law, you have to consider the duties of the employer, which are all listed in section 125 of the *Canada Labour Code* and they're very specific as to what the employer is required to do. There's informed consent, there's the right to know, the right to participate, and the right to refuse—which is a very, very, very important part of this that everybody was denied, in essence. The definition of danger, in the OH&S Interpretive Guidelines that tell you what these definitions mean.

Under the *Hazardous Products Act* and these other aspects here, you have your WHMIS, your GHS—which is your Global Harmonized System. And this is the labels that they put on dangerous products, and they're called Safety Data Sheets.

[00:30:00]

The labels are affixed to the products themselves and then the employer is required to provide these to employees so that they're aware of the potential chemical exposures in the workplace.

And then of course under the collective agreements, there's a bunch of safety stuff they need to look into, like the terms of reference. They need to consult nationally with their bargaining agencies to make sure that everything is going according to plan and the bargaining agencies need to agree with the corporation. They need to provide minutes of all these consultations. And again, there's various articles in each collective agreement that all encompass occupational health and safety.

Again, we bring this all back. This relates to due diligence and the duties of the employer when implementing a new process, piece of equipment, or activity. So you have to make sure— The employer has to do all of this stuff, look at all these codes, and this is really just scraping a little bit out. They have to look at all of this before they decide to move forward with something, right? Because again, if it's not safe and somebody gets injured down the road and they didn't do their due diligence, they can be held liable.

So after the employer has confirmed the legality of their new process— So they go through that step and they go, "Okay, we can do this. This is legal. What are the next steps we have to take?" I won't go through all of these but this is just a slide that shows some of the specifics around what that project would look like.

And just, for example, I'll go through a couple points. So the first thing: "A primary initial discussion amongst the employer's executive stakeholders to determine if the newly proposed idea has any merit as a device or piece of equipment to protect an employee in the workplace." They would assign a policyholder and somebody that would carry out the project.

The project facilitator would then create a plan for the new concept that includes timelines, employee impact, job hazard assessments, health and safety committee reviews, certifications, et cetera. They might need to bring in third parties, other assessors, et cetera. "This person would formally create the change request with the corporation and follow the design steps to maximize corporate compliance."

I won't keep going on this but this just gives you an idea of what— Once they determine it's legal then they've got to go through all these other steps, right? And I can say, I don't think a lot of this was done, right? This is what I'm leading to.

So how does occupational health and safety play into all this? Well, I think it's the piece that everybody's kind of been missing. And I think it's going to help everybody else that has concerns with the vaccines and how their employers and everybody else has been doing things.

In my opinion, this is something— Like I said earlier, if folks would have taken this process seriously with safety, it should have immediately ended any concept or any desire to implement vaccines. The bottom line is that these legally meet the definition of danger in

my opinion, and we'll get to that. But once the employer saw that letter of informed consent that I gave them, it should have stopped them right in their tracks and they should have engaged me in discussion to understand a bit more where I was coming from. None of that took place.

All right. So what they should have done is that federal employers— When the vaccine mandate was announced by the Trudeau government, when they said, “Hey, we’re asking all you federal employers and Crown corporations to do this,” what they should have done is the directors and all the senior officers of those corporations, they should have used the Labour Code. They should have looked at it, put it right back in the Prime Minister’s face, in a sense, and said, “Hey, you know, I don’t know about this. I have a lot of liability that I have to deal with, with these particular clauses. I don’t know if this is a good idea. There may be some concerns that this is dangerous. We’re not going to go forward with this yet because we need to do a bit more investigation.” So they actually could have used this all to their advantage to kind of halt everything that was going on.

So let’s talk a little bit about this one particular section here, which is the *Criminal Code of Canada* and the Westray Law. Since its induction, employers have had to follow their legal obligations listed under Part 2 of the *Canada Labour Code*. This is not a new concept in any way. In fact, because of the Westray mining disaster which we talked about, amendments were made in 2004.

So section 217, this was the amendment or the clause that was added: 217.1 of the Criminal Code creates an occupational health and safety duty requirement for all organizations who undertake or have the authority to direct how others work or perform a task, to take all reasonable steps—and that’s very important to this—to prevent bodily harm to the person performing the work or task, and to any other person.

These are just some of the examples of the duties of the employers here. I didn’t pull them all out, it’s a very long, exhaustive list, but these are some of the key ones.

