

In the Matter Of:
The Long-Term Care Homes Public Inquiry

DAY 3 / VOL 3
June 07, 2018

neelsons

77 King Street West, Suite 2020
Toronto, ON M5K 1A2
1.888.525.6666 | 416.413.7755

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

THE LONG-TERM CARE HOMES PUBLIC INQUIRY

PUBLIC HEARINGS

--- This is Day 3/Volume 3 of the Public Hearings in the above Inquiry proceedings taken at the Elgin County Courthouse, Court Room 201, 4 Wellington Street, St. Thomas, Ontario, on the 7th day of June, 2018, commencing at 9:30 a.m.

BEFORE: The Honourable Justice Eileen E. Gillese, Commissioner

REPORTED BY: Deana Santedicola, CSR, CRR, RPR

1 A P P E A R A N C E S:
2
3 Elizabeth Hewitt, Esq., Commission Counsel
4 & Lara Kinkartz, Esq.,
5 & Rebecca Jones, Esq.,
6 & Megan Stephens, Esq.,
7
8 Jared B. Schwartz, Esq., AdvantAge Ontario
9
10
11 Jane Meadus, Esq., Ontario Association
12 & Suzan E. Fraser, Esq., of Residents'
13 Councils
14
15 David M. Golden, Esq., Caressant Care
16 Nursing and
17 Retirement Homes
18 Limited, Caressant
19 Care - Woodstock
20
21 Mark Sandler, Esq., College of Nurses
22 & Megan Schwartzentruber, Esq.
23
24 Paul H. Scott, Esq., Jon Matheson, Pat
25 Houde, Beverly
26 Bertram
27
28 Darrell Kloeze, Esq., Her Majesty the
29 & Judith Parker, Esq., Queen in Right of
30 Ontario
31
32

1 A P P E A R A N C E S (CONT'D):

2

3 Lisa Corrente, Esq., Jarlette Health
4 Services, Meadow
5 Park (London) Inc.
6 o/a Meadow Park
7 London Long-Term
8 Care
9

10 Alex Van Kralingen, Esq., Arpad Jr. Horvath,
11 & Katherine Chau, Esq., Laura Jackson, Don
12 Martin, Andrea
13 Silcox, Adam
14 Silcox-Vanwyk
15 Shannon Lee
16 Emmerton, Jeffrey
17 Millard, Judy
18 Millard, Sandra Lee
19 Millard, Stanley
20 Henry Millard, Susie
21 Horvath
22

23 Kate Hughes, Esq., Ontario Nurses
24 & Nicole Butt, Esq., Association
25

26
27 Lauren Binhammer, Esq., Registered Nurses'
28 Association of
29 Ontario
30
31
32

1 A P P E A R A N C E S (CONT'D):

2

3 Jennifer L. McAleer, Esq., Revera Long-Term
4 & Rachel Laurion, Esq., Care Inc.

5

6 Shaun Singh, Esq., Registered
7 Practical Nurses
8 Association

9

10

11 ALSO PRESENT:

12 Dr. Fred Mather, Ontario Long-Term
13 Care Clinicians

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

INDEX OF PROCEEDINGS

PAGE

WITNESS:

BRENDA VAN QUAETHEM; Under Prior Oath.

Cross-Examination by Mr. Scott.....	450
Cross-Examination by Mr. Van Kralingen....	455
Cross-Examination by Ms. Hughes.....	484
Cross-Examination by Mr. Sandler.....	559
Cross-Examination by Mr. Singh.....	592
Cross-Examination by Ms. Fraser.....	597
Cross-Examination by Mr. Schwartz.....	625
Re-Examination by Mr. Golden.....	631

HELEN CROMBEZ;

Examination In-Chief by Ms. Hewitt.....	639
---	-----

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

INDEX OF EXHIBITS

NO.	DESCRIPTION	PAGE
11	Document Brief for the Witness documents for Brenda Van Quaethem, consisting of 16 tabs..	483
12	The full Collective Agreement, expiring June 30, 2014.....	496
14	Document 45578, Standards of Resident Care.....	606
15	Policy and Procedure document of Caressant Care, effective February 2017.....	611
16	Affidavit of Helen Crombez sworn June 7, 2018.....	640

09:13:55
09:29:59
09:32:26
09:32:30
09:32:35
09:32:36
09:32:47
09:32:49
09:32:50
09:32:51
09:32:51
09:32:53
09:32:53
09:32:54
09:32:55
09:32:55
09:32:57
09:32:59
09:32:59
09:33:05
09:33:08
09:33:09
09:33:13
09:33:16
09:33:21
09:33:22
09:33:24
09:33:27
09:33:29
09:33:31
09:33:34
09:33:36

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

-- Upon commencing at 9:30 a.m.

THE COMMISSIONER: Thank you.
Who is leading off on the
cross-examination? Good
morning, Mr. Scott, thank you.

MR. SCOTT: Good morning,
Commissioner.

THE COMMISSIONER: Good morning,
Mr. Scott.

BRENDA VAN QUAETHEM; Under Prior
Oath.

CROSS-EXAMINATION BY MR. SCOTT:
Q. Good morning, Brenda.
A. Good morning.
Q. I just have a few questions
for you. In fact, it is just this piece of
paper.
Brenda, you were the
Administrator at Caressant Care from 2009 until
your retirement; correct?
A. Correct, from July of 2009.
Q. And you retired in September
of 2016 -- August of 2016, pardon me?
A. September 30th.
Q. And you gave a list of your
duties and there were certainly a lot of them,
and I won't go back through all of them. But
just to be clear, you were in charge of
staffing issues and dealing with head office,
among other things; is that correct?
A. Correct.

09:33:37 1 Q. My understanding is that when
09:33:39 2 it came to the hiring of RNs, that was more
09:33:43 3 Helen Crombez's area than yours; is that
09:33:45 4 correct?

09:33:45 5 A. Yes, I would help, you know,
09:33:51 6 recruit RNs. You know, if we were putting an
09:33:54 7 ad in the paper, I would do that. But when the
09:33:58 8 resumé's came in for an RN, they would go to
09:34:01 9 Mrs. Crombez.

09:34:01 10 Q. Okay. When it came to
09:34:04 11 terminating employees, were you involved in all
09:34:07 12 terminations? That would include RNs, staff of
09:34:11 13 any description.

09:34:13 14 A. I believe yes, I was.

09:34:14 15 Q. And in your time as
09:34:19 16 Administrator at Caressant Care, how many
09:34:21 17 nurses did you terminate for medication errors?

09:34:25 18 A. I'm saying this off the top
09:34:32 19 of my head, but I believe only one.

09:34:35 20 Q. And who was that?

09:34:36 21 A. Bethe.

09:34:37 22 Q. Elizabeth Wettlaufer?

09:34:39 23 A. Yes.

09:34:39 24 Q. And in your time at Caressant
09:34:42 25 Care, can you recall how many Registered Nurses
09:34:45 26 did you have to fire?

09:34:47 27 A. I knew I would be asked this
09:34:54 28 question, and I recall two.

09:35:00 29 Q. Is that including Elizabeth
09:35:02 30 Wettlaufer?

09:35:03 31 A. Yes.

09:35:03 32 Q. And you told us yesterday

09:35:07
09:35:10
09:35:12
09:35:17
09:35:22
09:35:22
09:35:24
09:35:27
09:35:30
09:35:34
09:35:36
09:35:39
09:35:41
09:35:42
09:35:44
09:35:47
09:35:50
09:35:53
09:35:55
09:36:01
09:36:01
09:36:02
09:36:05
09:36:06
09:36:08
09:36:10
09:36:13
09:36:15
09:36:20
09:36:21
09:36:21
09:36:22

1 that in order to fire a nurse, you needed
2 permission of head office; is that correct?
3 A. Yes, all terminations and
4 suspensions were through approval at head
5 office.
6 Q. And did that apply to all
7 staff or to just nursing staff?
8 A. All staff.
9 Q. My next question, I want you
10 to consider it as if none of what has happened
11 has happened, just to take you back in time. I
12 know, and that is tough, but I would like you
13 to do your best.
14 A. Well, I wish you could.
15 Q. I hear you. If you had had
16 the authority, if you didn't need head office's
17 authority, would you have terminated Bethe
18 Wettlaufer sooner than she was terminated?
19 A. That is a hard question to
20 answer.
21 Q. I appreciate that. And if
22 you need to take a moment to think about it,
23 that is okay.
24 A. Because you can take head
25 office out of the picture.
26 Q. Right, well, let's do that,
27 let's take head office out of the picture?
28 A. Then I would still be dealing
29 with the union.
30 Q. Okay.
31 A. I would still be dealing with
32 a cost, financial cost, so --

09:36:25 1 Q. Well, let me help you. If I
09:36:27 2 took the union out of the picture, would you
09:36:29 3 have fired Bethe Wettlaufer sooner?

09:36:33 4 A. I believe so.

09:36:33 5 Q. And if we took the costs, and
09:36:36 6 as I understand it from your evidence
09:36:39 7 yesterday, if you fired a nurse and there were
09:36:40 8 costs, the money that would have to be spent
09:36:43 9 came out of your envelope; correct?

09:36:44 10 A. That is what I believed, yes.

09:36:45 11 Q. And that is money that you
09:36:47 12 would have used on other staff; is that
09:36:48 13 correct?

09:36:48 14 A. Correct.

09:36:49 15 Q. And so if we took that out of
09:36:51 16 the equation, would you have fired Bethe
09:36:53 17 Wettlaufer sooner?

09:36:54 18 A. I would imagine so, yes.

09:37:01 19 Q. And would it have been
09:37:05 20 difficult to find a replacement nurse for Bethe
09:37:09 21 Wettlaufer?

09:37:09 22 A. Yes, I believe it would.

09:37:13 23 Q. And why is it so difficult to
09:37:17 24 find a replacement nurse?

09:37:18 25 A. Just because of the overall
09:37:21 26 nursing shortage.

09:37:22 27 Q. Okay. And in your time as
09:37:32 28 Administrator, were you comfortable with the RN
09:37:35 29 staffing level at Caressant Care? In other
09:37:38 30 words, did you think there were enough nurses
09:37:40 31 on the floor?

09:37:41 32 A. No. We would have liked more

09:37:48 1 registered staffing on the floors.

09:37:50 2 Q. And would that have been on

09:37:51 3 all shifts?

09:37:53 4 A. Yes.

09:37:54 5 Q. And this may not be -- you

09:37:59 6 may not be able to answer this question, but do

09:38:01 7 you have a number in mind of how many nurses

09:38:02 8 you would have liked to have seen on each

09:38:04 9 shift?

09:38:04 10 A. I think my number wouldn't

09:38:12 11 have been realistic.

09:38:14 12 Q. Well, but what would your

09:38:16 13 number have been?

09:38:16 14 A. I think with the acuity of

09:38:21 15 care in long-term care, if an RN had ten

09:38:29 16 residents to look after, they would still be

09:38:31 17 busy in their job.

09:38:32 18 Q. And would you change the

09:38:34 19 number of nurses that you would have had on on

09:38:37 20 a night shift from a day shift?

09:38:39 21 A. Yes.

09:38:44 22 Q. And what change would you

09:38:45 23 have made there?

09:38:46 24 A. From a night shift?

09:38:47 25 Q. Yes, my understanding is the

09:38:48 26 home has one RN on the nights?

09:38:50 27 A. Right.

09:38:51 28 Q. And one RPN?

09:38:53 29 A. Yes.

09:38:54 30 Q. What would you have liked to

09:38:56 31 have seen?

09:38:56 32 A. Easily the one RN could

09:39:07 1 remain, but then with more RPN staff, so that
09:39:12 2 that RN could just supervise and be there to
09:39:19 3 assist the RPNs in their jobs. So for sure I
09:39:24 4 think four RPNs on nights with one RN
09:39:29 5 overseeing. And that is at a minimum, I would
09:39:32 6 say.

09:39:32 7 Q. Thank you, Brenda, those are
09:39:35 8 my questions. I believe my friend has some
09:39:36 9 questions for you.

09:39:41 10 THE COMMISSIONER: Thank you,
09:39:42 11 Mr. Scott.

09:39:44 12 CROSS-EXAMINATION BY MR. VAN
09:39:44 13 KRALINGEN:

09:40:04 14 Q. Good morning, Ms. Van
09:40:06 15 Quaethem. My name is Alex Van Kralingen and I
09:40:07 16 am a lawyer representing the other victims'
09:40:10 17 group.

09:40:11 18 Madam Commissioner, I am
09:40:15 19 providing you and Ms. Van Quaethem a small
09:40:17 20 collection of documents that I will refer to,
09:40:19 21 and just for your benefit I can confirm that
09:40:21 22 each of these documents have previously been
09:40:22 23 entered into evidence.

09:40:23 24 THE COMMISSIONER: Thank you
09:40:24 25 very much, Mr. Van Kralingen.

09:40:29 26 BY MR VAN KRALINGEN:

09:40:16 27 Q. Ms. Van Quaethem, I want to
09:40:31 28 unpack a little bit about your previous
09:40:33 29 discussion about the separation of the human
09:40:35 30 resources responsibilities between you and head
09:40:36 31 office. You have indicated to my friend,
09:40:39 32 Mr. Scott, and to Ms. Hewitt yesterday, that

09:40:42 1 the costs of terminations or the successful
09:40:45 2 grievances of suspensions and terminations
09:40:48 3 would come out of the nursing budget. And just
09:40:50 4 so we are clear, that is the specific nursing
09:40:52 5 budget for Caressant Care Woodstock; correct?

09:40:54 6 A. Yes, that is what I believe
09:40:55 7 that they do.

09:40:56 8 Q. To your knowledge, is that a
09:40:57 9 Caressant Care policy across all of its homes?

09:41:00 10 A. That is my understanding.

09:41:03 11 Q. And where did you get that
09:41:06 12 understanding from?

09:41:06 13 A. I was never told any
09:41:09 14 different.

09:41:09 15 Q. The ironic impact of the
09:41:13 16 policy is that when you are making the decision
09:41:16 17 to suspend or terminate, you would be worried
09:41:18 18 about money that could be lost that should have
09:41:21 19 been dedicated to other residents; is that fair
09:41:24 20 to say?

09:41:24 21 A. Correct.

09:41:25 22 Q. Did that financial reality
09:41:27 23 lead you to employ more progressive discipline
09:41:31 24 measures than you usually would, i.e., would
09:41:34 25 you use progressive discipline more frequently
09:41:36 26 instead of going straight to a termination or
09:41:38 27 suspension?

09:41:39 28 A. I just know that when we were
09:41:45 29 disciplining an employee and their file was
09:41:50 30 becoming more substantial with more
09:41:56 31 disciplines, that we conferred with head office
09:41:59 32 and we took, you know, direction with that and

09:42:02 1 that it was, you know, head office was
09:42:07 2 concerned that we had enough that if the union
09:42:15 3 was going to contest anything, that our case
09:42:18 4 was clear.

09:42:18 5 Q. What I understand your
09:42:21 6 evidence to be is that the financial
09:42:23 7 consequences of this Caressant Care policy
09:42:25 8 discouraged you from terminating nurses
09:42:30 9 generally, not just Ms. Wettlaufer, but
09:42:32 10 generally; is that correct?

09:42:33 11 A. I took my direction from head
09:42:34 12 office.

09:42:34 13 Q. But did it discourage you
09:42:38 14 from suggesting to head office that any
09:42:40 15 nurse --

09:42:41 16 A. No, it never discouraged me
09:42:42 17 from suggesting termination, no. It did
09:42:45 18 discourage me.

09:42:46 19 Q. And in the case of Ms.
09:42:47 20 Wettlaufer, did this financial reality
09:42:49 21 discourage you in any way from suggesting a
09:42:51 22 termination?

09:42:51 23 A. No.

09:42:51 24 Q. You discussed earlier in your
09:42:54 25 testimony yesterday the recruitment of RNs.
09:42:58 26 You characterized it as a constant battle to
09:43:01 27 hire staff. Were you concerned about -- and
09:43:05 28 that you were always concerned about the
09:43:07 29 possibility of them leaving for other jobs.
09:43:08 30 Have I understood that correctly?

09:43:10 31 A. Yes, it was a very
09:43:13 32 competitive industry, if you -- I don't know

09:43:18 1 what the word to call it, but yes, it was a
09:43:21 2 competitive field to be in.

09:43:22 3 Q. Did these challenges of
09:43:24 4 retention and recruitment impact your decision
09:43:27 5 to discipline or terminate employees generally?

09:43:30 6 A. I don't think so. I think
09:43:37 7 that we do, you know, in the back of our mind,
09:43:41 8 think it would be nice if we had more
09:43:45 9 applications, more staff to choose from. But
09:43:49 10 if something was wrong, we tried to go with our
09:43:52 11 system of disciplining and progress.

09:43:55 12 Q. Ms. Wettlaufer, I understand,
09:43:57 13 worked evening and night shifts mostly; is that
09:44:00 14 a fair characterization?

09:44:01 15 A. Yes, it is.

09:44:02 16 Q. Are those desirable shifts
09:44:04 17 for RNs who are looking for a job?

09:44:07 18 A. No, they are not.

09:44:11 19 Q. Was it harder to recruit for
09:44:13 20 those shifts?

09:44:13 21 A. Yes.

09:44:14 22 Q. And the fact that it might
09:44:19 23 have been harder to find her replacement, if
09:44:20 24 you did terminate her, was that in any way an
09:44:23 25 animating factor when you were deciding to
09:44:25 26 suspend or terminate her?

09:44:27 27 A. I don't think so.

09:44:30 28 Q. Was it a consideration at the
09:44:32 29 time of termination?

09:44:33 30 A. I don't think so.

09:44:34 31 Q. Mr. Scott was talking to you
09:44:38 32 about your testimony yesterday, you said that

09:44:40 1 the home was short at all times. And I assume
09:44:45 2 you mean short of staff at all times; is that
09:44:47 3 fair to say?

09:44:47 4 A. Correct.

09:44:48 5 Q. How would that manifest
09:44:50 6 itself in terms of patient care?

09:44:52 7 A. Well, I believe that it would
09:44:56 8 affect patient care, when you are working short
09:44:59 9 either as a PSW, a registered staff member.
09:45:05 10 The workload is heavy when we are fully
09:45:10 11 staffed. You take one person out of the mix,
09:45:12 12 and the rest have to pick up.

09:45:15 13 Q. So what you are suggesting is
09:45:16 14 the short staffing at Caressant Care could
09:45:19 15 increase the stress on any individual nurse who
09:45:21 16 would be working in the short-staffed
09:45:23 17 environment?

09:45:23 18 A. It definitely increased their
09:45:26 19 workload.

09:45:26 20 Q. Do you think it increased
09:45:31 21 their stress?

09:45:32 22 A. I would imagine.

09:45:32 23 Q. Yesterday you reviewed with
09:45:35 24 Ms. Hewitt a series of complaints against Ms.
09:45:38 25 Wettlaufer over the years from management and
09:45:40 26 co-workers. Would you agree with me that there
09:45:43 27 are certain consistent themes in those
09:45:44 28 complaints, for example, that there was
09:45:46 29 consistent medication mistakes from Ms.
09:45:48 30 Wettlaufer?

09:45:48 31 A. Yes, there was a fair amount
09:45:53 32 of medication errors from her.

09:45:55 1 Q. That there were consistent
09:45:57 2 allegations that she was abusing her authority
09:45:59 3 in the workplace?

09:45:59 4 A. Yes, I would say that we
09:46:05 5 talked to her on several times about her -- how
09:46:11 6 she spoke to people.

09:46:12 7 Q. Would you say that management
09:46:13 8 had frequent complaints about Ms. Wettlaufer
09:46:15 9 not completing her work?

09:46:16 10 A. I wouldn't say any more than
09:46:21 11 a lot of our other -- we weren't just dealing
09:46:24 12 with Ms. Wettlaufer. There was a lot of
09:46:28 13 concerns, you know, about other staff as well.

09:46:34 14 Q. Would you also agree that
09:46:36 15 there were consistent circumstances where Ms.
09:46:40 16 Wettlaufer would have been acting in a socially
09:46:41 17 inappropriate way to both patients and
09:46:44 18 co-workers?

09:46:45 19 A. I think that is through the
09:46:52 20 eyes of the viewer of who brought concerns to
09:46:56 21 me.

09:46:56 22 Q. So given that you were the
09:47:00 23 receptacle of those concerns, what is your
09:47:01 24 opinion?

09:47:02 25 A. I felt that I talked to her
09:47:06 26 and brought the concerns to her and dealt with
09:47:12 27 them.

09:47:13 28 Q. How would you characterize
09:47:15 29 the number of complaints relating to Ms.
09:47:18 30 Wettlaufer versus the other Registered Nurses
09:47:19 31 who worked for you? Are there more or less?
09:47:29 32 Was there anything different about the nature

09:47:30 1 of the complaints?

09:47:31 2 A. I am trying to think of
09:47:44 3 complaints about registered staff. You get a
09:47:48 4 lot of complaints in long-term care amongst
09:47:52 5 staff, but your question was registered staff.
09:47:56 6 I did have complaints about other registered
09:47:59 7 staff. I think I had more complaints about
09:48:04 8 Bethe because Bethe had stated or made it known
09:48:13 9 she was gay, and I think that a lot of people
09:48:16 10 weren't accepting of that, and so maybe there
09:48:20 11 was more complaints that way about Bethe.

09:48:24 12 Q. Does your workplace have an
09:48:28 13 employee assistance program of any sort for
09:48:30 14 people who are going through mental health
09:48:32 15 issues? I mean, did your workplace? I
09:48:35 16 recognize you have retired.

09:48:38 17 A. No, they did not.

09:48:39 18 Q. May I ask you to turn to tab
09:48:41 19 1 of the documents you have in front of you,
09:48:44 20 and for the benefit of Counsel, it is document
09:48:46 21 16896.

09:48:49 22 This is a December 3, 2009
09:48:53 23 letter to Ms. Wettlaufer from you. Do you
09:48:58 24 remember drafting this letter? I know it was a
09:49:00 25 number of years ago.

09:49:01 26 A. I don't remember drafting it,
09:49:03 27 but that is my signature.

09:49:04 28 Q. I'm going to look at the
09:49:07 29 second paragraph, the first sentence, it says:
09:49:11 30 "I am pleased that you have
09:49:12 31 recognized that your attendance
09:49:14 32 has been poor and that you have

09:49:14 1 taken action" - and I assume
09:49:17 2 that means "by" - "[by] seeking
09:49:22 3 medical attention."

09:49:23 4 There is a reference to Ms.
09:49:26 5 Wettlaufer seeking medical attention for some
09:49:28 6 sort of an issue. Do you recall what that was
09:49:31 7 for?

09:49:31 8 A. No, I don't recall.

09:49:31 9 Q. If we could go to tab 2,
09:49:36 10 please, of the documents you have. This is
09:49:41 11 a -- for the benefit of Counsel, it is document
09:49:46 12 16883. It is a July 7th, 2010 letter to Bethe
09:49:52 13 Wettlaufer from Ms. Crombez; do you see that?

09:49:55 14 A. Yes, I do.

09:49:55 15 Q. This is another
09:49:59 16 documentation, a verbal warning with respect to
09:50:02 17 poor attendance. Were you involved in the
09:50:05 18 conversation in 2010 regarding Ms. Wettlaufer's
09:50:07 19 poor attendance?

09:50:08 20 A. I don't recall. I'm sorry,
09:50:10 21 it is so long ago.

09:50:11 22 Q. No, I appreciate that. So
09:50:13 23 you would not know sitting here today whether
09:50:15 24 this poor attendance issue was related to a
09:50:17 25 medical problem or not?

09:50:18 26 A. No, I don't know what it was
09:50:20 27 related to.

09:50:20 28 Q. Let's go to tab 4 of the
09:50:24 29 document you have. I'm going to skip tab 3.
09:50:29 30 And for the benefit of Counsel, it is document
09:50:32 31 16859. This is an August 26th, 2011
09:50:40 32 handwritten note. First of all, do you

09:50:42
09:50:43
09:50:47
09:50:48
09:50:50
09:50:50
09:50:54
09:51:00
09:51:02
09:51:03
09:51:05
09:51:07
09:51:09
09:51:11
09:51:15
09:51:18
09:51:21
09:51:26
09:51:26
09:51:31
09:51:35
09:51:39
09:51:40
09:51:42
09:51:44
09:51:49
09:51:49
09:51:53
09:51:53
09:51:55
09:51:57
09:51:59

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

recognize the writing?

A. Yes, there is two different writings on this page.

Q. And whose writing is on the page?

A. The top portion is Helen Crombez's, the bottom six lines are mine.

Q. That is helpful, thank you. The first line says:

"Need to step up and take some overtime."

Do you remember having a conversation with Ms. Wettlaufer around this time in August, at the end of August 2011, about her having to take additional shifts or take overtime work?

A. No, I do not recall that conversation.

Q. So if you go a few lines down, starting with "we realize father is ill", and a few -- well, let's start there. Do you remember a conversation with Ms. Wettlaufer where you discussed that her father was ill?

A. No, I do not. I have seen this document, and I do not recall this meeting.

Q. So the line that is two down that says:

"If need to meet personal commitments take LOA."

Which I assume is a leave of absence; would you agree with me?

09:52:01 1 A. Yes, it is.

09:52:01 2 Q. So you do not remember at any

09:52:03 3 time having a conversation with Ms. Wettlaufer

09:52:05 4 about taking a leave of absence?

09:52:08 5 A. No, I'm sorry, I do not.

09:52:10 6 Q. And you don't have a

09:52:12 7 recollection of a conversation with Ms.

09:52:13 8 Wettlaufer about her explaining that her dad

09:52:14 9 had Alzheimer's, which is later on in the

09:52:19 10 document and I can take you --

09:52:20 11 A. Yes, I saw that in the

09:52:22 12 document as well. No, I do not this

09:52:24 13 conversation or this meeting with her.

09:52:25 14 Q. Okay. And I believe you said

09:52:30 15 that six lines at the bottom is your writing;

09:52:32 16 is that correct?

09:52:33 17 A. Correct.

09:52:34 18 Q. And the first sentence of

09:52:35 19 your writing says:

09:52:38 20 "Bethe stated she would not

09:52:39 21 accept discipline."

09:52:40 22 Have I read that correctly?

09:52:42 23 A. Yes, you have.

09:52:42 24 Q. Does that trigger your memory

09:52:44 25 in terms of your conversation with her during

09:52:48 26 this meeting?

09:52:49 27 A. It vaguely did. When I read

09:52:51 28 it, I vaguely remember she must have said

09:52:57 29 something, you know, I don't want discipline

09:53:03 30 for this.

09:53:03 31 Q. Were you concerned at this

09:53:06 32 meeting that she was being difficult or

09:53:08 1 insubordinate with you in any way?
09:53:10 2 A. No. Based on other
09:53:23 3 employees, Bethe was always more respectful
09:53:27 4 than a lot, so her just asking that this not be
09:53:32 5 discipline, she wasn't being belligerent.

09:53:36 6 Q. I don't think she was saying
09:53:39 7 could you not make this discipline. She says
09:53:41 8 that, according to your note, that she would
09:53:42 9 not accept discipline?

09:53:44 10 A. Uhm-hmm, but she, I guess,
09:53:50 11 wasn't yelling or she was just, you know, she
09:53:54 12 was more -- I don't know, she showed herself
09:54:00 13 more respectful to us.

09:54:02 14 Q. Around this time, did you
09:54:04 15 have a sense that she was dealing with a lot in
09:54:06 16 her life?

09:54:06 17 A. I don't think any more than
09:54:12 18 what anyone else is dealing with in their life,
09:54:15 19 no, I didn't.

09:54:16 20 Q. So your impression of her was
09:54:18 21 that she was not more difficult or agitated at
09:54:20 22 this time?

09:54:20 23 A. No.

09:54:21 24 Q. Could we go to the next tab,
09:54:23 25 tab 5. And for the benefit of Counsel, that is
09:54:26 26 document 16841. This is the March 4, 2012
09:54:38 27 email from Ms. Bhat to Ms. Crombez, but you see
09:54:43 28 that you are copied on that email?

09:54:44 29 A. Correct.

09:54:45 30 Q. I only actually just want to
09:54:47 31 ask about your -- that is your handwritten note
09:54:49 32 at the bottom; correct?

09:54:50
09:54:50
09:54:56
09:54:59
09:55:01
09:55:02
09:55:08
09:55:10
09:55:11
09:55:15
09:55:20
09:55:23
09:55:27
09:55:30
09:55:38
09:55:43
09:55:47
09:55:55
09:55:57
09:55:59
09:55:59
09:56:02
09:56:04
09:56:05
09:56:08
09:56:10
09:56:12
09:56:12
09:56:13
09:56:14
09:56:17
09:56:19

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

A. Correct.

Q. You indicated that "Manju emailed I did not want action taken", and I just wanted to understand that. What did she tell you in that email?

A. Manju is a he.

Q. Oh, I apologize.

A. And I don't remember the email. I again saw this document when I was going through to get my affidavit, and I don't recall this. And the only thing I can go on is that he must have emailed or spoke to me and didn't want like Bethe to be disciplined. He wanted us to be aware that the nursing -- the registered -- the RNs were not and Bethe was not doing the narcotic count correctly. And I took from this that it was more systematic, the way we were doing things in the home was not right. I didn't believe that it was just Bethe.

Q. Okay. So he indicated to you that he did not want Ms. Wettlaufer disciplined in any way for this?

A. That is what I take from my note. I don't recall.

Q. You don't have an independent recollection?

A. No, I don't have an independent recollection.

Q. If you could go to tab 6, please. For the benefit of Counsel, it is document 16826. This is a handwritten

09:56:28 1 meeting -- notes of a handwritten investigative
09:56:30 2 meeting at the end of August 2012, and you and
09:56:36 3 Ms. Hewitt looked at this yesterday. Two
09:56:38 4 thirds of the way down, there is a reference to
09:56:42 5 "OCD and bipolar - changing meds"; do you see
09:56:47 6 that?

09:56:47 7 A. Correct.

09:56:48 8 Q. Can you tell me everything
09:56:49 9 you can recall about the conversation where she
09:56:51 10 shared that with you?

09:56:52 11 A. I do not have a clear
09:57:04 12 recollection of any of my meetings with Bethe
09:57:07 13 other than what is in the investigative notes.

09:57:09 14 Q. Okay. At the end of this
09:57:11 15 time, at the end of August 2012, did you have
09:57:14 16 any concern relating to Ms. Wettlaufer's
09:57:17 17 competence or capacity to serve as a nurse?

09:57:19 18 A. I can't say at the end of
09:57:26 19 2012, but I know that, you know, there was
09:57:33 20 discussions I think probably between Helen and
09:57:39 21 myself and head office that there was
09:57:42 22 definitely -- she was making more mistakes. I,
09:57:52 23 again, can't have a clear recollection, but I
09:57:54 24 would think that because of the workload, how
09:57:59 25 busy they were, how short-staffed, staff had to
09:58:03 26 work, you know, pick up extra shifts, sometimes
09:58:08 27 in your mind you are thinking, okay, it is not
09:58:13 28 right to be making these mistakes, but you are
09:58:15 29 seeing how overloaded they are with work.

09:58:19 30 Q. Did the fact that Ms.
09:58:21 31 Wettlaufer shared her OCD and bipolar disorder,
09:58:24 32 did that change the tone or the tenor of your

09:58:27 1 conversation with Helen Crombez or anybody at
09:58:30 2 head office about Ms. Wettlaufer's
09:58:32 3 appropriateness to be a nurse?

09:58:33 4 A. I don't believe so, because
09:58:36 5 we -- people do have OCD, people, you know --
09:58:45 6 and she said that she had a medication change.
09:58:49 7 I would have thought that she, you know, is
09:58:52 8 seeing a doctor, and if a doctor thought she
09:58:56 9 wasn't capable of working, would have, you
09:58:58 10 know, put her off. No, I didn't give it any
09:59:02 11 thought. I didn't compare it to errors, other
09:59:09 12 people made errors as well. So no, I did not
09:59:12 13 go -- I don't think that entered my mind.

09:59:15 14 Q. Could you turn to the next
09:59:17 15 tab, tab 7, please. This is document 16823.
09:59:29 16 This is the August 31, 2012, Disciplinary
09:59:33 17 Action Form. I just want to understand how
09:59:38 18 this form is created, first of all. Are you
09:59:40 19 the person responsible for creating the form
09:59:42 20 and putting the text in, like typing the text?

09:59:44 21 A. The form was a head office
09:59:48 22 form, the disciplinary form.

09:59:51 23 Q. That is fair. There is
09:59:52 24 certain fields, though, that seem to be filled
09:59:54 25 in and I am wondering --

09:59:56 26 A. Yes, and yes, we would be
09:59:57 27 filling that in.

09:59:58 28 Q. When you say "we", would it
09:59:59 29 be you or --

10:00:00 30 A. Probably me, yes.

10:00:01 31 Q. So if you look in "Your
10:00:20 32 Recommended Disciplinary Section", the second

1 sentence says:

2 "If continued poor work
3 performance related to health
4 issues continue, consideration
5 may be given to report to the
6 College of Nurses for 'fitness
7 to practice for review.'"

8 And I am curious, what health
9 issues were you referring to there?

10 A. I would think what she told
11 us in the previous tab about OCD and bipolar, I
12 am guessing.

13 Q. But at this time, did you
14 believe that Ms. Wettlaufer's health issues
15 were interfering in her ability to give
16 competent care?

17 A. I don't know what I was
18 thinking at that time.

19 Q. The last sentence says:
20 "Please follow-up with the
21 medical issues you discussed
22 with us."

23 I just was unclear, did Ms.
24 Wettlaufer ever follow up with you with respect
25 to these medical issues?

26 A. Not that I recall.

27 Q. There is a handwritten
28 comment in the bottom left that says:

29 "Explained to Bethe that she
30 brought her health issues to us
31 and we are obligated to ensure
32 the safety of the residents."

1 Was patient safety a concern
2 with Ms. Wettlaufer?

3 A. I believe it was.

4 Q. To your mind, is this the
5 first instance where you raised a concern about
6 patient safety to Ms. Wettlaufer?

7 A. I think so.

8 Q. If we could go back up to the
9 bolded text where it says "Your Recommended
10 Disciplinary", again it says:

11 "If continued poor work
12 performance related to health
13 issues continue, consideration
14 may be given to report to the
15 College of Nurses for 'fitness
16 to practice for review.'"

17 The statement seems to imply
18 that you have some discretion as to whether the
19 College of Nurses would be called, and I just
20 want to understand. Did you feel that you had
21 that discretion, that there were circumstances
22 where you could call them or could not call
23 them?

24 A. I don't think I was real
25 clear on what the College of Nurses would
26 oversee with a nurse, so I'm thinking - and I
27 guess I shouldn't guess - I'm thinking maybe
28 Helen Crombez had said something or maybe
29 talking to my regional manager or, you know,
30 that there was things through the College of
31 Nurses. But I was not clear with the licensing
32 of nurses what they oversaw.

1 Q. And in your role as the
2 Administrator of Caressant Care Woodstock, did
3 you ever receive any training regarding those
4 reporting obligations to the College of Nurses?

5 A. I don't believe that we did.
6 I do -- I had a Regional Manager and she did
7 bring members -- she was -- members of the
8 College of Nurses. She sat on some team and we
9 did team-building exercises with them, but I
10 can't remember the scope of all that right now.

11 Q. Given the content of this
12 form -- I'll start my question by saying
13 yesterday you said in your examination with Ms.
14 Hewitt that you believed Ms. Wettlaufer, quote
15 "had the ability to be a good nurse." Given
16 what you have written in this Disciplinary
17 Action Form, do you still feel that way?

18 A. Can you repeat that?

19 Q. Sure. During yesterday's
20 examination with Ms. Hewitt, you told her that
21 you believed Ms. Wettlaufer, quote "had the
22 ability to be a good nurse", and that was in
23 response to a question from Ms. Hewitt as to
24 whether you thought Ms. Wettlaufer was a good
25 nurse. My question to you is, has your answer
26 changed, given reviewing what you wrote in 2012
27 here?

28 A. No, I don't think it has.

29 Q. Can we go to tab 8, please.
30 It is document 16780. These are notes of an
31 investigation meeting dated December 19th,
32 2013, and I want to go to the third page.

10:05:28 1 You'll recall this is in connection with the
10:05:31 2 eye drops issue that you talked about with Ms.
10:05:34 3 Hewitt yesterday?

10:05:34 4 A. Correct.

10:05:35 5 Q. On the third page you
10:05:38 6 indicate that this is a:

10:05:40 7 "Very serious issue."

10:05:42 8 And you also indicate:

10:05:44 9 "If we send this to [head
10:05:45 10 office], the outcome wouldn't be
10:05:47 11 good."

10:05:52 12 Do you believe if head office
10:05:53 13 had heard about this incident in 2013, that Ms.
10:05:57 14 Wettlaufer's employment could have been
10:05:58 15 terminated?

10:06:01 16 A. To clarify, I was writing
10:06:02 17 what Helen Crombez was saying. Second, it was
10:06:10 18 discussed with head office. And third, I
10:06:21 19 believe that head office was working hard with
10:06:26 20 us, and they wanted to make sure when she was
10:06:30 21 terminated that it would stand.

10:06:33 22 Q. Let's break that down a
10:06:38 23 little bit. This is Ms. Crombez's comment; it
10:06:40 24 is not your comment with respect to head
10:06:42 25 office?

10:06:42 26 A. Correct.

10:06:42 27 Q. But she made this comment
10:06:46 28 even though she spoke with head office about
10:06:48 29 providing this one-day suspension?

10:06:50 30 A. I would be the one speaking
10:06:52 31 to head office.

10:06:53 32 Q. You expressly remember

1 speaking to head office before this meeting
2 about the one-day suspension?

3 A. I know at this point after a
4 five-day suspension, anything that arose with
5 Bethe would have been discussed with head
6 office because I would not want to do something
7 on my own that would jeopardize that we had
8 gotten this far with an employee and have it go
9 back in any way.

10 Q. Okay.

11 A. So do I remember talking on
12 December that date clearly? No, I do not. But
13 I know me, and I know it would have been
14 discussed.

15 Q. Okay. And so Ms. Crombez's
16 comment where it says:

17 "If we sent this to [head
18 office], the outcome wouldn't be
19 good."

20 That is really not a fair
21 comment, because you actually probably had
22 spoken to head office about this incident?

23 A. Yes, and Helen may not have
24 known that I had spoken to them.

25 Q. I'm not suggesting that she
26 did.

27 A. No, and I am not
28 suggesting -- I don't know either.

29 Q. Let's go to tab 9, please.
30 Tab 9 is document 16733. This is a document
31 that is in evidence, but I don't think was
32 canvassed with you yet, so why don't you take a

1 moment to look at it.

2 This was an email from you to
3 Ms. Sanginesi on March 26th, 2014, just before
4 4:00 p.m. This was around the time that you
5 were organizing Ms. Wettlaufer's termination?

6 A. Okay.

7 Q. You write to Ms. Sanginesi
8 and you say:

9 "Hi Wanda.

10 Bethe is off until further
11 notice, we are meeting with Jill
12 on Monday [...]"

13 And Jill is the ONA
14 representative; is that correct?

15 A. That's correct.

16 Q. "[...] meeting with Jill on
17 Monday at 9:30 a.m. to give her
18 whatever decision you make."

19 So I assume this is you asking
20 for Wanda to have permission to either effect
21 the termination or to provide a suspension or
22 tell you to give some other discipline; is that
23 right.

24 A. I think the email is to
25 notify Wanda that we have put Bethe off until
26 further notice. Normally, when they are put
27 off, they are paid until, you know, a decision
28 is made, and I said whatever decision she
29 makes.

30 Q. The idea being that it would
31 be Wanda who ultimately would make the
32 decision?

10:09:24 1 A. Head office, and I don't know
10:09:26 2 what their policy was, if she discussed it with
10:09:30 3 others or not, but yes, my direction came from
10:09:33 4 her.

10:09:33 5 Q. So as of the end of day on
10:09:36 6 March 26th, you still had no idea whether Ms.
10:09:39 7 Wettlaufer would be fired?

10:09:39 8 A. Well, at 3:51 I didn't, but I
10:09:45 9 don't know --

10:09:45 10 Q. I'll take that, fair enough,
10:09:49 11 3:51. So if Ms. Sanginesi decided Ms.
10:09:54 12 Wettlaufer should not be terminated, she would
10:09:56 13 have stayed in the home; correct?

10:09:59 14 A. Yes, I guess she would have.

10:10:01 15 Q. And at that time you would
10:10:02 16 not have reported any concerns to the College
10:10:04 17 of Nurses; is that correct?

10:10:05 18 A. We were never -- never were
10:10:14 19 we -- I think with me not being a nurse myself,
10:10:24 20 I don't know if I knew the scope of what, you
10:10:30 21 know, reporting to the College would have
10:10:32 22 brought out. But through -- I just thought
10:10:39 23 disciplining, like my -- through progressive
10:10:43 24 discipline. So no, I don't think that I would
10:10:44 25 have reported it to the College of Nurses.

10:10:46 26 Q. Okay.

10:10:48 27 A. Do I think differently now?
10:10:51 28 Yes.

10:10:51 29 Q. If you could go to tab 10,
10:10:55 30 please, document 16755. This is your
10:11:07 31 termination letter of March 31, 2014, and I
10:11:12 32 wanted to ask you, I know you have signed it,

1 but were you the person who drafted this
2 letter?

3 A. No.

4 Q. Head office would have
5 drafted this letter?

6 A. Wanda would have drafted the
7 letter.

8 Q. So the third paragraph which
9 starts with "At our meeting [...]"; do you see
10 that that paragraph?

11 A. Yes.

12 Q. So what you are suggesting is
13 that Wanda would have drafted the second
14 sentence which says:

15 "Bethe although you have
16 acknowledged this latest error,
17 this is another incident in a
18 pattern of behaviours that are
19 placing residents at risk."
20 She would have written that, not

21 you?

22 A. I don't see that. Where are
23 you?

24 Q. The third paragraph which
25 starts with "At our meeting [...]"; do you see
26 that paragraph?

27 A. Oh, yes, I see it now, okay.

28 Q. I'll give you a moment to
29 read it again.

30 A. (Witness reviews document.)

31 No, I believe that was drafted
32 by Wanda.

1 Q. Who was the very same person
2 who subsequently drafted the reference letter?

3 A. Yes, she did.

4 Q. If you look at the next tab,
5 tab 11, please. Just so I'm clear, this is the
6 cover letter and we are looking at document
7 16716. This is the document which was the
8 cover letter to the report that you sent to the
9 College of Nurses of Ontario. This is -- just
10 so I'm clear, you indicated I believe that you
11 sent this in via regular mail; have I got that
12 correctly?

13 A. I don't know if it would have
14 been faxed or sent by regular mail. I am
15 not -- I don't recall.

16 Q. Okay. Let's go to the next
17 tab -- well, actually before we get there,
18 considering that human resources was
19 responsible for all terminations, is there a
20 reason why Caressant Care's human resources at
21 the corporate level did not complete the form
22 and did not send it in to the College?

23 THE COMMISSIONER: Can you say
24 that question again?

25 BY MR VAN KRALINGEN:

26 Q. I apologize, that wasn't
27 clear.

28 You indicated that Ms. Sanginesi
29 who works at the corporate level for Caressant
30 Care is responsible for all terminations. Do
31 you know why Caressant Care at the corporate
32 level is not responsible for sending in these

1 termination notices to the College?

2 A. No, I do not know why.

3 Q. Okay. Let's go to the next
4 tab, which is tab 12. Counsel, it is 16717.
5 This is a copy of the College of Nurses report
6 that you filled in, and I just wanted to
7 understand some of your evidence from
8 yesterday.

9 There is an appendix which seems
10 to include a number of Ms. Wettlaufer's -- the
11 history of Ms. Wettlaufer's discipline within
12 the workplace. And if I understood your
13 evidence yesterday, you said that you were
14 completing that using some sort of an online
15 form and that you simply ran out of boxes to
16 complete; is that correct?

17 A. Correct.

18 Q. And so was it a downloadable
19 PDF form that you worked with on your computer,
20 or did you actually have to sit on a website to
21 complete all of that?

22 A. No, I think it got
23 downloaded. I think it got downloaded to my
24 computer. I am not really sure, so --

25 Q. Okay.

26 A. I don't think we send it
27 electronically, so I'm thinking we would have
28 downloaded this form, went on their website,
29 got the form and then typed in it.

30 Q. Thank you. If we could go to
31 tab 14, which is document 16711. This is the
32 appendix to the Minutes of Settlement that Ms.

1 Sanginesi entered into with Ms. Wettlaufer and
2 the union. And for the benefit of Counsel,
3 although I'm not going to pull it up, the
4 signed letter is at 16712.

5 I would like to go through this
6 letter and get your impression as to whether it
7 is accurate or not. And I would like to start
8 on the third paragraph which says:

9 "During this time with us Ms.
10 Wettlaufer proved herself a good
11 problem-solver, with strong
12 communication skills [...]"

13 Would you characterize Ms.
14 Wettlaufer's communication as being -- pardon
15 me, would you characterize her as having strong
16 communication skills?

17 A. I didn't have interaction
18 with Bethe to judge, you know, what she was
19 like on the floor. To me, communication skills
20 of an RN would be to another RN, to her
21 immediate supervisor. So I wouldn't be the
22 judge of that.

23 Q. Fair enough. Given her
24 attendance issues, would you think that she is
25 punctual?

26 A. I believe she was spoken to
27 about -- there was a concern about her not
28 coming in, like she was just right on time and
29 she was spoken to. And I do believe that
30 resolved.

31 Q. And the last sentence
32 indicates that Caressant Care is pleased to

1 provide her with a reference. Given the
2 circumstances of the termination letter where
3 you indicated she was placing patients at risk,
4 do you think that that is an accurate statement
5 that the organization is pleased to provide her
6 with a reference?

7 A. I didn't provide this letter
8 of reference.

9 Q. I'm not suggesting that you
10 did, but you are in a unique position to speak
11 to its accuracy. And so, do you think it is
12 accurate that the organization would be pleased
13 to provide a reference to someone for whom you
14 were concerned was putting patients at risk?

15 A. I can't answer that.

16 Q. If we could go to tab 15,
17 please. This is document 16531. This is the
18 Critical Incident Reporting Policy and
19 Procedure. I'm going to ask you to turn to
20 page 2 of that document, if you can.

21 In the middle of the document it
22 says:

23 "The following are a list of
24 [...]"

25 Oh, I apologize, thank you.

26 Just in the middle of the
27 document it says:

28 "The following are a list of
29 Critical Incidents these must be
30 reported immediately to the MOH
31 with the full written report
32 submitted within 10 days of the

10:18:49 1 CI or sooner if required by the
10:18:51 2 MOH."
10:18:53 3 One of them is:
10:18:56 4 "Unexpected or sudden death
10:18:58 5 [...]"
10:19:00 6 Mr. Silcox's death was deemed by
10:19:02 7 Ms. Wettlaufer herself to be unexpected, and
10:19:04 8 the Ministry of Health was not called in. I'm
10:19:07 9 wondering if you know why they weren't called
10:19:09 10 in?
10:19:09 11 A. When did Mr. Silcox die?
10:19:12 12 Q. 2007.
10:19:15 13 A. I wasn't there at that time.
10:19:16 14 Q. Subsequently, there was an
10:19:18 15 investigation from the Ministry of Health and
10:19:20 16 my understanding is -- actually, that
10:19:24 17 subsequent investigation happened after you
10:19:25 18 resigned?
10:19:29 19 A. What are you referring to,
10:19:31 20 what investigation?
10:19:31 21 Q. I apologize. There was an
10:19:33 22 investigation from the Ministry of Health. You
10:19:34 23 were not present for that investigation after
10:19:37 24 Ms. Wettlaufer's crimes came to light; is that
10:19:39 25 correct?
10:19:39 26 A. No, I had retired.
10:19:40 27 Q. That's right, okay. If we
10:19:42 28 could go to the next document then, please,
10:19:45 29 document no. 16. This is the Caressant Care
10:19:48 30 policy relating to Whistle-Blowing and it is
10:19:51 31 document 17054.
10:20:04 32 During your time at Caressant

1 Care, were employees, registered or not, all
2 employees, were they trained on the
3 Whistle-Blowing Policy?

4 A. Yes, they were.

5 Q. And can you explain when that
6 training would have happened?

7 A. I would think at orientation
8 there was a list of policies. The policies and
9 procedures were -- and I can't say if they were
10 annually or not. I don't want to answer, I'm
11 not sure.

