



**your
voice at work**

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United Food and Commercial Workers Canada Union. Local No. 401

April 13, 2020

VIA EMAIL: cclark@sofinafoods.com

Christina Clark
HR Director: Western Canada Operations

Sofina Foods Ltd.
Calgary Office
2126 Hurst Road SE
Calgary, Alberta
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Dear Ms. Clark:

RE: Temperature Checks

We write to you today to seek clarity and raise our serious concerns about temperature checks of our members being implemented by your company.

Thank you for your recent communication regarding this matter. It has been helpful in establishing a clearer picture of how you intend to roll out this program. While this letter focuses on temperature checks, we urge you to continue to adopt our continuing requests, and suggestions, as our collective obligation to keep our members and your employees safe never ends.

Further to this we do have some follow up questions and requests, which we hope you will give your most serious consideration, please review and get back to us with due haste.

Principles Regarding Temperature Checks

We hope you can appreciate that we are concerned about privacy and the rights of your employees and our members, as they pertain to the implementation of temperature checks in your workplace. While we know that a fever is one of the symptoms of COVID-19, we also recognize that it can be a symptom of numerous other personal or health concerns, unrelated to COVID-19. We worry about this, and the possibility of discrimination based on unproven medical conditions. We therefore strongly suggest that it would be appropriate for the Employer to compensate any affected members for all hours and benefits missed as a result of being sent home due to a high temperature check.

We all must balance privacy concerns in conjunction with the need to make sure our members are safe. While we acknowledge that taking one's temperature may not in itself be a privacy violation, we do however believe there is the possibility of violations arising from the process itself.

We ask you to respond to the following questions:

1. Currently, is an employee's temperature the only determining factor of suitability to work?
2. You also indicated that you will be tracking temperatures and that OH&S and HR will be keeping this information. From this, several questions arise; will members be used in this process, and how will the temperatures be tracked – ie: will only temperatures of 38 degrees or over be tracked, and will this information be stored beyond the day in question, and if so, to what purpose?
3. You indicate that you will be using an infrared testing device; does it require any calibration, and will it be subject to variations in temperatures as your communication indicated that the testing will be performed outside of the plant?
4. How does this device function in the cold and compensate for subzero temperatures where the surface of the skin may provide a reading that does not reflect the actual body temperature?

Social Distancing

Maintaining social distancing when taking temperatures is a serious concern for us. We would like to know step by step how the employer intends to implement the testing process, in order to ensure that the company is not unintentionally undermining social distancing and creating a vector for the transmission of Covid-19 through these tests.

Given the uncertainty of this situation in its entirety, we are extremely concerned about how these tests may affect our members physical, mental and financial wellbeing. As such we ask the following of the employer:

1. We ask that you agree that any employee sent home due to these temperature checks will be fully compensated for all time missed and we will require an immediate answer on this.
2. We have concerns that the temperature checks may result in employees being late for the start of their shifts or that they will be required to attend the workplace early to complete the process. Will employees be paid for these scenarios?
3. If an employee fails a temperature check, how long will you send an employee home for?
4. What if the employee's "temperature" lowers at home after they are turned away? Can they return to work the same day and have full reimbursement for hours missed?

We are sure you will be graceful and kind in your understanding that employees are going to be nervous about these temperature checks for a variety of reasons. We do recognize the need to keep everyone safe during the COVID-19 risk, however, people still have human rights and collective agreement rights and we want to be sure that those are being respected.

We look forward to your immediate response.

Sincerely,



Thomas Hesse
President



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