So “Every employer shall ensure the health and safety at work of every person employed by the employer... Without restricting the generality of section 124, every employer shall, in respect of every workplace controlled by the employer and,

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in respect of every work activity carried out by an employee in a workplace that is not controlled by the employer...” Like a pharmacy or a place that you’re going to, to get an injection, for example. So some of these clauses here: “(c) except as provided for in the regulations, investigate, record and report in accordance with the regulations, all accidents, occurrences of harassment and violence, occupational illnesses and other hazardous occurrences known to the employer.”

And I have that bolded at the end there because occupational illnesses and hazardous occurrences were not being measured and investigated. You see, because what ended up happening is a lot of the injuries that we were seeing from the vaccines were chalked up to natural causes. If somebody had a stroke, they said, “It’s normal; everybody has strokes, you know; people have heart attacks. That’s a natural thing.” The problem for the employers is when they implement a device that they’re using in their workplace that causes these potential outcomes, every time an employee at that point would have a stroke or a heart attack it would need to be investigated as a vaccine injury. They couldn’t say it was natural causes anymore. It doesn’t work like that. They’re using it as a device and it’s

an activity in their workplace. So they have to investigate everything after that to see if it was because of their process.

“(s) ensure that each employee is made aware of every known or foreseeable health or safety hazard...”

This one was very blatantly violated in my opinion. Especially with me, when I asked for my informed consent, I was expecting my employer to come back to me with some studies of their own to show me how they had done their due diligence. Nothing like that had taken place. So for me, it's hard to fulfill that particular clause in the Code, where you're making every single hazard aware to the employees.

And it's a foreseeable hazard, too. That's the important piece of this. When you have a safety officer present a document with 90 questions and over 50 medical studies that shows that these are a danger, you should be transmitting some of those concerns to your employees if there is a potential that they can be harmed—especially if it's coming from a safety professional.

“(t) ensure that the machinery, equipment and tools used by the employees in the course of their employment meet prescribed health, safety and ergonomic standards and are safe under all conditions of their intended use.”

Right? So the vaccines are a piece of equipment as part of an activity that the employer is using. They're using the vaccines as personal protective equipment. So if that's the case, the equipment has to be rendered 100 per cent safe. Because if you don't have personal protective equipment that's 100 per cent safe, you're increasing or you're multiplying risk for the employee. It's really straightforward. I shouldn't put on a safety vest and have a heart attack. I shouldn't put on a safety hat or safety goggles and get a stroke. It doesn't work like that. But this one particular piece of personal protective equipment, there were some issues with it and people were having adverse side effects.

“(w) ensure that every person granted access to the workplace by the employer is familiar with and uses in the prescribed circumstances and manner all prescribed safety materials, equipment, devices and clothing.”

So again, the employer is supposed to make you understand and be familiar with the devices that they're asking you to take. If an employer doesn't have any answers for you as to that device and they're telling you to continuously use it, how do you know it's safe? How do you know what you're doing? How do you know your employer has done their due diligence? So that's how that clause works.

If we continue on, this has to do with the right to know. So every employee— And this is like informed consent for safety. So whenever you have informed consent in the medical industry, what's going on is folks are going in, they're asking about the dangers with their physicians of the vaccines et cetera, et cetera. That's all standard. That's the way it's been forever, right? If you're going to take a medical product or you're going to undertake a medical procedure, it's your physician that's the one that's always kind of telling you what to do about it.

When the employers, though, decide to take a medical product and use it as a piece of personal protective equipment, it's no longer the physicians that are required to do it. It's the employer that's required to do it. The informed consent switches from the medical industry to the employer because they're the ones that are using it as their device now. So



they need to train you on it. They need to educate you on it. They need to make sure that they know what they're talking about. And they can't provide you your informed consent if they don't know any of that.

So as it says here, this is a definition right out of the Labour Code:

You have the right to be informed of known or foreseeable hazards in the workplace and to be provided with the information, instructions, training, and supervision necessary to protect your health and safety... In addition, you are given the right to have access to government or employer reports related to the health and safety of employees through your policy health and safety committee,

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workplace health and safety committee or health and safety representative.

You have the right to refuse. So this is another piece that I was just blown away by. I was so upset with my employer as well as the Labour Board in a lot of ways. Because they should have handled this in a much different way.