12 Q. Fair enough. If there was a
13 concern about a fellow employee being impaired
14 by either alcohol or drugs, would this be the
15 policy that they use to advance a concern?

16 A. I guess it could be. I think
17 if my employees thought somebody was working
18 under the influence, they wouldn't refer to a
19 policy. They would just come right out and
20 tell me.

21 Q. So because you didn't hear
22 about anything, you don't think that any other
23 employees had a concern about Ms. Wettlaufer
24 being impaired by alcohol or drugs while
25 working at Caressant Care?

26 A. It wasn't brought to my
27 attention.

28 Q. Thanks for your time today.

29 THE COMMISSIONER: All right,
30 Mr. Van Kralingen, I'm just
31 wondering if this should not be
32 entered as an exhibit so the

10:21:30 1 record is --

10:21:31 2 MR. VAN KRALINGEN: I'm in your

10:21:33 3 hands.

10:21:33 4 THE COMMISSIONER: Thank you, I

10:21:34 5 think it will be much easier to

10:21:35 6 read on the transcript if we

10:21:36 7 identify this document. So

10:21:38 8 Madam Clerk, am I right this

10:21:40 9 time that it would be Exhibit

10:21:42 10 11.

10:21:42 11 THE COURT CLERK: That's

10:21:43 12 correct.

10:21:43 13 THE COMMISSIONER: Thank you.

10:21:43 14 Then Exhibit 11 will be the

10:21:45 15 witness documents for Brenda Van

10:21:48 16 Quaethem consisting of 16 tabs.

10:21:52 17 Thank you very much.

10:21:53 18 EXHIBIT NO. 11: Witness

10:21:45 19 documents for Brenda Van

10:21:48 20 Quaethem, consisting of 16 tabs.

10:21:56 21 THE COMMISSIONER: Thank you

10:21:56 22 very much.

10:21:57 23 MR. VAN KRALINGEN: Thank you.

10:22:22 24 THE COMMISSIONER: Thank you.

10:22:24 25 So as I understand it then, will

10:22:25 26 it be ONA who is next to

10:22:27 27 present?

10:22:29 28 MS. HEWITT: Can we just have 30

10:22:30 29 seconds, Commissioner?

10:22:32 30 THE COMMISSIONER: Yes.

10:22:51 31 MS. HEWITT: Sorry,

10:22:52 32 Commissioner.

10:22:53 1 THE COMMISSIONER: Not at all.
10:22:56 2 Go ahead, Ms. Hughes, when you
10:23:00 3 are ready.
10:23:00 4 CROSS-EXAMINATION BY MS. HUGHES:
10:23:01 5 Q. Thank you, good morning,
10:23:02 6 Commissioner.
10:23:02 7 Good morning, Ms. Van Quaethem.
10:23:04 8 My name is Kate Hughes and I am here
10:23:06 9 representing the Ontario Nurses Association.
10:23:08 10 Ms. Butt from the Ontario Nurses Association is
10:23:11 11 just handing you up some documents that we may
10:23:13 12 be referring to that are not exhibits to your
10:23:16 13 affidavit.
10:23:17 14 And Commissioner, I believe you
10:23:19 15 have got a copy of them as well?
10:23:22 16 THE COMMISSIONER: Oh, I do now.
10:23:27 17 Thank you.
10:23:29 18 BY MS. HUGHES:
10:23:29 19 Q. Ms. Van Quaethem, we have
10:23:31 20 been referring to you over the last day as the
10:23:33 21 Administrator at Caressant Care Woodstock. I
10:23:36 22 just want to be clear. The Administrator, that
10:23:38 23 is the very top position at Caressant Care
10:23:41 24 Woodstock; is that correct?
10:23:41 25 A. Correct.
10:23:43 26 Q. So you are the boss, you are
10:23:48 27 running the facility; is that correct?
10:23:52 28 A. Correct.
10:23:52 29 Q. And you have already told us
10:23:53 30 about your background. And you are not trained
10:23:55 31 as a nurse and you are not a regulated health
10:23:58 32 care worker. And you were also not trained as

1 a Personal Service Worker, and I believe that
2 is referred to as an unregulated worker in
3 long-term care; is that correct?

4 A. Correct.

5 Q. So whenever you are talking
6 about the registered staff, you are talking
7 about the staff, the Registered Nurse or the
8 RPN, Registered Practical Nurse who is
9 regulated by the College?

10 A. Correct.

11 Q. And doctors who are regulated
12 by their college, and then the Personal Service
13 Workers are unregulated; is that correct?

14 A. Correct.

15 Q. But you are not trained in
16 any of those areas, but we know from your
17 affidavit that you were responsible for
18 staffing issues and human resources. But you
19 didn't tell us, did you have any education in
20 human resources or labour relations?

21 A. No.

22 Q. And we have heard a bit about
23 what you have referred to repeatedly as head
24 office. So head office is the Caressant Care
25 Nursing and Retirement Home Limited. So that
26 is a corporation, I understand, from their
27 opening statement, that owns 15 long-term care
28 homes and 10 retirement homes; is that your
29 understanding?

30 A. Yes, they do.

31 Q. And you may not have been
32 here for the opening statement of Mr. Zigler,

1 Commission Counsellor, he talked about the
2 overview of the sector. And long-term care is
3 divided up into various sectors, what we refer
4 to as the not-for-profit homes, which are
5 municipal and charitable, and the for-profit
6 homes. Are you familiar with those
7 designations?

8 A. Yes, I have heard of them
9 before.

10 Q. Okay. And so Caressant Care
11 would fall into what is called the for-profit
12 home; is that correct?

13 A. That's correct.

14 Q. And their head office is in
15 Woodstock, so that is the same city as your
16 facility is, it turns out, Caressant Care
17 Woodstock; is that right?

18 A. Correct.

19 Q. And they have -- in your
20 affidavit you talked about a regional manager
21 who regularly comes to the home; is that
22 correct?

23 A. Correct.

24 Q. And then you have resources
25 at the corporate head office that you can get
26 advice from, either in person or by phone at
27 any time; is that correct?

28 A. Correct.

29 Q. And that includes resources
30 in human resources?

31 A. Correct.

32 Q. Labour relations?

10:26:22 1
10:26:23 2
10:26:26 3
10:26:29 4
10:26:34 5
10:26:38 6
10:26:39 7
10:26:43 8
10:26:45 9
10:26:46 10
10:26:47 11
10:26:49 12
10:26:51 13
10:26:52 14
10:26:53 15
10:26:55 16
10:26:56 17
10:26:58 18
10:27:02 19
10:27:05 20
10:27:06 21
10:27:06 22
10:27:14 23
10:27:19 24
10:27:19 25
10:27:20 26
10:27:23 27
10:27:24 28
10:27:26 29
10:27:28 30
10:27:29 31
10:27:29 32

A. Correct.

Q. Okay. And they have, in fact, a Labour Relations Department and expertise, and you referred to -- you were referring to, if I have got her name right, Wanda Sanginesi; is that right?

A. Yeah, I'm not sure on how you pronounce her last name either. I called her Wanda, so yes.

Q. So Wanda was an expert in labour relations; is that right?

A. I believe she was. I don't know what her --

Q. Okay. And you could call her at any time, I take it?

A. Correct.

Q. And they would also have expertise on the Long-Term Care Act and all of the regulations and all the Ministry requirements; is that correct?

A. Correct.

Q. If I could ask that document 70956 be brought up. That is the Collective Agreement.

Madam Commissioner, I have given you a full copy of the Collective Agreement. Attached to this witness's affidavit is an excerpt from the affidavit, but I am going to be referring to other sections.

THE COMMISSIONER: Thank you.

BY MS. HUGHES:

Q. And so this Collective

10:27:31 1 Agreement, have you -- are you familiar with
10:27:33 2 the Collective Agreement? It is specific to
10:27:35 3 your home and the Ontario Nurses Association.
10:27:38 4 Do you have that in front of you?

10:27:39 5 A. Yes, we had a copy of this in
10:27:41 6 our home.

10:27:41 7 Q. Okay. And did corporate head
10:27:44 8 office or yourself negotiate the Collective
10:27:46 9 Agreement?

10:27:46 10 A. Head office.

10:27:50 11 Q. Okay, and were you part of
10:27:53 12 the negotiations?

10:27:54 13 A. Not with ONA, no.

10:27:59 14 Q. But have you read the
10:28:01 15 Collective Agreement with ONA?

10:28:02 16 A. Yes.

10:28:02 17 Q. And so I am taking you to
10:28:06 18 article 3, and we can see with respect to
10:28:10 19 article 3, that is "Management Rights", and if
10:28:15 20 you look at Management Rights -- you are
10:28:18 21 familiar with that provision of the Collective
10:28:20 22 Agreement, Management Rights, and you are
10:28:22 23 management; is that right?

10:28:24 24 A. Correct.

10:28:25 25 Q. So Management Rights gives
10:28:27 26 you the right, as they put it, to do a number
10:28:34 27 of things, which is in 3.01(a):

10:28:39 28 "To determine and establish
10:28:40 29 standards and procedures for the
10:28:41 30 care, welfare, safety and
10:28:44 31 comfort of the residents of the
10:28:45 32 facility."

10:28:48 1 So that is your exclusive
10:28:50 2 function, that is the wording; is that correct?
10:28:52 3 Are you familiar with that?

10:28:53 4 A. Yes, I'm familiar with that.

10:28:54 5 Q. You see in 3.01 it talks
10:28:57 6 about what is the exclusive function of the
10:28:59 7 employer, so that is your exclusive function in
10:29:01 8 (a) and in (c) -- or in (b), it is:

10:29:07 9 "To maintain order, discipline
10:29:09 10 [...]"

10:29:10 11 And in (c) it is the management
10:29:13 12 right:

10:29:14 13 "To hire [...] schedule [...]
10:29:18 14 assign duties, discharge [...]
10:29:22 15 and otherwise discipline [...]"

10:29:24 16 So, Ms. Van Quaethem, would you
10:29:26 17 agree with me that those unfettered, exclusive
10:29:28 18 rights to discipline, hire and fire were given
10:29:31 19 to you by the Collective Agreement; is that
10:29:33 20 right?

10:29:34 21 A. Well the Collective Agreement
10:29:36 22 says that, but I was not in the position to do
10:29:43 23 that at my workplace.

10:29:44 24 Q. Okay, so you are saying that
10:29:45 25 it is not the union that restricts you, but it
10:29:49 26 would be the corporation, Caressant Care
10:29:51 27 corporation; is that right?

10:29:52 28 A. Correct.

10:29:53 29 Q. And so when we look at the
10:29:54 30 Collective Agreement, there is no corresponding
10:29:57 31 union right to hire, assign duties, schedule,
10:30:03 32 or discipline or fire; would you agree with me?

10:30:06 1
10:30:08 2
10:30:09 3
10:30:11 4
10:30:15 5
10:30:17 6
10:30:18 7
10:30:19 8
10:30:22 9
10:30:28 10
10:30:28 11
10:30:28 12
10:30:36 13
10:30:39 14
10:30:41 15
10:30:45 16
10:30:45 17
10:30:46 18
10:30:49 19
10:30:53 20
10:30:56 21
10:30:56 22
10:30:57 23
10:31:01 24
10:31:03 25
10:31:06 26
10:31:08 27
10:31:09 28
10:31:10 29
10:31:12 30
10:31:16 31
10:31:19 32

A. Would you repeat that?

Q. This is a management right. There is no corresponding section in here that says, and the union also has the right to discipline, for instance; there is no corresponding right, is there?

A. I don't believe there is.

Q. And there is no corresponding union right to be able to hire, assign duties, et cetera?

A. No.

Q. And you talked and my friend, Mr. Van Kralingen, just took you to a number of documents, and one of those documents referred to Jill, who you said was the ONA rep; do you recall him doing that?

A. Yes, I do.

Q. Okay. And as I understand it, that would be Jill Allingham, who was the Labour Relations Officer assigned for your home; is that correct?

A. Correct.

Q. You knew her and you could reach her by phone and set up a meeting? In fact, we saw in there that you were setting up a meeting with her; is that correct?

A. Yes, that happened on occasion.

Q. Okay. And in addition -- so she was a staff ONA rep, I understand, at the ONA office. And in addition yesterday, and in the Collective Agreement, there would be two

10:31:21 1 designated reps who were simply nurses as part
10:31:25 2 of the bargaining unit who were designated; is
10:31:28 3 that your understanding?

10:31:28 4 A. At one time we had one.

10:31:32 5 Q. And at some times you had
10:31:34 6 none?

10:31:34 7 A. None, uhm-hmm.

10:31:35 8 Q. Okay, and those people you
10:31:37 9 told us, they were not -- when you asked them
10:31:41 10 to come to a meeting, they weren't replaced on
10:31:44 11 the floor, for example?

10:31:47 12 A. No, but we did try to arrange
10:31:49 13 meetings when, like one nurse was coming on
10:31:57 14 shift and we would call at the end of their
10:32:02 15 shift. We would try to do it when, you know,
10:32:06 16 they weren't busy, but...

10:32:09 17 Q. Okay, and I am going to come
10:32:10 18 back to that in a minute?

10:32:11 19 A. Yeah, that's good.

10:32:13 20 Q. So in terms of -- you
10:32:14 21 understand the union. There is the union,
10:32:15 22 which is the Labour Relations Officer, and then
10:32:17 23 there is the union rep, which you -- sometimes
10:32:22 24 you had one and sometimes you had none in the
10:32:24 25 home; is that correct?

10:32:24 26 A. Correct.

10:32:24 27 Q. And that is because -- how
10:32:27 28 many RNs, by the way, do you have in your home?

10:32:30 29 A. I can't recall, okay.

10:32:39 30 Q. You can't give us a ballpark?
10:32:41 31 I mean, are we talking less than twelve?

10:32:43 32 A. I think less than, yeah, I

10:32:45 1 would say less than twelve.

10:32:46 2 Q. Less than ten?

10:32:48 3 A. Yeah, I'm thinking right

10:32:49 4 around there.

10:32:49 5 Q. So you have got less than ten

10:32:51 6 people and they are all very busy. We have

10:32:53 7 heard about the overtime, working seven

10:32:56 8 consecutive shifts. So being a union rep would

10:32:58 9 be an additional duty; is that correct?

10:33:00 10 A. Correct.

10:33:02 11 Q. And by the way, how many were

10:33:04 12 part-time and how many were full-time?

10:33:06 13 A. That I can't answer.

10:33:07 14 Q. And so in terms of -- you

10:33:13 15 have been asked some questions about staffing,

10:33:14 16 and I won't -- I'll try not to repeat it, but

10:33:17 17 we know from your affidavit you referred to the

10:33:21 18 Long-Term Care Act regulation, that there has

10:33:23 19 to be at least one RN in the facility 24 hours

10:33:26 20 a day, 7 days a week; is that right?

10:33:27 21 A. Correct.

10:33:28 22 Q. And you understand that that

10:33:29 23 is the minimum?

10:33:31 24 A. Yes, I understand that.

10:33:32 25 Q. And that each facility and

10:33:36 26 each owner of an LTC licence has the discretion

10:33:39 27 as to how to staff, that they can staff higher

10:33:41 28 than the minimum; is that right?

10:33:43 29 A. Correct.

10:33:44 30 Q. But that is a minimum floor

10:33:46 31 you can't go below; is that correct?

10:33:48 32 A. Correct.

1 Q. And you talked about funding
2 envelopes, and that is at paragraph 13 of your
3 affidavit, and perhaps we could just put
4 paragraph 13 up to assist you.

5 A. Okay.

6 Q. And in terms of the funding
7 envelopes, we have also given you the Guideline
8 for Expenditures for Long-Term Care Homes
9 document. Were you familiar with the
10 Ministry's requirement regarding funding
11 envelopes?

12 A. No, I can't say that I was.

13 Q. So when you swore this
14 affidavit then, you said:

15 "The home would receive funds
16 from [...] among others, nursing
17 and personal care, which we
18 called the 'Nursing and Personal
19 Care Envelope'."

20 And then there was other
21 envelopes as well; correct?

22 A. Correct.

23 Q. Are you familiar with which
24 envelopes the money has to be returned to the
25 Ministry if it is not used versus the ones that
26 can be kept for profit?

27 A. No, not as compared to
28 not-for-profit, no, I am not.

29 Q. But do you know which
30 envelopes Caressant Care could obtain profit
31 from rather than return to the Ministry?

32 A. I believe the other envelope,

1 just the one envelope.

2 Q. Okay, and it is referred to
3 sometimes as "other" or "OA", "other
4 accommodation"; is that your understanding?

5 A. We called it the "other"
6 envelope.

7 Q. And I am going to come back
8 to that, but regarding this document, you are
9 aware that there are Ministry guidelines with
10 respect to how funds are spent; is that right?

11 MR. GOLDEN: Is this a document
12 that we are -- counsel just
13 keeps referring to a document,
14 not whether it is in evidence,
15 not the doc ID number, it is not
16 up on the screen, the witness
17 doesn't have it. It is really
18 unfair to the witness.

19 MS. HUGHES: This is a document,
20 I don't know. Yesterday when
21 the issue raised about which
22 funding envelope, Madam
23 Commissioner, this came from,
24 and there was some evidence put
25 with respect to what the -- if
26 there is a settlement of a
27 grievance, what envelope it
28 comes to.

29 We looked this up. I can't tell
30 you whether or not it is one of
31 the 41,000 documents in the
32 database. We tried our best to

10:36:26 1 look. We asked Ms. Hewitt this
10:36:27 2 morning, and I think she is
10:36:29 3 checking into whether or not it
10:36:30 4 is on the database. For that
10:36:31 5 reason, we gave all counsel a
10:36:34 6 copy of the excerpts that we are
10:36:35 7 going to be referring to, with
10:36:39 8 respect, but this witness
10:36:40 9 specifically gave evidence in
10:36:42 10 both her affidavit and yesterday
10:36:44 11 orally, so I think I'm entitled
10:36:46 12 to ask the witness about it.
10:36:47 13 THE COMMISSIONER: If I can, I
10:36:49 14 have the same problem, actually,
10:36:50 15 that counsel rose on. I wasn't
10:36:53 16 sure which document, because you
10:36:55 17 were holding it up and saying
10:36:55 18 this document. So I wonder --
10:36:57 19 MS. HUGHES: I would like to
10:36:58 20 mark it as an exhibit.
10:36:59 21 THE COMMISSIONER: Exactly. I
10:36:59 22 think it would just be easier
10:37:02 23 if, as documents come in, even
10:37:04 24 if they are replicated, it would
10:37:05 25 be easier for the witness and
10:37:07 26 also easier to follow the
10:37:08 27 transcript.
10:37:08 28 So at this point I believe that
10:37:10 29 there are two documents that
10:37:11 30 should be entered as exhibits.
10:37:14 31 The first one was the Collective
10:37:17 32 Agreement, the full Collective

10:37:18 1 Agreement that shows the expiry
10:37:20 2 date of June 30th, 2014.
10:37:23 3 MS. HUGHES: Okay, and for the
10:37:24 4 record that is document 70956.
10:37:36 5 THE COMMISSIONER: Thank you.
10:37:37 6 So the full Collective Agreement
10:37:39 7 is then Exhibit 12, if I am
10:37:40 8 right on that. Thank you, so
10:37:42 9 Exhibit 12 is the Collective
10:37:44 10 Agreement just identified
10:37:45 11 expiring June 30, 2014.
10:37:49 12 EXHIBIT NO. 12: The full
10:37:43 13 Collective Agreement expiring
10:37:46 14 June 30, 2014.
10:37:50 15 THE COMMISSIONER: And the
10:37:51 16 Guidelines for Eligible
10:37:53 17 Expenditures for Long-Term Care
10:37:54 18 Homes, first page saying
10:37:57 19 "Ontario Long-Term Care Homes
10:37:59 20 updated April 2011", appears to
10:38:05 21 be prepared by the Ontario
10:38:06 22 Government, and it is -- we are
10:38:07 23 not sure if this document is
10:38:09 24 otherwise in evidence; is that
10:38:12 25 correct?
10:38:12 26 MS. HUGHES: We are not sure if
10:38:13 27 it is in the database. I know
10:38:15 28 there is a number of documents
10:38:17 29 and that may be in the Ministry
10:38:19 30 section that Ms. Hewitt may not
10:38:20 31 know about.
10:38:21 32 MS. HEWITT: I don't know. When

10:38:23 1 I walked in here this morning I
10:38:24 2 got that document. We do have
10:38:26 3 protocols in which the documents
10:38:28 4 are to be disclosed, but I
10:38:29 5 understand from Ms. Hughes that
10:38:32 6 they perhaps just found this.
10:38:33 7 And I did tell her beforehand
10:38:34 8 that Ms. Van Quaethem had not
10:38:36 9 had an opportunity to review it,
10:38:38 10 so if she got into any specifics
10:38:41 11 with this document, then we
10:38:42 12 would request a recess for the
10:38:45 13 purposes of Ms. Van Quaethem
10:38:47 14 reviewing it.
10:38:48 15 At the time, Ms. Hughes was
10:38:50 16 asking some general questions,
10:38:51 17 but if she is going to get into
10:38:53 18 more specific Ministry
10:38:55 19 guidelines, et cetera, then I
10:38:58 20 would suggest it would be
10:39:00 21 appropriate for Ms. Van Quaethem
10:39:02 22 to be able to review that
10:39:04 23 document. It was not on the
10:39:06 24 list last night for us to be
10:39:07 25 alerted to the situation.
10:39:10 26 MS. HUGHES: And I agree, Madam
10:39:12 27 Commissioner, with respect to
10:39:12 28 this matter. It did come up
10:39:14 29 yesterday with respect to -- we
10:39:16 30 did find it late last night.
10:39:18 31 And I did indicate the page
10:39:20 32 numbers I'll be referring to and

10:39:21 1 that I would ask that she be
10:39:23 2 able to be given an opportunity
10:39:26 3 to look at it over the break and
10:39:28 4 I just wanted to refer to it
10:39:29 5 generally now, and want to come
10:39:30 6 back to it.

10:39:31 7 THE COMMISSIONER: I do think
10:39:32 8 that it would be preferable, if
10:39:33 9 a document like this is being
10:39:34 10 put to the witness, even in
10:39:36 11 general terms, I think that it
10:39:37 12 would be important that she have
10:39:39 13 an opportunity to review it.
10:39:41 14 So if there is another area of
10:39:44 15 questioning that you have and
10:39:47 16 would like to go to --

10:39:48 17 MS. HUGHES: I do. I'll go on,
10:39:49 18 thank you.

10:39:50 19 THE COMMISSIONER: All right.

10:39:52 20 BY MS. HUGHES:

10:39:52 21 Q. So, Ms. Van Quaethem, with
10:39:54 22 respect to then staffing, the decision whether
10:39:57 23 or not to go just at the minimum or higher than
10:40:00 24 the minimum in terms of nurses' staffing, was
10:40:04 25 that your decision or the corporation's
10:40:07 26 decision?

10:40:07 27 A. Corporate decision.

10:40:08 28 Q. And I won't repeat, one of
10:40:13 29 the counsel for the family asked you about your
10:40:15 30 personal preference would have been to go
10:40:16 31 higher, and I think you have told us that; is
10:40:21 32 that correct? Hire more nurses?

10:40:22
10:40:23
10:40:25
10:40:30
10:40:34
10:40:35
10:40:36
10:40:38
10:40:41
10:40:44
10:40:44
10:40:46
10:40:48
10:40:51
10:40:54
10:40:54
10:40:54
10:40:54
10:41:01
10:41:02
10:41:04
10:41:07
10:41:07
10:41:10
10:41:11
10:41:12
10:41:18
10:41:23
10:41:26
10:41:30
10:41:33
10:41:37

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

A. For sure.

Q. So just in terms of the staffing, in terms of staffing, you and the Director of Nursing, you work on days, Monday to Friday; is that right?

A. Correct.

Q. What were your hours during the day, usually?

A. I would say normal 8:00 to 5:00.

Q. And in terms of all of the other -- well, certainly all of the non-management staff, they work 24/7, and we have heard about three shifts; is that correct: 7:30 to 3:30, 3:30 to 11:30 and 11:30 to 7:30?

THE COURT REPORTER: I'm sorry, could you repeat those shifts?

BY MS. HUGHES:

Q. Okay, the day shift I understand is 7:30 to 3:30; is that correct?

A. No, 7:00 to 3:00, 3:00 to 11:00.

Q. Okay, 7:00 to 3:00, 3:00 to 11:00, and --

A. And we had some shifts that started 6:00 to 2:00, that was PSWs, like for -- yeah, there was -- I would say 7:00 to 3:00, 3:00 to 11:00, 11:00 to 7:00 for the registered staff, and then PSWs, some of those shifts were that time and then some were 6:00 to 2:00, 2:00 to 10:00 --

Q. Okay.

10:41:37 1 A. -- with some, you know,
10:41:39 2 overlap. Some of the PSWs did those shifts and
10:41:42 3 some did the 7:00 to 3:00.

10:41:43 4 Q. Okay, I'm going to focus on
10:41:45 5 the registered staff, the nurses?

10:41:47 6 A. I believe they were the --

10:41:49 7 Q. The three shifts?

10:41:50 8 A. -- 7:00 to 3:00.

10:41:51 9 Q. So the night shift then was
10:41:55 10 11:00 to 7:00?

10:41:56 11 A. Correct.

10:41:56 12 Q. So you worked 8:00 to 5:00,
10:41:59 13 so you wouldn't actually overlap with somebody
10:42:00 14 who was working the night shift; is that right?

10:42:02 15 A. Unless I came in on nights,
10:42:03 16 which I did on occasion.

10:42:04 17 Q. Okay, and how often would you
10:42:05 18 do that?

10:42:06 19 A. Not that often, but I would
10:42:11 20 do it.

10:42:12 21 Q. All right. And so with
10:42:15 22 respect to the night shifts, as I understand
10:42:18 23 it, the staffing for the registered staff goes
10:42:21 24 down from the days to the evenings in terms of
10:42:25 25 there is less, and for the nights then there is
10:42:29 26 just one RN for the whole place. And we have
10:42:32 27 heard the place is divided into section A and
10:42:36 28 B, and I understand that section A has two
10:42:38 29 levels, is that right, two different floors?

10:42:42 30 A. Section A has, yes, two
10:42:43 31 floors.

10:42:44 32 Q. And then Section B, we have

10:42:47 1 heard about wings. I understand there was a
10:42:48 2 north, south and east wing; is that right?

10:42:50 3 A. Correct.

10:42:53 4 Q. Is there more than one
10:42:54 5 nursing station?

10:42:54 6 A. There is one nursing station
10:42:57 7 on section A, and then Level 1 has a nursing
10:43:01 8 station and Level 2 has a nursing station.

10:43:04 9 Q. So three different nursing
10:43:08 10 stations. And in terms of med rooms, was there
10:43:10 11 more than one med room?

10:43:11 12 A. Yes, there was. There was
10:43:12 13 three.

10:43:12 14 Q. All right. And I understand
10:43:17 15 that Ms. Wettlaufer worked primarily in Section
10:43:21 16 B; is that right?

10:43:22 17 A. For part of the time when I
10:43:26 18 was there, she was in Section B, but then I
10:43:29 19 think she also did a time in section A as well.

10:43:38 20 Q. And while you were there, she
10:43:41 21 primarily worked, we have seen, either the
10:43:44 22 night or sometimes the evening shift, and
10:43:47 23 sometimes we have heard both when she had a
10:43:49 24 double shift; is that correct?

10:43:51 25 A. I don't know if she did
10:43:52 26 double shifts. She worked -- I think her
10:43:57 27 rotation was evenings and nights, so I would
10:43:59 28 think that it was more equal.

10:44:02 29 Q. Well, then we'll come back to
10:44:04 30 it, if you don't know about her double shifts,
10:44:07 31 because it is in the Agreed Statement of Facts.
10:44:09 32 But with respect to evenings and nights then,

10:44:13 1 so you would not overlap with her very often
10:44:15 2 then, unless she was on the evening shift where
10:44:18 3 you would see her for approximately two hours,
10:44:20 4 maybe?

10:44:21 5 A. Correct.

10:44:21 6 Q. But in the night shift, it
10:44:24 7 would be very rare for you to be there?

10:44:26 8 A. Yes, I was there on occasion,
10:44:29 9 but not routinely.

10:44:30 10 Q. Okay, and so with respect to
10:44:32 11 her working evenings and nights, how did it
10:44:36 12 come that she got scheduled evenings and nights
10:44:39 13 and not days? Did she request that?

10:44:40 14 A. You'll have to ask
10:44:48 15 Mrs. Crombez that question.

10:44:49 16 Q. Okay. And with respect to
10:44:52 17 then nights certainly, there would be no other
10:44:56 18 RN. They would only overlap with her for a
10:45:00 19 brief period at the beginning and the end of
10:45:03 20 each shift; is that correct?

10:45:04 21 A. When she was on nights,
10:45:05 22 correct.

10:45:06 23 Q. And so they would not be
10:45:09 24 there to observe any of her conduct in the
10:45:13 25 night shift; is that correct?

10:45:14 26 A. Correct.

10:45:14 27 Q. And management wouldn't be
10:45:16 28 there to observe any of her conduct in the
10:45:18 29 night shift?

10:45:18 30 A. No.

10:45:19 31 Q. And in addition, so while
10:45:25 32 they wouldn't be there to see her engage in

10:45:26 1 conduct, like fatally injecting residents, they
10:45:31 2 would also not be there to assess residents for
10:45:33 3 the effects of an insulin overdose; she would
10:45:37 4 be the only RN who could assess that, is that
10:45:41 5 correct?

10:45:41 6 A. Correct.

10:45:43 7 Q. Now, if I could take you to
10:45:48 8 paragraph 21 of your affidavit, and that is
10:45:55 9 regarding the hiring and training of Registered
10:45:57 10 Nurses. And you have already told us
10:45:59 11 repeatedly that there was a shortage of nurses,
10:46:02 12 and particularly a shortage in long-term care
10:46:04 13 and that you had a struggle to recruit and
10:46:06 14 retain.

10:46:07 15 But I would like to ask you a
10:46:10 16 few questions with respect to paragraph 21.
10:46:17 17 You say there is a shortage in particular of
10:46:23 18 Registered Nurses, and then in paragraph 22 you
10:46:25 19 talk about competitive wages would also be a
10:46:27 20 factor.

10:46:28 21 And I just want to, with respect
10:46:31 22 to the wages, you are talking about there is
10:46:35 23 higher wages in hospitals; is that right?

10:46:37 24 A. I believe there was, yes.

10:46:38 25 Q. And in fact, higher wages,
10:46:41 26 higher benefits, and higher pension; is that
10:46:46 27 right? Is that your understanding?

10:46:48 28 A. I didn't do a comparison to
10:46:51 29 know, but I assume that.

10:46:52 30 Q. And with respect as well to
10:46:57 31 what we have referred to in the not-for-profit
10:46:58 32 and the for-profit, with respect to the

1 not-for-profit, for instance, the municipal
2 homes, long-term care homes, that they have
3 comparable wages to hospitals; are you familiar
4 with that?

5 A. No, I am not.

6 Q. And so you don't know whether
7 or not they have better pay and benefits; is
8 that right? You don't know one way or the
9 other?

10 A. I have never seen their wage
11 grid.

12 Q. So when you say in paragraph
13 22, and this is in the second sentence:

14 "[...] they leveled out by
15 approximately years 5 - 7, the
16 starting wages [...] would be
17 lower typically [...]"

18 You don't actually know that,
19 that they levelled out, because you haven't
20 done a comparison?

21 A. I think that I was told that
22 by a nurse.

23 Q. But you've not personally
24 done a comparison?

25 A. No, I haven't.

26 Q. Okay, and but you do know
27 that you had a problem with retaining nurses
28 because when they would come, you would train
29 them up and then they would leave and work in
30 other facilities; is that correct?

31 A. It was a possibility that
32 they could, yes.

1 Q. In fact, they did do that.
2 You told us about problems with recruitment and
3 retaining?

4 A. Did I say that someone left
5 for another job?

6 Q. I understand that you said
7 that it was your view that people would leave
8 and that you were not their first choice, so --

9 A. Okay, if I said that, then I
10 guess I believed that.

11 Q. Is that what you believe? I
12 am just going to ask you that.

13 A. I would like to review it.

14 MS. HEWITT: Commissioner, I
15 think that -- sorry, I just
16 think that the evidence was not
17 their first choice in terms of
18 long-term care versus hospitals.

19 I believe that was the
20 discussion that was being --
21 taking place at the time.

22 BY MS. HUGHES:

23 Q. Okay. And in terms of do you
24 know whether or not it was the first choice
25 with respect to for-profit or not-for-profit
26 homes, or do you know one way or the other?

27 A. No, I don't know.

28 Q. Now, with respect, if we
29 could look at paragraph 42. And counsel for
30 the family this morning asked you whether or
31 not the fact that there was a nursing shortage
32 and problems with recruitment and retainment

1 was a factor for keeping her longer and not
2 terminating her; do you remember him asking you
3 those questions?

4 A. Yes, I remember that.

5 Q. And if you look at paragraph
6 42, you have said:

7 "Over the years we realized that
8 Elizabeth Wettlaufer was not the
9 best nurse. She was lazy. We
10 did think that she would rather
11 eat than get off her choir. But
12 we needed her. We weren't
13 getting applications for
14 Registered Nurses."

15 That is what you have said in
16 your affidavit.

17 A. Yes, I did say that.

18 Q. And do you believe that?

19 A. I guess, yes, I do believe
20 that.

21 Q. And from what Ms. Hewitt took
22 us through yesterday, we went through over 25
23 incidents of problems with her that you
24 reviewed, and you only reviewed from 2009 on,
25 right? You missed her employment in 2007 and
26 2008 because you weren't there; is that right?

27 A. Correct.

28 Q. Okay, so you know, I put it
29 to you that this wasn't just a question of
30 lazy. This was a nurse that you had
31 significant and constant problems with; is that
32 correct?

10:50:25
10:50:29
10:50:32
10:50:36
10:50:40
10:50:42
10:50:44
10:50:47
10:50:49
10:50:50
10:50:50
10:50:54
10:50:56
10:50:57
10:50:58
10:51:00
10:51:04
10:51:10
10:51:12
10:51:14
10:51:14
10:51:15
10:51:17
10:51:18
10:51:21
10:51:23
10:51:25
10:51:28
10:51:32
10:51:38
10:51:38
10:51:45

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

A. Correct.

Q. And you were asked about whether or not other nurses made errors, and you said other nurses did make errors. And we know and we are going to hear expert evidence with respect to how many medications are given out in long-term care homes, and we are talking about giving out hundreds and thousands of them; is that correct?

A. Correct.

Q. And so that people from time to time are not perfect, they are human, they make errors; is that correct?

A. Correct.

Q. But you didn't have any other nurse that we would have a comparable discipline record or -- not just personnel record, where you had so many matters that you would have to discuss with her; would you agree with me?

A. I would have to go back and look at their files to see if there was anything comparable.

Q. And you can't recall now?

A. Believe me, no, I can't.

Q. And with respect to, you talked about -- and is that just because you can't recall with the passage of time?

A. I think with the stress, I can't recall.

Q. All right, fair enough. But you said in your affidavit you needed her and

10:51:48 1 you needed her because you were short-staffed;
10:51:50 2 is that correct?

10:51:55 3 MS. HEWITT: Commissioner,
10:51:56 4 perhaps --

10:51:56 5 THE WITNESS: Correct. I'm
10:51:57 6 fine.

10:51:57 7 MS. HEWITT: You are fine?

10:51:57 8 THE WITNESS: Yes.

10:51:58 9 MS. HEWITT: Okay.

10:51:59 10 BY MS. HUGHES:

10:52:00 11 Q. We could take a break any
10:52:01 12 time, Commissioner.

10:52:02 13 A. I am fine.

10:52:02 14 Q. Okay. And you told us
10:52:05 15 yesterday, for instance, that you scheduled her
10:52:08 16 and she was complaining about seven consecutive
10:52:10 17 days; is that right?

10:52:12 18 A. Correct.

10:52:13 19 Q. And that is not normal? That
10:52:16 20 is because you had a shortage; is that right?

10:52:18 21 A. I believe so. I would have
10:52:20 22 to look at her staffing pattern, but I don't
10:52:22 23 think that we would have a normal routine of
10:52:26 24 seven shifts.

10:52:27 25 Q. And I am going to tell you
10:52:29 26 that in the Agreed Statement of Facts with
10:52:32 27 respect to the shift where she murdered James
10:52:35 28 Silcox, she said she worked a double shift, and
10:52:39 29 so I take it --

10:52:40 30 A. I wasn't there at that time.

10:52:41 31 Q. Okay, so you don't know
10:52:43 32 whether or not she --

10:52:43
10:52:44
10:52:45
10:52:49
10:52:53
10:52:55
10:53:00
10:53:01
10:53:02
10:53:03
10:53:05
10:53:08
10:53:10
10:53:10
10:53:13
10:53:17
10:53:19
10:53:20
10:53:22
10:53:24
10:53:24
10:53:36
10:53:38
10:53:40
10:53:43
10:53:46
10:53:49
10:53:49
10:53:53
10:54:00
10:54:03
10:54:06

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

A. No, I don't know.

Q. Okay. And then with respect to we know, and I can take you to documents if necessary, where you said to her that you wanted her to step up on taking overtime shifts; is that right? I believe you were shown that document this morning.

A. Yes, there was a document to that, yes.

Q. So she was asked to not only do the shifts that was scheduled for her, but to actually do overtime shifts as well; is that right?

A. Yes, I believe, like to take extra shifts, because we had a requirement to, you know, cover 24/7.

Q. And you didn't have sufficient nurses hired; is that right?

A. Yes, that would have been why.

Q. Okay. And with respect to you gave some evidence in your affidavit on -- yesterday, and you were asked about the role of the union. And you repeatedly said that you were afraid of grievances. And how many grievances had you received from the Ontario Nurses Association?

A. I don't know. I can't answer that question. I didn't grieve -- I didn't deal with all the grievances through ONA.

Q. And who did then?

A. Head office.

1 Q. And you told us, in answer to
2 a question this morning, that in addition to
3 Ms. Wettlaufer, there was one other RN that you
4 fired?

5 A. I believe so, yes.

6 Q. And did that matter go to a
7 grievance arbitration, because I understand it
8 didn't?

9 A. I can't answer that. I
10 didn't go to one. I believe head office did.

11 Q. Sorry?

12 A. I believe head office did,
13 but --

14 Q. You were never called as a
15 witness in an arbitration; is that right? For
16 ONA. I don't know about the other union.

17 A. I don't believe that I was.

18 Q. And under the Collective
19 Agreement, and if we could bring that up again,
20 and that is at 70956. And if we could go to
21 article 8, which is at page 12 of the
22 Collective Agreement, Madam Commissioner, for
23 your hard copy.

24 And so that is the grievance --

25 THE COMMISSIONER: Article what?

26 BY MS. HUGHES:

27 Q. Article 8 at page 12. So
28 that is the Collective Agreement process for a
29 grievance, and you would agree with me, I
30 believe, that in terms of grievance, it doesn't
31 automatically go to a grievance arbitration;
32 that there are, as we can see, two steps?

10:55:50 1 A. Excuse me, is there a reason
10:55:51 2 I don't have page 12?

10:55:53 3 Q. I don't know.

10:55:55 4 A. I have 11 and 13. I don't
10:55:58 5 have 12. I guess I can read it on the screen,
10:56:00 6 but --

10:56:01 7 Q. Oh, I apologize if that is
10:56:02 8 the case. You have got it on the screen there?

10:56:07 9 A. Yes.

10:56:08 10 Q. Okay, and so there is a
10:56:10 11 number of grievance steps; is that right?

10:56:11 12 A. Yes, there is.

10:56:18 13 THE COMMISSIONER: Can I just
10:56:18 14 check, is this one of the
10:56:19 15 documents that the witness has
10:56:20 16 had a chance to review in
10:56:22 17 advance of your questioning or
10:56:24 18 not?

10:56:25 19 MS. HUGHES: The Collective
10:56:27 20 Agreement is referred to in her
10:56:28 21 affidavit, so I assume that she
10:56:29 22 had a chance, and it is in the
10:56:30 23 database. There is an excerpt
10:56:32 24 attached as an exhibit to her
10:56:33 25 affidavit.

10:56:34 26 THE COMMISSIONER: Yes, are
10:56:35 27 these portions included in the
10:56:38 28 extract to the --

10:56:40 29 MS. HUGHES: I don't believe
10:56:40 30 they put the grievance procedure
10:56:41 31 in, but yesterday she gave
10:56:43 32 considerable evidence about

10:56:44 1 being concerned about
10:56:46 2 grievances.
10:56:46 3 THE COMMISSIONER: Yes, she did,
10:56:48 4 but I mean, this is quite
10:56:49 5 technical, and I am just
10:56:50 6 wondering if, in fairness to the
10:56:52 7 witness, she has had an
10:56:53 8 opportunity to review more fully
10:56:55 9 this document.
10:56:57 10 MS. HUGHES: Okay.
10:56:58 11 THE COMMISSIONER: I am not
10:56:59 12 trying to interfere with your
10:57:00 13 cross-examination, and I know
10:57:01 14 that things move way more
10:57:04 15 quickly in an Inquiry than in
10:57:06 16 other processes, but if these
10:57:08 17 are documents that you want to
10:57:09 18 examine, I am just wondering if
10:57:11 19 it might make sense for us to
10:57:12 20 take the morning recess now and
10:57:14 21 allow the witness a few minutes
10:57:16 22 to review them so that she is
10:57:20 23 more comfortable.
10:57:21 24 MS. HUGHES: Yes, that is fine,
10:57:22 25 thank you.
10:57:22 26 THE COMMISSIONER: In light of
10:57:23 27 that, it seems to me that
10:57:24 28 perhaps we should take a bit
10:57:26 29 longer at the morning recess to
10:57:27 30 make sure that the witness has
10:57:28 31 an opportunity to review the
10:57:29 32 documents. It is both these

10:57:31 1 documents that you are going to
10:57:32 2 put questions to her on, both
10:57:34 3 the Guidelines on Expenditures
10:57:36 4 and the Collective Agreement; is
10:57:39 5 that correct, Ms. Hughes?

10:57:43 6 MS. HUGHES: That's correct.

10:57:43 7 THE COMMISSIONER: Alright, I'm
10:57:43 8 in your hands. Is a half an
10:57:45 9 hour sufficient time for both a
10:57:47 10 health break and to review the
10:57:50 11 documents?

10:57:51 12 MS. HEWITT: I believe so,
10:57:53 13 Commissioner. I think that Ms.
10:57:55 14 Van Quaethem will refresh her
10:57:56 15 memory with the Collective
10:57:57 16 Agreement, because I believe she
10:57:58 17 testified they would have used
10:58:00 18 it.

10:58:01 19 The other thing, the other
10:58:03 20 document that was provided to
10:58:04 21 you, it just depends upon how
10:58:07 22 technical and into the weeds Ms.
10:58:11 23 Hughes wants to get, and so
10:58:12 24 we'll canvass that, so if we
10:58:15 25 could have a half an hour.

10:58:16 26 THE COMMISSIONER: Why don't we
10:58:19 27 say come back at 11:30. If
10:58:19 28 there is an issue with that, you
10:58:20 29 let the Court Clerk or the CSO
10:58:22 30 know and we can talk about that.
10:58:23 31 And then, of course, if there is
10:58:24 32 some guidance, if Ms. Hughes

10:58:25 1 feels comfortable sharing as to
10:58:27 2 what areas in particular she
10:58:28 3 might be questioning on, that
10:58:29 4 may be of assistance to the
10:58:30 5 witness as well.
10:58:39 6 MS. HUGHES: Thank you.
10:58:39 7 THE COMMISSIONER: The Court
10:58:40 8 Clerk is trying to be very
10:58:42 9 sensitive to the issue of
10:58:43 10 whether or not any documents are
10:58:45 11 going to be subject to
10:58:45 12 redactions. I have just told
10:58:47 13 her, but probably I should have
10:58:49 14 checked with you, I would not
10:58:51 15 think that either Exhibit 12 or
10:58:52 16 Exhibit 13 could possibly be
10:58:53 17 subject to redactions.
10:58:54 18 MS. HUGHES: I agree.
10:58:55 19 MS. HEWITT: I agree.
10:58:56 20 THE COMMISSIONER: All right, so
10:58:56 21 in terms of the break and so on,
10:58:59 22 are we good with the process
10:59:00 23 that I have proposed?
10:59:02 24 MS. HEWITT: Yes, Commissioner.
10:59:04 25 MS. HUGHES: Yes.
10:59:04 26 THE COMMISSIONER: Fine with
10:59:05 27 everybody? Thank you.
10:59:06 28 -- RECESSED AT 11:00 A.M.
11:00:01 29 -- RESUMED AT 11:42 A.M.
11:43:42 30 MS. HEWITT: Good morning again,
11:43:44 31 Commissioner. Thank you so much
11:43:45 32 for giving us that opportunity.

11:43:47 1 As you can imagine, with 41,000
11:43:51 2 documents and change, although
11:43:52 3 we have protocols to get
11:43:54 4 everything to each other by 6
11:43:56 5 o'clock the night before, there
11:43:57 6 is such a magnitude of
11:44:00 7 documents, it is impossible
11:44:01 8 sometimes to put them all to the
11:44:03 9 witness.
11:44:04 10 We took a longer break so I
11:44:06 11 could canvass with other counsel
11:44:07 12 what exactly they were putting
11:44:08 13 to the witness, because, as you
11:44:11 14 know, as cross-examinations go
11:44:14 15 along, some things get dropped
11:44:14 16 in terms of people not going to
11:44:15 17 refer to them.
11:44:15 18 And we have now canvassed with
11:44:18 19 Ms. Van Quaethem other documents
11:44:20 20 that she may not have seen in
11:44:23 21 prep for her affidavit and her
11:44:24 22 testimony, and so we should not
11:44:25 23 have those issues.
11:44:26 24 So I thank you and I thank
11:44:29 25 counsel for their cooperation.
11:44:30 26 THE COMMISSIONER: Thank you so
11:44:30 27 much. Just on the issue of
11:44:32 28 paperwork, I know it is
11:44:33 29 confusing for everybody what is
11:44:35 30 being entered as exhibits and so
11:44:36 31 on. It is kind of a motley
11:44:39 32 combination of an electronic and

11:44:41 1 a hard copy situation. And that
11:44:44 2 is why I know it is difficult to
11:44:47 3 appreciate how I'm going to deal
11:44:48 4 with the paperwork.
11:44:49 5 Part of my consideration, of
11:44:51 6 course, is to make sure that
11:44:51 7 when people watch the webcast
11:44:53 8 and go back to the webcast that
11:44:55 9 they are able to understand the
11:44:57 10 testimony, and so that is why I
11:45:01 11 have been entering the hard
11:45:01 12 copies as exhibits, even when
11:45:05 13 they are documentary, because
11:45:06 14 not everybody has access to the
11:45:08 15 database and so on.
11:45:09 16 So I think the easiest way, so
11:45:11 17 that everybody is clear and also
11:45:14 18 to make sure that we have clean,
11:45:16 19 unmarked copies to be loaded
11:45:18 20 onto our website, is just to
11:45:21 21 assume that if you are going to
11:45:22 22 put a document, even if it is
11:45:24 23 already in evidence, if you are
11:45:26 24 going to put a document to the
11:45:28 25 witness, please give us three
11:45:30 26 copies. That way there will be
11:45:32 27 one for the witness, one for me
11:45:34 28 so I can mark it up as we go
11:45:36 29 along, and one clean copy so we
11:45:38 30 have a perfect record in case
11:45:40 31 that ever comes along and also
11:45:41 32 to make sure we have a clean

11:45:43 1 copy to load to the website.
11:45:45 2 So hopefully that helps clarify
11:45:47 3 what I know was an unclear
11:45:49 4 situation.
11:45:50 5 So with that, unless there is
11:45:52 6 something else, Ms. Hughes, go
11:45:57 7 ahead.
11:45:58 8 BY MS. HUGHES:
11:45:59 9 Q. Thank you. Amanda, if you
11:46:00 10 could put the Collective Agreement back up on
11:46:02 11 the screen, that's document 70956, Exhibit 12,
11:46:06 12 and if we could look at article 8.03. This is
11:46:10 13 the grievance procedure, and you have had a
11:46:12 14 chance to look it over, over the break, but I
11:46:18 15 understand you would have been familiar with
11:46:20 16 this document. 8.03 under the step 1 indicates
11:46:24 17 that it refers to a grievance as submitted to
11:46:26 18 the Administrator, and you are the
11:46:28 19 Administrator?
11:46:29 20 A. Correct.
11:46:30 21 Q. So you were the person who
11:46:31 22 was actually dealing with the grievances and
11:46:33 23 the steps; is that correct?
11:46:34 24 A. I would get -- receive the
11:46:37 25 grievance and send it to head office.
11:46:39 26 Q. Okay. And then are you
11:46:40 27 saying that head office would then deal with
11:46:41 28 the grievance meetings and you would not?
11:46:44 29 A. I could be involved in them
11:46:47 30 as well. You asked if I remembered. I don't,
11:46:53 31 but I could be.
11:46:54 32 Q. Okay. And so under these

11:46:57 1 grievance steps, then there is a process that
11:46:59 2 the parties can meet and try to resolve the
11:47:01 3 matters, the matters of dispute; is that right?

