



NATIONAL CITIZENS INQUIRY

Winnipeg, MB

Day 3

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EVIDENCE

Witness 9: Jessica Kraft

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[00:00:00]

Kassy Baker

Good afternoon, Ms. Kraft. Can you please state and spell your full name for the record?

Jessica Kraft

I can. Good afternoon. My name is Jessica Kraft. J-E-S-S-I-C-A, last name K-R-A-F-T.

Kassy Baker

Do you swear to tell the truth, the whole truth, and nothing but the truth?

Jessica Kraft

I do.

Kassy Baker

Ms. Kraft, I understand that you're here today because you were terminated as a result of your employer's vaccine mandate.

Jessica Kraft

That's correct.

Kassy Baker

Very shortly I'll ask you to explain the circumstances leading up to your termination. But first, can you please just describe a little bit about yourself, your age, your education, and your position with your employer at the start of the pandemic.

Jessica Kraft

I'm 31, I'm a mom of two. I started at Canadian Blood Services in 2013. I was trained on the job. It was a mix of classroom training and on-the-job training for about six weeks. I really enjoyed the job as well.

Kassy Baker

Can you tell us what your position with the Canadian Blood Services was?

Jessica Kraft

Yes, I was a donor care associate. I was the person to insert the needle into your arm if you needed to donate. I also did some screening procedures as well.

Kassy Baker

When did you say you were hired for this position?

Jessica Kraft

October 13, 2013.

Kassy Baker

And I understand that before the pandemic actually started, you went on maternity leave, is that correct?

Jessica Kraft

Yes, I had my second daughter December 2019, and right after that is when things in the world started to change.

Kassy Baker

All right, so how long was your maternity leave?

Jessica Kraft

I was on leave until March of 2021.

Kassy Baker

So you did return to work in March of 2021, is that right?

Jessica Kraft

Yes, I did.

Kassy Baker

At that point, what safety protocols were then in place to help you continue to do your job?

Jessica Kraft

Well, at the point of my return, we were mask mandated; all of the staff and donors were expected to wear masks within the facility to donate blood. There was also social distancing protocols, certain wellness checkpoints. Donors had to be sure they were in good health before coming in to donate.

Kassy Baker

What other changes did you observe from your work, starting from before the pandemic to your return in the spring of 2021?

Jessica Kraft

Well, when I first started at Canadian Blood Services, it was a really fun place to work. I felt really supported. We had a really good team.

I guess the biggest changes that I saw prior to me coming back—and I wasn't there, but I had heard from other people—is the changing in management. Also, the change in labelling Canadian Blood Services as a biologics manufacturing company rather than a not-for-profit organization.

Kassy Baker

Okay, and what about the donors? Did you notice any differences in the types of people who were donating blood or the frequency? Or what can you speak to there?

Jessica Kraft

Well, I would say that there was a push for first time donors. But the donating community is pretty reliable, happy. But some of the changes within the clinic for the donors, specifically, was that they weren't allowed to bring in family members or friends or their children. They weren't allowed to eat or drink after their donation, which is pretty crucial to recovering properly. So they wouldn't be allowed to sit with anyone. It was kind of a very rigid and sterile environment.

Kassy Baker

Did you observe any adverse effects from not being able to give them some juice or some cookies, which I understand is typical after donating blood?

Jessica Kraft

Definitely, yes. There was an increase in donor reactions.

Kassy Baker

And what does that mean?

Jessica Kraft

Well, if somebody doesn't eat or drink before donating blood, sometimes they can feel faint or pass out.

Kassy Baker

In terms of inserting the IVs, did you have any difficulties? Were there increased safety precautions taken regarding the handling of blood? What can you tell us about that?

Jessica Kraft

There really wasn't anything different about my specific job and the way we collected blood.

[00:05:00]

Kassy Baker

I understand that sometime in 2021, your employer announced that a vaccine mandate would be implemented within the organization. When was that?

Jessica Kraft

The official notice came September 1st of 2021, although throughout the summer there was definitely a lot of talk about it. When I had returned from maternity leave it didn't take long for me to be asked, even in front of colleagues, in front of donors, "So when are you getting your shot?"

Kassy Baker

And what specifically were the requirements of the mandate? What did your employer's mandate require you to do to comply with the mandate?

Jessica Kraft

So I was required to first attest my vaccine status, my personal health information. After that, we were supposed to be a fully vaccinated workforce by the late fall. They never gave us specific dates at that time. It was kind of like, "We want you to attest your status and we'll go from there."

Kassy Baker

Did the mandate allow for any exemptions or exceptions to being fully vaccinated?

Jessica Kraft

It did. There was an option for a medical or religious exemption. When I had spoken to my doctor in regard to that, my doctor really didn't want to go through with that. She said that even if she were to assign an exemption for me, it would have to be cleared by other doctors in order for it to be deemed eligible.

Kassy Baker

So was your understanding that if you applied or asked for an exemption it would not be granted?