What ended up taking place was when the employers put these vaccination plans in place—their policies, their practices—one of the things that I noticed was that there wasn't any piece in the entire process that spoke to when employees don't want to take the vaccine. It was just like you didn't have that choice. Whereas, in the past, if an employee refuses to do something that the employer is asking, it's required right away by the employer to diagnose that. Like, why are you refusing this work? And it becomes what could be a work refusal. And it's written right in the Code that they have to ask that.

But in this case, what happened with COVID: none of that happened. It was, "You're non-compliant." right away. And that was the piece that I just couldn't figure out. It's like, "Well, they're not non-compliant; they're all refusing your process. So you have to investigate every one of these concerns as a work refusal. It's not a non-compliant status. They're saying it's dangerous. They don't want to take it because they don't feel it's safe. So you have to investigate this." But that didn't take place. Everybody was just suspended or fired automatically, which is— Again, it's breaking the rules.

### **Louis Browne**

And, Mr. Orydzuk, I'll just advise we're just under the 20-minute mark. But carry on.

### **Ryan Orydzuk**

Okay. So you have the right to refuse work if you have reasonable cause to believe that your workplace presents a danger to you; the use or operation of a machine or apparatus presents a danger to you or to another employee; and the performance of an activity constitutes a danger to you or another employee, right?

So the activity itself is going to take a vaccine. The corporations made that very clear. Every corporation did because they wrote it into a policy or a practice and they asked you to go take two vaccines as a result. So that becomes a workplace activity, which again, the employer is responsible to monitor and make sure it's safe.

This is the definition of danger we're going to get into and this is why this is so important. The definition of danger itself is kind of highlighted in the Labour Code. But what they do is they provide a big set of rules on how to read this definition and what it means more specifically. Because everybody, when they read it on a first glance, they may have a different interpretation of how it works. The Interpretive Guidelines make sure that they quash that, in a way, so that everybody's very clear, black and white: this is what this looks like, this is what the definition means, and this is how it's applied.

A hazard—as a lot of people learn in safety class—means a source of harm or risk to an employee. A condition means circumstances and, in particular, those affecting the functioning or existence of something. So that would be like, let's say, a forklift had a battery and it was smoking. You wouldn't want to go use the forklift if the battery was smoking because the condition of the forklift appears that it's dangerous. It's not in a good condition, right?

Then activity itself means the task directly related to the employee's duties. And in this case that would be a vaccination policy.

"Reasonably expected." Okay, we're going to go through each one of these one by one. "Does not require that the threat materialize every time the hazard, condition or activity occurs." So when you take the vaccines, not everybody dies right away; not everybody suffers a side effect, right? So this meets the first point of this: it doesn't need to materialize every single time.

So let's keep going. Does it meet the rest of it? "It is not necessary to establish precisely the time when the threat will materialize nor does the threat need to materialize frequently." Okay. So again, some people have immediate adverse effects to the vaccines. They have a heart attack; they have something happen to them in the first ten days, which is the most common. But again, things could happen down the road at different times. You could develop cancer because of cell mutations, right? You could have a stroke down the road, six months later—I don't know, right? But nonetheless, it meets the next point of the definition of danger.

Let's keep going. "Only requires that a person determines in what circumstances the threat could reasonably be expected to materialize." This one's real easy: the threat's reasonably expected to materialize the second you put the injection in your arm. It's not going to hurt you if you don't put it in your arm. So really straightforward.

The last one: "There is more than one way to establish that a condition, hazard, or activity can reasonably be expected to be a threat. Evidence of actual injury in the exact same circumstances is not required." So you don't need to have the same injury occur in the same way every time, right? And if you look at all the adverse events and all these databases from around the globe, there are all kinds of different ways that you can measure this last point.

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There are all sorts of them. And again, evidence of it in the same circumstances is not required.

So I mean we've met— These are all the points of the definition of danger in the Labour Code. To me, I think the vaccines completely meet this, but we can build on this even more. There's way more to come.

“Other sources of evidence include: expert opinions; opinions of ordinary witnesses having the necessary expertise”—like myself, for instance; and “inference arising logically or reasonably from known facts.” So logically and reasonably, if there are databases of people having horrible effects to the vaccine, maybe you shouldn’t carry it forward because it meets the definition of danger, right? Straightforward stuff.

