

December 15, 2021

Robert J. Morrissey, M.P.
Chair, Standing Committee on Human Resources, Skills and
Social Development and the Status of Persons with Disabilities
House of Commons
Ottawa ON K1A 0A6

Re: CMA Submission to the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities' study of Bill C-3, *An Act to amend the Criminal Code and the Canada Labour Code*

Dear Mr. Morrissey:

I am writing on behalf of the Canadian Medical Association (CMA) to provide this submission for consideration by the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (Human Resources Committee) as part of the study on Bill C-3 *An Act to amend the Criminal Code and the Canada Labour Code*.

The CMA applauds the federal government for taking rapid action and introducing new legislation to protect health workers from threats, intimidation, and violence. The CMA strongly supports Bill C-3 *An Act to amend the Criminal Code and the Canada Labour Code* and respectfully urges Parliament to support its enactment.

The CMA is deeply concerned with the increasing number of instances of threats, violence and intimidation directed at health care workers, including online. Sadly, threats, violence and intimidation against health care workers is not a new phenomenon. These concerns were brought to the CMA's General Council in 2015, where our members passed a resolution calling for: "the federal government to amend the Criminal Code by making it a specific criminal offence to assault health care providers performing their duties." We are witnessing an escalation during the pandemic. Rapid action by Parliament on this urgent issue will be a welcome relief as physicians and health workers continue their work caring for patients within an overwhelmed health system while facing threats to their personal safety.

Preliminary results from the CMA's 2021 National Physician Health Survey suggest that more than 75% of physicians have experienced intimidation, bullying and/or harassment in the workplace. In fact, more than one-third of physicians reported experiencing these issues at least a few times a month; evidence suggests this is disproportionately affecting female health care workers.

It is unacceptable for health care workers to face threats, harassment and violence in the provision of care to patients and as they advocate for the health and wellness of the public. The CMA recognizes the importance of Canada's protections of the right to peaceful protest, strike and demonstrations; these activities, core to democracy, are distinct from the concerns being raised by health care workers and their patients. Legislative action is required to protect health care workers and patients in the face of threats,

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violence, and intimidation in seeking access to care as well as in the provision of care and professional duties. To this end, the CMA strongly supports Bill C-3 *An Act to amend the Criminal Code and the Canada Labour Code*.

Addressing violence against providers in healthcare settings will require action from both federal and provincial/territorial governments. Considering the above, the CMA respectfully submits the following recommendation for consideration by the Human Resources Committee in its study on Bill C-3 *An Act to amend the Criminal Code and the Canada Labour Code*:

The CMA recommends that the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities support the enactment of Bill C-3 *An Act to amend the Criminal Code and the Canada Labour Code*.

Finally, the CMA strongly supports the establishment of paid and unpaid medical leave provisions for federally regulated employees. However, the CMA is concerned that the proposed new provisions enabling an employer to require a medical certificate may add unnecessary burden to our already strained and under resourced health care systems. To this end, the CMA supports consideration by the Human Resources Committee of an amendment to these provisions.

In closing, the CMA is encouraged that the Human Resources Committee is undertaking this study. Allow me to extend my sincere gratitude on behalf of all physicians and health care workers in Canada for Parliament's work to enact legislation to protect health care workers. I look forward to the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities' report on this legislation.

Sincerely,



Katharine Smart, MD, FRCPC
President, Canadian Medical Association

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MP Bob Benzen, Member (HUMA)
MP Louise Chabot, Member (HUMA)
MP Chad Collins, Member (HUMA)
MP Michael Coteau, Member (HUMA)
MP Matt Jeneroux, Member (HUMA)
MP Stephanie Kusie, Member (HUMA)

MP Wayne Long, Member (HUMA)
MP Soraya Martinez Ferrada, Member (HUMA)
MP Alex Ruff, Member (HUMA)
MP Tony Van Bynen, Member (HUMA)
MP Bonita Zarrillo, Member (HUMA)