Jessica Kraft

Correct.

Kassy Baker

What was your response to the announcement of this policy?

Jessica Kraft

I knew it was coming, but it really devastated me because firstly, I enjoyed what I did there, politics aside of course. I was pretty devastated to know that I would ultimately be faced with this hard decision.

Kassy Baker

So specifically, what part of the mandate did you object to?

Jessica Kraft

Well, I guess I objected to all of it, all of it.

Kassy Baker

Did you object to the information requirements? Did you object to being vaccinated? What were your objections?

Jessica Kraft

Basically, my standpoint was that according to *The Personal Health Information Act*, I wasn't required to attest my personal health information to my employer. After they had asked me to, and deemed me not vaccinated because I didn't attest, they then wanted me to rapid test for the last few weeks of my employment, which I also declined.

Kassy Baker

And why did you decline to participate in the rapid testing?

Jessica Kraft

Well, I didn't think it was a good precedent to set against somebody— It wasn't private; none of it was private. They wanted me to speak to somebody I'd never spoken to at work to get rapid test kits from. It just all didn't seem very private at all.

Kassy Baker

Now obviously you're in a position where you're collecting and handling blood and interacting with donors. At any point in your previous employment with the employer had you been required to obtain a specific vaccine?

Jessica Kraft

No, we were never mandated to get any other vaccines before. They had wanted us to get Hep A, Hep B vaccines. It was never enforced, never had to prove it.

Kassy Baker

So there was no requirement to be vaccinated for hepatitis at all; it was merely encouraged, is that right?

Jessica Kraft

Right.

Kassy Baker

Okay. Have you generally received other vaccines? I understand that your employer wasn't requiring you to get them, but have you generally obtained vaccines?

Jessica Kraft

I would say up until COVID, I didn't really have vaccines on my radar at all. I wasn't opposed to them. I didn't really think about it too much.

Kassy Baker

Did you receive all of your childhood vaccines?

Jessica Kraft

I believe I did, yes.

Kassy Baker

Okay, you're up to date as far as you know on your other vaccines as an adult.

Jessica Kraft

As far as I know.

Kassy Baker

You've mentioned that you're a mother. Have you chosen to vaccinate your children at that point?

Jessica Kraft

At that point, yes.

[00:10:00]

Kassy Baker

So you've mentioned that you did initially try to speak with your doctor about the possibility of obtaining an exemption. Can you go into a little bit more detail about the conversation that you had with your doctor and your understanding as to whether or not you actually would be eligible to even ask for an exemption?

Jessica Kraft

Yes. Well, I had gone in to see her for just a normal checkup. I had mentioned to her that these mandates were coming forward for health care workers. And she really, I don't know, it seemed to be dodgy, the entire thing.

She just kind of dodged my questions and concerns, really rushed me along. I told her that I had an opportunity to get a medical exemption and if I could have one for my specific condition— She checked my heart and told me that I didn't have the condition I had been diagnosed with my whole life. So I thought it was kind of really strange that she would say that.

Kassy Baker

Sorry, just to clarify, you did have a pre-existing condition, is that right?

Jessica Kraft

Yes, I have a functional heart murmur.

Kassy Baker

Okay, and you spoke about this murmur with your doctor, and she was still unwilling to consider writing you a letter of exemption, is that right?

Jessica Kraft

That's correct. She made it seem like, even if she did, that there would be plenty of other doctors after her to sign off on this exemption, that it wouldn't be deemed—

Kassy Baker

That it wouldn't be accepted by your employer, correct?

Jessica Kraft

Correct.

Kassy Baker

Did you express or discuss your concerns about the mandates with your employers or any direct supervisors?

Jessica Kraft

Yes, I did. I tried my best to submit any questions I had to my immediate supervisor, my management, doctors within the organization I worked for. I tried everyone I could.

Kassy Baker

And what was your employer's response?

Jessica Kraft

Basically silence, to be honest with you. I got a lot of blanket statements, seemed like the emails were just copy and pasted, you know, it wasn't really heartfelt. There was no personality in their responses at all or any concrete information to solidify that what they were doing was right.

Kassy Baker

Now, I think you've mentioned that when you returned to work, your co-workers asked in front of donors or other staff members whether or not you intended to be vaccinated. Did you indicate at that point that you did not?

Jessica Kraft

No, I kind of changed the subject. It was a really awkward moment for me because in my private life, I perhaps was outspoken about this vaccine shot. But at work, I tried to keep it as professional as possible. It really caught me off guard that I was asked this in front of colleagues and donors.

Kassy Baker

Did this issue affect your relationship with your co-workers and your employers?

Jessica Kraft

I believe it did.

Kassy Baker

In what ways?

Jessica Kraft

I just didn't know who I could trust completely.

Kassy Baker

Now I understand at some point you received a notice of termination. Can you describe the circumstances that led up to receiving that notice?

