

From: Amanda Rodriguez <[REDACTED]>

Sent: September 28, 2021 12:50 PM

To: Wesley Whiteside <[REDACTED]>

Subject: Re[2]: Knowles Centre Responses grievances and letter

They did not ask me for any additional proof in December of 2020 as it was not reported to them but only to my supervisor - did you even read what i wrote because it seems like you are only going off of what the employer is alleging which i have explicitly expressed as untruthful.

They began the process for proof after i was sent home, and if you dont remember i told you they had asked to have a meeting that was promised as Non-disciplinary regarding ppe. Instead i was punished and no meeting has ever taken place.

I understand when you filed the grievance at step 3 that there is supposed to be a meeting, so as that has not occurred the grievance cannot be settled.

--

Sent from Outlook Email App for Android

Tuesday, 28 September 2021, 00:27p.m. -05:00 from Wesley Whiteside

[REDACTED]:

Hi Amanda,

Please give me a call when able to discuss further.

With respect to an accommodation, the Employer stated in the September 1, 2021 letter that they previously advised you back in December 2020 when you claimed that you were exempt from wearing a mask and provide the Employer a card stating same, that "medical verification from your doctor" was required in order to consider and "exemption" (i.e. accommodation), and that "you do not have any legitimate claim for a medical exemption of any sort" as you have not provided such medical documentation to substantiate medical restrictions/ limitations.

Based on the above, it's my understanding that the Employer is stating there was no medical accommodation / exemption agreed to or provided. If you have documentation / proof to refute this assertion, please forward it to me.

Sincerely,

Wes

Sent from my iPhone

[Amanda Rodriguez](#)

On Sep 28, 2021, at 11:46 AM, [REDACTED] wrote:

I sent it to her well see what she says. But i do have a question, i have never had a meeting with anyone about any discipline. How can it stand when they are not following protocol ? Additionally how can i be punished for an accommodation that was agreed to by my supervisor and then not been explored by the employer? I did send all my documents to them weeks ago

--

Sent from Outlook Email App for Android
Tuesday, 28 September 2021, 11:37a.m. -05:00 from Wesley Whiteside

[REDACTED]:

Hi Amanda,

With respect to the respectful workplace complaint, that is submitted directly to the Employer in accordance with their respectful workplace policy and complaint form. Sandie asked for you to submit the form within seven days, in which you can request an extension of that deadline.

Sincerely,

Wes

Sent from my iPhone

[Amanda Rodriguez](#)

On Sep 28, 2021, at 11:33 AM, [REDACTED] wrote:

They told me to only respond to you and sandy never answers me

--

Sent from Outlook Email App for Android
Tuesday, 28 September 2021, 11:17a.m. -05:00 from Wesley Whiteside

[REDACTED]:

Hi Amanda,

I hope you feel better soon.

Respectful Workplace Complaint:

With respect to the respectful workplace complaint, please respond to Sandie Wagner's email directly to request the extension in question.

Grievances:

With respect to the allegations, given that you admitted to not wearing a mask (including on multiple occasions as outlined in your September 8, 2021 email to Lesley Gosselin and myself) and wherein the Employer advises that it communicated PPE requirements to all staff, the Employer will, on a balance of probabilities, be able to establish it had just cause to issue disciplinary action. Given that a written warning is the lowest form of discipline, we would not be able to have it reduced any further. Your account of events re: your supervisor Darrel being aware of and/or permitting you to not follow PPE requirements has not been corroborated. If other staff were also not following PPE requirements, they too could be subject to disciplinary action and any alleged violations on their part does not mitigate your violation(s) in question. With respect to the subsequent disciplinary action (7 day suspension) for a subsequent PPE violation within days of receiving the written warning, you admitted in your September 8th email that you took off your PPE to share meals with the children and acknowledged that it was against policies. Given that wearing PPE is a health and safety matter wherein such matters are taken seriously by the Employer let alone a Public Health requirement, such violations often attract more severe disciplinary action than other types of workplace infractions. Furthermore, the Employer notes in its decision letters that you displayed a "complete lack of remorse". Under these circumstances, it's my assessment that it is unlikely that an arbitrator would modify the discipline imposed. Notwithstanding, I would like to approach the Employer with a proposed settlement of reducing your suspension from 7 days to 5 days as a resolution to both grievances.