Moving over to the next piece of this— And this is another part of this that a lot of folks may not be aware of. Section 125 speaks to the further specific duties of the employer. This has to do with hazardous products and dangerous goods. I don’t want to dwell on this too much because there are some more important slides about this I’d like to talk about. But what this is basically saying is: ensure the concentrations of substances are controlled properly, they’re stored properly and handled in the appropriate manner; they’re also labeled by the appropriate SDS sheets, or the product labels; and then the SDS sheets are disseminated to the employee base, et cetera, et cetera. I won’t go into this too much but—

I’ll skip through this—we’ll get back to the hazardous products here in a bit, I promise.

So are there any acts or regulations of concern for the employer? Yes, the *Genetic Non-Discrimination Act*, which I had mentioned earlier regarding the PCR tests. This is written right in the Act itself: “It is prohibited for any person to require an individual to undergo a genetic test as a condition of: providing goods or services to that individual; maintaining a contract or continuing a contract with that individual.” And that’s what every employee is in, right? So you’re working with the employer, you’re in that contract with them. You’re under a collective agreement or maybe you are management, you have an individual contract with them.

“Offering or continuing specific terms or conditions in a contract.” So in essence, here, what a genetic test means in this act, and they define it very well, is it means: “A test that analyzes DNA, RNA or chromosomes for purposes such as a prediction of disease, or vertical transmission risks, or monitoring, diagnosis, or prognosis.” So when you go for a PCR test and you get that thing shoved into your brain, what ends up happening is they’re looking for samples of RNA. So they’re literally diagnosing the RNA as a condition of keeping your employment, which is a violation of this act. Because (b) says you can’t do that as a condition of maintaining or continuing your employment contract.

The *Assisted Human Reproduction Act*: there’s a lot of debate still a little bit about whether reverse transcriptase is real. I consider it very real. I’ve read a lot of studies on it myself but I’m not a medical doctor; that’s just some of my own personal opinion based on what I read. But in essence, a clause in that particular code—and a lot of lawyers already recognize this—is that: “Human individuality and diversity, and the integrity of the human genome, must be preserved and protected.” And this is in the principles of the act itself. But more specifically, in the prohibited procedures, is: “No person shall knowingly alter the genome of a cell of a human being or invitro embryo such that the alteration is capable of being transmitted to descendants.”

And right now, we’re hearing concerns of shedding and we’re hearing how some of this stuff might be getting transmitted to daughter cells and passed on through genetic lines. I don’t know for sure. I don’t have any proof. I can’t say that a hundred per cent. But this would be something for people to consider as a concern for the employer and what they were doing and how they were handling things. And this was enacted in 2004.

So we keep on going here. The collective agreements: I won’t touch too much about this. I’m running out of a time here, but I’ll just keep going.

So some of the potential consequences of willful and amoral conduct by the employer and how this all ties back into Westray. Again, we talked about section 217, how every employer is required to do everything they can. It's a legal duty to take reasonable steps to prevent the bodily harm to a person, or any other person, arising from their work or their task. And this is where we start to see the definitions of criminal negligence. And I don't know necessarily. Again, I'm not a lawyer, I'm not a judge. But from my perceptions, I do believe that in my particular case, people were acting negligently when they didn't want to sit down and investigate anything that I was giving to them. Because what I ended up doing was I ended up putting in a work refusal. I sat down with my employer, I submitted to them those 90 questions. And I got one response back for every single question, right?

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To me, I don't think you're proving your point as the employer, in your knowledge and your due diligence, by giving me one answer. And that answer—deferring your responsibilities over to a third party that's unaccountable—that, to me, is unacceptable by the employer and that's not something that the employer can do. They can't just say, "I have all these responsibilities in the Labour Code but I'm not going to do them for this one particular task. I'm just going to say somebody else can do that."

I'll be honest, an employer could do that if they wanted to. But if you decide to do that, you're running the risk that maybe that third party—maybe they missed something or maybe they don't understand the laws and occupational health and safety regulations because they're from a different industry. Maybe they don't know what the employers are required to do or prove to the employees as an aspect of occupational health and safety.

So again, it's okay to maybe defer your responsibilities to a third party or get suggestions from a third party. But I would still be double-checking on the third party themselves, even though they were the Public Health Agency of Canada. I wouldn't want to just be saying, "No, no, they got it; they got it." And I'd be adopting all the liability as a manager or director or something like that, right? So I would still be checking into the PHAC's work.