11:47:04 4 A. Yes, yes.

11:47:04 5 Q. And you understand that
11:47:07 6 unionized employees, of which there's 4.83
11:47:12 7 million in Canada, they don't have access to
11:47:13 8 the Courts, so this is the process for them
11:47:17 9 resolving all their disputes in the workplace;
11:47:19 10 is that correct?

11:47:19 11 A. Correct.

11:47:24 12 Q. All right. And you can't
11:47:30 13 recall, prior to Ms. Wettlaufer being
11:47:33 14 terminated, as I understand it, you were never
11:47:36 15 involved in a matter that didn't get resolved
11:47:38 16 and had to go all the way to arbitration, were
11:47:40 17 you?

11:47:41 18 A. I don't believe that I was.

11:47:43 19 Q. Thank you. Now, if I could
11:47:47 20 go back to your affidavit. And, Amanda, if we
11:47:50 21 could look at article 30 of your Collective
11:47:52 22 Agreement -- or your affidavit, rather. And
11:47:55 23 this is under a section in your affidavit
11:47:57 24 called "Progressive Discipline at Caressant
11:47:59 25 Care."

11:48:02 26 And you indicate in your
11:48:04 27 affidavit about progressive discipline. Now,
11:48:09 28 we have looked at the grievance. There is
11:48:10 29 nothing about progressive discipline in the
11:48:15 30 Collective Agreement; you would agree with me?
11:48:18 31 The only thing in the Collective Agreement says
11:48:20 32 you must have, quote, 'just cause' to

1 discipline?

2 A. Yes, correct.

3 Q. And that's in article 8.08,
4 so for discharge, all you require is just cause
5 and there is nothing about progressive
6 discipline.

7 And your affidavit says that
8 there was no written policy, but I would like
9 to take you to document 17050 in the database,
10 a document that we were provided in this
11 proceeding, and it is a document called "Policy
12 and Procedure" dated June 2010, "Caressant Care
13 Nursing and Retirement Home Progressive
14 Discipline."

15 So your affidavit says you
16 recall, to the best of your recollection, there
17 was no written policy. That is incorrect; your
18 recollection is incorrect, would you agree with
19 me?

20 A. Yes, I believe I saw this
21 document the other night, and I thought, well,
22 I was wrong there.

23 Q. Okay, and specifically it
24 talks about the disciplinary process, and this
25 is on the first, is usually a four-step
26 process, a verbal warning, written warning,
27 suspension without pay and dismissal, and this
28 is a document that was created unilaterally by
29 the corporation; is that your understanding?

30 A. Yes, I believe it would be,
31 policies were created at head office.

32 Q. So it wasn't created by the

11:49:49 1 union?

11:49:49 2 A. No, it was a head office --
11:49:52 3 or a corporate policy.

11:49:53 4 Q. And then under that bullet it
11:49:55 5 says:

11:49:56 6 "Except when serious neglect,
11:49:58 7 incompetence or misconduct
11:49:59 8 occurs, in which case one or
11:50:01 9 more steps may be omitted."

11:50:05 10 So if I understand the policy
11:50:08 11 for progressive discipline, if something
11:50:09 12 serious, corporate is telling you that you can
11:50:12 13 skip a step; do you see that?

11:50:13 14 A. I see that.

11:50:14 15 Q. And it doesn't say anywhere
11:50:15 16 that you should go backwards in steps and
11:50:17 17 repeat steps, does it?

11:50:18 18 A. No, I don't believe that it
11:50:20 19 does.

11:50:21 20 Q. And if you go to page 2,
11:50:26 21 there is a box that says:

11:50:32 22 "Important: Begin keeping
11:50:33 23 records when you first speak to
11:50:34 24 the employee about the problem.
11:50:35 25 This is essential. Your chances
11:50:37 26 of successfully defending your
11:50:38 27 actions at a hearing are much
11:50:39 28 greater if you have documented
11:50:40 29 carefully."

11:50:42 30 So this is corporate head office
11:50:44 31 telling you that you have got to -- to defend
11:50:48 32 your actions, what you should do is document

11:50:50 1 better; is that right?

11:50:51 2 A. Correct.

11:50:52 3 Q. And if you could go to page
11:50:54 4 3, the procedure for misconduct, and it has got
11:50:59 5 a document -- a procedure for misconduct, and
11:51:06 6 you can't see it all on the screen, but for
11:51:08 7 misconduct -- and Ms. Wettlaufer engaged in
11:51:10 8 misconduct; is that correct?

11:51:13 9 So let me just ask you that more
11:51:15 10 specifically. If she made a medication error
11:51:19 11 or if she spoke inappropriately to a resident
11:51:23 12 or a co-worker, that would all be misconduct;
11:51:27 13 is that right?

11:51:27 14 A. Correct.

11:51:28 15 Q. Okay. And so under
11:51:30 16 "Misconduct," if it is severe, you can go right
11:51:33 17 to dismissal; is that correct? Do you see that
11:51:40 18 on the left, "severe," and then if it is
11:51:45 19 "minor" there's a number of steps, but severe
11:51:47 20 is, your understanding, the employee can be
11:51:49 21 dismissed; is that your understanding of the
11:51:51 22 corporate policy?

11:51:52 23 A. As I didn't see this policy
11:52:01 24 until the other night and have no recollection
11:52:05 25 of it, that is not the way we did things.

11:52:08 26 Q. And so this policy, the
11:52:13 27 effective date was June 2010, as it says on the
11:52:17 28 first page of it, this would be a policy in
11:52:18 29 effect at the time that you were dealing with
11:52:21 30 Ms. Wettlaufer, certainly from June 2010 until
11:52:25 31 2014 when you dismissed her; is that correct?

11:52:28 32 A. It could be a version of that

1 policy.

2 Q. So are you saying there was a
3 different policy; is that your evidence?

4 A. I would think that the policy
5 was created in June 2010, part of it, but it
6 has been reviewed, maybe revised. I don't
7 know. I have never seen this policy before the
8 other night.

9 Q. And so did the corporate head
10 office not train you on progressive discipline?

11 A. No, I don't believe that they
12 did. They provided guidance to us. But train?

13 Q. And in the guidance to you,
14 did they ever refer to this written policy?

15 A. Not to my recollection.

16 Q. And did you ever speak to
17 head office specifically about to get guidance
18 on progressive discipline for Bethe Wettlaufer?

19 A. I spoke quite often to head
20 office.

21 Q. Did they ever refer you to
22 this policy?

23 A. No.

24 Q. Did they ever tell you that
25 you had to repeat steps?

26 A. That is a hard question to
27 answer. Did they tell me I had to repeat
28 steps? No, we talked and we -- I would consult
29 with Wanda and we would -- or she would
30 suggest, you know, our next steps we were going
31 to do.

32 Q. But did you consult her every

11:54:09 1 step of the way?
11:54:09 2 A. Not for counselling or verbal
11:54:12 3 or written.
11:54:13 4 Q. Okay, so let's go to
11:54:15 5 paragraph --
11:54:16 6 A. But once I did a
11:54:18 7 suspension --
11:54:19 8 Q. Paragraph 49 of the
11:54:24 9 affidavit.
11:54:31 10 MS. HEWITT: Sorry,
11:54:32 11 Commissioner, I didn't think
11:54:33 12 that Ms. Van Quaethem was
11:54:35 13 finished her thought there.
11:54:36 14 THE WITNESS: No, once we were
11:54:38 15 to the point of a suspension,
11:54:41 16 after that I would consult every
11:54:43 17 time with her.
11:54:45 18 BY MS. HUGHES:
11:54:46 19 Q. All right. So at paragraph
11:54:48 20 49 is your review of her personnel file; is
11:54:55 21 that correct? You say "From my review of the
11:54:58 22 documents, it appears that we counselled and
11:55:00 23 disciplined Elizabeth Wettlaufer," and then you
11:55:02 24 set out --
11:55:02 25 A. Correct.
11:55:03 26 Q. So you only reviewed it
11:55:04 27 starting in 2009, so you did not review -- we
11:55:07 28 know that she was disciplined in 2007 and 2008,
11:55:10 29 but you have --
11:55:11 30 A. Yeah, prior to me being
11:55:12 31 there.
11:55:13 32 Q. Okay, and so this review, in

1 paragraph 49, you have -- and it goes over to
2 the next page, it is a. to f. in terms of
3 counselling, and you do counselling, verbal
4 warning, written warning, written warning,
5 one-day suspension, and then you go down to
6 counselling.

7 Now, would you agree with me
8 that this does not appear to be progressive
9 discipline in terms of following the policy?

10 A. Yeah, it appears that way.

11 Q. Okay. And so with respect to
12 the one-day suspension, did you get advice from
13 Wanda on that?

14 A. I would think that, yes, that
15 I did.

16 Q. Okay, and with respect --
17 MR. GOLDEN: Madam Commissioner,
18 I really feel a clarification is
19 in order here, because the
20 witness has been asked and it
21 was suggested in the summary
22 that counsel gave at paragraph
23 49 that that was a review of the
24 discipline of Elizabeth
25 Wettlaufer, and in fact what the
26 paragraph says and the word was
27 skipped over is that this is
28 only in relation to attendance.

29 BY MS. HUGHES:

30 Q. Yes, I understand. I am
31 going to be going to all of her summary. She
32 split that up into different categories in her

1 affidavit.

2 So let's start with paragraph
3 49. And, in fact, Madam Commissioner, if you
4 look at the paragraphs and you go to 68 and
5 then you go further and you have further
6 discipline at 115, if you merged all of those
7 dates, it probably would have been more helpful
8 in terms of progressive discipline.

9 But even looking at it split out
10 with respect to that, you go from a one-day
11 suspension to a counselling.

12 THE COMMISSIONER: You are now
13 referring to paragraph --

14 BY MS. HUGHES:

15 Q. 49.

16 A. I believe that was with the
17 time frame between the disciplines.

18 Q. So your time frames. None of
19 these have a period of a time frame of 18
20 months between discipline; would you agree?
21 Sorry, are you agreeing --

22 A. From August 2011 to August
23 2012 would be twelve months and --

24 Q. So it goes from August 26,
25 2011, at paragraph 49a., to paragraph 49f.,
26 January 18, 2013. That is not 18 months, is
27 it?

28 MS. HEWITT: I think that is
29 what she was just starting to
30 count when you interrupted her,
31 sorry.

32 MS. HUGHES: Okay.

11:58:05 1 MS. HEWITT: How many months,
11:58:07 2 Ms. Van Quaethem? You were
11:58:07 3 starting to count August --
11:58:09 4 THE WITNESS: I was. So we are
11:58:10 5 just short of 18 months.
11:58:12 6 BY MS. HUGHES:
11:58:12 7 Q. And in between that, when we
11:58:14 8 go and we look at paragraph 66 -- sorry,
11:58:19 9 paragraph 68, we see that there is a number of
11:58:25 10 disciplines during that period of time; do you
11:58:29 11 see that?
11:58:29 12 A. Yes.
11:58:29 13 Q. Okay. And so if we put them
11:58:32 14 all together, I am going to put it to you there
11:58:37 15 certainly is nothing close to 18 months between
11:58:40 16 disciplines; would you agree?
11:58:42 17 A. Yes, when you group the
11:58:45 18 different types of disciplines together, the
11:58:48 19 reasons for giving the disciplines.
11:58:50 20 Q. And if you had put it on what
11:58:53 21 you call a tracking sheet or a spreadsheet, you
11:58:55 22 would have been able to see how frequent the
11:58:58 23 discipline is; is that correct? But you didn't
11:59:00 24 do that?
11:59:01 25 A. No, I didn't.
11:59:04 26 Q. And when you were imposing
11:59:07 27 discipline, you said I glanced back to the last
11:59:11 28 previous discipline; is that correct?
11:59:13 29 A. Yes, I did.
11:59:14 30 Q. So you never looked at it all
11:59:17 31 as a pattern, did you?
11:59:18 32 A. Not on paper.

1 Q. So with respect to the first
2 grouping that you have grouped together with
3 respect to attendance, that included a one-day
4 suspension. That was not grieved, was it?

5 A. I don't believe so.

6 Q. And so then when we look at
7 the next grouping with respect to this matter,
8 after paragraph 49, if you look at paragraph
9 42, you have got a grouping of -- sorry,
10 paragraph 52, you have a grouping of another
11 four disciplines for inappropriate comments and
12 conduct; is that right?

13 A. Correct.

14 Q. And none of that was grieved,
15 was it?

16 A. No.

17 Q. And with respect to
18 progressive discipline, it goes from
19 counselling and verbal warning and then back
20 down to counselling and counselling again; is
21 that correct?

22 A. Correct.

23 Q. And so that does not follow
24 the pattern of progressive discipline, does it?

25 A. No.

26 Q. Now, if you could go to
27 paragraph 68, please, and now you have a
28 grouping with respect to another eight
29 incidents of discipline, and this is for work
30 performance. And with respect to this, again
31 this does not follow a pattern of progressive
32 discipline. It goes from verbal warning,

12:00:54 1 written warning, back to counselling, verbal
12:00:54 2 warning and the next one action not noted, so
12:00:57 3 you didn't -- we have been over that yesterday
12:01:01 4 -- a written warning, a written warning and
12:01:03 5 then back to a letter of counselling?

12:01:04 6 A. Correct.

12:01:04 7 Q. And, again, there is not a
12:01:08 8 period of 18 months where she is
12:01:12 9 discipline-free, is there?

12:01:14 10 A. No, there isn't.

12:01:15 11 Q. And if you could now go to
12:01:16 12 paragraph 115, and this is what you have
12:01:27 13 classified as discipline for medication and
12:01:29 14 treatment errors. This is another eight, and
12:01:33 15 again, with respect to progressive discipline,
12:01:35 16 it goes from counselling, counselling, written
12:01:38 17 notice, one-day suspension, five-day
12:01:42 18 suspension, letter of counselling, five-day
12:01:44 19 suspension. So again, it is not -- you drop
12:01:47 20 down to counselling and this is not what is
12:01:49 21 called progressive discipline, is it?

12:01:50 22 A. Not according to the policy.

12:01:55 23 Q. And if you look at paragraph
12:01:59 24 115d., the one-day suspension, this was not
12:02:03 25 grieved by Ms. Wettlaufer or by ONA, was it?

12:02:05 26 A. The one-day suspension?

12:02:08 27 Q. That's correct.

12:02:09 28 A. I can't recall if it was or
12:02:12 29 not.

12:02:12 30 Q. I can tell you that there is
12:02:13 31 no record of it.

12:02:14 32 A. Okay.

1 Q. And you can't -- you have no
2 recollection?

3 A. No, I have no recollection of
4 it.

5 Q. And so then with respect to
6 the five-day suspension on April 12th, 2013,
7 you told us last time that it was grieved, but
8 Ms. Hewitt took you to a document that ONA
9 withdrew the grievance; is that right?

10 A. Yes, I believe that is
11 correct.

12 Q. And then on December 19th,
13 you drop down to a letter of counselling, and I
14 would like to take you to paragraph 126 where
15 you discuss that in more detail. You said:

16 "During the meeting Mrs. Crombez
17 said to Elizabeth Wettlaufer
18 that if we send this incident to
19 Head Office it would not be
20 good."

21 And we have looked at this in
22 more detail. You said:

23 "This letter was similar to the
24 one we sent just a few weeks
25 earlier in November, 2013."

26 I just want to stop you there.

27 I don't see a reference in
28 paragraph 115 to you taking any action about a
29 similar letter November of 2013; would you
30 agree?

31 A. I am not -- I thought there
32 was a letter in --

12:03:23 1 MS. HEWITT: Sorry, just for
12:03:25 2 clarification, Ms. Hughes, it
12:03:27 3 has actually been classified, if
12:03:29 4 you will note, under work
12:03:32 5 performance, which you have
12:03:33 6 already reviewed at paragraph
12:03:34 7 68. That is where that letter
12:03:35 8 arises.

12:03:36 9 BY MS. HUGHES:

12:03:37 10 Q. All right. So if that --
12:03:38 11 looking at this, you say a letter was similar
12:03:41 12 to the one we sent a few weeks earlier, so you
12:03:44 13 have got two similar discipline letters being
12:03:46 14 sent within a matter of weeks; is that correct?

12:03:49 15 A. Yeah, about a month apart, I
12:03:52 16 believe.

12:03:52 17 Q. And so with respect to this
12:03:58 18 matter then, again the only matters that were
12:04:04 19 grieved by ONA were at the very end with
12:04:07 20 respect to the five-day suspension and the
12:04:11 21 termination? Previous to that --

12:04:14 22 A. The one previously was, but
12:04:17 23 withdrawn.

12:04:17 24 Q. Right, but the one-day
12:04:19 25 suspensions, any other disciplines, none of
12:04:21 26 that was grieved?

12:04:22 27 A. Not to my recollection.

12:04:23 28 Q. Now, with respect to this
12:04:27 29 grievance, there is about 20 or 30 different
12:04:33 30 matters that were being discussed. I mean, we
12:04:36 31 can add them up with respect to that. But did
12:04:38 32 you ever say to the union, we would like to

12:04:40 1 meet, we have got a problem, I would like to
12:04:42 2 sit down and look at this pattern or problems
12:04:45 3 that we have with this employee?
12:04:51 4 A. I don't know if we spoke to
12:04:55 5 Jill or not.
12:04:57 6 Q. She is going to be giving
12:04:58 7 evidence in this proceeding.
12:04:59 8 A. Yeah, okay.
12:05:00 9 Q. And --
12:05:01 10 A. So I would go with her answer
12:05:03 11 then.
12:05:03 12 Q. Okay. But you certainly
12:05:04 13 could have picked up the phone and called her
12:05:06 14 and said, let's have a meeting, we have got a
12:05:08 15 problem; but you never did that, is that right?
12:05:11 16 A. It wasn't our practice to do
12:05:13 17 that. Like, I hadn't experienced that, no.
12:05:15 18 Q. But you certainly could have
12:05:16 19 done that, is that right, let's set up a
12:05:18 20 meeting and let's talk about this problem we
12:05:19 21 have?
12:05:20 22 A. I guess I could have.
12:05:21 23 Q. And ONA didn't know about all
12:05:24 24 of these incidents, so I'm going to just take
12:05:27 25 you to a few of them. So if you look at 16841,
12:05:30 26 which is Exhibit "I" to your affidavit.
12:05:34 27 MS. HEWITT: Sorry,
12:05:35 28 Commissioner, I'm assuming that
12:05:36 29 evidence will be coming from ONA
12:05:38 30 at some point in time that they
12:05:40 31 weren't aware of all of these?
12:05:45 32 MS. HUGHES: Yes. Well, I'm

12:05:47 1 going to be asking this witness
12:05:48 2 if she discussed it with them.
12:05:50 3 MS. HEWITT: Okay, that is fine,
12:05:51 4 because I know there was
12:05:51 5 evidence that there was an ONA
12:05:52 6 representative.
12:05:53 7 BY MS. HUGHES:
12:05:54 8 Q. Well, we are going to look at
12:05:55 9 the ones that have an ONA representative. If
12:05:57 10 you look at item 16841, that is a complaint
12:05:59 11 that was brought by Mr. Bhat?
12:06:03 12 A. Yes.
12:06:04 13 Q. Do you recall giving that
12:06:06 14 evidence? So did you ever send this to ONA and
12:06:09 15 discuss it with ONA?
12:06:10 16 A. No.
12:06:10 17 Q. So they would have no idea
12:06:13 18 about this complaint; is that right?
12:06:14 19 A. Not unless someone else told
12:06:17 20 them.
12:06:18 21 Q. Okay. And you said this
12:06:19 22 morning, when it was put to you that there was
12:06:22 23 a lot of complaints about her, you said I
12:06:24 24 thought maybe the complaint was because that
12:06:27 25 she was gay, her sexual orientation. You don't
12:06:29 26 think that this complaint by this co-worker was
12:06:33 27 anything to do with her sexual orientation, do
12:06:37 28 you?
12:06:37 29 A. No, I believe that he was
12:06:39 30 more upset about how the routine was going on
12:06:43 31 nights.
12:06:43 32 Q. And he said specifically in

12:06:45 1 here that he didn't have any concerns about the
12:06:47 2 other nurses who worked night shift?

12:06:50 3 A. Correct.

12:06:50 4 Q. And the complaint was
12:06:52 5 specific about narcotic counts and Elizabeth
12:06:55 6 Wettlaufer; is that right?

12:06:55 7 A. Correct.

12:06:56 8 Q. And not only did you not
12:06:59 9 bring it to ONA's attention, you didn't bring
12:07:02 10 it to the Ministry's attention either, did you?

12:07:04 11 A. No, we did not.

12:07:06 12 Q. And you didn't investigate
12:07:08 13 and take action; is that right?

12:07:09 14 A. Correct.

12:07:10 15 Q. And you said last time that
12:07:15 16 he hadn't put it on a specific form, but you
12:07:18 17 would agree with me it was brought to your
12:07:20 18 attention? You knew he had a concern; is that
12:07:22 19 right?

12:07:22 20 A. I didn't believe that this
12:07:24 21 was the one that I had said wasn't on a
12:07:26 22 specific form. I believe that was another one.

12:07:28 23 Q. Okay. And so with respect to
12:07:30 24 the fact that you said that he -- but this
12:07:34 25 matter was brought to your attention and you
12:07:36 26 did investigate it; is that right?

12:07:39 27 A. Yeah, I was cc'd on the
12:07:41 28 email.

12:07:41 29 Q. And then if I could look at
12:07:45 30 matter 0639, which is Exhibit "X" to the
12:07:49 31 affidavit, and these are these matters put on
12:08:00 32 the Ministry Critical Incident Report form.

1 Did you send those to the union so that they
2 knew about them?

3 A. No, we never sent things
4 through to the union such as this, I would
5 think.

6 Q. Okay. So the union didn't
7 know about any? I don't need to go to any of
8 those Ministry Critical Incident --

9 A. No, you do not.

10 Q. Your answer would be the same
11 for all of them?

12 A. Yes, it will be.

13 Q. And similarly with respect to
14 exhibit -- it is item 16793, Exhibit "Z", and
15 with respect to unusual occurrence matters,
16 were any of these sent to the union?

17 A. Are we still referring to
18 critical incidences?

19 Q. Yes. Well, it is 16793.

20 A. And I am not sure what
21 document that is.

22 Q. Okay. So there was a
23 series of letters, for instance this one from a
24 PSW --

25 A. No, they were not sent
26 through to the union.

27 Q. Okay. So this one is Bethe
28 Wettlaufer is a bully, et cetera. The union
29 would know nothing about that?

30 A. No, not unless it was
31 discussed at a -- you know, a meeting.

32 Q. And was it discussed at a

12:09:21
12:09:22
12:09:23
12:09:25
12:09:30
12:09:30
12:09:30
12:09:32
12:09:32
12:09:33
12:09:36
12:09:37
12:09:38
12:09:40
12:09:41
12:09:46
12:09:50
12:09:57
12:09:59
12:10:00
12:10:06
12:10:09
12:10:10
12:10:12
12:10:13
12:10:14
12:10:19
12:10:20
12:10:21
12:10:22
12:10:24
12:10:26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

meeting?

A. No, not that I am aware of.

Q. So then your answer would be true, and I won't need to go to all of the PSW letters --

A. No.

Q. -- that none of them were sent to the union?

A. No.

Q. Similarly, there was letters from RPNs and they weren't sent to the union? None of the letters were --

A. No, none of the letters were.

Q. Okay. And if I could take you to item 16883. Amanda, that is Exhibit "D" to the affidavit. And this is a July 7th, 2010 letter. And if you could scroll right down to the bottom, you will see that it is not copied to the union, is it?

A. I am on the wrong letter, obviously, because --

THE COMMISSIONER: Exhibit "D"?

THE WITNESS: -- the one I have is --

MS. HUGHES: There's a number of letters at Exhibit "D."

THE COMMISSIONER: And the number again, the document number?

MS. HUGHES: The document is 16883. It is a July 7th, 2010 letter.

12:10:27 1
12:10:28 2
12:10:29 3
12:10:30 4
12:10:33 5
12:10:33 6
12:10:37 7
12:10:40 8
12:10:41 9
12:10:42 10
12:10:43 11
12:10:46 12
12:10:48 13
12:10:49 14
12:10:53 15
12:10:55 16
12:10:55 17
12:10:56 18
12:11:04 19
12:11:09 20
12:11:13 21
12:11:15 22
12:11:17 23
12:11:24 24
12:11:29 25
12:11:32 26
12:11:33 27
12:11:33 28
12:11:36 29
12:11:40 30
12:11:48 31
12:11:49 32

MS. HEWITT: It is the second document in that tab.

THE WITNESS: No, it doesn't say that it is copied to the union.

BY MS. HUGHES:

Q. Okay. And so some, but not all of the letters, were copied to the union; would that be fair?

A. That would be fair.

Q. And when it says it is copied to the union, who is it sent to in the union?

A. It is sent to the union rep within the home.

Q. And so who was -- that was -- you said there is not always a union rep within the home?

A. No, but they would have been given, at one time, to Karen Routledge, and then we would give a copy to the nurse that was representing her, at the time we talked to her they would have a copy to pass on to the union.

Q. Okay, so if you could look at Exhibit "F", item 16895, a December 3rd, 2009 letter. And if we could scroll down, the letter signed by you; again, not copied to the union, would you agree?

A. Correct.

Q. And if I could look at, Amanda, 16824, and these are minutes of September 3rd?

THE COMMISSIONER: Which exhibit is that?

1 BY MS. HUGHES:

2 Q. 16824. Sorry, I am not sure
3 which tab it is. And it was notes of a
4 September 3rd, '12 meeting. And I understand
5 that it refers to Kathleen Toon in that matter,
6 and Kathleen Toon, if I could just hold on
7 that, and if we could go to document 16823,
8 which is Exhibit "T", August 31st, 2012, and if
9 we could scroll down, do you see Kathleen Toon?
10 She is not a union rep, she is what you called
11 a witness; is that correct?

12 A. Yes, she wrote that she was
13 there as a witness.

14 Q. Okay.

15 A. She didn't want to be the
16 union rep.

17 Q. Okay. So these are examples
18 where you didn't have a union rep, but you just
19 asked somebody who was working that day to sit
20 in as a witness; is that right?

21 A. Correct.

22 Q. Now, we have a number of
23 those documents, and if we could bring up
24 16797. And, Madam Commissioner, that is a
25 loose document that should be in front of you,
26 a Disciplinary Action Form of March 19, 2013
27 regarding an incident of March 14th, 2013. It
28 was not attached to her affidavit. Do you have
29 that loose document?

30 THE COMMISSIONER: Yeah, I think
31 it is dated April 12th, 2013.

32 Just let me check.

12:13:44 1 MS. HUGHES: This should be
12:13:44 2 March 19th, 2013.
12:13:48 3 THE COMMISSIONER: Okay.
12:13:49 4 MS. HUGHES: 16797.
12:13:55 5 THE COMMISSIONER: So let's just
12:13:56 6 mark that as an exhibit now so
12:13:58 7 that it is clear. So it should
12:13:59 8 have a 16797 up in the top
12:14:03 9 right-hand corner?
12:14:04 10 THE WITNESS: Yes, dated April
12:14:06 11 12th.
12:14:07 12 MS. HEWITT: That is in her
12:14:07 13 affidavit, yes, it is at tab
12:14:12 14 "FF", 16797.
12:14:15 15 MS. HUGHES: Oh, is it?
12:14:16 16 THE COMMISSIONER: Okay, that is
12:14:16 17 very helpful. That is tab "FF"
12:14:20 18 in your affidavit.
12:14:26 19 MS. HUGHES: Could we just step
12:14:28 20 off the record for one moment.
12:14:47 21 Okay, 16813, I apologize. And
12:14:52 22 that is also attached.
12:14:54 23 THE COMMISSIONER: Okay, and
12:14:56 24 which --
12:14:58 25 MS. HUGHES: "EE" to the
12:14:58 26 affidavit.
12:14:59 27 THE COMMISSIONER: All right.
12:15:00 28 So the last question was about
12:15:03 29 Exhibit "EE" to her affidavit?
12:15:05 30 MS. HUGHES: Yes, that is. So
12:15:06 31 if you could see --
12:15:08 32 MS. HEWITT: It is at the last

12:15:09 1 tab. Sorry, Commissioner, it is
12:15:11 2 the last document in that tab.
12:15:13 3 THE COMMISSIONER: Okay, thank
12:15:14 4 you.

12:15:17 5 BY MS. HUGHES:

12:15:17 6 Q. Thank you. So that is the
12:15:18 7 right one. If we could scroll down, Amanda.
12:15:20 8 Again, there is a second individual and that
12:15:24 9 appears to be R.N. Cheon, who is a witness
12:15:31 10 again?

12:15:31 11 A. Correct.

12:15:32 12 Q. So would you agree with me
12:15:33 13 that with respect to the disciplines then, that
12:15:38 14 there are a number of them where there was no
12:15:40 15 union rep actually at the matter to hear the
12:15:44 16 issues; is that correct?

12:15:45 17 A. We didn't have a union rep.

12:15:47 18 Q. Okay. And with respect to
12:15:54 19 this matter then, I think we have three
12:15:56 20 different categories, Brenda. We have got a
12:15:59 21 number of matters that were brought to your
12:16:01 22 attention by co-workers or by residents and
12:16:06 23 critical incidents, emails, notes. None of
12:16:09 24 those went to the union; is that correct? You
12:16:13 25 have already told us that. That is the first
12:16:15 26 category.

12:16:15 27 And then the second category is
12:16:17 28 we have a number of disciplines that you didn't
12:16:19 29 send a copy to the union; is that right?

12:16:20 30 A. With disciplines, the copy
12:16:24 31 would have been with the witness to pass on.

12:16:29 32 Q. Okay. And then the -- so

1 with respect to the letters, though, you have
2 told us they are not copied to the union?

3 A. Some were, some weren't.

4 Q. Right. So if we were looking
5 at this, and as we did with Ms. Hewitt when she
6 took us through yesterday all of the different
7 incidents and concerns and matters, it reminds
8 me of a kid's book where you have to connect
9 the dots and a picture emerges. Do you
10 remember doing those as a child? And with
11 respect to that, the union didn't have all of
12 that information. The only two people that had
13 all that information were yourself and Helen
14 Crombez; is that correct?

15 A. I think other people were
16 aware of her file. The union rep within the
17 home knew.

18 Q. And so what union rep do you
19 say knew all of these matters?

20 A. I am quite sure that Karen
21 Routledge knew.

22 Q. And do you know when she was
23 a union rep?

24 A. No, I don't know the dates.

25 Q. Okay, but she certainly
26 wouldn't have known anything with respect to,
27 for instance, Mr. Bhat's --

28 A. No, she would not know about
29 that, other than I believe nursing was talked
30 in general about that and to correct the
31 procedure there.

32 Q. And she wouldn't know about

12:17:51 1 those Ministry critical incident forms about
12:17:55 2 the residents' concerns, would she? She was
12:17:58 3 not brought into the loop on that?

12:17:59 4 A. No, I don't know if nursing
12:18:01 5 staff knew what was reported as a critical
12:18:03 6 incident. They did an internal incident
12:18:07 7 report, so they would be more aware of them.

12:18:09 8 Q. And she wouldn't know
12:18:11 9 anything about the PSW complaints that you
12:18:14 10 received and didn't proceed --

12:18:16 11 A. Not unless she was in or was
12:18:19 12 given a copy of the disciplines.

12:18:21 13 Q. And you didn't give her a
12:18:22 14 copy of it, did you?

12:18:23 15 A. I gave copies of disciplines
12:18:26 16 to the union person.

12:18:27 17 Q. No, sorry, I'm talking now
12:18:30 18 about the PSW concerns that they raised, that
12:18:35 19 Elizabeth Wettlaufer is a bully and there's a
12:18:37 20 number of documents --

12:18:37 21 A. Not unless discipline was
12:18:39 22 involved.

12:18:39 23 Q. And you have already gone
12:18:40 24 through and said you didn't impose discipline
12:18:43 25 on a number of those; is that right?

12:18:44 26 A. On some of them we did not,
12:18:45 27 no.

12:18:46 28 Q. So I take it you are agreeing
12:18:47 29 with me in terms of connecting all the dots,
12:18:50 30 certainly the union would not have all of those
12:18:52 31 dots? You were the only one that had all of
12:18:54 32 that information, is that correct, the total

12:18:58 1 picture?

12:18:58 2 A. I will say that the union
12:19:00 3 didn't have all the dots.

12:19:01 4 Q. Thank you. And with respect
12:19:08 5 to -- I just want to make sure that we are
12:19:10 6 clear on this. If we look at the Collective
12:19:12 7 Agreement, which is article 70956, Ms. Hewitt
12:19:19 8 took you to the 18 months. It is referred to
12:19:22 9 commonly as a sunset clause, and that is
12:19:25 10 article 10.03 at page 21.

12:19:28 11 And certainly you weren't aware
12:19:30 12 of that provision that it was an 18-month
12:19:34 13 period of discipline-free, so you didn't know
12:19:36 14 that all of that discipline would stay on her
12:19:38 15 record?

12:19:40 16 A. No, I was thinking it was
12:19:41 17 after a year, you know, because I was more
12:19:46 18 familiar with the PSWs' contract. There was
12:19:51 19 more issues with --

12:19:52 20 Q. So you would agree with me
12:19:53 21 then all of this discipline would have stayed
12:19:55 22 on her record, not a single thing would have
12:19:58 23 been taken off, if you followed the Collective
12:19:59 24 Agreement; is that right?

12:20:00 25 A. Correct.

12:20:01 26 Q. Thank you. Now, when these
12:20:06 27 problems were raised with you, she was still --
12:20:10 28 you still allowed her to work nights and
12:20:12 29 evenings; is that right?

12:20:13 30 A. Correct.

12:20:14 31 Q. And so you didn't say, let's
12:20:16 32 schedule her on the days so I'll be in a better

1 position to observe, to find out if I can
2 confirm the complaints of the co-workers?

3 A. It wouldn't be me that would
4 be observing her.

5 Q. But there would be somebody
6 who could observe her if you placed her on
7 days; is that right?

8 A. Right.

9 Q. But you never did that, did
10 you?

11 A. No, we did not.

12 Q. Now, there was questions put
13 to you about health issues and what you knew.
14 And you knew that she had an attendance problem
15 because you disciplined her for attendance
16 problems; is that right?

17 A. Correct.

18 Q. And she told you that she was
19 being -- had to go to emergency, for example?
20 You knew that?

21 A. She brought me a doctor's
22 note from the Emergency Department and I
23 believe that was because we had asked her for
24 her -- in a discipline that we had said that
25 she would have to show a doctor's note. So
26 then she would go to emerg to get a doctor's
27 note.

28 Q. And you also knew that she
29 was found sleeping at work on occasion; is that
30 right?

31 A. Yes, on her breaks.

32 Q. And that could be an

12:21:30
12:21:31
12:21:31
12:21:40
12:21:41
12:21:43
12:21:45
12:21:49
12:21:54
12:21:58
12:22:02
12:22:06
12:22:08
12:22:11
12:22:12
12:22:14
12:22:17
12:22:18
12:22:21
12:22:25
12:22:29
12:22:32
12:22:35
12:22:36
12:22:37
12:22:39
12:22:40
12:22:41
12:22:43
12:22:46
12:22:47
12:22:48

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

indication of a health problem, would you agree?

A. I -- it didn't cross my mind.

Q. And you have set out that it was brought to your attention a number of what I am going to call odd things, so, for instance, at paragraph 58, it was brought to your attention by another nurse that she was acting oddly with respect, and this is at paragraph 58 of your affidavit. And she was making -- standing behind the nurse, saying "you are so cold, you are so insensitive," and then she showed the co-worker a boil on her groin area.

Would that be something that you would be concerned about, this rather odd behaviour?

A. I don't believe that I thought her behaviour was odd in what she was saying to that nurse. I think she was feeling the nurse was being insensitive by calling residents just by their last name.

Q. And this is --

A. And I --

Q. Sorry, could I just ask you, with respect to residents --

THE COMMISSIONER: Just if I can, Ms. Hughes, the reporter is having a difficulty because we are having people interrupt each other.

BY MS. HUGHES:

1 Q. Just before you move on, that
2 is not calling residents to their face by their
3 last names. This is when you are doing it at
4 report; is that right?

5 A. Yes, it was at report.

6 Q. So it is not in front of the
7 residents?

8 A. No, but I do believe Bethe
9 thought it was still insensitive.

10 Q. And would you agree with me
11 at least that pulling one's pants down and
12 showing a co-worker your groin area, that is
13 odd behaviour?

14 A. Well, that depends on the
15 relationship between the two individuals that
16 were there, and I can't comment on that.

17 Q. Certainly the nurse thought
18 it was odd, it was odd enough to report it to
19 you?

20 A. She did.

21 Q. So at paragraph 79, we have a
22 resident reporting being -- waking up and hit
23 on her left shoulder to wake her up for a blood
24 sugar, and then at paragraph 80 we have the
25 incident about the resident and the issue about
26 bullying.

27 And in paragraph 80 you said:

28 "We gave Elizabeth Wettlaufer
29 the benefit of the doubt."

30 So that was a judgment call that
31 you made; is that right?

32 A. I believe so.

1 Q. And you didn't come and sit
2 down with the union and say let's discuss this
3 in any way, did you?

4 A. No.

5 Q. So they wouldn't know about
6 anything, for instance, at paragraph 79 or 80;
7 is that right?

8 A. No, they would not.

9 Q. And then we have at paragraph
10 103, we have the incident of the concern from
11 the staff that Wettlaufer was shaking her
12 backside, it specifically said "shook her butt
13 in front of a resident's face"; you would agree
14 with me that is rather odd behaviour?

15 A. Oh, you see a lot of odd
16 behaviours in a nursing home where staff try to
17 make the residents laugh.

18 Q. And so when you are looking
19 at all of these --

20 A. So I didn't look at that
21 incident as odd, I will say.

22 Q. And did you ever look at it
23 as part of a pattern?

24 A. No, I did not.

25 Q. And if you look at paragraph
26 95 of your affidavit, and this is paragraph 94
27 and 95, with respect to health issues, even if
28 you did not think that she may have had health
29 issues from those conduct --

30 MS. HEWITT: Sorry,
31 Commissioner, if I can just, if
32 Ms. Hughes or any counsel is

12:25:23 1 referring any witness to a
12:25:25 2 paragraph in his or her
12:25:27 3 affidavit, if they could just
12:25:29 4 allow that particular person to
12:25:30 5 get to that paragraph and maybe
12:25:32 6 read it before they go on and
12:25:33 7 ask the question.

12:25:34 8 BY MS. HUGHES:

12:25:34 9 Q. Okay, fair enough. Could you
12:25:35 10 turn to paragraph 94 and 95. And you have been
12:25:39 11 taken to this paragraph a number of times, and
12:25:42 12 this is the one in the meeting where she tells
12:25:45 13 you that she is OCD and bipolar and changing
12:25:47 14 her medications; do you recall that?

12:25:50 15 A. Yes.

12:25:50 16 Q. Okay. So even if you didn't
12:25:54 17 think that she had health issues before from
12:25:57 18 anything that you had been told, there is no
12:26:00 19 question as of August of 2012 you knew that she
12:26:07 20 had a health condition; is that correct?

12:26:09 21 A. Correct.

12:26:09 22 Q. And that in fact, it was a
12:26:12 23 serious matter that she raised with you; is
12:26:13 24 that right?

12:26:13 25 A. I'm not a nurse. I don't
12:26:21 26 know how serious that would be.

12:26:22 27 Q. Okay.

12:26:23 28 A. When she is on medication for
12:26:26 29 it.

12:26:26 30 Q. Okay. And you don't know if
12:26:28 31 it is serious if she is changing medications?
12:26:30 32 Would that be the same answer?

12:26:31 1 A. No, because I would think
12:26:33 2 changing medications is done under a doctor's
12:26:36 3 care.

12:26:36 4 Q. And you didn't ask her for
12:26:38 5 any information from her doctor, did you?

12:26:40 6 A. No, I did not.

12:26:42 7 Q. And you didn't, we know from
12:26:45 8 questions this morning, you didn't contact the
12:26:47 9 College of Nurses about this, did you?

12:26:49 10 A. No, I did not.

12:26:50 11 Q. And did you contact head
12:26:52 12 office and ask, look, I have just been --
12:26:56 13 someone has just told me that they have a
12:26:58 14 medical condition, OCD and bipolar, and they
12:27:01 15 are changing medications, and she is using it
12:27:04 16 as a reason in a disciplinary matter, is this
12:27:10 17 something I should follow up on? Did you do
12:27:12 18 that?

12:27:14 19 A. I don't recall that I did.

12:27:18 20 Q. And did you know, with
12:27:23 21 respect to that, that you have a duty to
12:27:25 22 inquire with respect to a medical condition for
12:27:28 23 one of your workers? Have you ever been
12:27:30 24 trained on that?

12:27:31 25 A. No.

12:27:31 26 Q. And have you ever been
12:27:33 27 trained on what medical information you can ask
12:27:36 28 one of your employees for? Have you been
12:27:40 29 trained on that?

12:27:40 30 A. No.

12:27:41 31 Q. And did you go to her
12:27:51 32 bargaining agent, the union, phone Jill or talk

1 to the rep that was on-site and say, perhaps
2 you should follow up with your member about a
3 medical condition?

4 A. I don't recall doing that.

5 Q. Now, I wanted to ask you
6 about you repeatedly said yesterday regarding
7 matters, if a staff brought a complaint to you,
8 for instance, brought a complaint -- at
9 paragraph 58, if you want to look at that, was
10 a January 19th letter from an RN regarding
11 unprofessional behaviours.

12 And your evidence yesterday was
13 if it was so bad on January 10th, why delay and
14 report it on January 19th?

15 MS. HEWITT: Sorry, I'm not
16 quite sure there was a January
17 -- sorry, what tab is that?

18 MS. HUGHES: Paragraph 58.

19 "On January 19 I received a
20 letter from a Registered Nurse
21 who reported on various
22 unprofessional behaviours [...]"

23 Do you see that? Are you okay,
24 Ms. Hewitt, with me --

25 MS. HEWITT: Yes.

26 BY MS. HUGHES:

27 Q. And yesterday you gave
28 evidence saying you got the letter on January
29 19th but it referred to conduct on January
30 10th. And you said to us yesterday, if she
31 thought it was so bad on January 10th, why
32 report it on January 19th. So you didn't

1 investigate it; is that correct?

2 A. I think this is the incident
3 that we did speak about earlier and I do
4 believe that it was investigated.

5 Q. Okay. And then with respect
6 to other examples, you thought that there
7 should be a more timely reporting of this, and
8 you would agree with me that there is no
9 requirement, for instance in the Collective
10 Agreement, that somebody has to raise a concern
11 with any timeline; is that right?

12 A. Can you repeat that?

13 Q. You want people to come
14 forward? You want the employees to say, I have
15 a concern; I have a concern about Bethe
16 Wettlaufer, right?

17 A. Uhm-hmm.

18 Q. There is no timelines for
19 them to bring that matter forward, is there?

20 A. My employees, if they had a
21 concern, would bring it to my immediate
22 attention.

23 Q. And --

24 A. Normally.

25 Q. But there is no timelines?

26 A. I didn't have anything
27 written for a timeline.

28 Q. And Mr. Van Kralingen took
29 you to a policy about whistle-blowing and staff
30 reporting of misconduct, and there is no
31 timeline in there, is there?

32 A. Not to my recollection.

12:30:50 1 Q. Okay. But it appears that
12:30:54 2 you have imposed a timeline? You think that if
12:30:56 3 they don't raise it in a timely manner, that
12:30:59 4 you should not take it as seriously; would that
12:31:01 5 be fair?

12:31:02 6 A. No, I believe that in one of
12:31:08 7 my Collective Agreements there was a timeline
12:31:11 8 to deal with discipline, and that may not be in
12:31:15 9 the ONA Collective Agreement, but I believe it
12:31:19 10 was in my other. It must have come from
12:31:24 11 somewheres.

12:31:24 12 Q. So was that a consideration
12:31:25 13 when co-workers raised concerns whether or not
12:31:28 14 they raised it right away or not? Was that
12:31:32 15 something you considered?

12:31:32 16 A. I think just for discipline
12:31:34 17 purposes.

12:31:34 18 Q. Now, I wanted to ask you with
12:31:39 19 respect to her termination then, her
12:31:43 20 termination we know -- and I won't bring it up
12:31:47 21 again, her termination letter, and who actually
12:31:51 22 decided to terminate her? Was it you or
12:31:53 23 corporate head office?

12:32:01 24 A. To make the actual decision
12:32:02 25 would have been -- the final decision would
12:32:03 26 have been made with head office in consultation
12:32:05 27 with myself and Mrs. Crombez.

12:32:09 28 Q. And did you have any
12:32:12 29 involvement with respect to the final outcome
12:32:16 30 in this matter, which was a reference letter
12:32:19 31 and a minutes of settlement? Were you involved
12:32:22 32 at all in that?

1 A. No, I was not involved in
2 that at all.

3 Q. And if I could bring up again
4 the reference letter, 16711. And we can see it
5 is at Appendix A. And this was a letter that
6 was drafted by Wanda, and I think you have told
7 us already that she never checked with you,
8 this is the draft of it. Did she check with
9 you either on the draft or the final version of
10 the letter?

11 A. Not to my recollection, no.

12 Q. And we can see that the draft
13 and the final letter are identical, with the
14 exception of filling in the blanks of the
15 dates, with respect to this matter.

16 And so would your answer be the
17 same about the draft or the final, neither one
18 were you involved in?

19 A. Yeah, I don't recollect being
20 involved in it.

21 Q. Okay. And if I could take
22 you to the Collective Agreement again. And,
23 Amanda, that is 70956, Exhibit 12, article
24 21.09. The Collective Agreement says -- and it
25 is at page 62 of the written version. And were
26 you familiar with this provision in the
27 Collective Agreement? And it is the provision:

28 "The Employer will provide to
29 each employee, upon request,
30 upon termination of employment a
31 letter detailing her or his
32 employment dates, length of

12:34:05
12:34:07
12:34:08
12:34:09
12:34:12
12:34:14
12:34:15
12:34:16
12:34:25
12:34:27
12:34:32
12:34:33
12:34:36
12:34:39
12:34:42
12:34:45
12:34:47
12:34:49
12:34:52
12:34:53
12:34:54
12:34:57
12:34:59
12:35:05
12:35:09
12:35:14
12:35:18
12:35:20
12:35:21
12:35:24
12:35:25
12:35:26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

service and experience."
Do you see that?
A. I'm going to have to look at the screen. I don't have page 62 in my document either. What article are we looking at?
Q. 21.09.
A. (Witness reviews document.)
I would believe that I had seen that before, like reading it, but yes, I would have seen that.
Q. Okay. And so that does not require putting in any information with respect to whether or not she was a good nurse or --
A. Right, correct.
Q. So with respect to then providing that letter, that is certainly not required by the union Collective Agreement; would you agree?
A. I would agree.
Q. Now, I would like to ask you a little bit about what we have marked as Exhibit 13, because you indicated in your affidavit and yesterday in oral testimony that your belief, anyway, is that money for a termination settlement such as this would come out of the nursing budget; is that right?
A. Yes, that is my belief.
Q. And I don't know if you -- you have looked at this over the break with respect to this matter?
A. Yes, uhm-hmm.

1 Q. And I am going to put it to
2 you that it is our understanding that it
3 doesn't come out of that nursing envelope?

4 MS. HEWITT: Just to be fair to
5 the witness, my recollection was
6 that we weren't going to ask her
7 questions about that because it
8 wasn't in her area of expertise.
9 So we did not review that with
10 the witness based on what
11 process we had agreed upon.

