

Private and Confidential

By delivery and email

September 1, 2021

Amanda Rodriguez
[REDACTED]

Dear Ms. Rodriguez;

Re: Unsafe work practices and insubordination

Please consider this as a letter of discipline which will be placed on your personnel file.

As you are well aware, for many months now employees have been required by Public Health to wear proper PPE while at work, and this includes a mask. Back in December 2020 you told us you were somehow exempt from that requirement, and provided a generic card which you said you had obtained off the internet, claiming that due to medical reasons you were exempted from wearing a mask.

We advised you at the time that this was not suitable proof supporting any genuine medical exemption and that if you wished us to consider an exemption we would require proper medical verification from your doctor. You have not provided anything and we have proceeded on the basis that indeed you do not have any legitimate claim for a medical exemption of any sort.

For a period of time after that, we understand that you did comply with the requirement to wear all PPE including specifically a mask. However, on June 5, 2021 you are observed at work not wearing a mask. Sometime after that you went on a medical leave and returned to work in August. We met with you after your return at first informally and then on August 18, 2021 (with union representation present) and provided you with a written warning for your misconduct.

The written warning confirmed how staff must continue to wear masks at all times while in homes and eye protection continuously throughout the shift.

The written warning specifically stated to you that if you disregarded the direction you had been clearly given and should an incident like this occur again, it would lead to further disciplinary action such as suspension and/or termination.

We stated that we trusted this would be the last time we would need to visit this issue with you and how we expected you to follow our established policies, practices and procedures.

Your response was disappointing and inappropriate. You refused to sign the written warning acknowledging receipt. You disputed the allegations. You asserted (falsely) you had never worn a mask since providing the general medical card back in December 2020. In fact, over the last several months we have reinforced with you on many occasions the requirement to wear proper PPE at all times (including a mask) and to our knowledge you have in fact been doing this as directed.

You suggested you had a medical condition and claimed you would be obtaining a notarized letter from your lawyer verifying such a medical condition that exempted you from wearing a mask. As you know, we have received nothing from you, a lawyer or anyone suggesting or verifying you have any sort of medical condition which might even possibly trigger a duty to accommodate and potentially exempt you. We repeat our earlier comments that we would require something from your doctor even to start to consider this request. For clarity, your own assertions or those of a lawyer would not be acceptable proof.

The written warning stands on your file as discipline for serious misconduct.

Most recently on August 27, 2021 you disclosed that while at work on August 24, 2021 you had been in the presence of a client (having dinner) who had since tested positive for COVID and were not wearing a mask at the time. This reflects poorly on you and Knowles Centre.

This was a direct violation of Public Health requirements that PPE and specifically a mask be worn at work and not to join clients during meals.

The Public Health nurse that is assigned to Child Family Services sector directed you to isolate as would be required and understand your isolation period would expire as of September 7, 2021, with you potentially being able to return to work after that. We confirm that this time off is as a direct result of your own choices and actions. Had you been following public health guidelines and wearing the proper PPE as mandated you would not now be required to isolate, and so as a result of your own misconduct you are not able lawfully to work at this time. As a result, this will be considered non-disciplinary unpaid time off, with the exception of the pick-up shifts on August 27, 2021 from 7:30 am – 5:30 pm, and 11:30 pm – 7:30 am; August 28, 2021 from 2 pm – 12:00 am, and August 29, 2021 2 pm – 12 am. As a show of good faith and to honor the answer you were provided on August 27, 2021.

When your isolation period ends and you potentially could return to work, you will be subject to a seven day disciplinary suspension without pay. Your first shift will therefore be September 13, 2021 or whichever day thereafter you are scheduled.

This is at least the second time you've breached your requirements to wear all PPE including a mask. This is particularly aggravated in that you received a written warning on

August 18, 2021, approximately a week before the issues here, and so this should very much have been top of mind. Despite absolutely clear direction and with no excuse at all, you breached your obligations, were insubordinate and again followed unsafe work practices.

This was unacceptable and you should appreciate the next time this occurs, you will be terminated from your employment for cause, with no further notice or compensation.

Should you have any questions at all as to what is required of you moving forward, please be in contact and let us know specifically in writing.

Further, if indeed you wish us to consider the possibility of some medical condition impacting your employment and potentially requiring some accommodation, please provide detailed medical proof of that as soon as possible and we will in good faith consider that.

Thank you.

Yours truly,


Sandie Wagner

Human Resources Coordinator

cc: personnel file