### **Louis Browne**

Mr. Orydzuk, we've got less than 10 minutes left.

### **Ryan Orydzuk**

Criminal negligence: "Everyone is criminally negligent who, in doing anything or in omitting to do anything that is his duty to do, shows wanton or reckless disregard for the lives or safety of other persons."

And the definition of duty is very simple: This is a duty imposed by law. And those duties that we're referring to are all the duties listed in part 2 of the *Canada Labour Code*. They're literally called the employer's duties. Duties of the employer. So that's specifically what they're talking about with this code. So if the employer didn't do any of this and they acted negligently, they could be charged, they could be prosecuted, and they could be serving prison time. And also, they could have a massive fine levied against their corporation or organization.

This is about criminal negligence. It's just an extension of 219.

So how are these vaccines legally tied to the employer? Because I know a lot of folks would say, “Well, the employer is going to say, ‘well, these are the public health authorities, or these are Pfizer’s, or these are the Big Pharma’s.’” No. So because the mandatory vaccination policies and practices had been announced as a safety protocol to protect employees while at work, the senior officers within said individual federal entities immediately adopted all liability under part 2 of the *Canada Labour Code*. So they can’t defer that away. They’re going to use it, it’s theirs; it’s their device.

The employer cannot hand their legal liabilities over to an unaccountable third party in the PHAC. The employer is also required to render the equipment a hundred per cent safe to use, right? So if they’re going to call it PPE to protect you against SARS CoV-2 in the workplace—which is the hazard that they’re claiming that they are protecting against—better be a hundred per cent safe, because that’s written right in the law.

Employers can listen to suggestions that come from a third party or outside agency but they cannot defer their duties. I’ve mentioned this before. If the employer chooses to do this without maintaining their due diligence, then the employer could suffer the legal consequences of relying solely on one external source of information to approve their new piece of equipment or workplace process.

The definitions for employer and employee in the *Canada Labour Code*, as well as the Canada Revenue Agency, make it very clear that the employer is the one that employs one or more employees and provides you with your paycheck.

So somebody has to be liable. And if the employer is going to say, “Well, we’re deferring to the Public Health Agency of Canada,” I have no legal recourse against the Public Health Agency of Canada. You see? And that’s how I think a lot of this was kind of being done, is everybody was kind of pushing it to somebody else saying it was their responsibility. “They’re doing it, it’s their mandate.” Maybe folks just didn’t realize that when they were adopting it as a workplace policy, it was going to be their liability.

Section 125 in the CLC states that the employer must provide every person granted access to the workplace by the employer with the prescribed safety materials, equipment, and devices. So really simple: because they’re protecting against SARS-CoV-2 and the employer has written a policy to protect against that specific hazard, that instantly means that the devices that they’re using to protect you against becomes their device; it’s their liability.

This last point here is the most obvious one: As provincial workers compensation boards have already stated, employers that implement mandatory vaccination policies are subject to, and responsible for, managing their injury claims and responsible for covering the injury pay as a work-related illness or injury. The employer will also subsequently suffer the raised WCB premium costs should their injury and claim rate increase due to the employer’s vaccination policy.

So every province has recognized that— Vaccine injuries are WCB-related if the employer has put in a policy or a practice that said you had to do it as a condition of employment.

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If you got injured by that vaccine and you get that confirmed by your doctor, WCB has to cover it. There are criteria for them to follow but that’s showing that the employers are liable; otherwise, they wouldn’t be paying for the claim, right? So they’re the ones legally liable for it, it’s nobody else.

These are some of the bigger complications for the federal employers. Federal employers implemented their vaccination policy practice as a workplace safety activity. More specifically, assigning selected vaccines as a piece of personal protective equipment to protect against SARS-CoV-2.

We have to remember of course that the equipment they were assigning wasn't even protecting against the virus in question, which was the Delta variant, I believe, at the time. The mRNA was only coded for the Alpha strain. So then even providing that was already showing that it wasn't going to be effective. It wouldn't do anything, so what's the point of even giving it to people?

Because of this action, the following regulatory clause under section 12.04 of the Canadian Occupational Health and Safety Regulations—and this has to do with protection equipment and other preventative measures—must be applied directly to their policy thereafter. And this simply states: any protection equipment that is provided or used in the workplace must be designed to protect the person from the hazard in question and must not itself create a hazard.