12 BY MS. HUGHES:

13 Q. So I'm going to put it to you
14 it is our understanding that it doesn't come
15 out of that envelope, and have you ever --

16 THE COMMISSIONER: Sorry, I
17 think that was an objection on
18 the part of Ms. Hewitt saying
19 this hasn't been reviewed with
20 the witness because she
21 understood that the counsel had
22 reached an agreement that it
23 would not be.

24 MS. HUGHES: Oh, and my
25 understanding, Madam
26 Commissioner, I'm sorry, I
27 apologize if I misunderstand Ms.
28 Hewitt, but I understood that
29 Ms. Hewitt did not object to me
30 putting on the record that we
31 have a different view of this.
32 Our understanding is different,

12:36:21 1 but we have agreed at Ms.
12:36:23 2 Hewitt's request that we will
12:36:25 3 deal with it with a corporate
12:36:26 4 witness. Is that my
12:36:27 5 understanding, Ms. Hewitt?
12:36:29 6 MS. HEWITT: That is correct,
12:36:30 7 that it would be dealt with
12:36:31 8 through other witnesses, that
12:36:33 9 Ms. Van Quaethem has given her
12:36:35 10 personal belief. If that is in
12:36:37 11 error, then it can be dealt with
12:36:38 12 with those people that actually
12:36:40 13 dealt with these particular
12:36:41 14 matters.
12:36:44 15 MS. HUGHES: So, Madam
12:36:44 16 Commissioner, I would just like
12:36:45 17 to put it on the record that
12:36:46 18 that opinion that she gave that
12:36:48 19 was based on her personal
12:36:49 20 belief, as opposed to a review
12:36:51 21 of any particular document.
12:36:52 22 THE COMMISSIONER: There can't
12:36:54 23 be an objection to that, I don't
12:36:56 24 think.
12:36:56 25 All right, so just --
12:36:58 26 THE WITNESS: Correct.
12:36:59 27 BY MS. HUGHES:
12:36:59 28 Q. And with respect to the
12:37:03 29 \$2,000 that we heard about yesterday, this --
12:37:07 30 did it in fact come out of your nursing budget?
12:37:11 31 A. I wouldn't know.
12:37:12 32 Q. But you were the

1 Administrator at the time and you would be in
2 charge of that budget, would you not?

3 A. We reviewed our budget
4 monthly, but an amount that size I would have
5 -- because my belief it came out of the nursing
6 budget, it would be under the budget line of
7 the wages for the registered staff and it
8 wouldn't be a noticeable amount to know if it
9 was there or not.

10 So I didn't -- that is how our
11 budgets came down to us from head office.

12 Q. So you don't actually in fact
13 know whether or not it came out of the nursing
14 budget?

15 A. I believed it did.

16 Q. And you believe that based on
17 what?

18 A. I don't know. That is what I
19 believed. I thought that that came out of the
20 nursing budget.

21 Q. But you didn't see any line
22 item on your budget that said that?

23 A. There wasn't a line item.
24 No, I would have believed it was grouped in
25 with wages.

26 Q. And no one from corporate
27 head office told you it was coming out of your
28 budget, would they?

29 A. I don't know what they have
30 told me. They just -- I don't know if it was
31 even discussed with head office.

32 THE COMMISSIONER: I am not sure

12:38:27 1 I followed this whole line. Are
12:38:31 2 we talking about like when she
12:38:32 3 had a five-day suspension? My
12:38:33 4 understanding was the witness
12:38:34 5 had said that she understood
12:38:35 6 that even though she was
12:38:37 7 suspended, the cost of that was
12:38:38 8 still coming out of the budget.
12:38:41 9 THE WITNESS: And that is what I
12:38:42 10 believed.
12:38:42 11 THE COMMISSIONER: Okay. So
12:38:43 12 your question to her was
12:38:46 13 basically on what basis did she
12:38:48 14 have that? I heard her answer,
12:38:50 15 it wasn't a line by line, but
12:38:51 16 she just had the blanket
12:38:54 17 numbers.
12:38:55 18 And then what was your question?
12:38:57 19 MS. HUGHES: And then it was
12:38:58 20 whether or not anybody at
12:38:59 21 corporate head office told her,
12:39:00 22 look, we are resolving this
12:39:01 23 matter but it is going to come
12:39:03 24 out of your budget. Did anybody
12:39:05 25 ever say that to you?
12:39:06 26 THE COMMISSIONER: I'm sorry,
12:39:07 27 I'm still lost, because if she
12:39:09 28 is on a suspension and the cost
12:39:12 29 of her salary is still being
12:39:14 30 paid while she is on a
12:39:16 31 suspension, I heard the witness
12:39:17 32 answer that I wouldn't see it

12:39:19 1 because it would just show up as
12:39:22 2 part of --

12:39:22 3 MS. HUGHES: I'm sorry, Madam
12:39:25 4 Commissioner, I wasn't clear.
12:39:27 5 I'm not talking about when she
12:39:28 6 was on suspension. When she was
12:39:30 7 suspended, it was an unpaid
12:39:32 8 suspension. I'm talking about
12:39:33 9 the settlement document. So we
12:39:34 10 talked first about the letter of
12:39:36 11 reference that she said she had
12:39:37 12 no involvement in, and then
12:39:38 13 there was a settlement amount of
12:39:39 14 \$2,000.

12:39:40 15 THE COMMISSIONER: Thank you,
12:39:41 16 that is helpful, I must have
12:39:42 17 missed that. So could I just --
12:39:44 18 did you understand she was
12:39:45 19 talking about the settlement
12:39:46 20 amount of \$2,000?

12:39:47 21 THE WITNESS: I did now
12:39:49 22 understand she was talking about
12:39:49 23 the settlement amount. All I
12:39:53 24 can say to this is I thought
12:39:54 25 that all came out of the nursing
12:39:56 26 budget. How I thought it, I
12:39:59 27 don't know. That is what I
12:40:01 28 thought.

12:40:02 29 BY MS. HUGHES:

12:40:02 30 Q. And just to clarify that, you
12:40:03 31 didn't actually see, you didn't have to write a
12:40:05 32 cheque from your budget, did you?

12:40:07 1 A. That wasn't done from my --
12:40:09 2 Q. And you didn't see anything
12:40:11 3 in writing that said, hey, this is coming out
12:40:13 4 of your budget, did you?
12:40:14 5 A. No.
12:40:16 6 Q. And you don't recall any
12:40:17 7 conversation with head office saying, hey, we
12:40:19 8 are about to settle this for the matter of
12:40:24 9 \$2,000; it is going to come out of your budget;
12:40:26 10 are you okay with that?
12:40:27 11 A. No, that is not how we
12:40:32 12 discussed the issue.
12:40:33 13 Q. Okay. So can you recall any
12:40:35 14 discussion about the \$2,000?
12:40:36 15 A. Not clearly at this time.
12:40:40 16 MS. HUGHES: Thank you. Those
12:40:41 17 are my questions.
12:40:43 18 THE COMMISSIONER: Thank you,
12:40:44 19 Ms. Hughes.
12:40:49 20 MS. HEWITT: Mr. Sandler is
12:40:50 21 next, Commissioner.
12:40:51 22 THE COMMISSIONER: Thank you.
12:40:52 23 CROSS-EXAMINATION BY MR.
12:40:52 24 SANDLER:
12:41:00 25 Q. Good morning.
12:41:01 26 A. Good morning.
12:41:01 27 Q. My name is Mark Sandler. We
12:41:03 28 have already met. I'm counsel for the College
12:41:06 29 of Nurses and I am going to have some questions
12:41:07 30 for you as well.
12:41:08 31 A. Okay.
12:41:09 32 Q. May I call you Brenda as

12:41:11 1 well?

12:41:11 2 A. I would like it if you would
12:41:12 3 call me Brenda.

12:41:13 4 Q. Then Brenda it is.

12:41:14 5 A. Thank you.

12:41:14 6 Q. All right. I'm going to take
12:41:16 7 you at the outset to the reporting form that
12:41:20 8 you prepared and provided to the College of
12:41:23 9 Nurses.

12:41:23 10 A. Uhm-hmm.

12:41:23 11 Q. And that is at Exhibit "LL"
12:41:27 12 to your affidavit and it is also document
12:41:30 13 number 16717. And if we can spend a little bit
12:41:38 14 of time together on this document. And to be
12:41:44 15 clear, the only documentation that you were
12:41:48 16 responsible for sending to the College of
12:41:51 17 Nurses would have been this document together
12:41:53 18 with the covering letter which we have seen; is
12:41:55 19 that right?

12:41:55 20 A. Correct.

12:41:56 21 Q. We have also seen or the
12:41:58 22 Commissioner has also seen a letter of
12:42:01 23 termination which you provided directly to Ms.
12:42:04 24 Wettlaufer. That was not a document that was
12:42:06 25 provided as part of your package to the College
12:42:09 26 of Nurses; am I right?

12:42:10 27 A. No, I believe just this
12:42:12 28 Report Form, plus my cover letter.

12:42:15 29 Q. Okay, very good. And so if
12:42:17 30 we look at page 1 of the Report Form, and we
12:42:25 31 move down to "Contact Person," and under
12:42:29 32 "Contact Person" we see Helen Crombez, and is

12:42:33 1 it "crom-bez" or "crom-bay"?

12:42:35 2 A. "Crom-bay".

12:42:35 3 Q. Crombez, thank you.

12:42:38 4 "Director of Nursing." So you filled in Ms.
12:42:40 5 Crombez as the contact person, and what I am
12:42:43 6 going to suggest to you is that she was the
12:42:46 7 logical person with whom the College of Nurses
12:42:50 8 should follow up, given her role as Director of
12:42:53 9 Nursing and her familiarity with the nursing
12:42:55 10 practices of Ms. Wettlaufer; am I right?

12:42:59 11 A. Correct.

12:42:59 12 Q. So when you were asked
12:43:01 13 yesterday whether there was any follow-up with
12:43:04 14 you, it wasn't surprising to you and that you
12:43:06 15 did learn that the College had followed up with
12:43:09 16 Ms. Crombez, right?

12:43:14 17 A. Correct.

12:43:14 18 Q. Okay. And we see, if we can
12:43:17 19 then turn to the second page of the document,
12:43:22 20 and this isn't -- when I mention this, I
12:43:26 21 mention it merely for the Commissioner's sake
12:43:28 22 because it will make some sense of some later
12:43:30 23 evidence. But you will see under "Date of
12:43:33 24 hire" about two-thirds of the way down the page
12:43:36 25 it says "Date of hire: June 27, 2005," and
12:43:40 26 indeed, as we have subsequently learned, Ms.
12:43:43 27 Wettlaufer was actually hired in 2007. Does
12:43:47 28 that accord with your recollection?

12:43:49 29 A. That must be an error on my
12:43:50 30 part.

12:43:50 31 Q. And again, this isn't the
12:43:51 32 slightest bit critical when I point that out.

1 I simply point it out, Commissioner, because
2 you'll see the same date reflected in the
3 College of Nurses' report when you hear from
4 Ms. Yee and Ms. Coghlan down the road.

5 We see at the bottom of this
6 same page "Type of shift," "Unit/practice that
7 member worked" and "Nurse/client ratio," and I
8 am interested in nurse/client ratio, and it
9 says 32 to 1. So what does that signify,
10 Brenda?

11 A. She was working on a unit
12 where there was 32 residents to the 1 RN, to
13 her.

14 Q. All right. And we have
15 already heard that in the role that she
16 performed as the only RN on duty, she would
17 have been responsible directly not only for
18 approximately 32 patients, but also for the
19 entire nursing home during that shift; is that
20 right?

21 A. When she worked nights, she
22 would have been responsible, but she had
23 obviously from this move to an evening line and
24 she was responsible for 32. But on nights, she
25 would have been responsible for the whole
26 facility.

27 Q. All right. I expect we are
28 going to hear evidence from Karen Routledge,
29 and I want to ask you, just in anticipation of
30 some things that she might say, and that is
31 that I expect that there may be some evidence
32 here that there can be anywhere from 400 to 600

12:45:29 1 medications to deliver over a single shift.

12:45:33 2 And I was kind of surprised at that number
12:45:36 3 based upon my naivete and non-involvement in
12:45:40 4 the nursing industry.

12:45:41 5 Based upon your experience, are
12:45:43 6 the medications for which a nurse is
12:45:45 7 responsible on a single shift, are they in the
12:45:47 8 hundreds?

12:45:49 9 A. I can't really answer your
12:45:51 10 question there because I'm not a nurse and I
12:45:54 11 didn't give out medications. I know there was
12:45:57 12 a lot. Like, residents could be getting, you
12:46:00 13 know, more than 10, 10 or 12 pills, you know,
12:46:08 14 per day or -- and depending on how that is
12:46:12 15 divided up through the day, yes, it probably
12:46:16 16 could add up to that much, but I am not the
12:46:20 17 person to be asking.

12:46:21 18 Q. Fair enough. And not only,
12:46:23 19 just to be clear, not only are they
12:46:26 20 administering multiple medications to each
12:46:30 21 patient, but they may be administering them on
12:46:34 22 multiple occasions during the same shift to the
12:46:36 23 same patient, right?

12:46:39 24 A. Correct.

12:46:39 25 Q. And all of this to say, and I
12:46:40 26 am not looking to your expertise in the precise
12:46:42 27 number, but all of this to say that as an
12:46:46 28 experienced Administrator, you are aware of the
12:46:48 29 fact that not only do medication errors occur,
12:46:54 30 and I am leaving aside the intentional use of
12:46:56 31 medications to harm a patient which was
12:46:58 32 completely beyond any thoughts in your mind

12:47:01 1 back at the time; am I right?

12:47:03 2 A. Absolutely right.

12:47:04 3 Q. Okay, but leaving aside the
12:47:06 4 intentional misuse of medication to harm a
12:47:08 5 patient, we know, based upon the numbers,
12:47:12 6 however we characterize them, as in the
12:47:15 7 hundreds or 600 or what have you, that not only
12:47:18 8 do medication errors occur, but they commonly
12:47:22 9 occur, right?

12:47:23 10 A. I would say yes to that.

12:47:25 11 Q. And again, I expect we are
12:47:27 12 going to hear some other evidence on this, and
12:47:29 13 you were asked whether or not if you look at
12:47:31 14 all of the interactions that you had to have
12:47:34 15 and Ms. Crombez had to have with Ms.
12:47:38 16 Wettlaufer, whether it was an unusual number,
12:47:40 17 and you said -- or a higher number than in
12:47:44 18 relation to your interactions with other
12:47:46 19 nurses, and you said it would be difficult to
12:47:48 20 answer that question without going back and
12:47:50 21 looking at the interactions with everyone else,
12:47:52 22 which I understand.

12:47:53 23 But what I am going to suggest
12:47:55 24 to you is that, and there may be some evidence
12:47:58 25 to this effect, that the number of medication
12:48:02 26 errors, if they were truly medication errors,
12:48:06 27 which were thought at the time, the number of
12:48:09 28 medication errors that Ms. Wettlaufer had
12:48:12 29 engaged in did not represent the maximum number
12:48:17 30 of medication errors that other nurses, several
12:48:21 31 other nurses had committed within the nursing
12:48:24 32 home.

1 Put another way, there were
2 other nurses who had engaged in more medication
3 errors during the same time period than Ms.
4 Wettlaufer. Can you say one way or the other?

5 A. No, I can't. I would have to
6 look back to, you know, track that to know.
7 But there were other nurses that made
8 medication errors. She was not the only one.

9 Q. All right. And to be fair,
10 the goal here, and the Commissioner has a
11 difficult task because she is attempting at the
12 end of this piece to make recommendations to
13 prevent intentional killings in this nursing
14 home environment by health care professions,
15 but we are also mindful of the fact, and I take
16 it you would agree, that you want to create an
17 environment within a nursing home, a long-term
18 nursing home, where nurses feel comfortable in
19 coming forward and acknowledging medication
20 errors that they have committed in good faith
21 or that they have observed or learned that
22 other nurses within the unit have committed in
23 good faith. We don't want to take away from
24 that candour, do we?

25 A. No, we do not.

26 Q. Okay, and I am going to come
27 back to that in another context.

28 So when we look, and we are back
29 to the report that you provided to the College,
30 and as I gathered it, and again, this isn't a
31 reflection on you in any way, but you don't
32 have a specific recollection of ever having to

1 fill out one of these forms for the College on
2 a prior occasion; am I right?

3 A. Well, if I did another one,
4 like I didn't do many, so I don't -- yeah, I
5 don't recollect. They weren't a common form to
6 me.

7 Q. Okay, fair enough. And you
8 said that the extent of your understanding of
9 the obligation to provide this form to the
10 College was that you knew, amongst other
11 things, that you were obligated to provide a
12 report to the College upon the termination of a
13 nurse under your employ; is that right?

14 A. Correct.

15 Q. Okay. Now, if one looks at
16 the document, and I am actually going to go to
17 the end first, or near to the end first, and if
18 I can take you to page 13 within this document,
19 and you'll recognize it because it has an entry
20 to the left-hand side of the column "August
21 29/12," okay? Do you have that?

22 A. Yes, I do.

23 Q. So just stopping there for a
24 moment, and we have heard a little bit about it
25 through Ms. Hewitt's questions of you and
26 questions from other counsel, but I want to
27 understand several aspects of how this report
28 gets prepared so that we can learn from it
29 going forward, okay.

30 So the first thing is you have
31 already indicated that you didn't have any
32 list, per se, saying these are the dates; these

12:51:41 1 are the disciplinable offences that Ms.
12:51:46 2 Wettlaufer has committed? There was no such
12:51:48 3 list in existence; is that right?

12:51:49 4 A. Correct.

12:51:50 5 Q. Would it have been helpful to
12:51:52 6 have such a list in preparing either this kind
12:51:54 7 of report or in engaging in determining what
12:51:58 8 kinds of discipline should be imposed or
12:52:02 9 whether patterns exist or in response to any of
12:52:06 10 the kinds of questions that have been raised
12:52:08 11 with you today? Can you see the value of such
12:52:10 12 a list?

12:52:10 13 A. Yes, I can.

12:52:11 14 Q. Okay. But leaving that aside
12:52:14 15 for a moment, the value of having that list,
12:52:18 16 how was it that -- what was it that you had in
12:52:20 17 your possession that you utilized in order to
12:52:24 18 determine what you were going to put into this
12:52:26 19 report? What were you working with?

12:52:28 20 A. I believe I was working with
12:52:30 21 her file and looking back at the -- you know,
12:52:36 22 in chronological order backwards her
12:52:39 23 disciplines and filling it in from the
12:52:42 24 discipline forms, taking the information from
12:52:44 25 the discipline forms.

12:52:45 26 Q. Okay. So you are looking at
12:52:47 27 her file in its entirety and selecting from
12:52:52 28 that file what it was that was going to make
12:52:56 29 its way onto the form; is that right?

12:52:57 30 A. I believe so, yes.

12:52:58 31 Q. Okay, all right. And I'm
12:53:01 32 interested in the fact that the first event

1 that you describe is August of 2012, and was
2 there any magic to why it was that the earliest
3 event that you described is August of 2012?

4 A. No, because I started
5 actually with the termination and then worked
6 back on the form until I got to the end of the
7 form, no more pages came up, and I -- so that
8 was the last event I entered.

9 Q. So was it simply a function
10 of having run out of space?

11 A. I believe so, and then I
12 added that there was more on her file on the
13 last page, and, you know, that was available
14 for, you know --

15 Q. Okay, so let's look at that
16 last page for a moment. I'm sorry, but before
17 we do, I just want to be clear about one item
18 here because you may have misspoken,
19 undoubtedly inadvertently, but I just want to
20 make sure that we have got the benefit of the
21 most accurate evidence. And that is that if
22 you look at this event, this is August 2012:

23 Not assessing a resident when
24 required, it had been reported
25 to Bethe that a resident was not
26 herself. There was no adverse
27 event. Bethe explained she
28 wasn't feeling well and had been
29 working through a module on
30 professionalism from the College
31 of Nurses website on her own
32 initiative, and she was provided

12:54:32 1
12:54:35 2
12:54:37 3
12:54:37 4
12:54:38 5
12:54:38 6
12:54:41 7
12:54:43 8
12:54:46 9
12:54:49 10
12:54:53 11
12:54:56 12
12:54:59 13
12:55:02 14
12:55:04 15
12:55:06 16
12:55:06 17
12:55:08 18
12:55:09 19
12:55:09 20
12:55:14 21
12:55:17 22
12:55:20 23
12:55:22 24
12:55:22 25
12:55:24 26
12:55:24 27
12:55:26 28
12:55:27 29
12:55:29 30
12:55:31 31
12:55:35 32

a written warning.
This wasn't a medication error,
was it?
A. No, it was an assessment
error.
Q. No, right, and what I am
going to suggest to you is, and we may go there
if time permits, but what I am going to suggest
to you is that there is a combination of
medication errors that are contained in your
report and in three instances, items that
weren't medication errors but were the subject
of discipline. So it wasn't confined. All I'm
suggesting at this point is you didn't confine
yourself to medication errors?
A. No.
Q. Other items were included,
right?
A. Correct.
Q. The failure to test the urine
sample, for example, was included here. That
wasn't regarded as a medication error, per se,
but it was a disciplinable offence?
A. Yes.
Q. And you have included it
here?
A. Yes, one of her more recent
errors, yes.
Q. Exactly. And again, I won't
take the time of going back to your affidavit,
but we can see three instances out of the
events that you described to the College of

12:55:38 1 Nurses that weren't medication errors but
12:55:43 2 nonetheless rose to the level of something for
12:55:44 3 which she was disciplined, right?

12:55:45 4 A. Correct.

12:55:46 5 Q. Okay. And by the way, when
12:55:47 6 we are talking about discipline, we are talking
12:55:49 7 about the full range of discipline, from
12:55:51 8 counselling to a letter to verbal to suspension
12:55:56 9 for a day or suspension for five days; we are
12:56:00 10 describing all of these kinds of results when
12:56:03 11 we are talking about discipline, right?

12:56:06 12 A. Correct.

12:56:06 13 Q. Now, if you go to page 14,
12:56:14 14 and again, I'm not suggesting any advertent
12:56:19 15 error on your part, let me be absolutely clear
12:56:23 16 about it, but I want to review this report with
12:56:26 17 a view to determining what the message is, what
12:56:28 18 would be learned by the reader of the report,
12:56:31 19 okay.

12:56:32 20 So at page 14 we see, and you
12:56:36 21 have said that you acknowledged that there were
12:56:39 22 other things that weren't captured in the
12:56:41 23 report, so you have said:

12:56:43 24 "There were other reports from
12:56:44 25 staff that did not lead to
12:56:46 26 discipline but were considered
12:56:48 27 at time of termination. These
12:56:50 28 reports had to do with
12:56:52 29 attendance, professional
12:56:54 30 behaviour."

12:56:56 31 So stopping there for a moment,
12:56:58 32 would you agree with me that the impression

12:57:00 1 that would be left by that statement was that
12:57:04 2 other reports existed in the file, they related
12:57:09 3 to attendance or professional behaviour, but
12:57:12 4 they had not risen to the level of discipline;
12:57:16 5 is that right?

12:57:18 6 A. Yes, that is how that reads.

12:57:20 7 Q. Pardon me?

12:57:21 8 A. Correct.

12:57:22 9 Q. Correct. And what we do know
12:57:24 10 is that -- and you have been asked about it in
12:57:28 11 another context. But what we do know is there
12:57:32 12 were a large number of matters that indeed had
12:57:37 13 risen to the level of discipline in a variety
12:57:41 14 of areas that were contained in Ms.
12:57:47 15 Wettlaufer's background at Caressant; am I
12:57:50 16 right?

12:57:51 17 A. Yes.

12:57:51 18 Q. So, for example, the
12:57:53 19 impression that would be left, again
12:57:56 20 inadvertently I suggest, but the impression
12:57:58 21 that would be left from reading your report is,
12:58:02 22 for example, that she was not disciplined other
12:58:07 23 than on the occasions described in your report
12:58:10 24 because the other reports referred to
12:58:14 25 non-disciplinable activity?

12:58:15 26 A. Yes, I can see how one would
12:58:17 27 get that impression.

12:58:19 28 Q. Okay. And if one looks at
12:58:21 29 the number of occurrences here that are
12:58:22 30 reflected in the report to the College, and of
12:58:28 31 course, the College still has to follow up, as
12:58:31 32 we have heard, with Ms. Crombez, so we'll hear

12:58:34 1 what she and the College investigator have had
12:58:36 2 to say, but the impression, if one looks at the
12:58:41 3 report alone, is that over the span of Ms.
12:58:43 4 Wettlaufer's employment at Caressant, we have
12:58:46 5 ten incidents in total that rose to the level
12:58:49 6 of discipline; am I right so far?

12:58:52 7 A. I believe -- yes.

12:58:54 8 Q. Okay.

12:58:55 9 A. I didn't count them, but yes.

12:58:56 10 Q. Yes, take my word for it,
12:58:59 11 there are ten there, and if my math is
12:59:01 12 incorrect, there are at least 40 people in the
12:59:03 13 room that will correct me. All right.

12:59:06 14 So just stopping there for a
12:59:08 15 moment, and I repeat this again because, you
12:59:13 16 know, there is a very strong light that is
12:59:15 17 scrutinizing all of the activities of everyone
12:59:17 18 involved and all the institutions involved, so
12:59:19 19 I don't want you to take my questions as
12:59:23 20 personal. We are going to figure out together
12:59:26 21 what one can do moving forward, okay?

12:59:29 22 A. Yes, we'll move forward,
12:59:30 23 yeah.

12:59:31 24 Q. And I know you are answering
12:59:33 25 in that spirit when you are answering my
12:59:35 26 questions.

12:59:36 27 So here is the next area that I
12:59:37 28 want to ask you about, and that is that we also
12:59:43 29 know from reviewing the Agreed Statement of
12:59:48 30 Facts that has been presented here, and you
12:59:51 31 have seen reference to it in the course of your
12:59:54 32 testimony, there is -- Volume 5 is a Caressant

1 Agreed Statement of Facts that occurred. And I
2 am not going to take you to each of the
3 incidents, but I'm going to tell you, and I
4 will provide the references when I am done to
5 the Commissioner so that she can reference it,
6 but that there were at least five and arguably
7 six, because one is not clear as to what Ms.
8 Wettlaufer's involvement is, though her name is
9 in handwriting with some notation on the top of
10 it, but there were five to six prior occasions
11 while she was employed at Caressant where she
12 was found to have engaged in medication errors.

13 A. Okay.

14 Q. Okay. And we actually see
15 that those extended back into 2007, if I
16 remember correctly. The first one -- I'm
17 sorry, the first one would be November 2007.
18 And, Commissioner, I'll just give you the
19 references to where they are to be found in the
20 Agreed Statement of Facts.

21 MS. HEWITT: Sorry, I don't want
22 to interrupt, but just for the
23 record, I think you are calling
24 it an Agreed Statement of Facts
25 and in Volume 5, which -- so it
26 is --

27 MR. SANDLER: I'm sorry, the
28 Overview Report.

29 MS. HEWITT: It is the Overview
30 Report which is Exhibit 6, which
31 is Volume 5, so just to be clear
32 for the public and yourself,

13:01:34 1 Commissioner, and Ms. Van
13:01:40 2 Quaethem would not have read the
13:01:41 3 entire Overview Report, just the
13:01:43 4 document.
13:01:43 5 MR. SANDLER: Fair enough.
13:01:43 6 THE COMMISSIONER: So this is
13:01:44 7 not in the Agreed Statement of
13:01:46 8 Facts.
13:01:46 9 MR. SANDLER: I'm sorry.
13:01:46 10 THE COMMISSIONER: It is in the
13:01:48 11 Overview Report, Volume 5,
13:01:49 12 Exhibit 6.
13:01:50 13 MR. SANDLER: Right.
13:01:51 14 THE COMMISSIONER: All right,
13:01:51 15 thank you.
13:01:53 16 BY MR. SANDLER:
13:01:56 17 Q. I stand corrected. This is
13:01:59 18 in an Overview Report that has been prepared
13:02:00 19 and I don't need to take you there. I'm giving
13:02:02 20 the Commissioner the paragraphs. Paragraphs
13:02:05 21 10, 14, 16 to 19, 17, 18 and 20, and 23, and
13:02:18 22 those are out of sequence a little bit
13:02:21 23 deliberately, since several paragraphs will
13:02:23 24 relate to the same incident and the follow-up
13:02:25 25 in connection with it.
13:02:26 26 So we see five and arguably six
13:02:34 27 identified medication errors as they were
13:02:37 28 regarded at the time that Ms. Wettlaufer
13:02:39 29 committed in relation to multiple patients,
13:02:44 30 including in one instance a patient who was
13:02:46 31 later her victim.
13:02:47 32 So my question, first of all, is

13:02:53 1 would all of those be contained in the file
13:02:58 2 that you were looking at?
13:03:00 3 A. Yes, they should have been,
13:03:01 4 yes.
13:03:01 5 Q. All right. So when we talk
13:03:03 6 about the fact that whether it is 18 months or
13:03:08 7 whether it is one year, when we talk about your
13:03:12 8 understanding that discipline offences are
13:03:18 9 removed from a nurse's record after a passage
13:03:24 10 of time, whichever passage of time it is, you
13:03:28 11 are not suggesting that they are physically
13:03:30 12 removed from her file, you are simply
13:03:33 13 suggesting that, as you understood the
13:03:38 14 Collective Agreement, those were not to play a
13:03:40 15 part in determining the progressive discipline
13:03:43 16 going forward; do I have that right?
13:03:45 17 A. You have it right.
13:03:46 18 Q. Okay, good.
13:03:47 19 Now, was there anything
13:03:51 20 precluding, and I raise this as a systemic
13:03:54 21 issue, was there anything precluding the
13:03:59 22 nursing home from advising the College of
13:04:06 23 Nurses that even though, we'll call it six, six
13:04:11 24 separate medication errors involving multiple
13:04:13 25 patients had also been committed by Ms.
13:04:16 26 Wettlaufer during her tenure at Caressant,
13:04:22 27 advising the College of that information, even
13:04:26 28 though strictly speaking those medication
13:04:28 29 errors were not to be utilized as a basis for
13:04:32 30 discipline going forward? That was a mouthful
13:04:37 31 of a question.
13:04:38 32 A. Yeah.

1 Q. And you have a look on your
2 face similar to my children when I ask them
3 questions. Not that you are child-like.
4 Simply that they too reflect on the
5 inadequacies of their father.

6 So I'm going to ask the question
7 in a little different way.

8 A. Yes, shorten it up.

9 Q. Okay. Do you know how many
10 advocacy courses have urged lawyers like us to
11 do that? Obviously, with lack of success.

12 What I am asking you is, even
13 though you can't use those items to determine
14 what discipline you are going to impose going
15 forward, you can see how they would be highly
16 relevant to the College of Nurses and could
17 form part of what is disclosed to them; am I
18 right?

19 A. Correct.

20 Q. Okay, fair enough. And
21 especially in a context when the College of
22 Nurses may be under a misimpression, however
23 inadvertent, that the only other reports that
24 exist in the files pertaining to Ms. Wettlaufer
25 had to do with matters that were not the
26 subject of discipline, right?

27 A. Correct.

28 Q. Now, what is interesting is
29 if one actually looks at the medication errors
30 that Ms. Wettlaufer committed, and again,
31 without the benefit of hindsight and knowing
32 whether these were truly intentional on her

1 part or not, but just looking at it without the
2 benefit of hindsight and simply looking at it
3 as a series of medication errors that she
4 committed, if one looks at each of those
5 medication errors that are in the report to the
6 College, one thing that strikes me, and we can
7 go to each one but maybe we can simply do it in
8 a more expeditious way, that each of them have
9 somewhat different features to them.

10 In other words, you'll see one
11 instance where she gave medication but didn't
12 properly document it. We see another instance
13 where she didn't give the medication but she
14 documented it as if she had. And then we'll
15 see another occasion where she gave the
16 medication but she gave it outside of the time
17 frame that she is supposed to give. Or we'll
18 see an instance, a medication error where she
19 gives it but she doesn't accompany it with the
20 appropriate food, according to the protocols of
21 what the patient is supposed to be fed when the
22 medication is given.

23 You see my point, right?

24 A. Yes, I do see your point.

25 Q. And you'll recall that much,
26 without going through each of these incidents,
27 that you see that the medication errors in her
28 instance, and again, without the benefit of
29 hindsight, appeared to reflect a variety of
30 types of medication errors as opposed to the
31 same medication error being committed over and
32 over again; am I right?

13:07:46 1 A. Correct.

13:07:46 2 Q. Now, I'm not suggesting for a
13:07:48 3 minute that when you have multiple medication
13:07:51 4 errors they have to be identical in nature in
13:07:54 5 order to progressively move through discipline,
13:07:57 6 but that certainly was a feature, without the
13:07:59 7 benefit of hindsight, that existed at the time,
13:08:04 8 and it assisted, I'm going to suggest, in
13:08:06 9 leading you to the conclusion that she
13:08:12 10 certainly wasn't, to use an expression that has
13:08:15 11 been used, she certainly wasn't the best nurse
13:08:18 12 in the building; am I right?

13:08:19 13 A. Correct.

13:08:20 14 Q. In other words, again, we are
13:08:22 15 kind of looking at it now with the benefit of
13:08:24 16 what we know about her, but at the time we had
13:08:26 17 these various medication errors, and if one
13:08:30 18 were to look at the errors that have been
13:08:31 19 identified in the report that went to the
13:08:33 20 College, no one of them standing alone would
13:08:40 21 ever have resulted in the termination of Ms.
13:08:43 22 Wettlaufer; am I right?

13:08:44 23 A. That any one of --

13:08:47 24 Q. Any single one of them
13:08:48 25 standing alone. In other words, take the most
13:08:51 26 serious one, as it has been described, which is
13:08:53 27 the last one, which is she is giving insulin --

13:08:56 28 A. The wrong insulin.

13:08:57 29 Q. The wrong insulin to the
13:08:58 30 patient, and she says, I thought it was the
13:09:00 31 same patient. The insulin wasn't there. She
13:09:03 32 had forgotten that somebody said that somebody

1 was coming and going to be delivering the right
2 insulin for the patient. She gives that
3 insulin, thinking it is the same as the insulin
4 for this patient, and she is wrong.

5 I'm going to stop there to say,
6 we see various instances, I'm going to suggest
7 to you, where nurses on occasion will give one
8 patient's medication to another patient?

9 A. Yes.

10 Q. Right. And what I am going
11 to suggest to you is if she didn't have that
12 accumulated history, including some of the more
13 recent events, that event standing alone would
14 have fallen far short of causing you to
15 recommend that she be terminated, right? It
16 was the accumulation of events, right?

17 A. Yes.

18 Q. Okay. And it was the
19 accumulation of events not merely referable to
20 the ten that are in the College of Nurses
21 report, but it was the accumulation of events
22 based upon all of the other history and
23 disciplinable offences that you have described
24 in your testimony over the last day or so,
25 right?

26 A. Correct.

27 Q. Okay. Excuse me for a
28 moment?

29 THE COMMISSIONER: Oh, and I am
30 just --

31 MR. SANDLER: Oh, I'm told I am
32 past the lunch hour. If this

13:10:20 1 would be a convenient time to
13:10:21 2 break, Madam Commissioner, I
13:10:22 3 won't be too long.
13:10:23 4 THE COMMISSIONER: All right,
13:10:24 5 thank you very much. So we
13:10:26 6 should still give an hour so
13:10:27 7 people have enough time to have
13:10:28 8 a proper health break.
13:10:31 9 MS. HEWITT: Yes, thank you,
13:10:32 10 Commissioner.
13:10:33 11 THE COMMISSIONER: Okay.
13:10:33 12 -- RECESSED AT 1:10 P.M.
13:38:39 13 -- RESUMED AT 2:10 P.M.
14:12:02 14 THE COMMISSIONER: Go ahead,
14:12:03 15 Mr. Sandler, when you are ready.
14:12:07 16 BY MR. SANDLER:
14:12:07 17 Q. Thank you, Commissioner.
14:12:11 18 Brenda, I'm going to turn to another issue, and
14:12:13 19 that is in your affidavit and when you gave
14:12:15 20 your testimony yesterday, you had described
14:12:18 21 what you understood to be the circumstances
14:12:20 22 under which a critical incident has to be
14:12:25 23 reported to the Ministry, and do you remember
14:12:30 24 your affidavit reflected different categories
14:12:32 25 which would compel a Critical Incident Report
14:12:35 26 to be given to the Ministry, right?
14:12:37 27 A. Correct.
14:12:37 28 Q. Okay. And one of the
14:12:39 29 categories or two of the categories, the first
14:12:42 30 was improper or incompetent treatment of a
14:12:46 31 resident by a staff member that results in harm
14:12:50 32 or a risk of harm to a resident, and a second

14:12:55 1 category is neglect or abuse.

14:12:57 2 And I am going to focus on that
14:13:00 3 first category for a moment, because again,
14:13:04 4 systemically, I have already expressed to you
14:13:09 5 my interest in seeing how one balances
14:13:14 6 oversight with the desirability that nurses
14:13:17 7 feel that they can be candid and acknowledge
14:13:23 8 medication errors. So that is what I am
14:13:25 9 interested in exploring with you a little bit
14:13:27 10 more, okay?

14:13:28 11 A. Okay.

14:13:28 12 Q. So when I look at a
14:13:30 13 medication error, and you correct me if I'm
14:13:33 14 wrong, but a medication error could almost
14:13:37 15 always expose the patient to some risk of harm
14:13:42 16 because when you are not medicating in
14:13:45 17 accordance with the doctor's order or you are
14:13:48 18 medicating late or you are giving the wrong
14:13:53 19 medication, then these could potentially, maybe
14:13:57 20 not frequently, but these could potentially
14:14:00 21 harm the patient, right?

14:14:01 22 A. Yes, potentially they could.

14:14:04 23 Q. Any medication error?

14:14:06 24 A. Right.

14:14:07 25 Q. Other than perhaps failing to
14:14:08 26 chart, but even a failing to chart could put --
14:14:12 27 theoretically could put a patient at risk if,
14:14:15 28 as a result of the failure to chart, somebody
14:14:18 29 else administers the medication to the patient,
14:14:20 30 unknowing that it has already been given,
14:14:22 31 right?

14:14:22 32 A. Correct.

1 Q. So what I am trying to figure
2 out is how we create a regime where not every
3 one of the many, many medication errors that
4 take place in good faith, again we are leaving
5 aside the intentional killer, but how we
6 separate out medication errors that should be
7 the subject of a Critical Incident Report and
8 medication errors that need not be the subject
9 of a Critical Incident Report.

10 So I know one way we separate
11 them out is that there is a separate category
12 that says that if there is an event that
13 basically takes the patient to the hospital,
14 that is a pretty clear instance where the
15 Critical Incident Report has to be given to the
16 Ministry, right?

17 A. Correct.

18 Q. But let's leave aside when
19 they don't go to the hospital, because we
20 actually see that in all of Ms. Wettlaufer's
21 medical errors, there was no sustained harm to
22 the patient, right?

23 A. Yes.

24 Q. Right. So when we look at
25 these medication errors and whether they have
26 to be the subject of a Critical Incident
27 Report, is there some distinction drawn on the
28 basis of whether or not it rises to the level
29 of improper or incompetent treatment of a
30 resident as opposed to a more conventional
31 medication error or the level of risk to the
32 patient that is involved? Or how is it that

14:16:07 1 you determine whether a medication error rises
14:16:11 2 to the level that you are going to send a
14:16:16 3 Critical Incident Report to the Ministry,
14:16:17 4 because I'm not clear on that?

14:16:23 5 A. I think you and me both.

14:16:24 6 Q. Okay.

14:16:25 7 A. But I would say that if there
14:16:27 8 was harm done by that medication error to the
14:16:30 9 resident, then it was sent as a critical
14:16:34 10 incident. If there was no harm, it wasn't. I
14:16:39 11 am -- I'm surmising. I don't know.

14:16:42 12 Q. Okay. Because one thing we
14:16:44 13 know is that none of the medication errors that
14:16:49 14 were identified in the report to the College,
14:16:53 15 with one caveat which I'll explain, but none of
14:16:56 16 them were the subject of a Critical Incident
14:16:59 17 Report, and does that accord with your
14:17:00 18 recollection? And I say the caveat is that in
14:17:04 19 one instance Ms. Wettlaufer thought that she
14:17:06 20 had administered the drug, even though she
14:17:10 21 hadn't charted it, and a Critical Incident
14:17:12 22 Report was given to the Ministry because the
14:17:14 23 drug appeared to be missing. Do you remember
14:17:17 24 that?

14:17:18 25 A. Yes, I do remember that.

14:17:19 26 Q. Right. But as I read the
14:17:22 27 evidence and heard you, that Critical Incident
14:17:26 28 Report was really because drugs were missing
14:17:29 29 and that's why it was being filed, not because
14:17:32 30 Ms. Wettlaufer had committed a medication
14:17:35 31 error; am I right so far?

14:17:37 32 A. I believe that is why it was

14:17:39 1 submitted, yes, to what you just said.

14:17:41 2 Q. Right. But we haven't seen
14:17:43 3 that in any of the other medication errors that
14:17:48 4 Ms. Wettlaufer was thought to have committed a
14:17:49 5 Critical Incident Report went to the Ministry.
14:17:52 6 And again, I don't intend that this be a memory
14:17:57 7 test for you, but does that sound generally
14:18:00 8 consistent with your recollection?

14:18:02 9 A. Yes, it does sound.

14:18:04 10 Q. Okay. And what I am going to
14:18:06 11 suggest is that perhaps the practice, leave
14:18:10 12 aside the words on the page for a moment, what
14:18:12 13 you are saying is that the practice is that
14:18:14 14 there be some consideration as either whether
14:18:17 15 harm was suffered by the patient or the level
14:18:19 16 of risk of harm that was associated with the
14:18:23 17 case, and that might inform whether a Critical
14:18:25 18 Incident Report went in; is that fair?

14:18:26 19 A. Well, I guess that is fair,
14:18:31 20 yeah.

14:18:31 21 Q. Okay. And similarly, it may
14:18:37 22 be that from Caressant's viewpoint, rightly or
14:18:43 23 wrongly, and it will be for the Commissioner
14:18:47 24 ultimately to kind of figure this out, but that
14:18:48 25 not every medication error would be
14:18:51 26 characterized as an improper or incompetent
14:18:55 27 treatment of a resident by a staff member.
14:18:56 28 Some of them may not rise to that level; am I
14:18:59 29 right?

14:18:59 30 A. Correct, correct.

14:19:00 31 Q. Okay. So moving from there
14:19:06 32 for a moment, and I want to then approach

1 medication errors from another perspective
2 altogether, which is leave aside whatever
3 documentation is placed in the nurse's file, in
4 this instance Ms. Wettlaufer's file, was there
5 somewhere where medication errors, regardless
6 of how serious or lacking in seriousness the
7 medication error might be, was collected and
8 kept in some other location for educational
9 purposes or training purposes or registered
10 staff meetings or PAC meetings; was that done?

11 A. I believe yes, that was done,
12 and you would be best to speak to Mrs. Crombez
13 on that, on how that was collected and
14 reviewed.

15 Q. Okay. So your expectation,
16 and we won't hold you to this because what you
17 are saying is that you are not the best person
18 to address the issue, but your recollection is
19 that it may be that Caressant collected in some
20 way medication errors in some sort of separate
21 list, apart from the nurse's file, for other
22 uses?

23 A. I believe yes, they did.

24 Q. Okay. All right. So we will
25 ask her about that. And so if I can then go to
26 another issue altogether, and I am almost done,
27 you'll be happy to hear.

28 So the evidence at this Inquiry
29 includes the following, just to give you a
30 little flavour for the chronology here.

31 We know that Ms. Wettlaufer was
32 terminated on March the 31st of 2014, and you

1 gave that evidence, right?

2 A. Correct.

3 Q. And we know that your letter
4 is dated April the 17th, 2014, to the College
5 of Nurses, right?

6 A. Correct.

7 Q. Okay. And I can tell you
8 that there is other evidence in the materials
9 that the Commissioner has that the College
10 actually received your letter with enclosure on
11 May the 1st of 2014, okay?

12 A. Okay.

13 Q. Which I am going to suggest
14 to you, if accurate, would tend to support the
15 view that you sent it by mail as opposed to
16 sending it by fax, right?

17 A. Correct.

18 Q. And I am going to suggest,
19 again, without the benefit of hindsight which
20 we all have now, although you appreciated the
21 fact that this termination report should go to
22 the College in a timely way, you didn't see it
23 as a matter of urgency at the time that it be
24 delivered to the College, you know, within a
25 day or two of her termination; am I right?

26 A. Correct.

27 Q. Okay. And I expect the
28 evidence which is in the Overview Reports also
29 demonstrates that she was hired by Meadow Park,
30 which was her next employer, on April the 15th
31 of 2014, so that is before your letter to the
32 College and before the College received your

14:22:51 1 termination documentation, okay?

14:22:54 2 A. Okay.

14:22:54 3 Q. You can take that from me. I
14:22:56 4 don't expect you to know that date.

14:22:58 5 A. Yeah, no, I didn't know that,
14:22:59 6 but okay, I'll take it from you.

14:23:01 7 Q. So my question is, were you
14:23:03 8 made aware between March the 31st of 2014 and
14:23:11 9 April the 15th of 2014 that Ms. Wettlaufer was
14:23:16 10 being considered for employment by Meadow Park?

14:23:20 11 A. No, I was not.

14:23:21 12 Q. All right. So there will be
14:23:25 13 some evidence that people at Caressant were
14:23:30 14 contacted in connection with her application
14:23:32 15 for employment at Meadow Park, but you weren't
14:23:36 16 one of those people, as I gather it?

14:23:38 17 A. No, no, I was not.

14:23:40 18 Q. And nobody at Caressant told
14:23:41 19 you that they had been contacted in relation to
14:23:44 20 Ms. Wettlaufer, as I understand it, at that
14:23:46 21 time?

14:23:46 22 A. Not to my recollection, no.

14:23:49 23 Q. Okay. And as a hypothetical
14:23:52 24 I want to ask you this, because one of the
14:23:56 25 things the Commissioner has to look at is what
14:23:59 26 mechanisms can be placed to avoid someone who
14:24:02 27 is deeply problematic at one location simply
14:24:06 28 moving to another location, and that is if you
14:24:09 29 had received a call, again without the benefit
14:24:11 30 of hindsight, which you can preface all my
14:24:15 31 questions with that phrase, without the benefit
14:24:17 32 of hindsight, if you had received a call

14:24:20 1 between March 31st and April 15th of 2014 from
14:24:26 2 Meadow Park and saying what can you tell us
14:24:30 3 about Ms. Wettlaufer, what would you have said?

14:24:33 4 A. I think because she was
14:24:41 5 terminated, I would feel that I wouldn't be
14:24:46 6 able to say anything until it was all settled
14:24:53 7 in a period of time. Like, I don't think I
14:24:57 8 would have commented.

14:24:58 9 Q. Okay. All right. So when
14:25:02 10 you say until it was all settled, do you
14:25:04 11 mean --

14:25:05 12 A. Through the union.

14:25:06 13 Q. The union?

14:25:06 14 A. Yeah, yeah. And, you know
14:25:08 15 what, like you say, with knowing just what I
14:25:14 16 knew at the time, that is what I probably would
14:25:17 17 have said, I can't -- you know, we terminated
14:25:20 18 her, and leave it at that.

14:25:23 19 Q. Okay. All right. Now, I am
14:25:29 20 going to switch to one last area and that has
14:25:35 21 to do with the attendances by the police at
14:25:38 22 your premises on several occasions.

14:25:44 23 And we know from the Overview
14:25:46 24 Report as well that the police attended at
14:25:52 25 Caressant on three separate occasions between
14:25:57 26 August the 28th of 2012 and April 16th of 2013,
14:26:05 27 and we see that referred to again, Madam
14:26:11 28 Commissioner, in Volume 5, the Caressant
14:26:16 29 volume, at paragraphs 82, 87, 93 and 104.

14:26:26 30 And you recall, I take it, that
14:26:28 31 the police were brought in on several occasions
14:26:33 32 in relation to suspicions that medications had

14:26:41 1 gone missing at Caressant; is that right?

14:26:43 2 A. Yes, we would call the police
14:26:45 3 if -- we would call the police, yes.