Accommodation and Medical Information:

Furthermore, any accommodation on medical grounds has not yet been substantiate, nor would it permit you to continue to work within the group care setting without PPE. Instead, any medical restrictions / limitations would engage the Employer's duty to provide a reasonable accommodation to the point of undue hardship, wherein it is unlikely the Employer would be able to accommodate you either in your current position role or elsewhere in the organization. If you have a medical condition that prevents you from wearing PPE, please ensure that you discuss it with your physician and provide the Employer medical documentations from a medical practitioner to substantiate same (please refer to my September 10, 2021 email re: workplace accommodation and

medical information).

I look forward to your response and discussing the above matters once you're able to do so.

Sincerely,

Wesley Whiteside
Staff Representative

Manitoba Government and General Employees' Unio

601 - 275 Broadway Winnipeg MB R3C 4M6
t 204.982.6438 | tf 1.866.982.6438 | f 204.942.2146

[REDACTED] | www.mgeu.ca

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From: [REDACTED]
[mailto: [REDACTED] **]**
Sent: September 28, 2021 8:51 AM
To: Wesley Whiteside
Subject: Re: RE: RE: Knowles Centre Responses grievances and letter

I am quite sick actually, i will definitely not be in shape to talk on the phone. Can you please ask for an extension of the 7 day time frame to review the policy and fill out forms/make a complaint.

That is all i will focus on for now as I do not have the energy or capacity to do anything else at the moment.

Thanks again,

Amanda Rodriguez

Sent from Outlook Email App for Android

Monday, 27 September 2021, 04:16p.m. -05:00 from Wesley Whiteside

[REDACTED]:

Hi Amanda,


My apologies as you did state that in a previous email to the Employer. How about we touch base tomorrow assuming you're able to speak at that time. Please send me a email tomorrow morning advising of your status. Thank you.

Sincerely,

Wesley Whiteside
Staff Representative



Manitoba Government and General Employees' Union

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t 204.982.6438 | tf 1.866.982.6438 | f 204.942.2146

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From: 
[mailto: **]**
Sent: September 27, 2021 4:14 PM
To: Wesley Whiteside
Subject: Re: RE: Knowles Centre Responses grievances and letter

I lost my voice for the most part but i can listen

--

Sent from Outlook Email App for Android
Monday, 27 September 2021, 04:00p.m. -05:00 from Wesley Whiteside



Hi Amanda,

Please give me a call to discuss the Employer's response to the grievances. I can be reached through the MGEU Resource Centre at

[REDACTED]

Sincerely,

Wesley Whiteside
Staff Representative

Manitoba Government and General Employees' Union

601 - 275 Broadway Winnipeg MB R3C 4M6
t 204.982.6438 | tf 1.866.982.6438 | f 204.942.2146

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From: [REDACTED]
[mailto: [REDACTED] **]**
Sent: September 27, 2021 2:53 PM
To: Kirbster
Cc: Wesley Whiteside
Subject: Fwd: Knowles Centre Responses grievances and letter

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Sent from Outlook Email App for Android

----- Forwarded Message -----

From: Sandie k. Wagner [REDACTED]
To: Wesley Whiteside ([REDACTED]) [REDACTED],
[REDACTED]
Cc: Grant Obirek [REDACTED], Michael Burdz
[REDACTED], Lesley Gosselin [REDACTED]
Date: Monday, 27 September 2021, 02:39p.m. -05:00
Subject: Knowles Centre Responses grievances and letter



Good afternoon,
Please find attached grievance responses as well follow up letter

**regarding an email sent by Amanda on September 8, 2021.
A copy of each will be mailed out.**

Have a great day!

**Sandie Wagner
Human Resources Coordinator**

**Knowles Centre Inc.
2065 Henderson Hwy
Winnipeg, MB R2G 1P7**

Phone: [REDACTED]

Fax: (204)334-4173

Email: [REDACTED]