Well, that's interesting. If anybody read the Pfizer's trial studies, which I did, five per cent of the adverse effects were COVID-19. Huh. I wonder how that clause gets met when the very device that they're saying protects you gives you the illness that they're protecting against? To me, I just couldn't wrap my head around this one particularly.

**Louis Browne**

Mr. Orydzuk, we've got about four minutes left. Why don't we just check in with the commission members just to see. Do the commissioners have any questions of this witness?

**Ryan Orydzuk**

Go ahead.

**Commissioner Massie**

Thank you very much for your very detailed and informative testimony. I have actually several questions.

First question is: In your experience as a health and safety officer, would you recommend to use any equipment or protocol for which the provider, the manufacturer, had complete immunity if the equipment doesn't work?

**Ryan Orydzuk**

The only equipment that I can think of— Sorry, can you re-ask that question? Just so that I can hear it again.

**Commissioner Massie.**

What I'm saying is, would you recommend to use protective equipment that you will get from a third party that is providing equipment if this third party has complete immunity if anything goes wrong with the equipment?

**Ryan Orydzuk**

It wouldn't be too relevant in that case because, again, the employer is required to make sure that the equipment itself is safe. I would say that I personally wouldn't be using anything if I knew that the manufacturer had immunity to it.

In this particular case obviously, I'm not 100 per cent sure but I keep hearing that the manufacturers—Pfizer, Moderna, all these—they're not given any liability. They're given guarantees that they can't be sued, right? For me, I would never, personally, do this. And when it comes to PPE, I mean comparatively speaking, when you look at let's say a biosafety security lab or the laboratory in Winnipeg there— It's a virology level-four security lab, I believe. Those folks, when it comes to a risk group level 3 human pathogen, which is what SARS-CoV-2 is considered, and that's relatable to anthrax, they wear the sealed, impermeable spacesuits with oxygen being fed in. They have the HEPA filtering particulates, masking, and everything that's included in it.

I mean, to me, if the employers are dealing with an invisible asymptomatic virus and they don't know when or where it's going to attack everybody and they're going to say it's a danger to everybody and that it's a concern that you need to take a vaccine, then why are your facilities open to begin with? Because you're just constantly exposing employees to something and providing them substandard personal protective equipment the entire time. You're placing them in danger every time they come to work. Especially if it's considered comparable to anthrax.

**Commissioner Massie**

My other question has to do with, when I read all of these details, a lot that I was vaguely aware of, I feel that it's been through a thought process to really cover every possible thing that you could face in a working environment.

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And if these rules are properly followed, I feel that we're doing the best we can to ensure safety. Why is it then that they have not been followed? And what's happening in terms of accountability for people that overlooked the application of these rules?

**Ryan Orydzuk**

Currently, nothing's happening to them. I'm hoping that maybe with a little bit of information like today, sharing with folks, they might start to pursue some avenues and look at what the employers have been doing internally with COVID.

Yeah, I don't know what more to say about it other than there hasn't been any accountability. I can't believe— Because all the testimonies have been about people that are just shocked. It's like the inverse, the upside-down they're dealing with in their industries, where everything has been turned over. And you're sitting there going, "I don't get it. We've been doing it this way forever and then all of a sudden with this, it's just everything is changed and thrown out the window."

And it was done so quickly and so callously. Either it was people were afraid or they knew that maybe after they had implemented— Like especially, with my employer, I was hoping to really shock them with some of the stuff I had told them. Maybe they realized that they were guilty and that's why they just kind of kept pushing forward. And they just figured, "Well, if I'm in, I'm in, I can't stop." I don't know. Maybe they figured that they were caught.

But nobody's been held accountable in any way to date. I'm hoping that people start to dig into the safety aspects of their employers. Because I know that my employer didn't do anything with this. And further to that again, when I gave them that letter of informed consent, there should have been a discussion. Just give me an hour to talk to you about it, right? They gave me five minutes and said, "No, we're just moving you along the process, no danger." And I'm sitting there going, "Wow. I've been working for you this long as a safety professional and you're just ignoring everything I'm saying." It didn't make any sense.