14:26:49 4 Q. Okay. And I guess what I am
14:26:51 5 interested in, was that in your experience
14:26:54 6 unusual that over a period from August of 2012
14:26:58 7 to April of 2013 the police were called in on
14:27:02 8 three separate occasions to deal with three
14:27:05 9 separate allegations that drugs had gone
14:27:09 10 missing at Caressant?

14:27:12 11 MS. HEWITT: Just to be fair to
14:27:13 12 the witness, Mr. Sandler, she
14:27:15 13 would not have read those
14:27:16 14 paragraphs or have any of those
14:27:18 15 dates.

14:27:20 16 MR. SANDLER: Okay, fair enough.

14:27:23 17 BY MR. SANDLER:

14:27:23 18 Q. This isn't a memory test of
14:27:24 19 the dates. You do recall that the police
14:27:26 20 attended on multiple occasions at Caressant as
14:27:31 21 a result of concerns about missing drugs?

14:27:32 22 A. Yes, and I do remember them
14:27:35 23 coming in. I don't know if I remember all
14:27:38 24 three occasions, but I do remember them coming
14:27:40 25 in.

14:27:40 26 Q. Was there any discussion at
14:27:43 27 Caressant back during that time period when Ms.
14:27:49 28 Wettlaufer was working there about the unusual
14:27:55 29 number of issues around missing medications, or
14:28:02 30 was there nothing unusual about the number of
14:28:05 31 instances where this was allegedly occurring?
14:28:10 32 I'm trying to get some sense of that.

14:28:13 1 A. Yeah, I don't recollect that
14:28:16 2 we, you know, had any discussions with head
14:28:26 3 office. We would have made them aware, but no,
14:28:31 4 I don't -- I don't recollect, I guess is my
14:28:35 5 answer.

14:28:35 6 Q. Let me ask it another way,
14:28:37 7 and that was, were there any discussions that
14:28:42 8 you can recall about the unusual number of
14:28:46 9 times that this issue was arising at Caressant?

14:28:49 10 A. I don't have a recollection
14:28:56 11 of it.

14:28:56 12 Q. Okay. And was there any --
14:29:00 13 did the police at any time, because we know
14:29:02 14 that no one was apprehended in connection with
14:29:07 15 any of these interventions by the police, but
14:29:10 16 was there ever a sense in management, whether
14:29:15 17 on your part or as communicated by Ms. Crombez
14:29:19 18 or anyone else, that a particular person,
14:29:24 19 whether it be a nurse or someone else, was
14:29:27 20 suspected for involvement in these missing
14:29:31 21 medications?

14:29:31 22 A. All I recollect is a
14:29:38 23 discussion, and I believe it was a police
14:29:42 24 officer that said you would almost have to have
14:29:45 25 like a camera in the med room, like you have to
14:29:49 26 almost catch something, you know, right in the
14:29:53 27 act, like right in action, to know, because we
14:29:58 28 did investigate missing narcotics, that type of
14:30:01 29 thing, and that is my only recollection.

14:30:05 30 Q. Okay. And there is some
14:30:08 31 reflection in the documentation that management
14:30:13 32 or head office actually made some inquiries

14:30:18 1 about installing a camera. Did that ever take
14:30:20 2 place?

14:30:20 3 A. I don't believe that it ever
14:30:23 4 did, no.

14:30:24 5 Q. And there is also a
14:30:28 6 suggestion in the documents that the police had
14:30:30 7 suggested that if it happens again, and I am
14:30:32 8 talking about the police that arrived the first
14:30:33 9 time, that Caressant should look for some
14:30:38 10 pattern in terms of who was on duty or who
14:30:41 11 might be associated with it and so on. Do you
14:30:44 12 know whether there was any kind of
14:30:47 13 investigative plan within Caressant when the
14:30:51 14 police arrived the second time to look for some
14:30:53 15 pattern that might associate the activity with
14:30:56 16 a particular nurse or nurses?

14:30:58 17 A. No, I am not aware.

14:31:00 18 Q. Okay. The last question that
14:31:04 19 I have for you, you'll be happy to hear, is
14:31:06 20 that the Commissioner has heard through some
14:31:09 21 description of events back in 1995 that there
14:31:15 22 may be a distinction between a termination
14:31:20 23 notice that is mandatory and is provided to the
14:31:24 24 College of Nurses and a complaint that is
14:31:27 25 brought by a nursing home or other facility to
14:31:32 26 the College of Nurses.

14:31:33 27 And the Commissioner has heard
14:31:37 28 one aspect of that, and that is the extent to
14:31:39 29 which the College is permitted to share
14:31:41 30 information about a matter that comes to it by
14:31:44 31 way of a mandatory report as opposed to a
14:31:48 32 complaint. And I expect the Commissioner will

14:31:51 1 hear other evidence about the statutory
14:31:54 2 differences and what it triggers at the
14:31:56 3 College.

14:31:56 4 But for now I simply want to ask
14:31:59 5 you this. Was there ever any discussion that
14:32:02 6 you can recall about whether a complaint would
14:32:06 7 be made by Caressant to the College of Nurses
14:32:10 8 as opposed to simply providing a notice of
14:32:13 9 termination?

14:32:15 10 A. No.

14:32:16 11 Q. And were you aware at the
14:32:19 12 time, as Administrator, of the distinction
14:32:21 13 between a complaint and a notice of termination
14:32:25 14 and its implications for what the College of
14:32:29 15 Nurses does or doesn't do?

14:32:30 16 A. No.

14:32:31 17 MR. SANDLER: Thank you, those
14:32:32 18 are my questions.

14:32:33 19 THE COMMISSIONER: Thank you
14:32:33 20 very much.

14:32:35 21 MS. HEWITT: We are just going
14:32:37 22 to go a bit out of order because
14:32:38 23 of some time commitments, so I
14:32:40 24 would call upon the Registered
14:32:43 25 Practical Nurses Association.

14:32:45 26 CROSS-EXAMINATION BY MR. SINGH:

14:32:52 27 Q. Thank you for indulging me
14:32:55 28 and allowing me to speak out of order.

14:32:57 29 Good afternoon, Brenda. I'm
14:33:00 30 going to be asking you a series of questions,
14:33:02 31 and if at any time you are unsure of what I am
14:33:05 32 asking or require some clarification, do let me

1 know and I'll try my best to rephrase.

2 So you testified that it was a
3 struggle to retain and recruit Registered
4 Nurses. Did you find that it was a similar
5 struggle to retain and recruit Registered
6 Practical Nurses?

7 A. It was easier to get
8 Registered Practical Nurses.

9 Q. And you have testified that
10 on Ms. Wettlaufer's night shift, she was the
11 only Registered Nurse on shift?

12 A. Yes.

13 Q. Were there other nursing
14 staff on the same shift, mainly Registered
15 Practical Nurses?

16 A. Yes.

17 Q. And approximately how many
18 Registered Practical Nurses were on those
19 shifts?

20 A. I believe one.

21 Q. The documentation seems to
22 suggest that there were three or four. Is that
23 an accurate reflection or --

24 A. I think that at different
25 times there would be a different amount of
26 staffing levels.

27 Q. Okay. Now, at paragraph 42
28 of your affidavit, and I will just pause to
29 allow Amanda to pull it up. It is on page 10.

30 And this is paragraph 42. I
31 think you are on page 9. And I will just read
32 it, quotes:

14:34:48 1 "Over the years we realized that
14:34:49 2 Elizabeth Wettlaufer was not the
14:34:51 3 best nurse. She was lazy. We
14:34:52 4 did think that she would rather
14:34:56 5 eat than get off her chair. But
14:34:59 6 we needed her. We weren't
14:35:01 7 getting applications from
14:35:02 8 Registered Nurses."

14:35:04 9 Can you explain, please, what
14:35:06 10 you meant by "But we needed her"?

14:35:09 11 A. We didn't have applications
14:35:10 12 from Registered Nurses to replace her.

14:35:12 13 Q. And so is this statement
14:35:15 14 reflective of the Long-Term Care Act
14:35:19 15 requirement that there be at least one
14:35:21 16 Registered Nurse staff on shift at all times?

14:35:24 17 A. Yes, I believe it would be.

14:35:25 18 Q. And approximately how long
14:35:28 19 from the time that you realized Ms. Wettlaufer
14:35:30 20 was not, quote, "the best nurse" to the time
14:35:35 21 she was terminated?

14:35:39 22 A. I would think from -- in the
14:35:51 23 years 2012, 2013 we were thinking along those
14:35:55 24 lines, that we were giving more disciplines.

14:36:00 25 Q. Now, you have mentioned that
14:36:02 26 at one time Caressant did receive a finding
14:36:04 27 from the Ministry for not having at least one
14:36:07 28 full-time Registered Nurse on shift and that's
14:36:11 29 instead of one RN there were additional RPNs
14:36:15 30 that you employed; correct?

14:36:16 31 A. Correct.

14:36:17 32 Q. And approximately how long

14:36:19 1 did this take place, that being not having the
14:36:22 2 Registered Nurse on staff?

14:36:24 3 A. I believe it was four hours.

14:36:25 4 Q. Okay. And what were the
14:36:29 5 roles and responsibilities of the RPNs?

14:36:31 6 A. That would be a better
14:36:35 7 question for Mrs. Crombez.

14:36:37 8 Q. But overall did you find that
14:36:40 9 this was an effective solution to properly care
14:36:44 10 for the residents, being hiring RPNs?

14:36:49 11 A. Would I find it a solution to
14:36:51 12 hire RPNs?

14:36:52 13 Q. No, no, at the time did you
14:36:53 14 find that this was an effective solution so
14:36:55 15 that the residents were properly cared for?

14:36:58 16 A. Well, it was in our staffing
14:37:00 17 levels how many to have, and yes, it was
14:37:06 18 effective in caring for our residents.

14:37:08 19 Q. And at any time did you feel
14:37:09 20 that patient care was compromised as a result
14:37:12 21 of having the additional RPNs as opposed to the
14:37:15 22 mandated RN?

14:37:16 23 A. Oh, no, yes -- you are
14:37:20 24 referring to that four hours?

14:37:23 25 Q. The specific findings, yes.

14:37:25 26 A. Yes, no, we -- and the
14:37:26 27 Director of Nursing was on call, and so no, I
14:37:30 28 didn't feel that anything was compromised.

14:37:32 29 Q. Now, I am just going to refer
14:37:36 30 quickly to the new grad program. That program
14:37:38 31 you are referring to is the nursing graduate
14:37:41 32 guarantee initiative; correct?

14:37:42 1
14:37:43 2
14:37:44 3
14:37:49 4
14:37:50 5
14:37:51 6
14:37:52 7
14:37:55 8
14:37:57 9
14:38:00 10
14:38:00 11
14:38:08 12
14:38:13 13
14:38:15 14
14:38:18 15
14:38:22 16
14:38:25 17
14:38:26 18
14:38:28 19
14:38:31 20
14:38:35 21
14:38:35 22
14:38:40 23
14:38:44 24
14:38:45 25
14:38:48 26
14:38:50 27
14:38:53 28
14:38:56 29
14:38:59 30
14:39:11 31
14:39:14 32

A. Correct.

Q. And this program is applicable to both Registered Nurses and Registered Practical Nurses?

A. Right.

Q. You testified that you did not engage in this initiative to recruit Registered Nurses; however, did you engage in this program to recruit Registered Practical Nurses?

A. I don't believe that we did. I am not sure, but I don't believe that we did.

Q. And I will ask a similar question with respect to the late career nursing initiative. This initiative is also applicable both to Registered Nurses and Registered Practical Nurses; correct?

A. I believe so, yes.

Q. And did you engage in this initiative to recruit any Registered Practical Nurses?

A. To my recollection, it was just an RN that we put into that program, I believe.

Q. And just turning very quickly, you also mentioned that at least one of Ms. Wettlaufer's responsibilities was to check the doors at night. Were there other non-nursing duties she was responsible for?

A. As a charge staff on nights, if the fire alarm went off, that type of thing, yes, they would respond as the person in

1 charge, so that wouldn't be a nursing really
2 duty. But as a supervisor on nights, it was
3 her role.

4 Q. Okay. And is that all that
5 you can remember aside from -- sorry, I'll
6 repeat and speak a little bit louder. Is that
7 all that you can remember, mainly being the
8 checking of the doors and the fire alarm
9 protocol?

10 A. Yes.

11 MR. SINGH: Okay. Thank you for
12 your time. Those are all my
13 questions.

14 THE COMMISSIONER: Thank you.

15 MS. HEWITT: It is the
16 Residents' Council now, Ms.
17 Fraser.

18 THE COMMISSIONER: Thank you.

19 CROSS-EXAMINATION BY MS. FRASER:

20 Q. Madam Commissioner, I have
21 some documents to hand up, both to you and to
22 the witness, and I have an exhibit copy. I'm
23 hoping they are all in the same order.

24 Ms. Van Quaethem, my name is
25 Suzan Fraser and if it is all right with you,
26 I'll carry on your request to call you Brenda?

27 A. That would be perfectly fine
28 with me.

29 Q. Okay, thank you.

30 THE COMMISSIONER: Just before
31 we start, I'm just going to ask,
32 so Lara Kinkartz, who is in the

14:40:56 1 jury box there, is the person
14:40:58 2 who is responsible for getting
14:40:59 3 these documents up on our
14:41:00 4 website, all of them, and we
14:41:01 5 were communicating over the
14:41:02 6 lunch recess about what is the
14:41:03 7 most effective way. I thought I
14:41:05 8 was doing it, but I may not have
14:41:08 9 been doing it the most effective
14:41:09 10 way.
14:41:09 11 So, Lara, can you just tell me,
14:41:13 12 so what Ms. Fraser has handed up
14:41:16 13 is a document that is fairly
14:41:17 14 thick, and then a whole series
14:41:18 15 of documents. All of them look
14:41:21 16 like they have been -- that they
14:41:23 17 are off the database. So they
14:41:24 18 all are document numbers
14:41:25 19 already.
14:41:26 20 What is the easiest and best way
14:41:29 21 to make sure that they get up on
14:41:31 22 the webcast, up on the website,
14:41:35 23 and that the people can still
14:41:38 24 follow it, if they are watching
14:41:40 25 the webcast? Do you want each
14:41:41 26 one entered separately?
14:41:43 27 MS. KINKARTZ: I think you have
14:41:44 28 a couple of options,
14:41:45 29 Commissioner. I'm not sure if
14:41:47 30 Ms. Fraser knows whether these
14:41:49 31 are all in evidence already or
14:41:51 32 not.

14:41:53 1 THE COMMISSIONER: Oh, yes,
14:41:54 2 okay. You see, that is part of
14:41:55 3 the problem too, right. It is
14:41:56 4 not just the participants which
14:41:58 5 know the document numbers.
14:42:01 6 MS. FRASER: I have my list that
14:42:04 7 I prepared, so I can tell you if
14:42:05 8 they are. My practical problem
14:42:07 9 is I want to be able to take the
14:42:11 10 witness to a particular page or
14:42:12 11 page number, and I haven't
14:42:14 12 organized them in a way that
14:42:15 13 they are sequentially numbered,
14:42:17 14 as I might do in another case.
14:42:19 15 So I have sort of thought of
14:42:21 16 them going in independently.
14:42:22 17 But I can tell you --
14:42:24 18 THE COMMISSIONER: We can do
14:42:24 19 that. We can do that, each time
14:42:27 20 that you are going to turn to a
14:42:28 21 new document for the first time,
14:42:30 22 we can enter that as the exhibit
14:42:31 23 number and then of course if you
14:42:33 24 go back, that one I do know from
14:42:36 25 our lunchtime exchange of emails
14:42:38 26 that would work.
14:42:39 27 MS. FRASER: I think they are
14:42:40 28 all part, source documents of
14:42:43 29 things that are already
14:42:45 30 exhibits, Commissioner.
14:42:46 31 So --
14:42:47 32 THE COMMISSIONER: But the

14:42:48 1 problem is that if we say
14:42:49 2 document number such and such,
14:42:51 3 I'm not sure that somebody
14:42:52 4 watching the webcast is going to
14:42:54 5 be able to pull that up because
14:42:57 6 they are not tied into the
14:42:58 7 database, right?
14:42:59 8 MS. KINKARTZ: I think the
14:43:00 9 practical challenge we have
14:43:02 10 right now is we are still
14:43:02 11 getting the source documents for
14:43:04 12 the Overview Reports up on the
14:43:07 13 database. Once they are up, if
14:43:09 14 Counsel is able to indicate this
14:43:11 15 is part of Exhibit 6 or Exhibit
14:43:12 16 4 and so on, then the public
14:43:14 17 will be able to pull that up.
14:43:16 18 But for now, you are quite
14:43:18 19 right, Commissioner, they won't
14:43:19 20 necessarily be able to do that.
14:43:20 21 So what I might suggest is for
14:43:22 22 now, for the purposes of public
14:43:23 23 access, we enter these into
14:43:26 24 evidence as an exhibit, even if
14:43:28 25 they are already in evidence so
14:43:29 26 that the public accesses them
14:43:31 27 more quickly, and once the
14:43:32 28 source documents are up, perhaps
14:43:34 29 we can revisit that process.
14:43:36 30 THE COMMISSIONER: All right. I
14:43:38 31 agree. And I know it is tough
14:43:39 32 because we have so many

14:43:40 1 different people that are trying
14:43:41 2 to follow the process, but it is
14:43:43 3 important that we are good for
14:43:45 4 the public.

14:43:45 5 So I think that the easiest way,
14:43:48 6 it may break you up a little
14:43:51 7 bit, but if you can, the first
14:43:52 8 time you refer to a document,
14:43:53 9 we'll call it, enter it as an
14:43:56 10 exhibit number, and then it will
14:43:57 11 also be easier for the witness
14:43:59 12 to follow, I think.

14:44:01 13 MS. FRASER: That is fine. That
14:44:02 14 is the way I'm -- you know, I
14:44:04 15 have been raised to do things.

14:44:05 16 THE COMMISSIONER: That is old
14:44:05 17 school, sorry.

14:44:07 18 MS. FRASER: It is. So I'm okay
14:44:08 19 with that.

14:44:09 20 THE COMMISSIONER: All right.

14:44:10 21 BY MS. FRASER:

14:44:11 22 Q. Brenda, my name is Suzan
14:44:12 23 Fraser. I'm here on behalf of the Ontario
14:44:16 24 Association of Residents' Councils, and the
14:44:19 25 Ontario Association of Residents' Councils
14:44:22 26 represents and supports residents' councils in
14:44:25 27 all of the homes in Ontario, some of whom are
14:44:27 28 formally members, about 400 are formally
14:44:31 29 members, but they support all of the homes,
14:44:33 30 whether they are members or not.

14:44:34 31 And so sometimes they are
14:44:36 32 referred to -- OARC or the Ontario Association

14:44:41 1 of Residents' Councils is referred to as the
14:44:43 2 voice of residents in long-term care. Okay?
14:44:47 3 So I'm going to ask you some questions from the
14:44:50 4 perspective of residents. Okay?

14:44:53 5 A. Okay.

14:44:53 6 Q. So I want to just start then
14:44:56 7 with the model of care in Caressant Care. I
14:45:07 8 understand that long-term care, people working
14:45:11 9 in long-term care are supposed to be working as
14:45:14 10 a team; correct?

14:45:15 11 A. Correct.

14:45:16 12 Q. Okay. The Administrator is
14:45:19 13 giving direction and ensuring compliance with
14:45:22 14 standards; correct?

14:45:24 15 A. Correct.

14:45:24 16 Q. And am I right that the
14:45:27 17 Director of Care is to ensure the quality of
14:45:29 18 the care?

14:45:30 19 A. Correct.

14:45:30 20 Q. Okay. And so the Registered
14:45:36 21 Nurse, in her or his role, would be fulfilling
14:45:39 22 the minimum regulatory standard, but also
14:45:42 23 performing essential nursing duties?

14:45:45 24 A. Yes.

14:45:45 25 Q. Okay. You would have RPNs
14:45:48 26 performing other nursing duties, Registered
14:45:53 27 Practical Nurses?

14:45:53 28 A. Yes.

14:45:53 29 Q. Yes, and Personal Support
14:45:57 30 Workers meeting the needs of the residents both
14:46:00 31 through supporting in activities but also in
14:46:03 32 terms of their activities of daily living?

14:46:05
14:46:05
14:46:08
14:46:13
14:46:15
14:46:19
14:46:21
14:46:21
14:46:24
14:46:29
14:46:33
14:46:36
14:46:38
14:46:40
14:46:42
14:46:45
14:46:46
14:46:47
14:46:48
14:46:48
14:46:50
14:46:52
14:46:52
14:46:54
14:46:55
14:47:00
14:47:03
14:47:08
14:47:09
14:47:09
14:47:12
14:47:15

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

A. Correct.

Q. Okay. And so all of those people in the home are working together in order to ensure that the residents are cared for and that they can maintain their independence, privacy and dignity?

A. Correct.

Q. Okay. And it was your obligation at the time that Elizabeth Wettlaufer was hired pursuant to the Nursing Homes Act to ensure that she understood the requirements of the Nursing Homes Act, including the rights of residents?

A. Correct.

Q. And --

THE COMMISSIONER: Sorry, I didn't -- you weren't the Administrator when she was hired.

THE WITNESS: Oh, when she was hired, no, I was not.

BY MS. FRASER:

Q. I'm sorry, Madam Commissioner, of course, but it would become your job, when you came on, to ensure that she complied with the Nursing Homes Act and later the Long-Term Care Homes Act in terms of compliance with the rights of residents?

A. Correct.

Q. Okay. And the model that was employed in terms of the model of care, although one of teamwork, was a hierarchical

14:47:18 1 model where I would say that certain people,
14:47:24 2 certainly the Administrator and the Director of
14:47:28 3 Care, were in charge of the facility?

14:47:30 4 A. Correct.

14:47:30 5 Q. But also on a day-to-day
14:47:32 6 basis, in terms of the care that was being
14:47:36 7 delivered, at times the Registered Nurse was in
14:47:40 8 a higher position than the Personal Support
14:47:43 9 Workers?

14:47:43 10 A. Correct.

14:47:44 11 Q. It was the case that she was
14:47:46 12 in charge of the Personal Support -- Elizabeth
14:47:49 13 Wettlaufer, when she was the charge nurse,
14:47:51 14 would be in charge of the Personal Support
14:47:54 15 Workers?

14:47:54 16 A. Yes, they should report
14:47:56 17 concerns to her.

14:47:57 18 Q. Okay. Did you understand
14:48:04 19 prior -- you are aware that you went from the
14:48:09 20 Nursing Homes Act prior to 2010 to the
14:48:11 21 Long-Term Care Homes Act in 2010 and onward?

14:48:16 22 A. Yes.

14:48:16 23 Q. And you are aware that the
14:48:22 24 rights of residents were spelled out in the
14:48:25 25 Nursing Homes Act prior to the legislative
14:48:30 26 changes?

14:48:30 27 A. Yes.

14:48:31 28 Q. So those rights would have
14:48:33 29 included the right to be treated with courtesy
14:48:36 30 and respect; correct?

14:48:38 31 A. Correct.

14:48:38 32 Q. They would include the right

14:48:40 1 to be free from mental and physical abuse?

14:48:44 2 A. Correct.

14:48:44 3 Q. And that would include a
14:48:47 4 right to be free to raise concerns?

14:48:49 5 A. Correct.

14:48:49 6 Q. And to raise concerns without
14:48:53 7 fear of reprisal, interference, coercion or
14:49:00 8 discrimination?

14:49:01 9 A. Correct.

14:49:01 10 Q. Right? They would have the
14:49:04 11 right to live in a safe and clean environment?

14:49:06 12 A. Correct.

14:49:07 13 Q. Okay. So at the time, you
14:49:11 14 can't speak to her hiring so I won't take you
14:49:13 15 there, but these rights were also spelled out
14:49:19 16 not only in the legislation, but in a program
14:49:22 17 manual under which the home operated?

14:49:25 18 A. Correct.

14:49:26 19 Q. Okay. And you had -- did you
14:49:30 20 have at your disposal or to use a copy of the
14:49:33 21 program manual when you were Administrator?

14:49:35 22 A. Yes.

14:49:36 23 Q. Okay, so just in terms of
14:49:38 24 when you describe it, it is a big sort of
14:49:40 25 three-inch binder that is tabbed with
14:49:42 26 different --

14:49:44 27 A. It was when I started, and
14:49:45 28 then it went to online policies and procedures.

14:49:48 29 Q. Okay. I have drawn from that
14:49:53 30 manual and it is, for Counsel's reference, from
14:49:58 31 tab 9, what would have been tab 9 of that
14:50:01 32 manual, it is now part of document number

14:50:04 1 45578, and that should be the first document in
14:50:12 2 front of you, and I'm going to take you to page
14:50:16 3 498 of the document database.

14:50:19 4 And so --

14:50:22 5 THE COMMISSIONER: Should we
14:50:23 6 enter that as the next exhibit?

14:50:25 7 MS. FRASER: Yes, Madam
14:50:28 8 Commissioner.

14:50:28 9 THE COMMISSIONER: Madam Clerk,
14:50:29 10 if you can help me with that?

14:50:32 11 THE COURT CLERK: Exhibit 14.

14:50:33 12 THE COMMISSIONER: Exhibit 14.

14:50:34 13 So Exhibit 14 then is document
14:50:36 14 45578 and the top page says

14:50:40 15 Table of Contents, tab 9,
14:50:42 16 Standards of Resident Care, and
14:50:44 17 it is a multi-page document.

14:50:45 18 EXHIBIT NO. 14: Document 45578,
14:50:47 19 Standards of Resident Care.

14:50:47 20 BY MS. FRASER:

14:50:47 21 Q. Thank you. So if you could
14:50:48 22 turn -- so you have got that document in front
14:50:49 23 of you. If you could turn to the second page
14:50:54 24 of Exhibit 14, which is 499 of the database,
14:51:02 25 and it just is really the introduction, and
14:51:04 26 just the first paragraph there:

14:51:06 27 "The Resident Safeguards, and
14:51:09 28 Resident Care and Services
14:51:11 29 standards promote and support
14:51:13 30 residents' autonomy and
14:51:15 31 involvement in decision-making
14:51:16 32 regarding their own care and

14:51:17 1 services."

14:51:19 2 I have read that correctly?

14:51:20 3 A. Yes.

14:51:20 4 Q. And you understood that to be

14:51:21 5 the philosophy of the Ministry under the

14:51:27 6 Nursing Homes Act?

14:51:28 7 A. Correct.

14:51:29 8 Q. Okay, and that:

14:51:33 9 "Facility staff are expected to

14:51:34 10 provide residents with the

14:51:35 11 opportunity, assistance, support

14:51:36 12 and encouragement to assist them

14:51:38 13 to meet his/her individual

14:51:41 14 goals."

14:51:42 15 You understood that as well at

14:51:44 16 the time?

14:51:44 17 A. Yes.

14:51:45 18 Q. Okay, and just going down to

14:51:51 19 the fourth paragraph:

14:51:51 20 "The Resident Safeguards section

14:51:55 21 includes standards and criteria

14:51:57 22 designed to respect, support and

14:51:58 23 promote residents' rights.

14:52:00 24 There is emphasis on

14:52:02 25 resident/representative

14:52:03 26 participation in the planning

14:52:04 27 and evaluation of facility

14:52:05 28 programs and services, as well

14:52:09 29 as the planning and evaluation

14:52:11 30 of the individual resident's own

14:52:13 31 care."

14:52:14 32 And just stopping there and

1 reflecting on that, between your coming on
2 board in 2009 to the coming into place of the
3 Long-Term Care Homes Act, were there formal
4 mechanisms by which the residents were involved
5 for the planning and evaluation of the services
6 and programs at Caressant Care?

7 A. I believe yes, through the
8 residents' council.

9 Q. Okay, and anything else?

10 A. Not that I can refer to back
11 when I started in 2009.

12 Q. Okay. So in terms of the
13 residents' council, do you remember the model
14 of the residents' council? Did you have a sort
15 of town hall model where people would come to
16 meetings, or was there a group of
17 representatives from different parts of the
18 home? Do you remember anything about that?

19 A. What I am remembering I can't
20 say was in 2009, but we did have a residents'
21 council that met monthly. They came together
22 in the one room in Section B. They would be
23 gathered from all sections. And they would
24 meet and, you know, discuss anything that they
25 wanted to discuss and then bring it to the
26 attention and it was the Program Activity
27 Coordinator that would compile their
28 information and then it would be given to the
29 Administrator for a response.

30 Q. Okay, thank you, that is very
31 helpful. So just turning then to what is page
32 502 of exhibit -- sorry, the document is 45578

1 and we are going to go to page 502, I believe,
2 which is the second -- on the hard copy, it
3 might be part of standard 0902-01 and on the
4 bottom it should say page 2, July 1998.

5 THE COMMISSIONER: Is this about
6 residents' rights?

7 BY MS. FRASER:

8 Q. It is. So you should have a
9 section there at A1.11. Do you have that,
10 Brenda?

11 A. A1.11?

12 Q. Yes.

13 A. Okay.

14 Q. So I'm just going to read
15 from it:

16 "Residents' rights which shall
17 be fully respected and promoted
18 include, but are not limited to
19 the following rights contained
20 in The Long-Term Care Statute
21 Law Amendment Act [...]"

22 And then it repeats the same
23 right that we talked about at the outset that
24 the resident has the right to be treated with
25 courtesy and respect in a way that fully
26 recognizes the resident's dignity and
27 individuality and to be free from mental and
28 physical abuse, right?

29 A. Correct.

30 Q. And that definition of abuse
31 is found at the last page of that document,
32 which is page 521 of the database. There would

14:56:34 1 have been at the time both definitions of
14:56:38 2 physical abuse -- sorry, not just both,
14:56:41 3 physical abuse, emotional abuse, financial
14:56:44 4 abuse and neglect, right?

14:56:46 5 A. Correct.

14:56:47 6 Q. And neglect would include the
14:56:48 7 withholding of food or health services;
14:56:51 8 correct?

14:56:51 9 A. Correct.

14:56:52 10 Q. So just with that as the
14:56:55 11 backdrop, when the law changed in terms of the
14:56:59 12 residents' rights, one of the significant
14:57:03 13 changes is the residents' council became a
14:57:06 14 mandatory component of the provision of
14:57:08 15 services in long-term care, right; do you
14:57:12 16 remember that part?

14:57:12 17 A. Yes.

14:57:13 18 Q. Okay. And you also had a
14:57:16 19 policy at least in 2014 that there would be
14:57:22 20 zero tolerance for abuse and neglect?

14:57:26 21 A. Correct.

14:57:26 22 Q. Now, I think in the package
14:57:28 23 of documents that you have, Commissioner, you
14:57:32 24 may only have the 2017 policy. There is a 2014
14:57:38 25 policy.

14:57:38 26 But if we could just turn to
14:57:40 27 that document, it is the one that has the
14:57:43 28 sticky that says 16477. So it is probably the
14:57:57 29 last document in that package, Madam
14:58:00 30 Commissioner and Brenda.

14:58:05 31 A. Correct.

14:58:06 32 THE COMMISSIONER: Should we

14:58:06 1 make that Exhibit 15 then?

14:58:10 2 MS. FRASER: Yes, please.

14:58:11 3 THE COMMISSIONER: Exhibit 15 is

14:58:14 4 the Policy and Procedure

14:58:14 5 document of Caressant Care, the

14:58:18 6 effective date February 2017,

14:58:19 7 and it is a multi-page document,

14:58:22 8 Madam Clerk.

14:58:23 9 EXHIBIT NO. 15: Policy and

14:58:23 10 Procedure document of Caressant

14:58:24 11 Care, effective February 2017.

14:58:24 12 MS. FRASER: Commissioner, just

14:58:25 13 in the interests of time, there

14:58:27 14 is a 2014. We'll probably put

14:58:28 15 that to Ms. Crombez when she

14:58:30 16 comes, and I will just direct

14:58:31 17 some -- because I know that

14:58:33 18 Brenda left in 2016, so this

14:58:37 19 policy may not have been in

14:58:38 20 effect.

14:58:39 21 BY MS. FRASER:

14:58:40 22 Q. But do you recall a similar

14:58:41 23 policy that had a policy to promote zero

14:58:45 24 tolerance of abuse and neglect --

14:58:47 25 A. Yes, I do.

14:58:48 26 Q. Okay. And then so there was

14:58:55 27 also, just -- and I am sorry to switch gears,

14:58:58 28 but under the Nursing Homes Act there was a

14:59:03 29 mandatory obligation if you had reasonable

14:59:08 30 grounds to suspect that a resident had suffered

14:59:12 31 or may suffer harm as a result of unlawful

14:59:16 32 conduct, improper or incompetent treatment or

14:59:21 1 care or neglect, to report that suspicion and
14:59:28 2 information to the Ministry?

14:59:30 3 A. Yes.

14:59:31 4 Q. Okay. And did you understand
14:59:34 5 that in 2009, did you understand that
14:59:38 6 obligation as attaching to the institution or
14:59:42 7 to the staff who worked in the home? Do you
14:59:51 8 understand my question?

14:59:52 9 A. Not really.

14:59:52 10 Q. Okay. So I saw the reporting
14:59:57 11 in the materials we have seen, we have seen the
14:59:59 12 reports from the home to the Ministry. Back
15:00:04 13 before the law changed, they were called
15:00:06 14 unusual occurrences; do you remember that?

15:00:07 15 A. Yes.

15:00:07 16 Q. But the unusual occurrences
15:00:12 17 were reported by the home. But my reading of
15:00:14 18 that is that a person who has that suspicion
15:00:16 19 has a direct obligation to report their
15:00:20 20 suspicion to the Ministry themselves. Is that
15:00:25 21 how you understood it back in the day, in 2009?

15:00:30 22 A. We would have reported it to
15:00:37 23 the -- I believe we would have reported it to
15:00:40 24 the Ministry.

15:00:41 25 Q. Right. So maybe I can use an
15:00:45 26 example. So let's say a Registered Practical
15:00:51 27 Nurse was concerned about abuse or neglect or
15:00:56 28 improper treatment in accordance with the
15:00:58 29 Nursing Homes Act, as I have just sort of set
15:01:01 30 that out. Would you have known that it was
15:01:05 31 that RPN's responsibility to report that
15:01:08 32 suspicion?

15:01:10 1
15:01:10 2
15:01:12 3
15:01:15 4
15:01:23 5
15:01:27 6
15:01:31 7
15:01:32 8
15:01:33 9
15:01:38 10
15:01:42 11
15:01:47 12
15:01:49 13
15:01:49 14
15:02:03 15
15:02:09 16
15:02:13 17
15:02:15 18
15:02:20 19
15:02:24 20
15:02:27 21
15:02:30 22
15:02:34 23
15:02:36 24
15:02:39 25
15:02:39 26
15:02:42 27
15:02:49 28
15:02:53 29
15:02:56 30
15:02:58 31
15:03:00 32

A. To whom?

Q. To the Ministry.

A. No. No, I think the practice would have been to report it to, you know, the Nurse Manager or to myself, the Administrator, and then report I would think --

Q. Okay, but --

A. But that employees could report directly. Like, I can't say that they did under the Nursing Homes Act, but they would report directly with the new Long-Term Care Act. So I don't have a recollection of a report.

Q. Okay, thank you.

In terms of the training around these policies and standards, you indicated that there was some orientation, that there was some training. Did that training take the form of reading the policy manual?

A. Yes, for the most part, yes.

Q. Okay. And so for the most part, it was the new employee would be expected to read the policy manual, understand the policies, and comply with the policies?

A. Correct.

Q. Okay. And is it also fair to say that there were few or no in-service trainings where, you know, there was sort of direct hands-on learning about the policies around abuse and neglect?

A. I would say there was annual education to the staff on that.

1 Q. Okay, and would that be by a
2 review of the policy or would that be --

3 A. It could have been, like, if
4 someone put together like a slide show type
5 training or it could be just reviewing the
6 policy. There was different types of training.

7 Q. And it is your evidence that
8 that happened annually?

9 A. Yes, I believe that it did.

10 Q. And do you recall who
11 delivered it?

12 A. Our Assistant Director of
13 Nursing, and there was different ones over the
14 time, was usually responsible for orientation
15 and training.

16 Q. Okay. So I want to just
17 shift gears to some of the incidents that we
18 talked about just in terms of -- and I am going
19 to focus on a particular period of time in July
20 -- sorry, January of 2012. And just if we
21 could call up document 16842. That is -- I
22 don't know the exhibit number. That is part of
23 your affidavit. It is the letter, essentially
24 the discipline letter or document where Ms.
25 Wettlaufer was found to be not meeting the
26 needs of the residents in a timely manner.

27 MS. HEWITT: I believe that is
28 at Exhibit "S", Commissioner.

29 THE COMMISSIONER: Thank you.

30 BY MS. FRASER:

31 Q. Thank you. Okay, so the
32 concern that was stated at the time was that --

1 in this discipline action form was that Ms.
2 Wettlaufer was:

3 "Not meeting the required needs
4 [of the] residents in a timely
5 manner, and not following policy
6 and procedure after a fall."

7 Right? So you reviewed those
8 incidents in detail with Ms. Hewitt yesterday,
9 so I'm not going to go through them all in
10 detail again. But at the time you wrote that
11 letter, there were -- three different staff
12 members had expressed their concerns to you,
13 three different PSWs, Ms. Slyfield, Ms.
14 MacKnott, and Ms. Pike; correct?

15 A. Correct.

16 Q. And it is a bit of a pile-on,
17 I would call it, by the Personal Support
18 Workers all coming together at once to bring
19 forward their concerns about Ms. Wettlaufer?

20 A. Yes.

21 Q. And it looked to me, when I
22 reviewed those written documents that were
23 brought to the attention of management, that
24 they had decided to take a stand against Ms.
25 Wettlaufer; do you agree?

26 A. That we had decided to?

27 Q. No, that the Personal Support
28 Workers had decided to take a stand?

29 A. I guess you could say that,
30 yes.

31 Q. Right? It doesn't seem a
32 coincidence that all three are coming forward

15:06:48 1 at the same time.

15:06:49 2 A. Okay.

15:06:50 3 Q. Right? And it appears that

15:06:52 4 they had been quite disturbed by both actions

15:07:00 5 taken by Ms. Wettlaufer and things that she had

15:07:02 6 not done as well?

15:07:03 7 A. Yes.

15:07:03 8 Q. And Ms. Slyfield wrote in her

15:07:08 9 letter that it was not the first time that she

15:07:11 10 had complained about Ms. Wettlaufer; do you

15:07:13 11 recall that?

15:07:13 12 A. I'm just looking back.

15:07:18 13 Q. That is at -- yeah, and I

15:07:25 14 apologize for not --

15:07:41 15 MS. HEWITT: I think tab P.

15:07:48 16 THE WITNESS: P, tab P of mine

15:07:50 17 is the letter from Ms. Slyfield.

15:07:52 18 MS. HEWITT: Exhibit "P" I

15:07:54 19 should say, Commissioner.

15:07:56 20 BY MS. FRASER:

15:07:56 21 Q. So she says it is not the

15:07:57 22 first time, right?

15:07:58 23 A. That is what she says, yes.

15:07:59 24 Q. And do you recall the other

15:08:00 25 times?

15:08:00 26 A. No, I do not. And Ms.

15:08:05 27 Slyfield is an RPN, not a PSW.

15:08:08 28 Q. Okay. So you have got both

15:08:10 29 Personal Support Workers and RPNs complaining

15:08:12 30 about Ms. Wettlaufer. And the incidents that

15:08:18 31 they complain of were disturbing, right? One

15:08:24 32 of the incidents was disimpacting a resident

1 without pain medication?

2 A. Yes.

3 Q. Right, and that would be an
4 example of the resident's rights not being
5 respected; she wanted pain medication and she
6 didn't have pain medication?

7 A. I don't think that the
8 resident asked for pain medication.

9 Q. Okay. The worker was of the
10 opinion that she certainly needed it, though;
11 you recall that?

12 A. Yes, she did -- that happened
13 on January 4th, and then on January 14th she
14 brought it to our attention.

15 Q. Right, and I know that you --
16 it was your opinion that that delay somehow
17 lessened, maybe these aren't the right words,
18 lessened the seriousness of the complaint.
19 Could it also be --

20 MS. HEWITT: Sorry, just I think
21 lessened the potential for
22 discipline, I thought was the --

23 THE WITNESS: Yes, I think that
24 is how I worded that.

25 BY MS. FRASER:

26 Q. Okay. So you would agree
27 with me that just because somebody waits to
28 complain may not necessarily mean it wasn't
29 important to them at the time, right?

30 A. We have -- you know, we do --
31 we try to investigate an incident when it
32 happens so you can get a clearer picture. And

1 when, you know, ten days have gone by, you can
2 go to a resident and they won't even remember
3 the incident. So it is hard to go ahead with
4 firm discipline when you can't get a clear
5 picture.

6 Q. Right. So it may have an
7 impact on your ability to investigate it, but
8 certainly sometimes somebody might want to take
9 the time to think about what happened and what
10 is the appropriate thing for them to do in the
11 circumstances, right?

12 A. Yeah, in some cases.

13 Q. All right. Because
14 especially when they are complaining about
15 somebody who within the model of care is higher
16 and is their boss, so really these people are
17 complaining about somebody who can be on a
18 day-to-day level their boss, right?

19 A. Yes.

20 Q. So just turning to then the
21 -- and you don't need to turn it up, but if you
22 need to, we'll go there. The resident who Ms.
23 Wettlaufer, and I believe the initials were DW,
24 who was saying if you want -- you know, maybe
25 you'll have to have haldol, maybe you'll have
26 to go for a psychiatric assessment; you recall
27 that incident?

28 A. Yes.

29 Q. And that is a threat, isn't
30 it?

31 A. I thought it was a nursing
32 measure at the time, that she, Bethe, was

15:11:23 1 trying to get the resident to realize how he
15:11:28 2 was mocking the other resident.

15:11:31 3 Q. Okay, so let's just break it
15:11:33 4 down for a minute. By telling somebody they
15:11:37 5 may need to go for a psychiatric assessment --
15:11:39 6 this particular resident appears to have been
15:11:42 7 in psychiatric care before because he
15:11:45 8 references that he is prepared to go back to a
15:11:48 9 psychiatric hospital, right?

15:11:49 10 A. I don't know if he was or
15:11:50 11 not.

15:11:51 12 Q. But the threat that somebody
15:11:52 13 could be taken to hospital and be forcibly
15:11:54 14 detained in a psychiatric assessment, that
15:11:57 15 would be something that would be concerning to
15:11:59 16 somebody, right?

15:12:01 17 A. I'm not understanding how you
15:12:06 18 are --

15:12:06 19 Q. Okay. So as I understood the
15:12:09 20 interaction, Ms. Wettlaufer said to this
15:12:12 21 particular resident that maybe you'll have to
15:12:14 22 go to the hospital for a psych assessment. Do
15:12:20 23 you recall it the same way that I do?

15:12:22 24 MS. HEWITT: I don't think that
15:12:23 25 is exactly the words.

15:12:24 26 THE WITNESS: I don't think that
15:12:25 27 was the wording.

15:12:26 28 BY MS. FRASER:

15:12:26 29 Q. Okay. So maybe if we can go
15:12:30 30 -- okay, so let's just do it a different way,
15:12:32 31 because we have time limits and I am mindful of
15:12:36 32 my time. I can't explore every area --

15:12:40
15:12:41
15:12:43
15:12:45
15:12:47
15:12:48
15:12:49
15:12:50
15:12:53
15:12:56
15:12:58
15:13:00
15:13:04
15:13:06
15:13:09
15:13:11
15:13:11
15:13:17
15:13:21
15:13:21
15:13:24
15:13:25
15:13:29
15:13:31
15:13:33
15:13:48
15:13:55
15:13:59
15:14:02
15:14:04
15:14:05
15:14:08

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

A. Okay, I'm sorry.

Q. No, no, it has nothing to do with you. It is just that we have to make certain decisions about how much time we use on witnesses.

A. Okay, all right.

Q. So what I am going to do is I am going to suggest to you that had it been the case where a nurse was suggesting that somebody might have to go to hospital for a psych assessment, that could be something that is intimidating to a person, right, because they might be going to a hospital and detained there for 72 hours?

A. Yes, but I don't believe that is what she said.

Q. Okay. And that the use of haldol -- and haldol is an antipsychotic drug; are you aware of that?

A. I am aware of it is a drug for that purpose.

Q. All right. And it is given most often by injection, right?

A. No, I am not aware of that.

Q. Okay. So you weren't concerned with these instances of what Ms. Wettlaufer was saying was constituting either abuse, emotional abuse?

A. Not with that one particular resident.

Q. I see, okay. And one of the things about the incidents that did come to

15:14:13 1 your attention in terms of Ms. Wettlaufer's
15:14:15 2 alleged behaviour towards residents both with
15:14:20 3 the person who you described as being young in
15:14:23 4 age, despite her being an adult, and this
15:14:25 5 particular resident, is that they had
15:14:28 6 problematic behaviours already within the
15:14:30 7 institution, right?

15:14:31 8 A. I don't believe the one with
15:14:36 9 -- the one initials DW, I don't know if he had
15:14:41 10 a series of issues. I think at that time he
15:14:44 11 had a UTI and had some issues at that time.

15:14:47 12 Q. Okay. But one of the things
15:14:53 13 about people who target vulnerable people, are
15:14:57 14 you aware that they don't often target people
15:15:00 15 who are credible, believable, that they go for
15:15:04 16 people who are less likely to be able to
15:15:07 17 advocate for themselves?

15:15:09 18 A. Yes, I would think that's who
15:15:11 19 they would target.

15:15:12 20 Q. Okay. And they pick people
15:15:17 21 that nobody will believe?

15:15:20 22 A. That could be.

15:15:21 23 Q. Okay. And so it is important
15:15:26 24 for anybody who is responding to complaints to
15:15:35 25 be aware that there is a power dynamic going on
15:15:38 26 between the resident and the staff?

15:15:42 27 A. Yes.

15:15:42 28 Q. Right, and to be aware of how
15:15:49 29 vulnerable those clients are, those residents
15:15:52 30 are at the point in time that they make a
15:15:55 31 complaint, right?

15:15:55 32 A. Correct.

1 Q. Okay. So when you reflect
2 back on what you knew about Ms. Wettlaufer by
3 the time that she was dismissed, I think you
4 said to Mr. Sandler or somebody else that there
5 were significant and constant problems, right?

6 A. Yes, I believe something like
7 to that effect.

8 Q. Okay. You knew that she
9 stirred the pot with other staff?

10 A. I didn't say that.

11 Q. Well, I am characterizing
12 what you have talked -- what we have heard
13 about in terms of the allegations or the
14 comments that she made about the age of one
15 particular staff member, giving her the ruler,
16 that was, you know, in the imperial system from
17 your generation; making comments about -- she
18 had discipline from things that happened
19 outside of -- or not discipline, but incidents
20 that took place outside of the facility. That
21 she stirred things up amongst staff?

22 A. You are saying that. When I
23 referred to that particular incident with
24 regarding age, I said that her remarks were
25 inappropriate. I didn't feel like she was
26 stirring the pot. I also sometimes thought
27 that a PSW reported her for trying to be a
28 Nurse Manager, and then because they weren't
29 following her directions, they were going to be
30 reported so they reported first.

31 Q. Okay. So that is something I
32 don't think you have spoken of before, that

15:17:58 1 these were preemptive strikes by the PSWs and
15:18:02 2 the Registered Practical Nurses?

15:18:04 3 A. I am not saying they are
15:18:05 4 preemptive. I'm just saying as a manager, you
15:18:08 5 have to think of everything.

15:18:09 6 Q. Sure, sure. And it is easy
15:18:12 7 for me to stand here and say this is what it
15:18:14 8 looks like?

15:18:14 9 A. Yeah, you know, we all know
15:18:16 10 the end of the story, but at the time we
15:18:18 11 didn't.

15:18:18 12 Q. Okay, so you didn't feel like
15:18:20 13 she was stirring things up with staff?

15:18:23 14 A. No, and I had other issues
15:18:27 15 with other staff. It wasn't -- you know, it
15:18:30 16 wasn't just this that we dealt with on a daily
15:18:32 17 basis.

15:18:33 18 Q. Okay. But there had been
15:18:36 19 significant and constant problems. You were of
15:18:38 20 the opinion that she was lazy, right?

15:18:42 21 A. Correct, I did say that.

15:18:44 22 Q. You did have those comments
15:18:46 23 from more than one person that she was either a
15:18:48 24 bully or a boss?

