



BY EMAIL

Montréal, June 9, 2020

Committee on Public Finance  
Québec National Assembly

**Subject: Comments of the Fédération interprofessionnelle de la santé du Québec–FIQ in the context of the specific consultations on Bill 61**

*An Act to restart Québec's economy and to mitigate the consequences of the public health emergency declared on 13 March 2020 because of the COVID-19 pandemic*

To members of the Committee on Public Finance,

Representing 76,000 nursing and cardio-respiratory healthcare professionals working in the Québec healthcare network, the Fédération interprofessionnelle de la santé du Québec–FIQ and FIQ | Secteur privé–FIQP see first-hand the impacts of the health emergency on their members and patients. Hereafter are our comments on Bill 61.

- The objectives of this bill are to restart the economy and mitigate the consequences of the public health emergency. Yet, for the healthcare professionals, not only do the measures in this bill not respond to the objectives, they compound the deterioration of their working conditions resulting from the orders passed under the health emergency.

31. Despite section 119 of the Public Health Act (Chapter S-2.2), the health emergency declared by the government on March 13, 2020 was extended until the government terminates it under section 128 of this act.

32. The government or Minister of Health and Social Services, if so empowered, may, in view of the measures taken under section 123 of the Public Health Act, order any transitional measure designed to enable, once the health emergency is over, an orderly return to normal.

A transitional measure referred to in the first subparagraph cannot extend beyond the 90<sup>th</sup> day after the date when the health emergency ends.

- At the present time, what is required of the healthcare professionals through the abusive application of Order 007 maintained by the health emergency is disproportionate: availability on all shifts, the employer is allowed to cancel or suspend any leave, the employer is allowed to reassign the personnel regardless of the notion of position, centre of activities, service or shift, extension of regular workdays, etc. These measures are already not justified in the current context, so how is it pertinent to use transitional measures as set out in section 32 when we could simply go back to the working conditions in the collective agreement now?

- The government must acknowledge that all these measures are exceptional. They should therefore be governed by a special power. By extending the health emergency indefinitely, the government evades questions and justifying using exceptional measures. The bill as written would avoid parliamentary oversight as set out in the Public Health Act and that the government has evaded since March 13<sup>th</sup>.
- The FIQ and FIQP consider that what is required of the healthcare professionals by the Orders that can apply indefinitely considering sections 31 and 32 runs counter to the approach put forth by the government for lifting the lockdown. If we are looking at a return to normal, this has to apply to the healthcare professionals also. The working conditions set out in the collective agreements must be reinstated and the ongoing negotiation process must continue. We cannot demand that the health emergency become the normal for all the women who are carrying the healthcare network on their backs.
- The FIQ and FIQP fear this will drift off course and the exceptional measures aimed at responding to the health emergency will be ultimately used for other purposes, such as filling a labour shortage and other weaknesses in the healthcare network that the government is not addressing.
- The FIQ and FIQP are very worried about the powers the government is giving themselves with this bill. The passing of government decrees without parliamentary control, power to act on existing laws through regulations, limiting parliamentary debates to one hour on new projects to restart the economy, lack of accountability by the ministers in the context of using the exceptional measures set out in this bill to which any democratic organization cannot subscribe.
- The FIQ and FIQP are especially disappointed in the vision of the economic restart put forth by the government. They believe that the pandemic has shown the pertinence of having strong public services and we believe that the vision focused on speeding up projects on the infrastructure does not respond to Québec's economic context or our contemporary values. This vision proposes creating jobs in a sector that does not lack jobs and fosters a private, predominantly male, sector of activity to the detriment of the public sector composed mostly of women. Boosting construction sites, putting aside environmental studies and urban standards also testifies to the government's bygone vision, with little concern for preserving biodiversity and architectural heritage.
- The Government is the largest employer in Québec. It has all the powers to focus the economic restart on stimulating jobs in the public sector, by investing in services for the population.
- Lastly, by limiting the time for parliamentary debate on future projects, giving themselves the power to amend the provisions of other laws, minimizing the accountability of ministers in their decision-making which supersedes the Act, mitigating any process of parliamentary oversight, claiming judicial immunity, the government is slipping slowly towards authoritarianism.

Best Regards,



Nancy Bédard  
President

NB/MR/SL/nd/SM