**Commissioner Massie**

There must be other people in your role within the federal government. Are you aware of other health and safety experts that would share a somewhat different view of what you're presenting here? And would sit down with you and say, "I don't agree with you for such and such a reason and I'm willing to explain to you that you're missing important points?"

**Ryan Orydzuk**

Yeah. I would say that I was the only employee, I was told, that put in a work refusal at Canada Post out of 65,000 employees. But I forced it through.

When it comes to the safety colleagues and everybody else, I'll be honest: the people I was bringing this up to were all safety brothers and sisters at Canada Post, right? I was trying to get them on board with me and kind of explain, like, "Guys, we got to stop them because what they're doing is kind of crazy and dangerous and, you know, people could really be affected and people could go to jail."

A lot of folks didn't want to engage me in the conversation to begin with. But the ones that did and that were, I guess you can say, a little bit more amenable to what I was sharing, they absolutely were like, "Yeah, no, you make some good points." But when it came to the discussions and everything, everybody was dead silent. You know what I mean? Like, I was the only one bringing this stuff up. And every time I did, I'd get threats: "Oh, you're going to lose your job, I can't have you do this again, you're going to get disciplined," et cetera, et cetera. I'm just like, "Well, yeah, go ahead, you know? I don't want people to die, so go ahead and fire me," kind of thing.

But in the end, I think that a lot of safety professionals— There were some that would agree with me, others wouldn't even engage me in the conversation. I could say flat out that I think anyone that's a Canadian Registered Safety Professional in Canada—any safety officer—there's no way they could argue anything I'm bringing here. Nothing. They can't. They know it's right.

**Commissioner Massie**

Maybe one last question. You mentioned that, for the genetic test, the PCR tests, there is a clear regulation that it cannot be imposed.

**Ryan Orydzuk**

Correct.



**Commissioner Massie**

What about a rapid antigenic test? Is that also covered under the same rule or is it somewhat different?

**Ryan Orydzuk**

I would have to look more into the rapid antigenic one myself to see if it's analyzing for RNA or DNA. I don't know specifically, a hundred per cent. I do know that some of the PCR testing, I've looked into that, is sampling for RNA. I would say that is definitely a violation of the *Non-Genetic Discrimination Act*, yeah.

**Commissioner Massie**

Thank you.

**Commissioner DiGregorio**

Thank you so much for your testimony today. You've spoken about quite a few statutes and regulations—the Criminal Code, the Labour Code, OHS regulations, and the *Genetic Non-Discrimination Act*. I'm just wondering if any of those statutes or regulations, as far as you're aware, contain provisions that are specifically addressing vaccines and vaccination requirements with employees?

**Ryan Orydzuk**

No, there wouldn't be.

[01:05:00]

Because, again, employers never really implemented that. It would have been something, I think, that the medical industry would have dealt with at the time. But employers typically never asked employees to take this kind of product before or implement it. It was the first time they ever did it. So I would say no.

When it came to the vaccine ingredients, though—and this is an important fact—it does fall in relation to the *Hazardous Products Act*. Because SM-102, ALC-0159, ALC-0315—all the proprietary lipid layers there in all the different vaccines—those are all registered as dangerous goods. Literally. They have the signal word “danger” on the SDS sheets. They carry safety data sheets, meaning they're a dangerous chemical. The employer never gave this stuff to the employees. They never even knew about it when I brought up, you know, “Are these concerns with them?” As far as I know, they never informed any employee to date that these were the ingredients that they were being injected with, right?

So the employer would have had to disclose that as one of the pieces of this. But there were no regulations prior to that that, I think, would have really affected vaccines specifically. Because nobody did it.

**Commissioner DiGregorio**

Right. And so then I think I heard you say that what employers were really dealing with were trying to use rules that are not designed for vaccine mandates to figure out whether or not they could impose them. And that maybe they were relying on these— Well, I don't know if they were relying on them but there are rules that say that they have to take

reasonable steps to protect the health and safety of employees. Which is presumably what employers relied on to impose the mandate.

**Ryan Orydzuk**

Exactly.

**Commissioner DiGregorio**

But it's not really fit for service in terms of this particular category of potential harm in a workplace. Do you think, then, that we need specific regulations to address this type of scenario going forward?