15:18:50 25 A. Yes, there was.

15:18:51 26 Q. You did have concerns that
15:18:54 27 she had neglected residents by failing to
15:18:59 28 respond to call bells in a timely manner?

15:19:01 29 A. Correct.

15:19:02 30 Q. And that there were these
15:19:05 31 concerns about inappropriate, you know, shaking
15:19:09 32 her butt in the face of a resident and the

1 incident with the boil, right? You had that
2 information as well.

3 Okay, so just if you had been
4 called, as Mr. Sandler put to you, you told us
5 that she had been terminated and you are not
6 sure what you would say. But if somebody had
7 asked you in 2014, would you want this person
8 looking after your father, your aging father or
9 aging mother, somebody, you know, who you knew
10 who was vulnerable, what would you have said in
11 2014?

12 A. Well, I terminated her, so I
13 think that would say my answer right there, no.

14 Q. You would say find somebody
15 else, right?

16 A. Yes.

17 Q. And just in terms of we know
18 you weren't put in that position because you
19 didn't receive such a call, but was there any
20 guidance to you? Did you feel like you were
21 bound by the institution's decision to
22 terminate in terms of what you could say after
23 that, or did you think that you had a personal
24 freedom to speak freely about what your
25 professional opinion was about Elizabeth
26 Wettlaufer in 2014?

27 A. I think that -- you used the
28 word "bound" by, you know, the corporation. I
29 think we just did not discuss a termination
30 until everything was dealt with, and I just
31 made it my own -- like, I didn't talk about any
32 of my disciplines, any of my terminations

1 outside of the home. I think it was part
2 personal and part, you know, through the
3 corporation.

4 MS. FRASER: Thank you very
5 much. Those are my questions.

6 THE COMMISSIONER: Thank you,
7 Ms. Fraser.

8 MS. HEWITT: AdvantAge,
9 Commissioner.

10 THE COMMISSIONER: Thank you.

11 CROSS-EXAMINATION BY MR.

12 SCHWARTZ:

13 Q. Good afternoon. My name is
14 Jared Schwartz and I am one of the lawyers
15 representing AdvantAge Ontario, and I am hoping
16 I'm only going to ask you questions for about
17 five minutes on two different areas.

18 Madam Amanda, if we can start by
19 pulling up the witness' affidavit, please. And
20 I am looking for page 4, top of page 4, which
21 is paragraph 12. That is perfect.

22 So Brenda, in paragraphs 12 and
23 13 of your affidavit, you discuss this idea of
24 Case Mix Index and the way that it is related
25 to the funding that facilities received
26 throughout the year from the Ministry, and I
27 just want to unpack some of these ideas a
28 little bit more to see if there is any more
29 information you have on this topic.

30 So you describe in paragraph 12
31 this idea of Case Mix Index, and, as I
32 understand it, and correct me if I'm wrong, the

15:23:06 1 facility collects information about its
15:23:09 2 residents and that information gets passed on
15:23:11 3 to the Ministry. The Ministry then uses some
15:23:15 4 formula to come up with a calculation to
15:23:17 5 determine the acuity of that facility's
15:23:20 6 residents; is that right?

15:23:21 7 A. Correct. And the Case Mix
15:23:23 8 Index was the old way of doing it, and then
15:23:26 9 when the RAI came into play, I don't know what
15:23:31 10 the terminology is that they call it. It is
15:23:33 11 still a case mix, but it is not the terminology
15:23:37 12 that they use today.

15:23:39 13 Q. And the results of that
15:23:42 14 inform how much funding any given facility gets
15:23:45 15 from the Ministry in a given year; is that
15:23:47 16 right?

15:23:47 17 A. Or -- yes, yes.

15:23:50 18 Q. Or at least in part
15:23:51 19 determines the funding?

15:23:52 20 A. In part, part of the funding.

15:23:54 21 Q. And acuity, and you said this
15:23:56 22 yesterday, but just a refresher for everyone,
15:23:59 23 acuity is essentially the care needs?

15:24:01 24 A. Yes.

15:24:01 25 Q. If you take a look at your
15:24:06 26 paragraph 13, the last sentence there you have
15:24:10 27 said:

15:24:11 28 "The CMI," the Case Mix Index,
15:24:15 29 "is annually adjusted based on
15:24:17 30 the acuity level of the
15:24:18 31 residents."

15:24:21 32 Is that right?

1 A. I actually think that that
2 was going -- that was the CMI was adjusted
3 annually, and I think through the RAI/MDS, I
4 think that somewheres in the transition from
5 CMI to the RAI/MDS, it is to look back then at
6 the previous three-month or four-month period,
7 so your funding would be more relevant to the
8 acuity.

9 Q. I'll tell you what my
10 understanding is, and you can --

11 A. Okay, because I could be
12 wrong, okay.

13 Q. -- let me know if there is a
14 difference. So the information is collected
15 on, it might be, a quarterly basis. Each
16 facility sometime I think around the beginning
17 of a calendar year will get a notification from
18 the Ministry that essentially says here is your
19 CMI for the year and here is what we have
20 calculated as the funding based on your acuity
21 levels. Does that sound right?

22 A. Yes, I would agree with that.

23 Q. So, for example, if at the
24 time you were an Administrator at Caressant,
25 Caressant received notification in February of
26 any given year that the funding would be based
27 on a certain acuity level, a certain Case Mix
28 Index and that that would be the case for the
29 remainder of the year; does that sound right?

30 A. Well, it sounds right, and
31 yet I still think that somewheres the system
32 changed a bit, that the RAI/MDS system was to

1 promote a more accurate acuity of your
2 residents so that your funding went along with
3 that, so if I am wrong, I am wrong. I don't
4 know.

5 Q. When you say "more accurate,"
6 are you --

7 A. Closer to the resident -- if
8 it was a year behind, your residents change in
9 a year. So it would make it that, you know, if
10 they were looking at the previous three or four
11 months, then it would be a more accurate
12 reflection.

13 Q. So I was going to get to
14 that. One of the things that you said
15 yesterday in evidence was that throughout the
16 course of your career in long-term care, you
17 noticed a general increase in resident acuity;
18 is that right?

19 A. For sure.

20 Q. So if the Ministry is
21 collecting data from a home and at a certain
22 point that data will crystallize and the
23 Ministry will say, okay, as at this date we are
24 providing funding based on this level of acuity
25 for the home on some go-forward basis, it
26 sounds like you are not sure what that time
27 period is, but that is the case at least for
28 some period; is that right?

29 A. Yes.

30 Q. And as you have also pointed
31 out, there is turnover in homes, and of course,
32 if acuity is measured and funded as at a

1 particular date, at some point in the future,
2 if that funding level still applies, some of
3 the residents in that particular home may have
4 continued to age and there may have been
5 turnover in other cases with completely new
6 residents there; is that right?

7 A. That could very possibly be,
8 yes.

9 Q. In that context, did you feel
10 at any point during your time at Caressant that
11 the level of funding based on Case Mix Index
12 alone was not consistent with what you were
13 seeing on the ground; it felt out of date or
14 was otherwise not appropriate?

15 A. I think in general I thought
16 we should have more funding for long-term care,
17 but we did manage well within our budget.

18 Q. And again, correct me if I'm
19 wrong, my understanding is that the Case Mix
20 Index works its way into the nursing and
21 personal care envelope; do you know whether
22 that is the case?

23 A. I believe it does, yes.

24 Q. So when you made your
25 previous comment about funding, are you talking
26 about across the board or as it relates to this
27 one piece?

28 A. Oh, I would say across the
29 board.

30 Q. Thank you. I'm going to move
31 on to just one other topic.

32 I understand the evidence you

15:29:06 1 have given over the past almost two days now.
15:29:10 2 You had no formal education in your role as
15:29:13 3 Administrator; is that right?

15:29:14 4 A. Just taking the course
15:29:16 5 through the Canadian Health Care Association.

15:29:19 6 Q. Okay. And I'm going to
15:29:23 7 characterize what you have told me, and tell me
15:29:25 8 if you would put it a different way, but it
15:29:27 9 sounds like your in-house training from what
15:29:32 10 you have called head office was minimal in the
15:29:35 11 sense of sessions you were given or courses or
15:29:40 12 other kind of learning modules; is that fair?

15:29:44 13 A. Yeah, I guess that is fair.

15:29:48 14 Q. And I'm more interested, just
15:29:54 15 for your information, I'm more interested in
15:29:56 16 these concepts for context more than in your
15:29:59 17 personal case, but I'm keeping in mind that you
15:30:01 18 can only speak of course to your own personal
15:30:03 19 experience.

15:30:04 20 But following up from those last
15:30:06 21 questions, in your role as Administrator of the
15:30:10 22 facility during that period, which I understand
15:30:13 23 to be 2009 until 2016, would it have been
15:30:17 24 helpful to you to have further training in
15:30:20 25 areas like human resources or discipline or
15:30:25 26 compliance?

15:30:26 27 A. Yes.

15:30:27 28 Q. And for clarity, I'm speaking
15:30:33 29 about either formal education or something that
15:30:36 30 was, you know, provided by your employer or
15:30:38 31 both?

15:30:38 32 A. Yeah, both.

15:30:43
15:30:46
15:30:47
15:30:49
15:30:55
15:30:57
15:30:58
15:30:59
15:31:02
15:31:03
15:31:04
15:31:05
15:31:06
15:31:11
15:31:13
15:31:17
15:31:18
15:31:20
15:31:20
15:31:21
15:31:22
15:31:23
15:31:25
15:31:25
15:31:26
15:31:26
15:31:26
15:31:28
15:31:30
15:31:33
15:31:35
15:31:38

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Q. Those are my questions.

A. Okay, thank you.

MR. SCHWARTZ: Thank you.

MS. HEWITT: Commissioner, that ends in terms of the Participants, other than Mr. Golden has the opportunity to re-examine. So I'm not sure whether this would be an appropriate time for the break or whether you want to re-examine now.

MR. GOLDEN: I think Brenda would probably appreciate that we finish, so I don't have many questions.

THE WITNESS: Brenda would very much appreciate it.

THE COMMISSIONER: All right, then we are all on the same page.

MR. GOLDEN: I'm a mind-reader here.

THE COMMISSIONER: Go ahead, Mr. Golden.

RE-EXAMINATION BY MR. GOLDEN:

Q. Thank you very much.

So Brenda, you were asked a number of questions by the union lawyer about what information the union did or didn't have about all of the areas of concern that management had about Elizabeth Wettlaufer's

1 performance.

2 And in the area, for example, of
3 absenteeism, I think there were a couple of
4 examples where it didn't appear as if the union
5 was copied, and I would like to pull up on the
6 screen document number 16883. That is referred
7 to in paragraph 49 of your affidavit.

8 MS. HEWITT: Exhibit "D",
9 Commissioner.

10 THE COMMISSIONER: Thank you.

11 BY MR. GOLDEN:

12 Q. So this was a verbal warning;
13 is that right?

14 A. Yes.

15 Q. And if we can look to the
16 bottom, it doesn't appear that there is a copy
17 to anyone at the union?

18 A. No.

19 Q. Well, could we please turn up
20 document number 16884. This is the July -- we
21 are looking at July 7, 2010, warning regarding
22 attendance, and I would like to see now 16884.

23 Brenda, you see this here, also
24 dated July 7th, 2010?

25 A. Yes.

26 Q. And can you read the top
27 line, who is present?

28 A. Karen Routledge, ONA rep,
29 Helen Crombez and Marie Buckrell.

30 Q. And this has to do with
31 attendance?

32 A. "Re: attendance counselling

1 of her February 27th," and then "yesterday you
2 had called in," yes, it is in reference to
3 attendance.

4 Q. And I think you have already
5 explained that Karen Routledge was the ONA rep?

6 A. At that time, yes.

7 Q. And did you ever -- did you
8 ever, as a result of these meetings when the
9 ONA reps were participating or these ONA
10 witnesses, and they are indicated in the
11 documents, but did you ever indicate to them in
12 any of these meetings not to share this
13 performance information with the union?

14 A. They were given a copy of the
15 discipline for their union purposes.

16 Q. And, Brenda, did you do your
17 best to make sure that a union rep was present
18 at these meetings?

19 A. An employee wouldn't come in
20 without their union rep.

21 Q. And did you ever deny the
22 union access to the discipline file?

23 A. No, they could ask to see the
24 discipline file.

25 Q. Now, we know that the union
26 did grieve the five-day suspension in 2014 and
27 the termination, and I take it from everything
28 you have said, of things you have said on the
29 first day, that those were amongst the most
30 serious of Elizabeth Wettlaufer's errors, those
31 items?

32 A. Yes, they were serious.

1 Q. And did anyone from the union
2 call you to get the perspective of the home or
3 to understand the seriousness of your concerns
4 before they grieved that suspension and before
5 they grieved the termination?

6 A. No, not to my recollection,
7 they did not.

8 Q. And is it fair to say then
9 that the union challenged those decisions and
10 grieved, even without talking to you or Helen?

11 A. I believe so.

12 Q. Before they grieved did they
13 even call you to at least explain why they were
14 challenging your attempt to discipline
15 Elizabeth Wettlaufer for these serious errors?

16 A. Not to my recollection, no,
17 they did not.

18 Q. Do you ever recall the union
19 representative suggesting that Elizabeth
20 Wettlaufer needed special accommodation?

21 A. No, I do not.

22 Q. In your role as
23 Administrator, would you have been aware of an
24 obligation as an employer to accommodate
25 employees who were having problems, including
26 health problems?

27 A. I know that some workplaces
28 do have employee assistance programs, and we
29 had I don't think a formal process, but if
30 someone indicated that they needed help, there
31 was avenues that we could send them.

32 Q. Was there any request from a

15:37:13 1 union representative or from the union's head
15:37:16 2 office for information that you refused to
15:37:19 3 provide?

15:37:20 4 A. No, not to my recollection.

15:37:24 5 Q. Now, the lawyer for the union
15:37:31 6 took you to a Critical Incident Report and
15:37:36 7 asked whether you ever sent a copy of that
15:37:39 8 report or other Critical Incident Reports to
15:37:42 9 the union. And my question is, did you ever
15:37:47 10 understand from the Ministry of Health that you
15:37:50 11 were allowed to share with anyone, other than
15:37:53 12 the Ministry of Health, Critical Incident
15:37:56 13 Reports that contained information about
15:37:58 14 residents and incidents?

15:38:01 15 A. No, I believe that there is
15:38:08 16 some form that was not to be shared with anyone
15:38:12 17 else, and I don't know if it is the Critical
15:38:14 18 Incident Report or not.

15:38:15 19 Q. Well, at any time over the
15:38:18 20 period that you disciplined Elizabeth
15:38:21 21 Wettlaufer from 2009 right through to 2014, did
15:38:26 22 anyone from the union, a rep or from their head
15:38:30 23 office ever ask you to summarize what was in a
15:38:32 24 Critical Incident Report or tell you about a
15:38:34 25 Critical Incident Report?

15:38:34 26 A. No.

15:38:35 27 Q. Now, I gather that by the
15:38:44 28 time we get to the beginning of 2014, your
15:38:46 29 recommendation, together with Helen, was that
15:38:50 30 Bethe Wettlaufer should be fired?

15:38:52 31 A. Absolutely.

15:38:55 32 Q. And did head office support

15:38:57
15:38:57
15:38:58
15:39:01
15:39:05
15:39:12
15:39:13
15:39:15
15:39:17
15:39:18
15:39:19
15:39:20
15:39:23
15:39:24
15:39:26
15:39:26
15:39:28
15:39:29
15:39:31
15:39:33
15:39:35
15:39:37
15:39:38
15:39:39
15:39:41
15:39:42
15:39:44
15:39:45
15:39:47
15:39:48
15:39:52
15:39:53

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

that decision?

A. Yes.

Q. And did head office ever suggest to you that you couldn't or shouldn't proceed with a termination because terminating Elizabeth Wettlaufer might be too costly or have some financial impact?

A. Absolutely not.

MR. GOLDEN: I have nothing further. Thank you.

THE COMMISSIONER: Thank you very much, Mr. Golden.

MS. HEWITT: That concludes this witness, Commissioner.

THE COMMISSIONER: Thank you. Thank you very much for coming.

THE WITNESS: Thank you, I appreciate that.

THE COMMISSIONER: It would be a good time to take a break, but perhaps we should just -- I'm so sorry, I should have told you, you are free to go now.

THE WITNESS: Okay, I just don't know what to do with all my documents.

MS. HEWITT: Just leave them there. We'll clean them up.

THE WITNESS: You'll clean them up, thank you. I'm out of here.

THE COMMISSIONER: Thank you again.

15:40:00 1 -- Witness excused --
15:40:00 2 THE COMMISSIONER: So it would
15:40:01 3 be of course an ideal time to
15:40:03 4 take a break, but I would just
15:40:04 5 like to understand what we are
15:40:05 6 going to do after the break, so
15:40:07 7 I have some sense of that.
15:40:08 8 MS. HEWITT: The next witness
15:40:10 9 would be Mrs. Crombez who is
15:40:14 10 riding with Mrs. Van Quaethem,
15:40:16 11 so she would be our next
15:40:18 12 witness. She is a lengthy
15:40:19 13 witness, a significant amount,
15:40:21 14 as you can imagine,
15:40:22 15 Commissioner. She is the
15:40:23 16 Director of Nursing. So similar
15:40:25 17 to the amount of time we spent
15:40:26 18 with Mrs. Van Quaethem, I expect
15:40:28 19 that that's the amount of time
15:40:30 20 we will spend with Mrs. Crombez.
15:40:32 21 THE COMMISSIONER: So it is
15:40:36 22 Thursday afternoon at whatever.
15:40:39 23 It seems to me we might need to
15:40:41 24 stay late tonight if we are
15:40:43 25 going to try to finish her
15:40:44 26 tomorrow. Is that the goal or
15:40:46 27 have you had any discussions
15:40:47 28 along --
15:40:47 29 MS. HEWITT: I haven't had any
15:40:49 30 discussions with counsel. I
15:40:50 31 have had some discussions, and
15:40:52 32 we believe, we suspect we are

15:40:53 1 maybe going into Monday, in any
15:40:54 2 event, with Mrs. Crombez.
15:40:57 3 THE COMMISSIONER: Okay. All
15:40:58 4 right. Well, I believe that
15:40:59 5 everybody in the room is ready,
15:41:01 6 willing and available to stay
15:41:02 7 late, if we need to get through
15:41:04 8 a particular area or whatever,
15:41:05 9 so otherwise, I mean, we'll take
15:41:08 10 a 15-minute break and then plan
15:41:12 11 to go to 4:30 or roughly in
15:41:15 12 there where it is an ideal time
15:41:17 13 to stop. Does that work?
15:41:20 14 MS. HEWITT: Yes, that is
15:41:21 15 sufficient. Thank you,
15:41:21 16 Commissioner.
15:41:22 17 -- RECESSED AT 3:41 P.M.
15:56:51 18 -- RESUMED AT 3:57 P.M.
15:56:51 19 MS. HEWITT: Commissioner, I
15:56:55 20 would like to call Mrs. Helen
15:56:59 21 Crombez to the stand.
15:57:00 22 THE COMMISSIONER: Thank you.
15:57:01 23 MS. HEWITT: And, Commissioner,
15:57:03 24 despite the fact that you gave
15:57:04 25 us 15 minutes, we just realized
15:57:06 26 that your copies of the
15:57:07 27 affidavits are not here, so
15:57:08 28 someone is busily running
15:57:12 29 downstairs to get the copies.
15:57:13 30 THE COMMISSIONER: No problem.
15:57:16 31 We can go ahead and swear the
15:57:18 32 witness, thank you.

15:57:19 1 HELEN CATHRINE CROMBEZ; SWORN.
15:57:24 2 EXAMINATION IN-CHIEF BY MS.
15:57:27 3 HEWITT:
15:58:15 4 Q. So if I can have handed up to
15:58:27 5 the Commissioner one of the bound volumes of
15:58:30 6 the affidavit of Mrs. Crombez, and then also
15:58:33 7 one to Mrs. Crombez as well.
15:58:37 8 Now, Mrs. Crombez, if I can have
15:58:51 9 you turn to page 50 of your affidavit, which is
15:58:55 10 right before tab "A"?
15:58:58 11 A. Page 50?
15:58:59 12 Q. Yes, the very last page. And
15:59:05 13 just confirm for the Commissioner that is your
15:59:07 14 signature?
15:59:07 15 A. Yes, it is.
15:59:08 16 Q. And you swore this affidavit
15:59:10 17 today?
15:59:10 18 A. Yes, I did.
15:59:10 19 Q. Any corrections to make
15:59:12 20 between the time that you swore it and right
15:59:14 21 now?
15:59:14 22 A. No.
15:59:14 23 MS. HEWITT: All right. So,
15:59:16 24 Commissioner, if we could tender
15:59:17 25 the affidavit of Helen Crombez
15:59:19 26 sworn June 7th, 2018, as the
15:59:22 27 next exhibit?
15:59:23 28 THE COMMISSIONER: Yes, thank
15:59:24 29 you. So if I have got this
15:59:26 30 right, that would be Exhibit 16?
15:59:30 31 THE COURT CLERK: That's
15:59:30 32 correct.

15:59:30 1 THE COMMISSIONER: Thank you
15:59:31 2 very much. Exhibit 16 then, the
15:59:32 3 affidavit of Helen Crombez.
15:59:34 4 EXHIBIT NO. 16: Affidavit of
15:59:34 5 Helen Crombez sworn June 7,
15:59:37 6 2018.

15:59:37 7 BY MS. HEWITT:

15:59:38 8 Q. Now, Mrs. Crombez, in
15:59:39 9 generalities, can you give us your educational
15:59:42 10 background and employment background before you
15:59:48 11 got to Caressant Care?

15:59:49 12 A. I graduated from the
15:59:52 13 Woodstock General Hospital School of Nursing in
15:59:57 14 1974. I was hired at Tillsonburg District
16:00:06 15 Memorial Hospital and worked on the maternity
16:00:09 16 floor full-time. And then I took a pregnancy
16:00:19 17 leave and decided not to go back to work for a
16:00:22 18 number of years, and I had my three girls.

16:00:28 19 And then my husband said, Helen,
16:00:33 20 I think it is time you go back to work, and I
16:00:38 21 thought, okay. And I took a refresher course
16:00:41 22 at Mohawk College in Hamilton. And then there
16:00:46 23 was an ad in the paper for a full-time RN at
16:00:51 24 Caressant Care in Woodstock, and I applied and
16:00:57 25 received that job.

16:00:58 26 Q. And my understanding from
16:01:01 27 your affidavit is that that was in
16:01:03 28 approximately 1983?

16:01:04 29 A. That's correct.

16:01:05 30 Q. So your career at Caressant
16:01:09 31 Care, if my math is correct, and it is late in
16:01:10 32 the day, is approximately 34 years?

16:01:13 1 A. Yes, I -- yes, 33.

16:01:18 2 Q. 33 years. And when you went

16:01:21 3 to Caressant Care, did you go there as Director

16:01:25 4 of Nursing?

16:01:25 5 A. No, I started as a full-time

16:01:28 6 RN working two weeks of evenings and two weeks

16:01:34 7 of nights.

16:01:35 8 Q. And then briefly, how did

16:01:38 9 your career progress to the point that you

16:01:43 10 became the Director of Nursing?

16:01:44 11 A. I worked as a shift nurse on

16:01:49 12 the floor for approximately a year or so. Then

16:01:55 13 there was a position open for head nurse, and I

16:02:01 14 did that position for perhaps a year and a

16:02:08 15 half.

16:02:09 16 Then there was a position open

16:02:10 17 for Assistant Director of Nursing. I applied

16:02:14 18 and received that position.

16:02:17 19 And then Marilyn Simard moved to

16:02:25 20 head office --

16:02:25 21 Q. And Marilyn Simard was the --

16:02:28 22 A. She was the Director of

16:02:29 23 Nursing at the time, and I received the

16:02:33 24 position as Director of Nursing.

16:02:34 25 Q. And my understanding from

16:02:36 26 your affidavit is that process from your

16:02:39 27 entering into the doors to becoming Director of

16:02:42 28 Nursing was approximately five years?

16:02:43 29 A. That's correct.

16:02:43 30 Q. And you indicated that you

16:02:47 31 were also head nurse for a period of time. Is

16:02:50 32 that what we would refer to these days as a

16:02:53 1 Charge Nurse?

16:02:53 2 A. That's correct.

16:02:54 3 Q. Now, Caressant Care, the
16:02:59 4 facility itself, has it changed over the period
16:03:02 5 of time that you have been there?

16:03:03 6 A. When I started, I believe it
16:03:05 7 was about 90 beds, room 33 I believe was a
16:03:17 8 lounge, and some of the semi-privates now were
16:03:22 9 private rooms and it was about 90 beds, I
16:03:25 10 believe.

16:03:25 11 Q. And then at some point in
16:03:27 12 time, there was some additional construction?

16:03:29 13 A. That's correct. That
16:03:35 14 addition opened in June, I believe, of 2004,
16:03:40 15 and added another 32 rooms on each floor, so 64
16:03:52 16 beds, and then there were two empty beds or two
16:03:55 17 empty rooms on each floor as well that weren't
16:04:00 18 licensed at the time.

16:04:00 19 Q. And we have heard through the
16:04:02 20 course of the Inquiry to date a reference to
16:04:07 21 Section B. Is that the old part of the
16:04:12 22 building?

16:04:12 23 A. Yes.

16:04:13 24 Q. And within Section B, we have
16:04:14 25 heard reference to east, north and is it south
16:04:18 26 rooms?

16:04:19 27 A. South wings.

16:04:20 28 Q. South wings.

16:04:21 29 A. Yes.

16:04:21 30 Q. Right. And then Level A, we
16:04:23 31 have heard -- sorry, Section A and that
16:04:26 32 consists of Level 1 and Level 2?

16:04:28
16:04:29
16:04:32
16:04:35
16:04:36
16:04:40
16:04:42
16:04:44
16:04:45
16:04:47
16:04:50
16:04:51
16:04:57
16:05:00
16:05:03
16:05:06
16:05:17
16:05:17
16:05:20
16:05:24
16:05:27
16:05:28
16:05:30
16:05:33
16:05:34
16:05:34
16:05:37
16:05:38
16:05:39
16:05:43
16:05:44
16:05:45

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

A. That's correct.

Q. All right. So as of 2004, all of those beds were in place?

A. Yes.

Q. And so by the time that Elizabeth Wettlaufer arrived at Caressant Care, that was the facility that she would have worked in?

A. Yes. I don't remember exactly, you know, when beds were licensed after that, but that is the general number.

Q. And if we can just perhaps, Commissioner, to aid us in understanding some of the things that we have heard to date, if I can turn you to Exhibit No. A and that is document 72515.

A. Yes.

Q. Now, my understanding is that this is a blueprint -- not a blueprint, a rough drawing, et cetera, of Section B?

A. That's correct.

Q. So on the left-hand side of the drawing is what we would refer to as the South Wing?

A. Correct.

Q. And then directly opposite the North Wing?

A. Uhm-hmm.

Q. And then down vertically would be the East Wing?

A. That's correct.

Q. Now, can you point out to us

16:05:49 1 -- we have heard a lot about medication rooms
16:05:51 2 within the Inquiry. In total, how many
16:05:55 3 medication rooms in Caressant Care?

16:05:57 4 A. We had one medication room
16:06:03 5 when I first started, and then right adjacent
16:06:06 6 to it there was a treatment room, but it became
16:06:12 7 used as a medication room as well. That is
16:06:18 8 where our fridges were stored for vaccine
16:06:22 9 storage and medication storage that needed to
16:06:25 10 be refrigerated.

16:06:26 11 Q. So when you first started,
16:06:28 12 you would have -- that would be within Section
16:06:30 13 B?

16:06:30 14 A. That's correct.

16:06:31 15 Q. And within this drawing, if
16:06:34 16 we can just scroll to the top again, Amanda,
16:06:37 17 there is a reference at the top of the drawing,
16:06:39 18 and you will see "med room"?

16:06:41 19 A. Yes.

16:06:42 20 Q. Is that where the current med
16:06:44 21 room is in Section B?

16:06:45 22 A. That's correct, and then the
16:06:48 23 exam room, which I call the treatment room, is
16:06:51 24 that room right next door.

16:06:58 25 THE COMMISSIONER: Can you point
16:06:58 26 that to me, Counsel? I'm for
16:07:01 27 some reason not able to see
16:07:02 28 this.

16:07:03 29 MS. HEWITT: You see where you
16:07:03 30 start the North Wing,
16:07:07 31 Commissioner?

16:07:07 32 THE COMMISSIONER: Yes.

16:07:08 1 MS. HEWITT: Right there. If
16:07:09 2 you look on the screen up here,
16:07:10 3 the pointer is to it.
16:07:11 4 THE COMMISSIONER: Okay. So is
16:07:14 5 that med and then med room
16:07:16 6 beside it, are those the two
16:07:20 7 rooms that the witness just
16:07:20 8 described?
16:07:20 9 THE WITNESS: No, it is one
16:07:22 10 room. I think the drawing was a
16:07:23 11 little incorrect and someone
16:07:24 12 showed that it was a little bit
16:07:26 13 wider than, you know, what it
16:07:31 14 shows there.
16:07:33 15 MS. HEWITT: I believe it just
16:07:34 16 simply says "med" and someone
16:07:37 17 has expanded it and just said
16:07:40 18 "med room," that's all.
16:07:41 19 THE COMMISSIONER: Okay. So the
16:07:43 20 box is the med room, and just
16:07:44 21 that little circle beside it
16:07:46 22 isn't a room, it is just an
16:07:50 23 explanation. And then below
16:07:52 24 that, it has the word "exam," is
16:07:54 25 that --
16:07:54 26 THE WITNESS: I would correct
16:07:55 27 this drawing by drawing up the
16:07:57 28 line from room 1.
16:07:59 29 THE COMMISSIONER: Yes.
16:08:00 30 THE WITNESS: That first line
16:08:01 31 from Room 1 and extend it up and
16:08:04 32 then across and then there was a

16:08:09
16:08:14
16:08:15
16:08:16
16:08:18
16:08:21
16:08:23
16:08:25
16:08:28
16:08:29
16:08:31
16:08:31
16:08:31
16:08:32
16:08:32
16:08:33
16:08:35
16:08:36
16:08:39
16:08:40
16:08:43
16:08:48
16:08:51
16:08:53
16:08:57
16:09:03
16:09:05
16:09:08
16:09:10
16:09:11
16:09:13
16:09:15

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

window at that far end.

THE COMMISSIONER: Okay. So just to make sure I understand what the witness is saying, so that that word "med," plus the word "med room," and maybe not quite out that little circle, just up above the Room 1, that would be the medication room?

THE WITNESS: Yes, that's correct.

THE COMMISSIONER: Thank you very much.

BY MS. HEWITT:

Q. Now, you did indicate there was a window. Is that looking into the med room from the hallway or is that --

A. No, that was looking outside. It was an outside window.

Q. All right. And I'm just going to stop for one moment, Mrs. Crombez. You will anticipate, as all witnesses do, the questions that I myself and other counsel are going to ask you, but we are transcribing it, which means that it needs to be as succinct as possible. So if you can just wait until I finish answering the question and then answer.

A. Well, would you please remind me if I --

Q. Oh, trust me, lawyers have to remind clients all the time, and judges have to remind lawyers all the time. So don't worry

1 about that.

2 So the treatment room you
3 indicated is referenced on this particular
4 drawing as the "exam room"?

5 A. That's correct.

6 Q. Both those rooms locked?

7 A. Yes, and used the same key.

8 Q. Who in the facility, and
9 let's just say during Elizabeth Wettlaufer's
10 career there, 2007 to 2014, who in the facility
11 would have the ability or have access to the
12 treatment room and the medication room?

13 A. The Registered Nurse on duty,
14 the RPNs on duty, the Assistant Director of
15 Nursing had a set of keys, and I myself had a
16 set of keys.

17 Q. We'll just finish off this
18 particular -- these particular areas of the
19 facility and then we'll move on and we'll deal
20 with this more in-depth, Mrs. Crombez. But the
21 next page at this document 72515, I understand,
22 if we can just scroll -- could we rotate that?
23 So my understanding is this would now be
24 Section A, Level 1?

25 A. That's correct.

26 Q. And if I am reading it
27 correctly, in the structure on the left-hand
28 side in the very middle of the hall, on the
29 right-hand side of the wall, it says "med
30 room"?

31 A. That's correct.

32 Q. And is that your

16:11:14 1 understanding of where the med room is on Level
16:11:17 2 1?

16:11:17 3 A. Yes, it is.

16:11:18 4 Q. Now, is there a treatment
16:11:20 5 room on Level 1 as well?

16:11:22 6 A. That room was a good size, so
16:11:26 7 everything was kept in that room, both the
16:11:32 8 medication cart and the treatment cart.

16:11:34 9 Q. Is that room kept locked at
16:11:36 10 all times?

16:11:37 11 A. Yes.

16:11:38 12 Q. And the same individuals have
16:11:41 13 access that you have just indicated would have
16:11:43 14 access if they worked on Section B?

16:11:45 15 A. That's correct.

16:11:45 16 Q. Is there any window into that
16:11:49 17 particular medication room?

16:11:51 18 A. No.

16:11:51 19 Q. Are there -- and I should
16:11:54 20 have asked you this before. In respect of
16:11:56 21 either the medication room in Section B or the
16:12:00 22 medication room on Level 1, are there any
16:12:04 23 cameras in the medication room?

16:12:07 24 A. Not that I was aware, no.

16:12:08 25 Q. So if a Registered Nurse was
16:12:10 26 in the medication room with the door closed,
16:12:13 27 there would be no ability to see what he or she
16:12:16 28 is doing within that room?

16:12:17 29 A. On Level 1, there was a
16:12:23 30 window in the doorway, I believe.

16:12:27 31 Q. Okay.

16:12:28 32 A. But not in Section B. It was

16:12:30 1 a solid door.

16:12:31 2 Q. All right. So in this

16:12:33 3 particular first floor Level 1, that med room

16:12:36 4 has a window?

16:12:37 5 A. That's correct.

16:12:38 6 Q. And how big is the window in

16:12:41 7 the door?

16:12:42 8 A. About yay big.

16:12:48 9 Q. And does it fill the whole

16:12:49 10 door frame or a section of the door frame?

16:12:51 11 A. Just, you know, the top. It

16:12:56 12 is not a half, but maybe not a third either.

16:12:59 13 Somewhere in between.

16:12:59 14 Q. And if you are outside

16:13:01 15 looking in, can you see the entire medication

16:13:03 16 room, if you are standing outside?

16:13:04 17 A. Maybe not the far corner. It

16:13:10 18 was quite a big room. So if you were standing

16:13:13 19 in the med room beside the door against the

16:13:19 20 wall in the corner, you maybe couldn't be seen.

16:13:24 21 I don't know.

16:13:24 22 Q. The medication carts that the

16:13:27 23 nurses used, are those portable?

16:13:30 24 A. Yes, they are on wheels.

16:13:31 25 Q. And so those would be stored

16:13:34 26 within the medication rooms --

16:13:36 27 A. Yes.

16:13:36 28 Q. -- when not in use?

16:13:38 29 A. That's correct.

16:13:38 30 Q. So they could take that

16:13:40 31 medication cart wherever within the medication

16:13:43 32 room; correct?

1 A. Yeah. Now, there were some
2 things in this med room as well. There was
3 quite a large fridge, and there was also a
4 dresser for storage. So it would have been
5 hard, I think, to move it from its usual place.

6 Q. All right. And where it
7 usually is, would you be able to see that
8 through the window?

9 A. I believe so.

10 Q. And would you be able to see
11 it if you were just walking by or would you
12 have to go up to the door and be looking
13 through the --

14 A. I think you would have to
15 make an effort to look into the med room.

16 Q. And then if we can just
17 scroll down to the next page, my understanding
18 is that this is the second floor of Section A;
19 is that correct?

20 A. That's correct.

21 Q. So they are similar
22 structures; they are just built one on top of
23 each other?

24 A. Yes. The only difference was
25 -- you see, there was no corridor to B wing.
26 That is wrong. That room -- that hallway was
27 actually a room, and when the new section was
28 built, that was my office.

29 Q. Okay. So we are just a
30 little confused. So the corridor, is that
31 connecting the two sections?

32 A. Yes, that was only on Level

16:15:32 1 1. You had to go down the stairway or down the
16:15:35 2 elevator to go to the corridor to go to level
16:15:43 3 -- to go to Section B, through Level 1.

16:15:45 4 Q. So the only way to access
16:15:47 5 Section B then was on the first floor?

16:15:51 6 A. That's correct.

16:15:51 7 Q. And you are saying above that
16:15:53 8 corridor on the first floor was office space?

16:15:57 9 A. Yes.

16:15:57 10 Q. Including your office?

16:15:59 11 A. Yes. And then it became --
16:16:04 12 sometime later I was asked to move to Section B
16:16:15 13 office, my old office that I had previously
16:16:19 14 before 2004.

16:16:20 15 Q. But the med room is in the
16:16:21 16 same location as in Level 1?

16:16:23 17 A. Yes, it is exactly the same,
16:16:25 18 other than that corridor.

16:16:26 19 Q. Is there a fridge as well in
16:16:29 20 this particular medication room?

16:16:31 21 A. Sorry? Yes, a fridge, yes.
16:16:36 22 I -- there is another little error that I see.
16:16:43 23 There is space beside the elevator there. The
16:16:48 24 drawing isn't quite accurate.

16:16:50 25 Q. Okay.

16:16:51 26 A. There was a window there and
16:16:52 27 you could look -- well, maybe it is accurate.
16:16:55 28 Maybe, yes, yeah, I think it is right. I'm
16:16:57 29 just -- yeah. There was some wall space there,
16:17:03 30 I think.

16:17:03 31 Q. That is okay.

16:17:04 32 A. But it is pretty close.

16:17:05 1 Q. In general, this looks like
16:17:07 2 the structure of Level 2; is that correct?
16:17:08 3 A. That's correct.
16:17:09 4 Q. And in general, that is the
16:17:11 5 approximate location of the medication room?
16:17:13 6 A. I would say it is, yes.
16:17:17 7 Q. And again, this medication
16:17:19 8 room would remain locked at all times with only
16:17:23 9 access by those individuals that you referred
16:17:26 10 to earlier?
16:17:27 11 A. That is correct.
16:17:28 12 Q. Is there a window into this
16:17:29 13 medication room?
16:17:30 14 A. No, there is not.
16:17:32 15 Q. So in respect of the three
16:17:34 16 medication rooms, only the medication room on
16:17:37 17 Level 1 would have the ability for anyone to
16:17:40 18 see into?
16:17:41 19 A. Well, it had a window in the
16:17:43 20 doorway, right, so -- but there was no window
16:17:48 21 into the hall or into the outside. So there
16:17:53 22 was a window in the doorway here in this med
16:17:55 23 room as well.
16:17:56 24 Q. All right. So are you saying
16:18:00 25 that in the door there was a window?
16:18:02 26 A. Yes.
16:18:02 27 Q. Okay, so then --
16:18:04 28 A. Like a pane of glass.
16:18:06 29 Q. A pane of glass?
16:18:07 30 A. Yes.
16:18:07 31 Q. So then it was similar to --
16:18:09 32 A. Level 1, that's correct.

1 Q. Okay. So Level 1 and Level 2
2 have a window in the door, and Section B has no
3 window?

4 A. Uhm-hmm.

5 Q. You have to say "yes" or "no"
6 just for the transcript.

7 A. Yes, yes, that's correct.

8 Q. And no --

9 A. Just to make it clear, you
10 know, it was a pane of glass. You could not
11 open that window.

12 Q. No, I understand. It is a
13 pane of glass in an inside the door entering an
14 office, entering a room, et cetera?

15 A. That's correct.

16 Q. And no cameras in any of
17 those locations?

18 A. No.

19 Q. All right. As Director of
20 Nursing, can you provide us with a brief
21 description of what your duties and
22 responsibilities would be for this particular
23 facility which, as we know now, as of 2004
24 consisted of Section B and Levels 1 and 2 of
25 Section A?

26 A. I was responsible for hiring
27 staff for the Nursing Department, which
28 included Registered Nurses, RPNs, Personal
29 Support Workers. We had students as well.
30 These were high school students that would come
31 in the morning. And I believe at that time we
32 were still using bed makers to come in in the

16:19:44 1 morning and help the PSWs make the beds.

16:19:48 2 And then in the evening they
16:19:50 3 would come after school around 4:00 or 4:30,
16:19:54 4 and assist with portering residents to the
16:19:56 5 dining room.

16:19:57 6 Q. So if we can just stop there.
16:20:00 7 In terms of your -- as I understand your
16:20:02 8 evidence, in terms of your duties and
16:20:03 9 responsibilities would be to hire these
16:20:06 10 particular individuals?

16:20:06 11 A. That's correct.

16:20:07 12 Q. All right. And so you are
16:20:09 13 responsible for hiring for the Nursing
16:20:12 14 Department. What other duties and
16:20:15 15 responsibilities do you have -- did you have?

16:20:21 16 A. I had to handle resident
16:20:25 17 complaints or concerns, report critical
16:20:32 18 incidents to the Ministry of Health, talk to
16:20:39 19 families, do tours, look at the applications
16:20:45 20 from CCAC.

16:20:48 21 Q. And that is the Community
16:20:50 22 Care Access Centre?

16:20:50 23 A. The Community Care Access
16:20:52 24 Centre for potential residents or people that
16:20:56 25 wanted to move into the nursing home, and I
16:21:03 26 would need to decide whether they were, you
16:21:05 27 know, acceptable candidates.

16:21:11 28 I held meetings, monthly
16:21:14 29 registered staff meetings, monthly skin care,
16:21:23 30 wound and continence meetings. I led the
16:21:28 31 professional advisory team meetings. I did
16:21:37 32 audits. I read nurses' charting, the Progress

1 Notes. I investigated incidents.

2 Q. Was it a busy job?

3 A. Very busy.

4 Q. And you talked about hiring
5 staff for the Nursing Department. Can you give
6 us your view on whether or not that was an easy
7 job in terms of recruiting and retention of
8 Registered Nurses?

9 A. It was often difficult. When
10 I started, there were some older nurses working
11 and they slowly retired over time. And to
12 replace them, it was difficult. I would put
13 ads in the paper and, you know, would hope to
14 receive applications.

15 Q. And do you have any
16 perspective on why it was difficult to recruit
17 or retain Registered Nurses?

18 A. Well, there were several
19 reasons, I think. One was that a lot of new
20 graduates wanted to work in the hospital. It
21 was hard work in long-term care. Not everybody
22 has, you know, a feeling for caring for the
23 elderly. The county home also had a higher
24 wage than what we did, so we sometimes found
25 that we would get them trained and up to snuff
26 and then if there was an opening there, they
27 would decide to move there when they had an
28 opening.

29 Q. Okay. Now, we have talked
30 about Registered Nurses and Registered
31 Practical Nurses to date in the Inquiry, but we
32 haven't really got a sense of what is the

16:23:50 1 difference within long-term care in terms of
16:23:52 2 the duties and responsibilities of a Registered
16:23:56 3 Nurse versus that of a Registered Practical
16:23:59 4 Nurse?

16:23:59 5 A. The duties were very similar.
16:24:04 6 Both Registered Nurse and Registered Practical
16:24:08 7 Nurse would distribute or administer
16:24:12 8 medications. They would do treatments, assess
16:24:19 9 residents, although the RN would do more
16:24:23 10 in-depth assessments. They would talk to
16:24:29 11 families.

16:24:32 12 Q. Both of them, both RNs and
16:24:34 13 RPNs?

16:24:34 14 A. Yes. You know, they were
16:24:38 15 assigned to a particular wing and would look
16:24:42 16 after a certain number of residents, so the
16:24:48 17 family would often go to the nurse looking
16:24:51 18 after their family member to ask them
16:24:58 19 questions.

16:24:58 20 Q. And the requirements of the
16:25:07 21 Long-Term Care Act 2007 required you to have a
16:25:10 22 Registered Nurse on duty at all times?

16:25:12 23 A. That's correct.

16:25:12 24 Q. Did you find that hard to
16:25:14 25 meet?

16:25:15 26 A. At times, yes.

16:25:16 27 Q. And what were the pressures?

16:25:19 28 A. Well, there was often a
16:25:23 29 shortage of RNs. You know, we would seem to
16:25:29 30 have a fairly good complement, but then someone
16:25:33 31 would either get sick or take vacation, those
16:25:44 32 kinds of things, and it would be very hard to

16:25:47 1 cover shifts.

16:25:48 2 Q. And in respect of those that
16:25:53 3 you were able to recruit to Caressant Care, my
16:25:56 4 understanding from your affidavit is that you
16:25:59 5 would be involved in that hiring process?

16:26:02 6 A. That's correct.

16:26:03 7 Q. And what was the hiring
16:26:05 8 process at Caressant Care?

16:26:06 9 A. At that time, it was an
16:26:10 10 interview by myself, and if I found the
16:26:19 11 candidate suitable, I would check their
16:26:25 12 registration.

16:26:27 13 Q. And by that do you mean the
16:26:29 14 registration with the College of Nurses?

16:26:30 15 A. That's correct. And I would
16:26:34 16 ask for their references and then check their
16:26:42 17 references. And then, you know, if that seemed
16:26:44 18 suitable and the candidate seemed suitable,
16:26:47 19 then I would offer them a position.

16:26:51 20 Q. And we have heard reference
16:26:55 21 to criminal background checks, criminal checks.
16:26:59 22 Would you be responsible for having those
16:27:02 23 completed?

16:27:02 24 A. Yes, I would.

16:27:03 25 Q. And do you know when that
16:27:06 26 requirement came into play?

16:27:07 27 A. I can't recall, no.

16:27:09 28 Q. But at some point in time,
16:27:11 29 part of the process of hiring registered staff
16:27:16 30 would include those background checks?

16:27:18 31 A. That's correct.

16:27:18 32 Q. And once you hired a

1 particular Registered Nurse or Registered
2 Practical Nurse for that matter, what
3 orientation would he or she be given?

4 A. We would have the first day
5 of orientation with the Assistant Director of
6 Nursing to give an orientation to the policies
7 and procedures of the home and just the general
8 information that they would need to know.

9 Q. And would they be given any
10 type of on-the-floor orientation?

11 A. They would. They would be
12 given two days usually on the day shift, and
13 two days on the evening shift, if they were,
14 you know, to fill that position as a part-time
15 RN. And then once they felt comfortable with
16 the home, they would move on to night shifts.

17 MS. HEWITT: Commissioner, I'm
18 going to get into a fairly
19 lengthy area of medication
20 management within the home. I
21 know you indicated we would sit
22 until 4:30. Is this an
23 appropriate time to break?

24 THE COMMISSIONER: I think it
25 would be. It has been a long
26 day. How are we doing in terms
27 of -- in general in terms of
28 moving along through your
29 witnesses? Are we roughly on
30 time?

31 MS. HEWITT: I think we
32 anticipated that both Ms. Van

16:29:03 1 Quaethem and Ms. Crombez would
16:29:05 2 take the bulk of this week and
16:29:08 3 perhaps get to the next
16:29:11 4 Registered Nurse. I anticipate
16:29:14 5 Ms. Crombez would be into next
16:29:15 6 week.
16:29:15 7 We are -- we may be taking some
16:29:18 8 witnesses off the list in terms
16:29:19 9 of live evidence, submit
16:29:21 10 affidavits and allow
16:29:22 11 cross-examination, if we were
16:29:24 12 starting to lose time.
16:29:25 13 THE COMMISSIONER: All right.
16:29:26 14 MS. HEWITT: But these two
16:29:27 15 particular individuals, lucky
16:29:29 16 for us, I think that we had one
16:29:32 17 Administrator and one Director
16:29:34 18 of Nursing or we would have to
16:29:35 19 call a series of individuals.
16:29:37 20 But given the length of time
16:29:38 21 that Elizabeth Wettlaufer was at
16:29:42 22 Caressant Care, they are quite
16:29:43 23 lengthy witnesses.
16:29:44 24 THE COMMISSIONER: Yes. No,
16:29:45 25 that makes sense to me then.
16:29:47 26 So we will call it a day for
16:29:49 27 today. Thank you so much for
16:29:50 28 coming in.
16:29:52 29 THE WITNESS: Thank you.

30

31 -- Adjourned at 4:30 p.m.