Jessica Kraft

Yes. October 15th, two days after— Or sorry, I should back up a little bit. It was Thanksgiving weekend, and I got a phone call from my manager, and she told me that I wouldn't be allowed to come into work on the following Monday.

The following Monday was Thanksgiving Monday. She told me that because I did not attest my status and I did not comply with the rapid testing that I would not be welcome on the premises after October 11th.

That phone call was really hard to get. I asked for that confirmation in an email. She declined that offer. She did not want to send it to me in writing. I cleared it with my union, and they told me to not go into work. I was on unpaid leave of absence where they had told

me they would send me an education package of some kind to better inform me on these decisions of the policy and whatnot. I never received that.

Then, I think it was a couple days before my termination, I submitted a notice of liability form to my employer and went to work to go and get my belongings from my locker.

[00:15:00]

And everyone was so shocked that I was there; it was kind of alarming. It was like, “Whoa, it’s okay, I’m just here to get my stuff.” In a way, it was kind of like I was being pushed out and not welcome. It wasn’t feeling very welcome.

Kassy Baker

And you’ve mentioned that you raised this issue with your union. Were you able to lodge a complaint through your union regarding this matter?

Jessica Kraft

Yes, after I was terminated, I requested to file a grievance. I was an arbitration case, hopefully. Actually, as of yesterday—

Kassy Baker

Okay, the matter was supposed to go to arbitration as far as you were aware?

Jessica Kraft

Correct, yes.

Kassy Baker

And what is the current status of your complaint?

Jessica Kraft

Yesterday, I was told that I will not be going to arbitration. I will receive no severance pay. I wasn’t eligible to collect EI and I won’t be reinstated either. I won’t get my job back, and the mandates are still in effect.

Kassy Baker

Have you looked for other employment since your termination?

Jessica Kraft

No. On and off I have, nothing serious. I found this silver lining out of all of it, to be able to be home with my two children. I’m very grateful for that.

Kassy Baker

Subject to any question that the commissioners have, that concludes my questions.

Commissioner Kaikkonen

Thank you for your testimony. A couple of questions. So in terms of being a phlebotomist, did Canadian Blood Services train you in that position?

Jessica Kraft

Yes, they did.

Commissioner Kaikkonen

And did you sign your paperwork when you came in that you would agree to Code of Conduct, et cetera, that most employees would sign at Canadian Blood Services?

Jessica Kraft

Yes.

Commissioner Kaikkonen

And did they change that when you went back from maternity leave? Did they actually change the terms of your employment?

Jessica Kraft

No.

Commissioner Kaikkonen

Did the union address that?

Jessica Kraft

No.

Commissioner Kaikkonen

And do you know if the mandates coming down were from the Province to Canadian Blood Services regionally, like in Winnipeg? Or did they come from head office in Ottawa?

Jessica Kraft

It was head office in Ottawa.

Commissioner Kaikkonen

And did head office, the human resources person there, did they clarify any of this in writing—the changes that they were making to your employment contract that, I guess, wasn't in there in the first place?

Jessica Kraft

No.

Commissioner Kaikkonen

And in terms of, you said that it had become a manufacturing plant—as opposed to a non-profit, that balance that we have at Canadian Blood Services—so is it still monitored by FDA and Health Canada? Or is it just strictly as a blood manufacturing facility monitored by Health Canada only?

Jessica Kraft

To my knowledge, it is only Health Canada.

Commissioner Kaikkonen

Okay. And you mentioned about the sterilization, the idea that everything had become sterile as an environment and donors were no longer allowed to have their cookies and their drinks. I'm just wondering, is it a bigger picture? Were you feeling that before you went in, from the community level just what was happening in mandates and Winnipeg? As opposed to, just when you walked into work, the former fun place, that it had just become so sterile that it just didn't seem appealing anymore?

Jessica Kraft

I think the changes began in the community well before I went back to work. I think I was aware of these changes coming down and happening within the clinic for quite some time. Nonetheless, it was still pretty unfortunate to see the donating community dwindle and also, to be not as satisfied with their donation experience, not as comfortable.

Commissioner Kaikkonen

And when donors had to sit alone and they didn't have anybody— Like they should have volunteers, somebody who would be watching them for that 15-minute period to make sure there's no incidents. Were there incident reports filed on donors when they had reactions where they fainted? Or any of those things that happen sometimes?

Jessica Kraft

Typically, if it was a severe reaction, it would have to be documented, yes.

Commissioner Kaikkonen

Thank you.

Jessica Kraft

You're welcome.

I would just like to say one more thing before we wrap up. I would like to say that throughout all of this, like I had mentioned before, the benefits of all of this is that I was able to stay home with my children. But I know that many Canadians can't say the same. I know that a lot of Canadians were met with the decision of making this choice or losing their job, their livelihood, their homes. So I'm here for that reason today.

Kassy Baker

Well, on behalf of the National Citizens Inquiry, we would like to thank you for being here today.

Jessica Kraft

Thank you so much.

[00:20:35]

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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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