**Ryan Orydzuk**

The truth is, all the regulations were there. The employer just blatantly—They decided to break every single bloody law there was. That's all I can say. Like, they're all there. This should have never gone forward. The second the employer looked at section 2 of the Labour Code, if they did any due diligence into the vaccines, how they worked, the technology, the ingredients— No. It would have stopped it immediately. Immediately.

**Commissioner DiGregorio**

And I think I also heard you in your presentation talk about an employee's right to refuse to work in a situation where they feel that they may be put in danger. Isn't the point of that kind of rule to ensure that you're not going to lose your job if you're put into a situation where you feel you're being faced with a danger?

**Ryan Orydzuk**

Absolutely. It's actually part of the process that there is no reprisal in any way from the corporation before, after, during—any of it. So you're paid during the whole process and the employees are entirely entitled to that.

It's my perception that they avoided that because there were so many employees that didn't want to take the vaccine. And not only that, it was just easier for them to mark them non-compliant rather than have all these employees—maybe thousands of them—bring forward medical studies and concerns in an official work-refusal capacity that would have to shut the process down. And then not only that, if people already went out and took the vaccine as part of the employer's practice then they would have been held liable. So I think that's why the employers just decided to say "you're non-compliant" this time instead of saying, "Well, this is technically a work refusal." Because under section 128 of the Code, they need to ask that question: "Are you refusing under the Canada Labour Code or the collective agreement that you're under?" And that wasn't even asked at all. It was just, you're non-compliant, suspended.

**Commissioner DiGregorio**

Thank you. One last question, and maybe I just missed this part of your testimony, but you mentioned that you're no longer employed at Canada Post. How did your employment end with Canada Post?

**Ryan Orydzuk**

They suspended the vaccine mandates there in 2022, I believe, in June. That in itself should show that this was never about safety. Because it basically shows that the vaccines didn't provide any safety if they're going to suspend the mandates after they told everybody to take it.

Sorry, I lost my train of thought. Can you ask that again?

**Commissioner DiGregorio**

The question was just: How did your employment end?

**Ryan Orydzuk**

Oh, yeah. Sorry. No, I originally was suspended. And then after the suspension ended, they invited, I think, some folks back into the workplace. For me I knew that legally, that wasn't a very good decision for me.

Not only that, given what I had gone through with the employer and what I had felt was just the most deceit and the most immoral conduct I've ever seen in my life, I would never go back and work for them. Ever, in my life.

**Commissioner DiGregorio**

Thank you.

**Louis Browne**

Thank you, Commissioners.

Mr. Orydzuk, just two final questions here. I just want to establish jurisdiction. Throughout all of this time that you were involved in doing all of this, where did this occur?

[01:10:00]

Where were you? City and province, please.

**Ryan Orydzuk**

I was living out of Spruce Grove at the time. And yeah, I mean, the work refusal itself took place in Edmonton, at the mail processing plant.

The first part of the work refusal was by Zoom call. And then I think I had a phone call with the NJOSH [National Joint Health & Safety] Co-chairs. But, yeah, everything took place out of Edmonton and I was residing in Spruce Grove at the time.

**Louis Browne**

And both of those are in the province of Alberta in the country of Canada. Is that correct?

**Ryan Orydzuk**

Correct.

**Louis Browne**

Okay, final question. Just in summary, sir, in, you know, 60 seconds-ish, what is it that you want this Inquiry and Canadians at large to take away from your evidence today?

**Ryan Orydzuk**

For me, I'll be honest— And there's so much more.

If folks are interested, they can always reach out to my community, because we're working with a group called Posties for Freedom. There's so much more information that people need to hear when it comes to this safety aspect. Because this is only 20 out of 80 slides I have, that you saw today. There's so much that I could talk about with you and I just hope that folks decide to look into what their employers were doing when it came to safety: Look into their national safety minutes. Ask their unions why none of this was addressed, why work-refusals were never afforded to them, why they were marked as non-compliant.

I just want people to start to understand what their legal recourse is and what they could actually do—and still do—in terms of following up with their employer. Because this isn't secret information. It's all written into our legislation. It's been around forever. You might want to question your employer as to what's going on.

Because I think it's the best way to kind of get some accountability going in Canada for what's taking place. Because this is just terrible.

**Louis Browne**

Mr. Orydzuk, thank you for your evidence today.

**Ryan Orydzuk**

Thank you.

[01:12:01]

***Final Review and Approval:*** Jodi Bruhn, August 21, 2023.

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