32

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

REPORTER'S CERTIFICATE

I, DEANA SANTEDICOLA, RPR, CRR, CSR,
Certified Shorthand Reporter, certify;

That the foregoing proceedings were
taken before me at the time and place therein
set forth, at which time the witness was put
under oath by me;

That the testimony of the witness and
all objections made at the time of the
examination were recorded stenographically by
me and were thereafter transcribed;

That the foregoing is a true and
correct transcript of my shorthand notes so
taken.

Dated this 7th day of June, 2018



NEESON COURT REPORTING INC.

PER: DEANA SANTEDICOLA, RPR, CRR, CSR
CERTIFIED REAL-TIME REPORTER

<hr/> \$ <hr/>	11:30 499:15 513:27	16813 538:21	609:4 642:32 652:2 653:1,24	2016 450:24 611:18 630:23
\$2,000 555:29 558:14,20 559:9, 14	11:42 514:29	16823 468:15 537:7	20 530:29 574:21	2017 610:24 611:6,11
<hr/> (<hr/>	12 478:4 496:7,9, 12 510:21,27 511:2,5 514:15 517:11 537:4 552:23 563:13 625:21,22,30	16824 536:29 537:2	2004 642:14 643:2 651:14 653:23	2018 639:26 640:6
(a) 489:8	126 529:14	16826 466:32	2005 561:25	21 503:8,16 542:10
(b) 489:8	12th 529:6 537:31 538:11	16841 465:26 531:25 532:10	2007 481:12 506:25 523:28 561:27 573:15,17 647:10 656:21	21.09 552:24 553:7
(c) 489:8,11	13 493:2,4 511:4 514:16 553:23 566:18 625:23 626:26	16842 614:21	2008 506:26 523:28	22 503:18 504:13
<hr/> 0 <hr/>	14 478:31 570:13, 20 574:21 606:11, 12,13,18,24	16859 462:31	2009 450:20,22 461:22 506:24 523:27 536:23 608:2,11,20 612:5,21 630:23 635:21	23 574:21
0639 533:30	14th 537:27 617:13	16883 462:12 535:15,31 632:6	2010 462:12,18 519:12 521:27,30 522:5 535:16,31 604:20,21 632:21, 24	24 492:19
0902-01 609:3	15 480:16 485:27 611:1,3,9 638:25	16884 632:20,22	2011 462:31 463:14 496:20 525:22,25	24/7 499:13 509:16
<hr/> 1 <hr/>	15-minute 638:10	16895 536:23	2012 465:26 467:2,15,19 468:16 471:26 525:23 537:8 547:19 568:1,3,22 588:26 589:6 594:23 614:20	25 506:22
1 461:19 501:7 517:16 560:30 562:9,12 642:32 645:28,31 646:8 647:24 648:2,5, 22,29 649:3 651:1,3,16 652:17,32 653:1, 24	15th 586:30 587:9 588:1	16896 461:21	2013 471:32 472:13 525:26 529:6,25,29 537:26,27,31 538:2 588:26 589:7 594:23	26 525:24
10 475:29 480:32 485:28 563:13 574:21 593:29	16 481:29 483:16, 20 574:21 639:30 640:2,4	16th 588:26	2014 474:3 475:31 496:2,11, 14 521:31 585:32 586:4,11,31 587:8,9 588:1 610:19,24 611:14 624:7,11,26 633:26 635:21,28 647:10	26th 462:31 474:3 475:6
10.03 542:10	16477 610:28	17 574:21	2015 471:32 472:13 525:26 529:6,25,29 537:26,27,31 538:2 588:26 589:7 594:23	27 561:25
103 546:10	16531 480:17	17050 519:9	2016 474:3 475:31 496:2,11, 14 521:31 585:32 586:4,11,31 587:8,9 588:1 610:19,24 611:14 624:7,11,26 633:26 635:21,28 647:10	27th 633:1
104 588:29	16711 478:31 552:4	17054 481:31	2017 471:32 472:13 525:26 529:6,25,29 537:26,27,31 538:2 588:26 589:7 594:23	28th 588:26
10:00 499:31	16712 479:4	17th 586:4	2018 471:32 472:13 525:26 529:6,25,29 537:26,27,31 538:2 588:26 589:7 594:23	29/12 566:21
10th 549:13,30, 31	16716 477:7	18 525:19,26 526:5,15 528:8 542:8 574:21 575:6	2019 471:32 472:13 525:26 529:6,25,29 537:26,27,31 538:2 588:26 589:7 594:23	2:00 499:26,31
11 477:5 483:10, 14,18 511:4	16717 478:4 560:13	18-month 542:12	2020 471:32 472:13 525:26 529:6,25,29 537:26,27,31 538:2 588:26 589:7 594:23	2:10 580:13
115 525:6 528:12 529:28	16733 473:30	19 537:26 549:19 574:21	2021 471:32 472:13 525:26 529:6,25,29 537:26,27,31 538:2 588:26 589:7 594:23	<hr/> 3 <hr/>
115d 528:24	16755 475:30	1974 640:14	2022 471:32 472:13 525:26 529:6,25,29 537:26,27,31 538:2 588:26 589:7 594:23	3 461:22 462:29 488:18,19 521:4
11:00 499:22,24, 28 500:10 514:28	16780 471:30	1983 640:28	2023 471:32 472:13 525:26 529:6,25,29 537:26,27,31 538:2 588:26 589:7 594:23	3.01 489:5
	16793 534:14,19	1995 591:21	2024 471:32 472:13 525:26 529:6,25,29 537:26,27,31 538:2 588:26 589:7 594:23	3.01(a) 488:27
	16797 537:24 538:4,8,14	1998 609:4	2025 471:32 472:13 525:26 529:6,25,29 537:26,27,31 538:2 588:26 589:7 594:23	30 483:28 496:11, 14 518:21 530:29
		19th 471:31 529:12 538:2 549:10,14,29,32	2026 471:32 472:13 525:26 529:6,25,29 537:26,27,31 538:2 588:26 589:7 594:23	30th 450:25 496:2
		1:10 580:12	2027 471:32 472:13 525:26 529:6,25,29 537:26,27,31 538:2 588:26 589:7 594:23	31 468:16 475:31
		1st 586:11	2028 471:32 472:13 525:26 529:6,25,29 537:26,27,31 538:2 588:26 589:7 594:23	31st 537:8 585:32 587:8 588:1
		<hr/> 2 <hr/>	2029 471:32 472:13 525:26 529:6,25,29 537:26,27,31 538:2 588:26 589:7 594:23	32 562:9,12,18,24 642:15
		2 462:9 480:20 501:8 520:20		

33 641:1,2 642:7	50 639:9,11	<hr/> 8 <hr/>	abuse 581:1 605:1 609:28,30 610:2,3,4,20 611:24 612:27 613:30 620:28	act 487:18 492:18 590:27 594:14 603:11,12,26,27 604:20,21,25 607:6 608:3 609:21 611:28 612:29 613:10,12 656:21
34 640:32	502 608:32 609:1	8 471:29 510:21, 27	abusing 460:2	acting 460:16 544:9
3:00 499:21,23, 28 500:3,8	52 527:10	8.03 517:12,16	accept 464:21 465:9	action 462:1 466:3 468:17 471:17 528:2 529:28 533:13 537:26 590:27 615:1
3:30 499:15,20	521 609:32	8.08 519:3	acceptable 654:27	actions 520:27, 32 616:4
3:41 638:17	58 544:7,10 549:9,18	80 545:24,27 546:6	accepting 461:10	activities 572:17 602:31,32
3:51 475:8,11	5:00 499:10 500:12	82 588:29	access 516:14 518:7 600:23 633:22 647:11 648:13,14 651:4 652:9 654:22,23	activity 571:25 591:15 608:26
3:57 638:18	<hr/> 6 <hr/>	87 588:29	accommodate 634:24	actual 551:24
3rd 536:23,30 537:4	6 466:30 515:4 573:30 574:12 600:15	8:00 499:9 500:12	accommodatio n 494:4 634:20	acuity 454:14 626:5,21,23,30 627:8,20,27 628:1,17,24,32
<hr/> 4 <hr/>	600 562:32 564:7	<hr/> 9 <hr/>	accord 561:28 583:17	ad 451:7 640:23
4 462:28 465:26 600:16 625:20	62 552:25 553:4	9 473:29,30 593:31 605:31 606:15	accordance 581:17 612:28	add 530:31 563:16
4.83 518:6	64 642:15	90 642:7,9	accumulated 579:12	added 568:12 642:15
40 572:12	66 526:8	93 588:29	accumulation 579:16,19,21	addition 490:29, 31 502:31 510:2 642:14
400 562:32 601:28	68 525:4 526:9 527:27 530:7	94 546:26 547:10	accuracy 480:11	additional 463:15 492:9 594:29 595:21 642:12
41,000 494:31 515:1	6:00 499:26,30	95 546:26,27 547:10	accurate 479:7 480:4,12 568:21 586:14 593:23 628:1,5,11 651:24,27	address 585:18
42 505:29 506:6 527:9 593:27,30	<hr/> 7 <hr/>	9:30 450:1 474:17	acknowledge 581:7	adjusted 626:29 627:2
45578 606:1,14, 18 608:32	7 468:15 492:20 504:15 632:21 640:5	<hr/> A <hr/>	acknowledged 476:16 570:21	administer 656:7
49 523:8,20 524:1,23 525:3,15 527:8 632:7	70956 487:23 496:4 510:20 517:11 542:7 552:23	a.m. 450:1 474:17 514:28,29	acknowledgin g 565:19	administered 583:20
498 606:3	72 620:14	A1.11 609:11		
499 606:24	72515 643:16 647:21	A1.11. 609:9		
49a 525:25	79 545:21 546:6	ability 469:15 471:15,22 618:7 647:11 648:27 652:17		
49f 525:25	7:00 499:21,23, 27,28 500:3,8,10	absence 463:32 464:4		
4:00 474:4 654:3	7:30 499:15,20	absenteeism 632:3		
4:30 638:11 654:3	7th 462:12 535:16,31 632:24 639:26	absolutely 564:2 570:15 635:31 636:8		
4th 617:13	<hr/> 5 <hr/>			
5 465:25 504:15 572:32 573:25,31 574:11 588:28				

administering 563:20,21	560:12 569:30 580:19,24 593:28 614:23 625:19,23 632:7 639:6,9,16, 25 640:3,4,27 641:26 657:4	575:14	annually 482:10 614:8 626:29 627:3	approximate 652:5
administers 581:29		Agreements 551:7	answering 572:24,25 646:27	approximately 502:3 504:15 562:18 593:17 594:18,32 640:28, 32 641:12,28
Administrator 450:20 451:16 453:28 471:2 484:21,22 517:18, 19 556:1 563:28 592:12 602:12 603:18 604:2 605:21 608:29 613:5 627:24 630:3,21 634:23	affidavits 638:27	ahead 484:2 517:7 580:14 618:3 631:24 638:31	anticipate 646:22	April 496:20 529:6 537:31 538:10 586:4,30 587:9 588:1,26 589:7
ads 655:13	afraid 509:25	aid 643:13	anticipation 562:29	arbitration 510:7,15,31 518:16
adult 621:4	afternoon 592:29 625:13 637:22	alarm 596:31 597:8	antipsychotic 620:18	area 451:3 498:14 544:14 545:12 554:8 572:27 588:20 619:32 632:2 638:8
advance 482:15 511:17	age 621:4 622:14,24 629:4	alcohol 482:14, 24	apologize 466:7 477:26 480:25 481:21 511:7 538:21 554:27 616:14	appeared 577:29 583:23
Advantage 625:8,15	agent 548:32	alerted 497:25	appears 496:20 523:22 524:10 539:9 551:1 616:3 619:6	areas 485:16 514:2 571:14 625:17 630:25 631:31 647:18
adverse 568:26	aging 624:8,9	Alex 455:15	appeared 577:29 583:23	arguably 573:6 574:26
advertent 570:14	agitated 465:21	allegations 460:2 589:9 622:13	appendix 478:9, 32 552:5	arises 530:8
advice 486:26 524:12	agree 459:26 460:14 463:32 489:17,32 497:26 507:19 510:29 514:18,19 518:30 519:18 524:7 525:20 526:16 529:30 533:17 536:26 539:12 542:20 544:2 545:10 546:13 550:8 553:19,20 565:16 570:32 600:31 615:25 617:26 627:22	alleged 621:2	application 587:14	arising 590:9
advising 575:22,27	agreed 501:31 508:26 554:11 555:1 572:29 573:1,20,24 574:7	allegedly 589:31	applications 458:9 506:13 594:7,11 654:19 655:14	arose 473:4
advisory 654:31	agreeing 525:21 541:28	Allingham 490:19	applied 640:24 641:17	arrange 491:12
advocacy 576:10	agreement 487:24,26 488:1, 2,9,15,22 489:19, 21,30 490:32 495:32 496:1,6, 10,13 510:19,22, 28 511:20 513:4, 16 517:10 518:22, 30,31 542:7,24 550:10 551:9 552:22,24,27 553:18 554:22	allowed 542:28 635:11	applies 629:2	arrived 591:8,14 643:6
advocate 621:17		allowing 592:28	apply 452:6	article 488:18,19 510:21,25,27 517:12 518:21 519:3 542:7,10 552:23 553:5
affect 459:8		Alright 513:7	appreciated 586:20	aspect 591:28
affidavit 466:10 484:13 485:17 486:20 487:27,28 492:17 493:3,14 495:10 503:8 506:16 507:32 509:22 511:21,25 515:21 518:20,22, 23,27 519:7,15 523:9 525:1 531:26 533:31 535:16 537:28 538:13,18,26,29 544:10 546:26 547:3 553:24		altogether 585:2,26	apprehended 590:14	aspects 566:27
		Alzheimer's 464:9	approach 584:32	assess 503:2,4 656:8
		Amanda 517:9 518:20 535:15 536:29 539:7 552:23 593:29 625:18 644:16	appropriatene ss 468:3	assessing 568:23
		Amendment 609:21	approval 452:4	assessment 569:4 618:26 619:5,14,22
		amount 459:31 556:4,8 558:13, 20,23 593:25 637:13,17,19		
		animating 458:25		
		annual 613:31		

620:11	attended 588:24 589:20	591:21 599:24 608:10 612:12,21 616:12 619:8 622:2 627:5 640:17,20	549:11,22 621:6	625:28 627:32 645:12
assessments 656:10	attention 462:3, 5 482:27 533:9, 10,18,25 539:22 544:5,8 550:22 608:26 615:23 617:14 621:1	backdrop 610:11	belief 553:25,28 555:10,20 556:5	blanket 557:16
assign 489:14, 31 490:9	audits 654:32	background 484:30 571:15 640:10 657:21,30	believable 621:15	blanks 552:14
assigned 490:20 656:15	August 450:24 462:31 463:14 467:2,15 468:16 525:22,24 526:3 537:8 547:19 566:20 568:1,3,22 588:26 589:6	backside 546:12	believed 453:10 471:14,21 505:10 556:15,19,24 557:10	blood 545:23
assist 455:3 493:4 607:12 654:4	authority 452:16,17 460:2	backwards 520:16 567:22	belligerent 465:5	blueprint 643:19
assistance 461:13 514:4 607:11 634:28	automatically 510:31	bad 549:13,31	bells 623:28	board 608:2 629:26,29
Assistant 614:12 641:17 647:14	autonomy 606:30	balances 581:5	benefit 455:21 461:20 462:11,30 465:25 466:31 479:2 545:29 568:20 576:31 577:2,28 578:7,15 586:19 587:29,31	boiled 544:13 624:1
assisted 578:8	avenues 634:31	ballpark 491:30	benefits 503:26 504:7	book 540:8
associate 591:15	avoid 587:26	bargaining 491:2 548:32	Bethe 451:21 452:17 453:3,16, 20 461:8,11 462:12 464:20 465:3 466:13,15, 20 467:12 469:29 473:5 474:10,25 476:15 479:18 522:18 534:27 545:8 550:15 568:25,27 618:32 635:30	boss 484:26 618:16,18 623:24
Association 484:9,10 488:3 509:27 592:25 601:24,25,32 630:5	aware 466:14 494:9 531:31 535:2 540:16 541:7 542:11 563:28 587:8 590:3 591:17 592:11 604:19,23 620:19,20,24 621:14,25,28 634:23 648:24	based 465:2 554:10 555:19 556:16 563:3,5 564:5 579:22 626:29 627:20,26 628:24 629:11	bound 624:21,28 639:5	bottom 463:7 464:15 465:32 469:28 535:18 562:5 609:4 632:16
assume 459:1 462:1 463:31 474:19 503:29 511:21 516:21	back 450:28 452:11 458:7 470:8 473:9 491:18 494:7 498:6 501:29 507:21 513:27 516:8 517:10 518:20 526:27 527:19 528:1,5 564:1,20 565:6, 27,28 567:21 568:6 569:30 573:15 589:27	basically 557:13 582:13	box 520:21 598:1 645:20	boxed 470:9
assuming 531:28	<hr/> B <hr/>	basis 557:13 575:29 582:28 604:6 623:17 627:15 628:25	boxes 478:15	book 540:8
attached 487:27 511:24 537:28 538:22		battle 457:26	break 472:22 498:3 508:11 513:10 514:21 515:10 517:14 553:30 580:2,8 601:6 619:3 631:10 636:20 637:4,6 638:10	boss 484:26 618:16,18 623:24
attaching 612:6		bed 653:32	breaks 543:31	bottom 463:7 464:15 465:32 469:28 535:18 562:5 609:4 632:16
attempt 634:14		beds 642:7,9,16 643:3,10 654:1	Brenda 450:11, 14,19 455:7 483:15,19 539:20 559:32 560:3,4 562:10 580:18 592:29 597:26 601:22 609:10 610:30 611:18 625:22 631:13,17, 28 632:23 633:16	bring 471:7 510:19 533:9 537:23 550:19,21
attempting 565:11		Begin 520:22	Bhat 465:27 532:11	
attendance 461:31 462:17,19, 24 479:24 524:28 527:3 543:14,15 570:29 571:3 632:22,31,32 633:3		beginning 502:19 627:16 635:28	Bhat's 540:27	
attendances 588:21		behalf 601:23	big 605:24 649:6, 8,18	
		behaviour 544:17,19 545:13 546:14 570:30 571:3 621:2	binder 605:25	
		behaviours 476:18 546:16	bipolar 467:5,31 469:11 547:13 548:14	
			bit 455:28 472:23 485:22 512:28 553:22 560:13 561:32 566:24 574:22 581:9 592:22 597:6 601:7 615:16	

551:20 552:3 608:25 615:18 brought 460:20, 26 469:30 475:22 482:26 487:23 532:11 533:17,25 539:21 541:3 543:21 544:5,7 549:7,8 588:31 591:25 615:23 617:14 Buckrell 632:29 budget 456:3,5 553:27 555:30 556:2,3,6,14,20, 22,28 557:8,24 558:26,32 559:4,9 629:17 budgets 556:11 building 578:12 642:22 built 650:22,28 bullet 520:4 bully 534:28 541:19 623:24 bullying 545:26 busily 638:28 busy 454:17 467:25 491:16 492:6 655:2,3 butt 484:10 546:12 623:32	597:26 601:9 614:21 615:17 623:28 624:19 626:10 634:2,13 638:20 644:23 called 470:19 481:8,9 486:11 487:8 493:18 494:5 510:14 518:24 519:11 528:21 531:13 537:10 589:7 612:13 624:4 630:10 633:2 calling 544:21 545:2 573:23 camera 590:25 591:1 cameras 648:23 653:16 Canada 518:7 Canadian 630:5 candid 581:7 candidate 657:11,18 candidates 654:27 candour 565:24 canvass 513:24 515:11 canvassed 473:32 515:18 capable 468:9 capacity 467:17 captured 570:22 care 450:20 451:16,25 453:29 454:15 456:5,9 457:7 459:6,8,14 461:4 469:16 471:2 477:30,31 479:32 481:29 482:1,25 484:21, 23,32 485:3,24,27 486:2,10,16 487:18 488:30 489:26 492:18	493:8,17,19,30 496:17,19 503:12 504:2 505:18 507:7 518:25 519:12 548:3 565:14 594:14 595:9,20 602:2,7, 8,9,17,18 603:27, 31 604:3,6,21 606:16,19,28,32 607:31 608:3,6 609:20 610:15 611:5,11 612:1 613:11 618:15 619:7 626:23 628:16 629:16,21 630:5 640:11,24, 31 641:3 642:3 643:6 644:3 654:22,23,29 655:21 656:1,21 657:3,8 Care's 477:20 cared 595:15 603:4 career 596:14 628:16 640:30 641:9 647:10 carefully 520:29 Caressant 450:20 451:16,24 453:29 456:5,9 457:7 459:14 471:2 477:20,29, 31 479:32 481:29, 32 482:25 484:21, 23 485:24 486:10, 16 489:26 493:30 518:24 519:12 571:15 572:4,32 573:11 575:26 585:19 587:13,18 588:25,28 589:1, 10,20,27 590:9 591:9,13 592:7 594:26 602:7 608:6 611:5,10 627:24,25 629:10 640:11,24,30 641:3 642:3 643:6 644:3 657:3,8 Caressant's 584:22	caring 595:18 655:22 carry 597:26 cart 648:8 649:31 carts 649:22 case 457:3,19 511:8 516:30 520:8 584:17 599:14 604:11 620:9 625:24,31 626:7,11,28 627:27,28 628:27 629:11,19,22 630:17 cases 618:12 629:5 catch 590:26 categories 524:32 539:20 580:24,29 category 539:26,27 581:1,3 582:11 CATHRINE 639:1 causing 579:14 caveat 583:15, 18 cc'd 533:27 CCAC 654:20 Centre 654:22, 24 cetera 490:10 497:19 534:28 643:20 653:14 chair 594:5 challenge 600:9 challenged 634:9 challenges 458:3 challenging 634:14 chance 511:16, 22 517:14	chances 520:25 change 454:18, 22 467:32 468:6 515:2 628:8 changed 471:26 610:11 612:13 627:32 642:4 changing 467:5 547:13,31 548:2, 15 characterizatio n 458:14 characterize 460:28 479:13,15 564:6 630:7 characterized 457:26 584:26 characterizing 622:11 charge 450:29 556:2 596:30 597:1 604:3,12, 13,14 642:1 charitable 486:5 chart 581:26,28 charted 583:21 charting 654:32 check 511:14 537:32 552:8 596:28 657:11,16 checked 514:14 552:7 checking 495:3 597:8 checks 657:21, 30 Cheon 539:9 cheque 558:32 child 540:10 child-like 576:3 children 576:2 choice 505:8,17, 24
<hr/> C <hr/>				
calculated 627:20 calculation 626:4 calendar 627:17 call 458:1 470:22 487:14 491:14 526:21 544:6 545:30 559:32 560:3 575:23 587:29,32 589:2,3 592:24 595:27				

choir 506:11	closed 648:26	579:20 583:14	574:1,6,10,14,20	compared
choose 458:9	Closer 628:7	586:4,9,22,24,32	579:29 580:2,4,	493:27
chronological	CMI 626:28	591:24,26,29	10,11,14,17	comparison
567:22	627:2,5,19	592:3,7,14 640:22	584:23 586:9	503:28 504:20,24
chronology	co-worker	657:14	587:25 588:28	compel 580:25
585:30	521:12 532:26	column 566:20	591:20,27,32	competence
CI 481:1	544:13 545:12	combination	592:19 597:14,18,	467:17
circle 645:21	co-workers	515:32 569:9	20,30 598:29	competent
646:7	459:26 460:18	comfort 488:31	599:1,18,30,32	469:16
circumstances	539:22 543:2	comfortable	600:19,30 601:16,	competitive
460:15 470:21	551:13	453:28 512:23	20 603:16,24	457:32 458:2
480:2 580:21	coercion 605:7	514:1 565:18	606:5,8,9,12	503:19
618:11	Coghlan 562:4	commencing	609:5 610:23,30,	compile 608:27
city 486:15	coincidence	450:1	32 611:3,12	complain
clarification	615:32	comment	614:28,29 616:19	616:31 617:28
524:18 530:2	cold 544:12	469:28 472:23,24,	625:6,9,10 631:4,	complained
592:32	collected 585:7,	27 473:16,21	19,24 632:9,10	616:10
clarify 472:16	13,19 627:14	545:16 629:25	636:11,14,15,19,	complaining
517:2 558:30	collecting	commented	31 637:2,15,21	508:16 616:29
clarity 630:28	628:21	588:8	638:3,16,19,22,	618:14,17
classified	collection	comments	23,30 639:5,13,	complaint
528:13 530:3	455:20	527:11 622:14,17	24,28 640:1	532:10,18,24,26
clause 542:9	Collective	623:22	643:13 644:25,31,	533:4 549:7,8
clean 516:18,29,	487:23,26,32	Commission	32 645:4,19,29	591:24,32 592:6,
32 605:11 636:28,	488:2,8,15,21	486:1	646:2,12	13 617:18 621:31
29	489:19,21,30	Commissioner	Commissioner	complaints
clear 450:29	490:32 495:31,32	486:1	's 561:21	459:24,28 460:8,
456:4 457:4	496:6,9,13	Commitments	commitments	29 461:1,3,4,6,7,
467:11,23 470:25,	510:18,22,28	463:30 592:23	463:30 592:23	11 532:23 541:9
31 477:5,10,27	511:19 513:4,15	committed	committed	543:2 621:24
484:22 516:17	517:10 518:21,30,	564:31 565:20,22	564:31 565:20,22	654:17
484:22 516:17	31 542:6,23 550:9	567:2 574:29	567:2 574:29	complement
538:7 542:6 558:4	551:7,9 552:22,	575:25 576:30	575:25 576:30	656:30
560:15 563:19	24,27 553:18	577:4,31 583:30	577:4,31 583:30	complete
568:17 570:15	575:14	584:4	584:4	477:21 478:16,21
573:7,31 582:14	collects 626:1	common 566:5	common 566:5	completed
583:4 618:4 653:9	college 469:6	commonly	commonly	657:23
clearer 617:32	470:15,19,25,30	542:9 564:8	542:9 564:8	completely
Clerk 483:8,11	471:4,8 475:16,	communicated	communicated	563:32 629:5
513:29 514:8	21,25 477:9,22	590:17	590:17	completing
606:9,11 611:8	478:1,5 485:9,12	communicatin	communicatin	460:9 478:14
639:31	548:9 559:28	g 598:5	g 598:5	compliance
clients 621:29	560:8,16,25	communicatio	communicatio	602:13 603:28
646:31	561:7,15 562:3	n 479:12,14,16,19	n 479:12,14,16,19	630:26
close 526:15	565:29 566:1,10,	Community	Community	complied
651:32	12 568:30 569:32	654:21,23	654:21,23	603:26
	571:30,31 572:1	comparable	comparable	
	575:22,27 576:16,	504:3 507:16,23	504:3 507:16,23	
	21 577:6 578:20	compare 468:11	compare 468:11	

comply 613:24	confusing 515:29	contained 569:10 571:14 575:1 609:19 635:13	corner 538:9 649:17,20	553:15 555:6,26 560:20 561:11,17 563:24 566:14 567:4 569:19 570:4,12 571:8,9 572:13 576:19,27 578:1,13 579:26 580:27 581:13,32 582:17 584:30 586:2,6,17,26 594:30,31 595:32 596:1,17 602:10, 11,14,15,19 603:1,7,14,29 604:4,10,30,31 605:2,5,9,12,18 607:7 609:29 610:5,8,9,21,31 613:25 615:14,15 621:32 623:21,29 625:32 626:7 629:18 639:32 640:29,31 641:29 642:2,13 643:1, 21,25,31 644:14, 22 645:26 646:11 647:5,25,31 648:15 649:5,29, 32 650:19,20 651:6 652:2,3,11, 32 653:7,15 654:11 656:23 657:6,15,31
component 610:14	connect 540:8	content 471:11	corporate 477:21,29,31 486:25 488:7 498:27 520:3,12, 30 521:22 522:9 551:23 555:3 556:26 557:21	
compromised 595:20,28	connecting 541:29 650:31	Contents 606:15	corporation 485:26 489:26,27 519:29 624:28 625:3	
computer 478:19,24	connection 472:1 574:25 587:14 590:14	contest 457:3	corporation's 498:25	
concepts 630:16	consecutive 492:8 508:16	context 565:27 571:11 576:21 629:9 630:16	correct 450:21, 22,31,32 451:4 452:2 453:9,13,14 456:5,21 457:10 459:4 464:16,17 465:29,32 466:1 467:7 472:4,26 474:14,15 475:13, 17 478:16,17 481:25 483:12 484:24,25,27,28 485:3,4,10,13,14 486:12,13,18,22, 23,27,28,31 487:1,16,20,21 488:24 489:2,28 490:21,22,26 491:25,26 492:9, 10,21,29,31,32 493:21,22 496:25 498:32 499:6,14, 20 500:11 501:3, 24 502:5,20,22, 25,26 503:5,6 504:30 506:27,32 507:1,9,10,13,14 508:2,5,18 513:5, 6 517:20,23 518:10,11 519:2 521:2,8,14,17,31 523:21,25 526:23, 28 527:13,21,22 528:6,27 529:11 530:14 533:3,7,14 536:27 537:11,21 539:11,16,24 540:14,30 541:32 542:25,30 543:17 547:20,21 550:1	
concern 467:16 470:1,5 479:27 482:13,15,23 533:18 546:10 550:10,15,21 614:32 631:31	consequences 457:7	contenance 654:30	corrected 574:17	
concerned 457:2,27,28 464:31 480:14 512:1 544:16 612:27 620:26	considerable 511:32	continue 469:4 470:13	corrections 639:19	
concerns 460:13,20,23,26 475:16 533:1 540:7 541:2,18 551:13 589:21 604:17 605:4,6 615:12,19 623:26, 31 634:3 654:17	consideration 458:28 469:4 470:13 516:5 551:12 584:14	continued 469:2 470:11 629:4	correctly 457:30 464:22 466:16 477:12 573:16 607:2 647:27	
concludes 636:13	considered 551:15 570:26 587:10	contract 542:18	corridor 650:25, 30 651:2,8,18	
concerns 460:13,20,23,26 475:16 533:1 540:7 541:2,18 551:13 589:21 604:17 605:4,6 615:12,19 623:26, 31 634:3 654:17	consisted 653:24	convenient 580:1	cost 452:32 557:7,28	
conclusion 578:9	consistent 459:27,29 460:1, 15 584:8 629:12	conventional 582:30	costly 636:6	
condition 547:20 548:14,22 549:3	consisting 483:16,20	conversation 462:18 463:13,18, 22 464:3,7,13,25 467:9 468:1 559:7	costs 453:5,8 456:1	
conduct 502:24, 28 503:1 527:12 546:29 549:29 611:32	consists 642:32	cooperation 515:25	council 597:16 608:8,13,14,21 610:13	
conferred 456:31	constant 457:26 506:31 622:5 623:19	Coordinator 608:27		
confine 569:14	constituting 620:27	copied 465:28 535:18 536:4,7, 10,25 540:2 632:5		
confined 569:13	construction 642:12	copies 516:12, 19,26 541:15 638:26,29		
confirm 455:21 543:2 639:13	consult 522:28, 32 523:16	copy 478:5 484:15 487:26 488:5 495:6 510:23 516:1,29 517:1 536:19,21 539:29,30 541:12, 14 597:22 605:20 609:2 632:16 633:14 635:7		
confused 650:30	consultation 551:26	contact 548:8, 11 560:31,32 561:5		
	contacted 587:14,19			

<p>councils 601:24,25,26 602:1</p> <p>counsel 461:20 462:11,30 465:25 466:31 478:4 479:2 494:12 495:5,15 498:29 505:29 515:11,25 524:22 546:32 554:21 559:28 566:26 600:14 637:30 644:26 646:23</p> <p>Counsel's 605:30</p> <p>counselled 523:22</p> <p>counselling 523:2 524:3,6 525:11 527:19,20 528:1,5,16,18,20 529:13 570:8 632:32</p> <p>Counsellor 486:1</p> <p>count 466:16 525:30 526:3 572:9</p> <p>counts 533:5</p> <p>county 655:23</p> <p>couple 598:28 632:3</p> <p>courses 576:10 630:11</p> <p>Court 483:11 499:16 513:29 514:7 606:11 639:31</p> <p>courtesy 604:29 609:25</p> <p>Courts 518:8</p> <p>cover 477:6,8 509:16 560:28 657:1</p> <p>covering 560:18</p> <p>create 565:16 582:2</p>	<p>created 468:18 519:28,31,32 522:5</p> <p>creating 468:19</p> <p>credible 621:15</p> <p>crimes 481:24</p> <p>criminal 657:21</p> <p>criteria 607:21</p> <p>critical 480:18, 29 533:32 534:8, 18 539:23 541:1,5 561:32 580:22,25 582:7,9,15,26 583:3,9,16,21,27 584:5,17 635:6,8, 12,17,24,25 654:17</p> <p>crom-bay 561:1,2</p> <p>crom-bez 561:1</p> <p>Crombez 451:9 462:13 465:27 468:1 470:28 472:17 502:15 529:16 540:14 551:27 560:32 561:3,5,16 564:15 571:32 585:12 590:17 595:7 611:15 632:29 637:9,20 638:2,21 639:1,6,7,8,25 640:3,5,8 646:21 647:20</p> <p>Crombez's 451:3 463:7 472:23 473:15</p> <p>cross 544:3</p> <p>cross-examination 450:5,13 455:12 484:4 512:13 559:23 592:26 597:19 625:11</p> <p>cross-examinations 515:14</p> <p>crystallize</p>	<p>628:22</p> <p>CSO 513:29</p> <p>curious 469:8</p> <p>current 644:20</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>dad 464:8</p> <p>daily 602:32 623:16</p> <p>data 628:21,22</p> <p>database 494:32 495:4 496:27 511:23 516:15 519:9 598:17 600:7,13 606:3,24 609:32</p> <p>date 473:12 496:2 521:27 561:23,25 562:2 587:4 611:6 628:23 629:1,13 642:20 643:14 655:31</p> <p>dated 471:31 519:12 537:31 538:10 586:4 632:24</p> <p>dates 525:7 540:24 552:15,32 566:32 589:15,19</p> <p>day 454:20 475:5 484:20 492:20 499:8,19 537:19 563:14,15 570:9 579:24 586:25 612:21 633:29 640:32</p> <p>day-to-day 604:5 618:18</p> <p>days 480:32 492:20 499:4 500:24 502:13 508:17 542:32 543:7 570:9 618:1 630:1 641:32</p> <p>deal 509:30 516:3 517:27</p>	<p>551:8 555:3 589:8 647:19</p> <p>dealing 450:30 452:28,31 460:11 465:15,18 517:22 521:29</p> <p>dealt 460:26 555:7,11,13 623:16 624:30</p> <p>death 481:4,6</p> <p>December 461:22 471:31 473:12 529:12 536:23</p> <p>decide 654:26 655:27</p> <p>decided 475:11 551:22 615:24,26, 28 640:17</p> <p>deciding 458:25</p> <p>decision 456:16 458:4 474:18,27, 28,32 498:22,25, 26,27 551:24,25 624:21 636:1</p> <p>decision-making 606:31</p> <p>decisions 620:4 634:9</p> <p>dedicated 456:19</p> <p>deemed 481:6</p> <p>deeply 587:27</p> <p>defend 520:31</p> <p>defending 520:26</p> <p>definition 609:30</p> <p>definitions 610:1</p> <p>delay 549:13 617:16</p> <p>deliberately 574:23</p> <p>deliver 563:1</p>	<p>delivered 586:24 604:7 614:11</p> <p>delivering 579:1</p> <p>demonstrates 586:29</p> <p>deny 633:21</p> <p>Department 487:3 543:22 653:27 654:14 655:5</p> <p>depending 563:14</p> <p>depends 513:21 545:14</p> <p>describe 568:1 605:24 625:30</p> <p>describing 570:10</p> <p>description 451:13 591:21 653:21</p> <p>designated 491:1,2</p> <p>designations 486:7</p> <p>designed 607:22</p> <p>desirability 581:6</p> <p>desirable 458:16</p> <p>detail 529:15,22 615:8,10</p> <p>detailing 552:31</p> <p>detained 619:14 620:13</p> <p>determine 488:28 567:18 576:13 583:1 626:5</p> <p>determines 626:19</p> <p>determining 567:7 570:17</p>
---	--	---	---	---

<p>575:15</p> <p>die 481:11</p> <p>difference 627:14 650:24 656:1</p> <p>differences 592:2</p> <p>differently 475:27</p> <p>difficult 453:20, 23 464:32 465:21 516:2 564:19 565:11 655:9,12, 16</p> <p>difficulty 544:29</p> <p>dignity 603:6 609:26</p> <p>dining 654:5</p> <p>direct 611:16 612:19 613:29</p> <p>direction 456:32 457:11 475:3 602:13</p> <p>directions 622:29</p> <p>directly 560:23 562:17 613:9,11 643:26</p> <p>Director 499:4 561:4,8 595:27 602:17 604:2 614:12 637:16 641:3,10,17,22, 24,27 647:14 653:19</p> <p>discharge 489:14 519:4</p> <p>disciplinable 567:1 569:23 579:23</p> <p>disciplinary 468:16,22,32 470:10 471:16 519:24 537:26 548:16</p> <p>discipline 456:23,25 458:5</p>	<p>464:21,29 465:5, 7,9 474:22 475:24 478:11 489:9,15, 18,32 490:5 507:17 518:24,27, 29 519:1,6,14 520:11 522:10,18 524:9,24 525:6,8, 20 526:23,27,28 527:18,24,29,32 528:13,15,21 530:13 541:21,24 542:14,21 543:24 551:8,16 567:8, 24,25 569:13 570:6,7,11,26 571:4,13 572:6 575:8,15,30 576:14,26 578:5 614:24 615:1 617:22 618:4 622:18,19 630:25 633:15,22,24 634:14</p> <p>discipline-free 528:9 542:13</p> <p>disciplined 466:13,22 523:23, 28 543:15 570:3 571:22 635:20</p> <p>disciplines 456:31 525:17 526:10,16,18,19 527:11 530:25 539:13,28,30 541:12,15 567:23 594:24 624:32</p> <p>disciplining 456:29 458:11 475:23</p> <p>disclosed 497:4 576:17</p> <p>discourage 457:13,18,21</p> <p>discouraged 457:8,16</p> <p>discretion 470:18,21 492:26</p> <p>discrimination 605:8</p>	<p>discuss 507:19 529:15 532:15 546:2 608:24,25 624:29 625:23</p> <p>discussed 457:24 463:23 469:21 472:18 473:5,14 475:2 530:30 532:2 534:31,32 556:31 559:12</p> <p>discussion 455:29 505:20 559:14 589:26 590:23 592:5</p> <p>discussions 467:20 590:2,7 637:27,30,31</p> <p>disimpacting 616:32</p> <p>dismissal 519:27 521:17</p> <p>dismissed 521:21,31 622:3</p> <p>disorder 467:31</p> <p>disposal 605:20</p> <p>dispute 518:3</p> <p>disputes 518:9</p> <p>distinction 582:27 591:22 592:12</p> <p>distribute 656:7</p> <p>District 640:14</p> <p>disturbed 616:4</p> <p>disturbing 616:31</p> <p>divided 486:3 500:27 563:15</p> <p>doc 494:15</p> <p>doctor 468:8 548:5</p> <p>doctor's 543:21, 25,26 548:2 581:17</p> <p>doctors 485:11</p>	<p>document 461:20 462:11,29, 30 463:25 464:10, 12 465:26 466:9, 32 468:15 471:30 473:30 475:30 476:30 477:6,7 478:31 480:17,20, 21,27 481:28,29, 31 483:7 487:22 493:9 494:8,11, 13,19 495:16,18 496:4,23 497:2, 11,23 498:9 509:7,8 512:9 513:20 516:22,24 517:11,16 519:9, 10,11,21,28 520:32 521:5 529:8 534:21 535:28,30 536:2 537:7,25,29 539:2 553:5,8 555:21 558:9 560:12,14, 17,24 561:19 566:16,18 574:4 577:12 598:13,18 599:5,21 600:2 601:8 605:32 606:1,3,13,17,18, 22 608:32 609:31 610:27,29 611:5, 7,10 614:21,24 632:6,20 643:16 647:21</p> <p>documentary 516:13</p> <p>documentation 462:16 560:15 585:3 587:1 590:31 593:21</p> <p>documented 520:28 577:14</p> <p>documents 455:20,22 461:19 462:10 483:15,19 484:11 490:14 494:31 495:23,29 496:28 497:3 509:3 511:15 512:17,32 513:1, 11 514:10 515:2, 7,19 523:22 537:23 541:20</p>	<p>591:6 597:21 598:3,15 599:28 600:11,28 610:23 615:22 633:11 636:26</p> <p>door 644:24 648:26 649:1,7, 10,19 650:12 652:25 653:2,13</p> <p>doors 596:28 597:8 641:27</p> <p>doorway 648:30 652:20,22</p> <p>dots 540:9 541:29,31 542:3</p> <p>double 501:24, 26,30 508:28</p> <p>doubt 545:29</p> <p>downloadable 478:18</p> <p>downloaded 478:23,28</p> <p>downstairs 638:29</p> <p>draft 552:8,9,12, 17</p> <p>drafted 476:1,5, 6,13,31 477:2 552:6</p> <p>drafting 461:24, 26</p> <p>drawing 643:20, 23 644:15,17 645:10,27 647:4 651:24</p> <p>drawn 582:27 605:29</p> <p>dresser 650:4</p> <p>drop 528:19 529:13</p> <p>dropped 515:15</p> <p>drops 472:2</p> <p>drug 583:20,23 620:18,20</p> <p>drugs 482:14,24 583:28 589:9,21</p>
--	---	--	---	---

<p>duties 450:27 489:14,31 490:9 596:29 602:23,26 653:21 654:8,14 656:2,5</p> <p>duty 492:9 548:21 562:16 591:10 597:2 647:13,14 656:22</p> <p>DW 618:23 621:9</p> <p>dynamic 621:25</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>earlier 457:24 529:25 530:12 550:3 652:10</p> <p>earliest 568:2</p> <p>easier 483:5 495:22,25,26 593:7 601:11</p> <p>easiest 516:16 598:20 601:5</p> <p>Easily 454:32</p> <p>east 501:2 642:25 643:30</p> <p>easy 623:6 655:6</p> <p>eat 506:11 594:5</p> <p>education 485:19 613:32 630:2,29</p> <p>educational 585:8 640:9</p> <p>EE 538:25,29</p> <p>effect 474:20 521:29 564:25 611:20 622:7</p> <p>effective 521:27 595:9,14,18 598:7,9 611:6,11</p> <p>effects 503:3</p> <p>effort 650:15</p> <p>elderly 655:23</p> <p>electronic 515:32</p>	<p>electronically 478:27</p> <p>elevator 651:2, 23</p> <p>Eligible 496:16</p> <p>Elizabeth 451:22,29 506:8 523:23 524:24 529:17 533:5 541:19 545:28 594:2 603:9 604:12 624:25 631:32 633:30 634:15,19 635:20 636:6 643:6 647:9</p> <p>email 465:27,28 466:5,9 474:2,24 533:28</p> <p>emailed 466:3, 12</p> <p>emails 539:23 599:25</p> <p>emerg 543:26</p> <p>emergency 543:19,22</p> <p>emerges 540:9</p> <p>emotional 610:3 620:28</p> <p>emphasis 607:24</p> <p>employ 456:23 566:13</p> <p>employed 573:11 594:30 603:31</p> <p>employee 456:29 461:13 473:8 482:13 520:24 521:20 531:3 552:29 613:22 633:19 634:28</p> <p>employees 451:11 458:5 465:3 482:1,2,17, 23 518:6 548:28 550:14,20 613:8 634:25</p>	<p>employer 489:7 552:28 586:30 630:30 634:24</p> <p>employment 472:14 506:25 552:30,32 572:4 587:10,15 640:10</p> <p>empty 642:16,17</p> <p>enclosure 586:10</p> <p>encouragemen t 607:12</p> <p>end 463:14 467:2,14,15,18 475:5 491:14 502:19 530:19 565:12 566:17 568:6 623:10 646:1</p> <p>ends 631:5</p> <p>engage 502:32 596:7,8,19</p> <p>engaged 521:7 564:29 565:2 573:12</p> <p>engaging 567:7</p> <p>ensure 469:31 602:17 603:4,11, 25</p> <p>ensuring 602:13</p> <p>enter 599:22 600:23 601:9 606:6</p> <p>entered 455:23 468:13 479:1 482:32 495:30 515:30 568:8 598:26</p> <p>entering 516:11 641:27 653:13,14</p> <p>entire 562:19 574:3 649:15</p> <p>entirety 567:27</p> <p>entitled 495:11</p> <p>entry 566:19</p>	<p>envelope 453:9 493:32 494:1,6, 22,27 554:3,15 629:21</p> <p>Envelope' 493:19</p> <p>envelopes 493:2,7,11,21,24, 30</p> <p>environment 459:17 565:14,17 605:11</p> <p>equal 501:28</p> <p>equation 453:16</p> <p>error 476:16 521:10 555:11 561:29 569:2,5,22 570:15 577:18,31 581:13,14,23 582:31 583:1,8,31 584:25 585:7 651:22</p> <p>errors 451:17 459:32 468:11,12 507:3,4,13 528:14 563:29 564:8,26, 28,30 565:3,8,20 569:10,12,15,28 570:1 573:12 574:27 575:24,29 576:29 577:3,5, 27,30 578:4,17,18 581:8 582:3,6,8, 21,25 583:13 584:3 585:1,5,20 633:30 634:15</p> <p>essential 520:25 602:23</p> <p>essentially 614:23 626:23 627:18</p> <p>establish 488:28</p> <p>evaluation 607:27,29 608:5</p> <p>evening 458:13 501:22 502:2 562:23 654:2</p> <p>evenings</p>	<p>500:24 501:27,32 502:11,12 542:29 641:6</p> <p>event 567:32 568:3,8,22,27 579:13 582:12 638:2</p> <p>events 569:32 579:13,16,19,21 591:21</p> <p>evidence 453:6 455:23 457:6 473:31 478:7,13 494:14,24 495:9 496:24 505:16 507:5 509:22 511:32 516:23 522:3 531:7,29 532:5,14 549:12, 28 561:23 562:28, 31 564:12,24 568:21 583:27 585:28 586:1,8,28 587:13 592:1 598:31 600:24,25 614:7 628:15 629:32 654:8</p> <p>exam 644:23 645:24 647:4</p> <p>examination 471:13,20 639:2</p> <p>examine 512:18</p> <p>examples 537:17 550:6 632:4</p> <p>exception 552:14</p> <p>excerpt 487:28 511:23</p> <p>excerpts 495:6</p> <p>exchange 599:25</p> <p>exclusive 489:1,6,7,17</p> <p>Excuse 511:1 579:27</p> <p>excused 637:1</p>
---	--	---	---	---

<p>exercises 471:9</p> <p>exhibit 482:32 483:9,14,18 495:20 496:7,9,12 511:24 514:15,16 517:11 531:26 533:30 534:14 535:15,22,26 536:23,31 537:8 538:6,29 552:23 553:23 560:11 573:30 574:12 597:22 599:22 600:15,24 601:10 606:6,11,12,13, 18,24 608:32 611:1,3,9 614:22, 28 616:18 632:8 639:27,30 640:2,4 643:15</p> <p>exhibits 484:12 495:30 515:30 516:12 599:30</p> <p>exist 567:9 576:24</p> <p>existed 571:2 578:7</p> <p>existence 567:3</p> <p>expanded 645:17</p> <p>expect 562:27, 31 564:11 586:27 587:4 591:32 637:18</p> <p>expectation 585:15</p> <p>expected 607:9 613:22</p> <p>expeditious 577:8</p> <p>Expenditures 493:8 496:17 513:3</p> <p>experience 553:1 563:5 589:5 630:19</p> <p>experienced 531:17 563:28</p>	<p>expert 487:10 507:5</p> <p>expertise 487:4, 18 554:8 563:26</p> <p>expiring 496:11, 13</p> <p>expiry 496:1</p> <p>explain 482:5 583:15 594:9 634:13</p> <p>explained 469:29 568:27 633:5</p> <p>explaining 464:8</p> <p>explanation 645:23</p> <p>explore 619:32</p> <p>exploring 581:9</p> <p>expose 581:15</p> <p>expressed 581:4 615:12</p> <p>expression 578:10</p> <p>expressly 472:32</p> <p>extend 645:31</p> <p>extended 573:15</p> <p>extent 566:8 591:28</p> <p>extra 467:26 509:15</p> <p>extract 511:28</p> <p>eye 472:2</p> <p>eyes 460:20</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>face 545:2 546:13 576:2 623:32</p> <p>facilities 504:30 625:25</p>	<p>facility 484:27 486:16 488:32 492:19,25 562:26 591:25 604:3 607:9,27 622:20 626:1,14 627:16 630:22 642:4 643:7 647:8,10,19 653:23</p> <p>facility's 626:5</p> <p>fact 450:17 458:22 467:30 487:3 490:25 503:25 505:1,31 524:25 525:3 533:24 547:22 555:30 556:12 563:29 565:15 567:32 575:6 586:21 638:24</p> <p>factor 458:25 503:20 506:1</p> <p>Facts 501:31 508:26 572:30 573:1,20,24 574:8</p> <p>failing 581:25,26 623:27</p> <p>failure 569:20 581:28</p> <p>fair 456:19 458:14 459:3,31 468:23 473:20 475:10 479:23 482:12 507:31 536:8,9 547:9 551:5 554:4 563:18 565:9 566:7 574:5 576:20 584:18,19 589:11,16 613:26 630:12,13 634:8</p> <p>fairly 598:13 656:30</p> <p>fairness 512:6</p> <p>faith 565:20,23 582:4</p> <p>fall 486:11 615:6</p> <p>fallen 579:14</p> <p>familiar 486:6</p>	<p>488:1,21 489:3,4 493:9,23 504:3 517:15 542:18 552:26</p> <p>familiarity 561:9</p> <p>families 654:19 656:11</p> <p>family 498:29 505:30 656:17,18</p> <p>fatally 503:1</p> <p>father 463:20,23 576:5 624:8</p> <p>fax 586:16</p> <p>faxed 477:14</p> <p>fear 605:7</p> <p>feature 578:6</p> <p>features 577:9</p> <p>February 611:6, 11 627:25 633:1</p> <p>fed 577:21</p> <p>feel 470:20 471:17 524:18 565:18 581:7 588:5 595:19,28 622:25 623:12 624:20 629:9</p> <p>feeling 544:20 568:28 655:22</p> <p>feels 514:1</p> <p>fellow 482:13</p> <p>felt 460:25 629:13</p> <p>FF 538:14,17</p> <p>field 458:2</p> <p>fields 468:24</p> <p>figure 572:20 582:1 584:24</p> <p>file 456:29 523:20 540:16 567:21,27, 28 568:12 571:2 575:1,12 585:3,4, 21 633:22,24</p>	<p>filed 583:29</p> <p>files 507:22 576:24</p> <p>fill 566:1 649:9</p> <p>filled 468:24 478:6 561:4</p> <p>filling 468:27 552:14 567:23</p> <p>final 551:25,29 552:9,13,17</p> <p>financial 452:32 456:22 457:6,20 610:3 636:7</p> <p>find 453:20,24 458:23 497:30 543:1 593:4 595:8,11,14 624:14 656:24</p> <p>finding 594:26</p> <p>findings 595:25</p> <p>fine 508:6,7,13 512:24 514:26 532:3 597:27 601:13</p> <p>finish 631:15 637:25 646:27 647:17</p> <p>finished 523:13</p> <p>fire 451:26 452:1 489:18,32 596:31 597:8</p> <p>fired 453:3,7,16 475:7 510:4 635:30</p> <p>firm 618:4</p> <p>fitness 469:6 470:15</p> <p>five-day 473:4 528:17,18 529:6 530:20 557:3 633:26</p> <p>flavour 585:30</p> <p>floor 453:31 479:19 491:11 492:30 640:16 641:12 642:15,17</p>
---	---	--	---	---

<p>649:3 650:18 651:5,8</p> <p>floors 454:1 500:29,31</p> <p>focus 500:4 581:2 614:19</p> <p>follow 469:24 495:26 527:23,31 548:17 549:2 561:8 571:31 598:24 601:2,12</p> <p>follow-up 469:20 561:13 574:24</p> <p>food 577:20 610:7</p> <p>for-profit 486:5, 11 503:32 505:25</p> <p>forcibly 619:13</p> <p>forgotten 578:32</p> <p>form 468:17,18, 19,21,22 471:12, 17 477:21 478:15, 19,28,29 533:16, 22,32 537:26 560:7,28,30 566:5,9 567:29 568:6,7 576:17 613:18 615:1 635:16</p> <p>formal 608:3 630:2,29 634:29</p> <p>formally 601:28</p> <p>forms 541:1 566:1 567:24,25</p> <p>formula 626:4</p> <p>forward 550:14, 19 565:19 566:29 572:21,22 575:16, 30 576:15 615:19, 32</p> <p>found 497:6 543:29 573:12,19 609:31 614:25 655:24 657:10</p> <p>four-month 627:6</p>	<p>four-step 519:25</p> <p>fourth 607:19</p> <p>frame 525:17,19 577:17 649:10</p> <p>frames 525:18</p> <p>Fraser 597:17, 19,25 598:12,30 599:6,27 601:13, 18,21,23 603:22 606:7,20 609:7 611:2,12,21 614:30 616:20 617:25 619:28 625:4,7</p> <p>free 605:1,4 609:27 636:23</p> <p>freedom 624:24</p> <p>freely 624:24</p> <p>frequent 460:8 526:22</p> <p>frequently 456:25 581:20</p> <p>Friday 499:5</p> <p>fridge 650:3 651:19,21</p> <p>fridges 644:8</p> <p>friend 455:8,31 490:12</p> <p>front 461:19 488:4 537:25 545:6 546:13 606:2,22</p> <p>fulfilling 602:21</p> <p>full 480:31 487:26 495:32 496:6,12 570:7</p> <p>full-time 492:12 594:28 640:16,23 641:5</p> <p>fully 459:10 512:8 609:17,25</p> <p>function 489:2, 6,7 568:9</p> <p>funded 628:32</p>	<p>funding 493:1,6, 10 494:22 625:25 626:14,19,20 627:7,20,26 628:2,24 629:2, 11,16,25</p> <p>funds 493:15 494:10</p> <p>future 629:1</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>gather 587:16 635:27</p> <p>gathered 565:30 608:23</p> <p>gave 450:26 495:5,9 509:22 511:31 524:22 541:15 545:28 549:27 555:18 577:11,15,16 580:19 586:1 638:24</p> <p>gay 461:9 532:25</p> <p>gears 611:27 614:17</p> <p>general 497:16 498:11 540:30 628:17 629:15 640:13 643:11 652:1,4</p> <p>generalities 640:9</p> <p>generally 457:9, 10 458:5 498:5 584:7</p> <p>generation 622:17</p> <p>girls 640:18</p> <p>give 468:10 469:15 474:17,22 476:28 491:30 516:25 536:19 541:13 563:11 573:18 577:13,17 579:7 580:6 585:29 640:9 655:5</p>	<p>giving 507:8 514:32 526:19 531:6 532:13 574:19 578:27 581:18 594:24 602:13 622:15</p> <p>glanced 526:27</p> <p>glass 652:28,29 653:10,13</p> <p>go-forward 628:25</p> <p>goal 565:10 637:26</p> <p>goals 607:14</p> <p>Golden 494:11 524:17 631:7,13, 22,25,26 632:11 636:9,12</p> <p>good 450:5,7,9, 14,15 455:14 471:15,22,24 472:11 473:19 479:10 484:5,7 491:19 514:22,30 529:20 553:14 559:25,26 560:29 565:20,23 575:18 582:4 592:29 601:3 625:13 636:20 648:6 656:30</p> <p>Government 496:22</p> <p>grad 595:30</p> <p>graduate 595:31</p> <p>graduated 640:12</p> <p>graduates 655:20</p> <p>greater 520:28</p> <p>grid 504:11</p> <p>grievance 494:27 510:7,24, 29,30,31 511:11, 30 517:13,17,25, 28 518:1,28 529:9 530:29</p>	<p>grievances 456:2 509:25,26, 30 512:2 517:22</p> <p>grieve 509:29 633:26</p> <p>grieved 527:4, 14 528:25 529:7 530:19,26 634:4, 5,10,12</p> <p>groin 544:14 545:12</p> <p>ground 629:13</p> <p>grounds 611:30</p> <p>group 455:17 526:17 608:16</p> <p>grouped 527:2 556:24</p> <p>grouping 527:2, 7,9,10,28</p> <p>guarantee 595:32</p> <p>guess 465:10 470:27 475:14 482:16 505:10 506:19 511:5 531:22 584:19 589:4 590:4 615:29 630:13</p> <p>guessing 469:12</p> <p>guidance 513:32 522:12,13, 17 624:20</p> <p>Guideline 493:7</p> <p>guidelines 494:9 496:16 497:19 513:3</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>haldol 618:25 620:18</p> <p>half 513:8,25 641:15 649:12</p> <p>hall 608:15 647:28 652:21</p>
---	---	---	---	---

<p>hallway 646:17 650:26</p> <p>Hamilton 640:22</p> <p>hand 597:21</p> <p>handed 598:12 639:4</p> <p>handing 484:11</p> <p>handle 654:16</p> <p>hands 483:3 513:8</p> <p>hands-on 613:29</p> <p>handwriting 573:9</p> <p>handwritten 462:32 465:31 466:32 467:1 469:27</p> <p>happened 452:10,11 481:17 482:6 490:27 614:8 617:12 618:9 622:18</p> <p>happy 585:27 591:19</p> <p>hard 452:19 472:19 510:23 516:1,11 522:26 609:2 618:3 650:5 655:21 656:24,32</p> <p>harder 458:19, 23</p> <p>harm 563:31 564:4 580:31,32 581:15,21 582:21 583:8,10 584:15, 16 611:31</p> <p>head 450:30 451:19 452:2,4, 16,24,27 455:30 456:31 457:1,11, 14 467:21 468:2, 21 472:9,12,18, 19,24,28,31 473:1,5,17,22 475:1 476:4 485:23,24 486:14,</p>	<p>25 488:7,10 509:32 510:10,12 517:25,27 519:31 520:2,30 522:9, 17,19 529:19 548:11 551:23,26 556:11,27,31 557:21 559:7 590:2,32 630:10 635:1,22,32 636:3 641:13,20,31</p> <p>health 461:14 469:3,8,14,30 470:12 481:8,15, 22 484:31 513:10 543:13 544:1 546:27,28 547:17, 20 565:14 580:8 610:7 630:5 634:26 635:10,12 654:18</p> <p>hear 452:15 482:21 507:5 539:15 562:3,28 564:12 571:32 585:27 591:19 592:1</p> <p>heard 472:13 485:22 486:8 492:7 499:14 500:27 501:1,23 555:29 557:14,31 562:15 566:24 571:32 583:27 591:20,27 622:12 642:19,25,31 643:14 644:1 657:20</p> <p>hearing 520:27</p> <p>heavy 459:10</p> <p>held 654:28</p> <p>Helen 451:3 463:6 467:20 468:1 470:28 472:17 473:23 540:13 560:32 632:29 634:10 635:29 638:20 639:1,25 640:3,5, 19</p> <p>helpful 463:8 525:7 538:17</p>	<p>558:16 567:5 608:31 630:24</p> <p>helps 517:2</p> <p>Hewitt 455:32 459:24 467:3 471:14,20,23 472:3 483:28,31 495:1 496:30,32 505:14 506:21 508:3,7,9 513:12 514:19,24,30 523:10 525:28 526:1 529:8 530:1 531:27 532:3 536:1 538:12,32 540:5 542:7 546:30 549:15,24, 25 554:4,18,28,29 555:5,6 559:20 573:21,29 580:9 589:11 592:21 597:15 614:27 615:8 616:15,18 617:20 619:24 625:8 631:4 632:8 636:13,27 637:8, 29 638:14,19,23 639:3,23 640:7 644:29 645:1,15 646:14</p> <p>Hewitt's 555:2 566:25</p> <p>hey 559:3,7</p> <p>hierarchical 603:32</p> <p>high 653:30</p> <p>higher 492:27 498:23,31 503:23, 25,26 564:17 604:8 618:15 655:23</p> <p>highly 576:15</p> <p>hindsight 576:31 577:2,29 578:7 586:19 587:30,32</p> <p>hire 457:27 489:13,18,31 490:9 498:32 561:24,25 595:12 654:9</p>	<p>hired 509:18 561:27 586:29 603:10,19,21 640:14 657:32</p> <p>hiring 451:2 503:9 595:10 605:14 653:26 654:13 655:4 657:5,7,29</p> <p>his/her 607:13</p> <p>history 478:11 579:12,22</p> <p>hit 545:22</p> <p>hold 537:6 585:16</p> <p>holding 495:17</p> <p>home 454:26 459:1 466:18 475:13 485:25 486:12,21 488:3,6 490:21 491:25,28 493:15 519:13 536:13,16 540:17 546:16 562:19 564:32 565:14,17, 18 575:22 591:25 603:3 605:17 608:18 612:7,12, 17 625:1 628:21, 25 629:3 634:2 654:25 655:23</p> <p>homes 456:9 485:28 486:4,6 493:8 496:18,19 504:2 505:26 507:7 601:27,29 603:11,12,26,27 604:20,21,25 607:6 608:3 611:28 612:29 613:10 628:31</p> <p>hope 655:13</p> <p>hoping 597:23 625:15</p> <p>hospital 582:13, 19 619:9,13,22 620:10,13 640:13, 15 655:20</p> <p>hospitals 503:23 504:3</p>	<p>505:18</p> <p>hour 513:9,25 579:32 580:6</p> <p>hours 492:19 499:7 502:3 595:3,24 620:14</p> <p>Hughes 484:2,4, 8,18 487:31 494:19 495:19 496:3,26 497:5, 15,26 498:17,20 499:18 505:22 508:10 510:26 511:19,29 512:10, 24 513:5,6,23,32 514:6,18,25 517:6,8 523:18 524:29 525:14,32 526:6 530:2,9 531:32 532:7 535:25,30 536:5 537:1 538:1,4,15, 19,25,30 539:5 544:28,32 546:32 547:8 549:18,26 554:12,24 555:15, 27 557:19 558:3, 29 559:16,19</p> <p>human 455:29 477:18,20 485:18, 20 486:30 507:12 630:25</p> <p>hundreds 507:8 563:8 564:7</p> <p>husband 640:19</p> <p>hypothetical 587:23</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>i.e. 456:24</p> <p>ID 494:15</p> <p>idea 474:30 475:6 532:17 625:23,31</p> <p>ideal 637:3 638:12</p> <p>ideas 625:27</p>
--	---	---	--	---

identical 552:13 578:4	in-service 613:27	579:12 603:13 634:25 651:10	625:29 626:1,2 627:14 630:15 631:30 633:13 635:2,13	582:5
identified 496:10 574:27 578:19 583:14	inadequacies 576:5	incompetence 520:7	initials 618:23 621:9	interaction 479:17 619:20
identify 483:7	inadvertent 576:23	incompetent 580:30 582:29 584:26 611:32	initiative 568:32 595:32 596:7,15, 20	interactions 564:14,18,21
ill 463:20,23	inadvertently 568:19 571:20	incorrect 519:17,18 572:12 645:11	injecting 503:1	interest 581:5
imagine 453:18 459:22 515:1 637:14	inappropriate 460:17 527:11 622:25 623:31	increase 459:15 628:17	injection 620:23	interested 562:8 567:32 581:9 589:5 630:14,15
immediately 480:30	inappropriatel y 521:11	increased 459:18,20	inquire 548:22	interesting 576:28
impact 456:15 458:4 618:7 636:7	incidences 534:18	independence 603:6	inquiries 590:32	interests 611:13
impaired 482:13,24	incident 472:13 473:22 476:17 480:18 529:18 533:32 534:8 537:27 541:1,6 545:25 546:10,21 550:2 574:24 580:22,25 582:7, 9,15,26 583:3,10, 16,21,27 584:5,18 617:31 618:3,27 622:23 624:1 635:6,8,12,18,24, 25	independent 466:26,29	Inquiry 512:15 585:28 642:20 644:2 655:31	interfere 512:12
imperial 622:16	incidents 480:29 506:23 527:29 531:24 539:23 540:7 572:5 573:3 577:26 614:17 615:8 616:30,32 620:32 622:19 635:14 654:18 655:1	independently 599:16	insensitive 544:12,21 545:9	interference 605:7
implications 592:14	include 451:12 478:10 604:32 605:3 609:18 610:6 657:30	Index 625:24,31 626:8,28 627:28 629:11,20	inside 653:13	interfering 469:15
imply 470:17	included 511:27 527:3 569:17,21, 25 604:29 653:28	indication 544:1	installing 591:1	internal 541:6
important 498:12 520:22 601:3 617:29 621:23	includes 486:29 585:29 607:21	individual 459:15 539:8 607:13,30	instance 470:5 490:5 504:1 508:15 534:23 540:27 544:7 546:6 549:8 550:9 574:30 577:11,12, 18,28 582:14 583:19 585:4	interrupt 544:30 573:22
impose 541:24 576:14	including 451:29 574:30	individuality 609:27	instances 569:11,31 579:6 589:31 620:26	interrupted 525:30
imposed 551:2 567:8		individuals 545:15 648:12 652:9 654:10	institution 612:6 621:7	interventions 590:15
imposing 526:26		indulging 592:27	institution's 624:21	interview 657:10
impossible 515:7		industry 457:32 563:4	institutions 572:18	intimidating 620:12
impression 465:20 479:6 570:32 571:19,20, 27 572:2		influence 482:18	insubordinate 465:1	introduction 606:25
improper 580:30 582:29 584:26 611:32 612:28		inform 584:17 626:14	intentional 563:30 564:4 565:13 576:32	investigate 533:12,26 550:1 590:28 617:31 618:7
IN-CHIEF 639:2		information 540:12,13 541:32 548:5,27 553:13 567:24 575:27 591:30 608:28 612:2 624:2	intend 584:6	investigated 550:4 655:1
in-depth 647:20 656:10			insulin 503:3 578:27,28,29,31 579:2,3	investigation 471:31 481:15,17, 20,22,23
in-house 630:9			intentional 563:30 564:4 565:13 576:32	investigative 467:1,13 591:13
				investigator 572:1

<p>involved 451:11 462:17 517:29 518:15 541:22 551:31 552:1,18, 20 572:18 582:32 608:4 657:5</p> <p>involvement 551:29 558:12 573:8 590:20 606:31</p> <p>involving 575:24</p> <p>ironic 456:15</p> <p>issue 462:6,24 472:2,7 494:21 513:28 514:9 515:27 545:25 559:12 575:21 580:18 585:18,26 590:9</p> <p>issues 450:30 461:15 469:4,9, 14,21,25,30 470:13 479:24 485:18 515:23 539:16 542:19 543:13 546:27,29 547:17 589:29 621:10,11 623:14</p> <p>item 532:10 534:14 535:15 536:23 556:22,23 568:17</p> <p>items 569:11,17 576:13 633:31</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>James 508:27</p> <p>January 525:26 549:10,13,14,16, 19,28,29,31,32 614:20 617:13</p> <p>Jared 625:14</p> <p>jeopardize 473:7</p> <p>Jill 474:11,13,16 490:15,19 531:5 548:32</p>	<p>job 454:17 458:17 505:5 603:25 640:25 655:2,7</p> <p>jobs 455:3 457:29</p> <p>judge 479:18,22</p> <p>judges 646:31</p> <p>judgment 545:30</p> <p>July 450:22 462:12 535:16,31 609:4 614:19 632:20,21,24</p> <p>June 496:2,11,14 519:12 521:27,30 522:5 561:25 639:26 640:5 642:14</p> <p>jury 598:1</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Karen 536:18 540:20 562:28 632:28 633:5</p> <p>Kate 484:8</p> <p>Kathleen 537:5, 6,9</p> <p>keeping 506:1 520:22 630:17</p> <p>key 647:7</p> <p>keys 647:15,16</p> <p>kid's 540:8</p> <p>killer 582:5</p> <p>killings 565:13</p> <p>kind 515:31 563:2 567:6 578:15 584:24 591:12 630:12</p> <p>kinds 567:8,10 570:10 656:32</p> <p>Kinkartz 597:32 598:27 600:8</p>	<p>knew 451:27 475:20 490:23 533:18 534:2 540:17,19,21 541:5 543:13,14, 20,28 547:19 566:10 588:16 622:2,8 624:9</p> <p>knowing 576:31 588:15</p> <p>knowledge 456:8</p> <p>Kralingen 455:13,15,25,26 477:25 482:30 483:2,23 490:13 550:28</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>labour 485:20 486:32 487:3,11 490:20 491:22</p> <p>lack 576:11</p> <p>lacking 585:6</p> <p>Lara 597:32 598:11</p> <p>large 571:12 650:3</p> <p>late 497:30 581:18 596:14 637:24 638:7 640:31</p> <p>latest 476:16</p> <p>laugh 546:17</p> <p>law 609:21 610:11 612:13</p> <p>lawyer 455:16 631:29 635:5</p> <p>lawyers 576:10 625:14 646:30,32</p> <p>lazy 506:9,30 594:3 623:20</p> <p>lead 456:23 570:25</p> <p>leading 450:4 578:9</p>	<p>learn 561:15 566:28</p> <p>learned 561:26 565:21 570:18</p> <p>learning 613:29 630:12</p> <p>leave 463:31 464:4 504:29 505:7 582:18 584:11 585:2 588:18 636:27 640:17</p> <p>leaving 457:29 563:30 564:3 567:14 582:4</p> <p>led 654:30</p> <p>left 469:28 505:4 521:18 545:23 571:1,19,21 611:18</p> <p>left-hand 566:20 643:22 647:27</p> <p>legislation 605:16</p> <p>legislative 604:25</p> <p>length 552:32</p> <p>lengthy 637:12</p> <p>lessened 617:17,18,21</p> <p>letter 461:23,24 462:12 475:31 476:2,5,7 477:2,6, 8 479:4,6 480:2,7 528:5,18 529:13, 23,29,32 530:7,11 535:17,20,32 536:24,25 549:10, 20,28 551:21,30 552:4,5,10,13,31 553:17 558:10 560:18,22,28 570:8 586:3,10,31 614:23,24 615:11 616:9,17</p> <p>letters 530:13 534:23 535:5,10, 12,13,26 536:7</p>	<p>540:1</p> <p>level 453:29 477:21,29,32 501:7,8 570:2 571:4,13 572:5 582:28,31 583:2 584:15,28 618:18 626:30 627:27 628:24 629:2,11 642:30,32 647:24 648:1,5,22,29 649:3 650:32 651:2,3,16 652:2, 17,32 653:1</p> <p>leveled 504:14</p> <p>levelled 504:19</p> <p>levels 500:29 593:26 595:17 627:21 653:24</p> <p>licence 492:26</p> <p>licensed 642:18 643:10</p> <p>licensing 470:31</p> <p>life 465:16,18</p> <p>light 481:24 512:26 572:16</p> <p>limited 485:25 609:18</p> <p>limits 619:31</p> <p>lines 463:7,19 464:15 594:24</p> <p>list 450:26 480:23,28 482:8 497:24 566:32 567:3,6,12,15 585:21 599:6</p> <p>live 605:11</p> <p>living 602:32</p> <p>LL 560:11</p> <p>LOA 463:30</p> <p>load 517:1</p> <p>loaded 516:19</p> <p>location 585:8 587:27,28 651:16 652:5</p>
---	---	---	--	--

<p>locations 653:17</p> <p>locked 647:6 648:9 652:8</p> <p>logical 561:7</p> <p>long 462:21 580:3 594:18,32</p> <p>long-term 454:15 461:4 485:3,27 486:2 487:18 492:18 493:8 496:17,19 503:12 504:2 505:18 507:7 565:17 594:14 602:2,8,9 603:27 604:21 608:3 609:20 610:15 613:11 628:16 629:16 655:21 656:1,21</p> <p>longer 506:1 512:29 515:10</p> <p>looked 467:3 494:29 518:28 526:30 529:21 553:30 615:21</p> <p>loop 541:3</p> <p>loose 537:25,29</p> <p>lost 456:18 557:27</p> <p>lot 450:27 460:11, 12 461:4,9 465:4, 15 532:23 546:15 563:12 644:1 655:19</p> <p>louder 597:6</p> <p>lounge 642:8</p> <p>lower 504:17</p> <p>LTC 492:26</p> <p>lunch 579:32 598:6</p> <p>lunchtime 599:25</p>	<hr/> <p>M</p> <hr/> <p>Macknott 615:14</p> <p>Madam 455:18 483:8 487:25 494:22 497:26 510:22 524:17 525:3 537:24 554:25 555:15 558:3 580:2 588:27 597:20 603:23 606:7,9 610:29 611:8 625:18</p> <p>made 454:23 461:8 468:12 472:27 474:28 507:3 521:10 545:31 551:26 565:7 587:8 590:3,32 592:7 622:14 624:31 629:24</p> <p>magic 568:2</p> <p>magnitude 515:6</p> <p>mail 477:11,14 586:15</p> <p>maintain 489:9 603:5</p> <p>make 465:7 472:20 474:18,31 507:4,13 512:19, 30 516:6,18,32 542:5 546:17 551:24 561:22 565:12 567:28 568:20 598:21 611:1 620:3 621:30 628:9 633:17 639:19 646:3 650:15 653:9 654:1</p> <p>makers 653:32</p> <p>makes 474:29</p> <p>making 456:16 467:22,28 544:11 622:17</p>	<p>manage 629:17</p> <p>management 459:25 460:7 488:19,20,22,23, 25 489:11 490:2 502:27 590:16,31 615:23 631:32</p> <p>manager 470:29 471:6 486:20 613:5 622:28 623:4</p> <p>mandated 595:22</p> <p>mandatory 591:23,31 610:14 611:29</p> <p>manifest 459:5</p> <p>Manju 466:2,6</p> <p>manner 551:3 614:26 615:5 623:28</p> <p>manual 605:17, 21,30,32 613:19, 23</p> <p>March 465:26 474:3 475:6,31 537:26,27 538:2 585:32 587:8 588:1</p> <p>Marie 632:29</p> <p>Marilyn 641:19, 21</p> <p>mark 495:20 516:28 538:6 559:27</p> <p>marked 553:22</p> <p>materials 586:8 612:11</p> <p>maternity 640:15</p> <p>math 572:11 640:31</p> <p>matter 497:28 510:6 518:15 527:7 530:14,18 533:25,30 537:5 539:15,19 547:23</p>	<p>548:16 550:19 551:30 552:15 553:31 557:23 559:8 586:23 591:30</p> <p>matters 507:18 518:3 530:18,30 533:31 534:15 539:21 540:7,19 549:7 555:14 571:12 576:25</p> <p>maximum 564:29</p> <p>Meadow 586:29 587:10,15 588:2</p> <p>means 462:2 646:25</p> <p>meant 594:10</p> <p>measure 618:32</p> <p>measured 628:32</p> <p>measures 456:24</p> <p>mechanisms 587:26 608:4</p> <p>med 501:10,11 590:25 644:18,20 645:5,16,18,20 646:5,6,16 647:29 648:1 649:3,19 650:2,15 651:15 652:22</p> <p>medical 462:3,5, 25 469:21,25 548:14,22,27 549:3 582:21</p> <p>medicating 581:16,18</p> <p>medication 451:17 459:29,32 468:6 521:10 528:13 547:28 563:29 564:4,8, 25,26,28,30 565:2,8,19 569:2, 10,12,15,22 570:1 573:12 574:27 575:24,28 576:29 577:3,5,11,13,16,</p>	<p>18,22,27,30,31 578:3,17 579:8 581:8,13,14,19, 23,29 582:3,6,8, 25,31 583:1,8,13, 30 584:3,25 585:1,5,7,20 617:1,5,6,8 644:1, 3,4,7,9 646:9 647:12 648:8,17, 21,22,23,26 649:15,22,26,31 651:20 652:5,7, 13,16</p> <p>medications 507:6 547:14,31 548:2,15 563:1,6, 11,20,31 588:32 589:29 590:21 656:8</p> <p>meds 467:5</p> <p>meet 463:29 518:2 531:1 607:13 608:24 656:25</p> <p>meeting 463:26 464:13,26,32 467:1,2 471:31 473:1 474:11,16 476:9,25 490:24, 26 491:10 529:16 531:14,20 534:31 535:1 537:4 547:12 602:30 614:25 615:3</p> <p>meetings 467:12 491:13 517:28 585:10 608:16 633:8,12, 18 654:28,29,30, 31</p> <p>member 459:9 549:2 562:7 580:31 584:27 622:15 656:18</p> <p>members 471:7 601:28,29,30 615:12</p> <p>Memorial 640:15</p> <p>memory 464:24</p>
--	--	---	---	--

513:15 584:6 589:18 mental 461:14 605:1 609:27 mention 561:20, 21 mentioned 594:25 596:26 merged 525:6 message 570:17 met 559:28 608:21 middle 480:21, 26 647:28 million 518:7 mind 454:7 458:7 467:27 468:13 470:4 544:3 563:32 630:17 mind-reader 631:22 mindful 565:15 619:31 mine 463:7 616:16 minimal 630:10 minimum 455:5 492:23,28,30 498:23,24 602:22 Ministry 481:8, 15,22 487:19 493:25,31 494:9 496:29 497:18 533:32 534:8 541:1 580:23,26 582:16 583:3,22 584:5 594:27 607:5 612:2,12, 20,24 613:2 625:26 626:3,15 627:18 628:20,23 635:10,12 654:18 Ministry's 493:10 533:10	minor 521:19 minute 491:18 578:3 619:4 minutes 478:32 512:21 536:29 551:31 625:17 638:25 misconduct 520:7 521:4,5,7,8, 12,16 550:30 misimpression 576:22 missed 506:25 558:17 missing 583:23, 28 589:1,10,21,29 590:20,28 misspoken 568:18 mistakes 459:29 467:22,28 misunderstand 554:27 misuse 564:4 mix 459:11 625:24,31 626:7, 11,28 627:27 629:11,19 mocking 619:2 model 602:7 603:30,31 604:1 608:13,15 618:15 module 568:29 modules 630:12 MOH 480:30 481:2 Mohawk 640:22 moment 452:22 474:1 476:28 538:20 566:24 567:15 568:16 570:31 572:15 579:28 581:3 584:12,32 646:21 Monday 474:12, 17 499:4 638:1	money 453:8,11 456:18 493:24 553:25 month 530:15 monthly 556:4 608:21 654:28,29 months 525:20, 23,26 526:1,5,15 528:8 542:8 575:6 628:11 morning 450:6, 7,9,14,15 455:14 484:5,7 495:2 497:1 505:30 509:7 510:2 512:20,29 514:30 532:22 548:8 559:25,26 653:31 654:1 mother 624:9 motley 515:31 mouthful 575:30 move 512:14 545:1 560:31 562:23 572:22 578:5 629:30 647:19 650:5 651:12 654:25 655:27 moved 641:19 moving 572:21 584:31 587:28 multi-page 606:17 611:7 multiple 563:20, 22 574:29 575:24 578:3 589:20 municipal 486:5 504:1 murdered 508:27 <hr/> N <hr/> naivete 563:3 names 545:3	narcotic 466:16 533:5 narcotics 590:28 nature 460:32 578:4 necessarily 600:20 617:28 needed 452:1 506:12 507:32 508:1 594:6,10 617:10 634:20,30 644:9 neglect 520:6 581:1 610:4,6,20 611:24 612:1,27 613:30 neglected 623:27 negotiate 488:8 negotiations 488:12 nice 458:8 night 454:20,24 458:13 497:24,30 500:9,14,22 501:22 502:6,25, 29 515:5 519:21 521:24 522:8 533:2 593:10 596:28 nights 454:26 455:4 500:15,25 501:27,32 502:11, 12,17,21 532:31 542:28 562:21,24 596:30 597:2 641:7 non- disciplinable 571:25 non- involvement 563:3 non- management 499:13	non-nursing 596:29 nonetheless 570:2 normal 499:9 508:19,23 north 501:2 642:25 643:27 644:30 not-for-profit 486:4 493:28 503:31 504:1 505:25 notation 573:9 note 462:32 465:8,31 466:25 530:4 543:22,25, 27 noted 528:2 notes 467:1,13 471:30 537:3 539:23 655:1 notice 474:11,26 528:17 591:23 592:8,13 noticeable 556:8 noticed 628:17 notices 478:1 notification 627:17,25 notify 474:25 November 529:25,29 573:17 number 454:7, 10,13,19 460:29 461:25 478:10 488:26 490:13 494:15 496:28 511:11 521:19 526:9 535:25,28, 29 537:22 539:14, 21,28 541:20,25 544:5 547:11 560:13 563:2,27 564:16,17,25,27, 29 571:12,29 589:29,30 590:8
--	--	--	--	---

<p>599:11,23 600:2 601:10 605:32 614:22 631:29 632:6,20 640:18 643:11 656:16</p> <p>numbered 599:13</p> <p>numbers 497:32 557:17 564:5 598:18 599:5</p> <p>nurse 452:1 453:7,20,24 457:15 459:15 467:17 468:3 470:26 471:15,22, 25 475:19 484:31 485:7,8 491:13 504:22 506:9,30 507:16 536:19 544:8,11,20,21 545:17 547:25 549:20 553:14 563:6,10 566:13 578:11 590:19 591:16 593:11 594:3,16,20,28 595:2 602:21 604:7,13 612:27 613:5 620:9 622:28 641:11,13, 31 642:1 647:13 648:25 656:3,4,6, 7,17,22</p> <p>nurse's 575:9 585:3,21</p> <p>nurse/client 562:7,8</p> <p>nurses 451:17, 25 453:30 454:7, 19 457:8 460:30 469:6 470:15,19, 25,31,32 471:4,8 475:17,25 477:9 478:5 484:9,10 488:3 491:1 498:32 500:5 503:10,11,18 504:27 506:14 507:3,4 509:18,27 533:2 548:9 559:29 560:9,17, 26 561:7 564:19,</p>	<p>30,31 565:2,7,18, 22 568:31 570:1 575:23 576:16,22 579:7,20 581:6 586:5 591:16,24, 26 592:7,15,25 593:4,6,8,15,18 594:8,12 596:3,4, 8,10,16,17,21 602:27 623:2 649:23 653:28 655:8,10,17,30,31 657:14</p> <p>nurses' 498:24 562:3 654:32</p> <p>nursing 452:7 453:26 456:3,4 466:14 485:25 493:16,18 499:4 501:5,6,7,8,9 505:31 519:13 540:29 541:4 546:16 553:27 554:3 555:30 556:5,13,20 558:25 561:4,9 562:19 563:4 564:31 565:13,17, 18 575:22 591:25 593:13 595:27,31 596:15 597:1 602:23,26 603:10, 12,26 604:20,25 607:6 611:28 612:29 613:10 614:13 618:31 629:20 637:16 640:13 641:4,10, 17,23,24,28 647:15 653:20,27 654:13,25 655:5</p>	<p>469:31 566:11</p> <p>obligation 566:9 603:9 611:29 612:6,19 634:24</p> <p>obligations 471:4</p> <p>observe 502:24, 28 543:1,6</p> <p>observed 565:21</p> <p>observing 543:4</p> <p>obtain 493:30</p> <p>occasion 490:28 500:16 502:8 543:29 566:2 577:15 579:7</p> <p>occasions 563:22 571:23 573:10 588:22,25, 31 589:8,20,24</p> <p>occur 563:29 564:8,9</p> <p>occurred 573:1</p> <p>occurrence 534:15</p> <p>occurrences 571:29 612:14,16</p> <p>occurring 589:31</p> <p>occurs 520:8</p> <p>OCD 467:5,31 468:5 469:11 547:13 548:14</p> <p>odd 544:6,16,19 545:13,18 546:14, 15,21</p> <p>oddly 544:9</p> <p>offence 569:23</p> <p>offences 567:1 575:8 579:23</p> <p>offer 657:19</p>	<p>office 450:30 452:2,5,25,27 455:31 456:31 457:1,12,14 467:21 468:2,21 472:10,12,18,19, 25,28,31 473:1,6, 18,22 475:1 476:4 485:24 486:14,25 488:8,10 490:31 509:32 510:10,12 517:25,27 519:31 520:2,30 522:10, 17,20 529:19 548:12 551:23,26 556:11,27,31 557:21 559:7 590:3,32 630:10 635:2,23,32 636:3 641:20 650:28 651:8,10,13 653:14</p> <p>office's 452:16</p> <p>officer 490:20 491:22 590:24</p> <p>older 655:10</p> <p>omitted 520:9</p> <p>on-site 549:1</p> <p>ONA 474:13 483:26 488:13,15 490:15,30,31 509:30 510:16 528:25 529:8 530:19 531:23,29 532:5,9,14,15 551:9 632:28 633:5,9</p> <p>ONA's 533:9</p> <p>one's 545:11</p> <p>one-day 472:29 473:2 524:5,12 525:10 527:3 528:17,24,26 530:24</p> <p>online 478:14 605:28</p> <p>Ontario 477:9 484:9,10 488:3 496:19,21 509:26 601:23,25,27,32</p>	<p>625:15</p> <p>onward 604:21</p> <p>open 641:13,16 653:11</p> <p>opened 642:14</p> <p>opening 485:27, 32 655:26,28</p> <p>operated 605:17</p> <p>opinion 460:24 555:18 617:10,16 623:20 624:25</p> <p>opportunity 497:9 498:2,13 512:8,31 514:32 607:11 631:7</p> <p>opposed 555:20 577:30 582:30 586:15 591:31 592:8 595:21</p> <p>opposite 643:26</p> <p>options 598:28</p> <p>oral 553:24</p> <p>orally 495:11</p> <p>order 452:1 489:9 524:19 567:17,22 578:5 581:17 592:22,28 597:23 603:4</p> <p>organization 480:5,12</p> <p>organized 599:12</p> <p>organizing 474:5</p> <p>orientation 482:7 532:25,27 613:17 614:14</p> <p>outcome 472:10 473:18 551:29</p> <p>outset 560:7 609:23</p> <p>overdose 503:3</p> <p>overlap 500:2, 13 502:1,18</p>
<p>O</p>				
	<p>OA 494:3</p> <p>OARC 601:32</p> <p>Oath 450:12</p> <p>object 554:29</p> <p>objection 554:17 555:23</p> <p>obligated</p>			

overloaded 467:29	27 528:12,23 529:14,28 530:6 544:7,10 545:21, 24,27 546:6,9,25, 26 547:2,5,10,11 549:9,18 593:27, 30 606:26 607:19 625:21,30 626:26 632:7	patient 459:6,8 470:1,6 563:21, 23,31 564:5 574:30 577:21 578:30,31 579:2, 4,8 581:15,21,27, 29 582:13,22,32 584:15 595:20	565:3 588:7 589:6,27 614:19 627:6 628:27,28 630:22 635:20 641:31 642:4	pick 459:12 467:26 621:20
oversaw 470:32		patient's 579:8	permission 452:2 474:20	picked 531:13
oversee 470:26		patients 460:17 480:3,14 562:18 574:29 575:25	permits 569:8	picture 452:25, 27 453:2 540:9 542:1 617:32 618:5
oversight 581:6		pattern 476:18 508:22 526:31 527:24,31 531:2 546:23 591:10,15	permitted 591:29	piece 450:17 565:12 629:27
overtime 463:11,16 492:7 509:5,12	paragraphs 525:4 574:20,23 588:29 589:14 625:22	patterns 567:9	person 459:11 468:19 476:1 477:1 486:26 517:21 541:16 547:4 560:31,32 561:5,7 563:17 585:17 590:18 596:32 598:1 612:18 620:12 621:3 623:23 624:7	Pike 615:14
overview 486:2 573:28,29 574:3, 11,18 586:28 588:23 600:12	pardon 450:24 479:14 571:7	pause 593:28	personal 463:29 485:1,12 493:17, 18 498:30 555:10, 19 572:20 602:29 604:8,12,14 615:17,27 616:29 624:23 625:2 629:21 630:17,18 653:28	pile-on 615:16
overlooking 455:5	Park 586:29 587:10,15 588:2	pay 504:7 519:27	personally 504:23	pills 563:13
owner 492:26	part 488:11 491:1 501:17 516:5 522:5 546:23 554:18 558:2 560:25 561:30 570:15 575:15 576:17 577:1 590:17 599:2,28 600:15 605:32 609:3 610:16 613:20,22 614:22 625:1,2 626:18,20 642:21 657:29	PDF 478:19	personnel 507:17 523:20	place 500:26,27 505:21 582:4 591:2 595:1 608:2 622:20 643:3 650:5
owns 485:27	part-time 492:12	pension 503:26	perspective 585:1 602:4 634:2 655:16	placing 476:19 480:3
P	participants 599:4 631:6	people 460:6 461:9,14 468:5,12 491:8 492:6 505:7 507:11 515:16 516:7 540:12,15 544:30 550:13 555:12 572:12 580:7 587:13,16 598:23 601:1 602:8 603:3 604:1 608:15 618:16 621:13,14,16,20 654:24	pertaining 576:24	plan 591:13 638:10
p.m. 474:4 580:12,13 638:17, 18	participating 633:9	perfect 507:12 516:30 625:21	philosophy 607:5	planning 607:26,29 608:5
PAC 585:10	participation 607:26	perfectly 597:27	phone 486:26 490:24 531:13 548:32	play 575:14 626:9 657:26
package 560:25 610:22,29	parties 518:2	performance 469:3 470:12 527:30 530:5 632:1 633:13	phrase 587:31	pleased 461:30 479:32 480:5,12
pages 568:7	parts 608:17	performed 562:16	physical 605:1 609:28 610:2,3	point 473:3 495:28 523:15 531:30 561:32 562:1 569:14 577:23,24 621:30 628:22 629:1,10 641:9 642:11 643:32 644:25 657:28
paid 474:27 557:30	pass 536:21 539:31	performing 602:23,26	physically 575:11	pointed 628:30
pain 617:1,5,6,8	passage 507:28 575:9,10	period 502:19 525:19 526:10 528:8 542:13		pointer 645:3
pane 652:28,29 653:10,13	passed 626:2			police 588:21, 24,31 589:2,3,7, 19 590:13,15,23 591:6,8,14
pants 545:11	past 579:32 630:1			policies 482:8 519:31 605:28 613:16,24,29
paper 450:18 451:7 526:32 640:23 655:13				policy 456:9,16 457:7 475:2
paperwork 515:28 516:4				
paragraph 461:29 476:8,10, 24,26 479:8 493:2,4 503:8,16, 18 504:12 505:29 506:5 523:5,8,19 524:1,22,26 525:2,13,25 526:8,9 527:8,10,				

480:18 481:30 482:3,15,19 519:8,11,17 520:3,10 521:22, 23,26,28 522:1,3, 4,7,14,22 524:9 528:22 550:29 610:19,24,25 611:4,9,19,23 613:19,23 614:2,6 615:5	precise 563:26 precluding 575:20,21 preemptive 623:1,4 preface 587:30 preferable 498:8 preference 498:30 pregnancy 640:16 premises 588:22 prep 515:21 prepared 496:21 560:8 566:28 574:18 599:7 619:8 preparing 567:6 present 481:23 483:27 632:27 633:17 presented 572:30 pressures 656:27 pretty 582:14 651:32 prevent 565:13 previous 455:28 469:11 526:28 530:21 627:6 628:10 629:25 previously 455:22 530:22 651:13 primarily 501:15,21 prior 450:11 518:13 523:30 566:2 573:10 604:19,20,25 privacy 603:6	private 642:9 problem 462:25 495:14 504:27 520:24 531:1,15, 20 543:14 544:1 599:3,8 600:1 638:30 problem- solver 479:11 problematic 587:27 621:6 problems 505:2,32 506:23, 31 531:2 542:27 543:16 622:5 623:19 634:25,26 procedure 480:19 511:30 517:13 519:12 521:4,5 540:31 611:4,10 615:6 procedures 482:9 488:29 605:28 proceed 541:10 636:5 proceeding 519:11 531:7 process 510:28 514:22 518:1,8 519:24,26 554:11 600:29 601:2 634:29 641:26 657:5,8,29 processes 512:16 professional 570:29 571:3 624:25 654:31 professionalis m 568:30 professions 565:14 profit 493:26,30 program 461:13 595:30 596:2,9,23 605:16,21 608:26	programs 607:28 608:6 634:28 progress 458:11 641:9 654:32 progressive 456:23,25 475:23 518:24,27,29 519:5,13 520:11 522:10,18 524:8 525:8 527:18,24, 31 528:15,21 575:15 progressively 578:5 promote 606:29 607:23 611:23 628:1 promoted 609:17 pronounce 487:8 proper 580:8 properly 577:12 595:9,15 proposed 514:23 protocol 597:9 protocols 497:3 515:3 577:20 proved 479:10 provide 474:21 480:1,5,7,13 552:28 566:9,11 573:4 607:10 635:3 653:20 provided 513:20 519:10 522:12 560:8,23, 25 565:29 568:32 591:23 630:30 providing 455:19 472:29 553:17 592:8 628:24 provision 488:21 542:12	552:26,27 610:14 PSW 459:9 534:24 535:4 541:9,18 616:27 622:27 PSWS 499:26,29 500:2 615:13 623:1 654:1 PSWS' 542:18 psych 619:22 620:10 psychiatric 618:26 619:5,7,9, 14 public 573:32 600:16,22,26 601:4 pull 479:3 593:29 600:5,17 632:5 pulling 545:11 625:19 punctual 479:25 purpose 620:21 purposes 497:13 551:17 585:9 600:22 633:15 pursuant 603:10 put 468:10 474:25,26 488:26 493:3 494:24 498:10 506:28 511:30 513:2 515:8 516:22,24 517:10 526:13,14, 20 532:22 533:16, 31 543:12 554:1, 13 555:17 565:1 567:18 581:26,27 596:23 611:14 614:4 624:4,18 630:8 655:12 putting 451:6 468:20 480:14 515:12 553:13 554:30
---	---	--	--	---

Q	R			
Quaethem 450:11 455:15,19, 27 483:16,20 484:7,19 489:16 497:8,13,21 498:21 513:14 515:19 523:12 526:2 555:9 574:2 597:24 637:10,18	R.N. 539:9 RAI 626:9 RAI/MDS 627:3, 5,32 raise 550:10 551:3 575:20 605:4,6 raised 470:5 494:21 541:18 542:27 547:23 551:13,14 567:10 601:15 ran 478:15 range 570:7 rare 502:7 ratio 562:7,8 RE- EXAMINATION 631:26 re-examine 631:8,12 reach 490:24 reached 554:22 read 464:22,27 476:29 483:6 488:14 511:5 547:6 574:2 583:26 589:13 593:31 607:2 609:14 613:23 632:26 654:32 reader 570:18 reading 553:10 571:21 612:17 613:19 647:26 reads 571:6 ready 484:3 580:15 638:5 real 470:24 realistic 454:11 reality 456:22 457:20	realize 463:20 619:1 realized 506:7 594:1,19 638:25 reason 477:20 495:5 511:1 548:16 644:27 reasonable 611:29 reasons 526:19 655:19 recall 451:25,28 462:6,8,20 463:17,25 466:11, 25 467:9 469:26 472:1 477:15 490:16 491:29 507:24,28,30 518:13 519:16 528:28 532:13 547:14 548:19 549:4 559:6,13 577:25 588:30 589:19 590:8 592:6 611:22 614:10 616:11,24 617:11 618:26 619:23 634:18 657:27 receive 471:3 493:15 517:24 594:26 624:19 655:14 received 509:26 541:10 549:19 586:10,32 587:29, 32 625:25 627:25 640:25 641:18,23 recent 569:27 579:13 receptacle 460:23 recess 497:12 512:20,29 598:6 RECESSED 514:28 580:12 638:17 recognize 461:16 463:1 566:19	recognized 461:31 recognizes 609:26 recollect 552:19 566:5 590:1,4,22 recollection 464:7 466:27,29 467:12,23 519:16, 18 521:24 522:15 529:2,3 530:27 550:32 552:11 554:5 561:28 565:32 583:18 584:8 585:18 587:22 590:10,29 596:22 613:12 634:6,16 635:4 recommend 579:15 recommendati on 635:29 recommendati ons 565:12 Recommended 468:32 470:9 record 483:1 496:4 507:17,18 516:30 528:31 538:20 542:15,22 554:30 555:17 573:23 575:9 records 520:23 recruit 451:6 458:19 503:13 593:3,5 596:7,9, 20 655:16 657:3 recruiting 655:7 recruitment 457:25 458:4 505:2,32 redactions 514:12,17 refer 455:20 482:18 486:3 498:4 515:17 522:14,21 595:29 601:8 608:10	641:32 643:23 referable 579:19 reference 462:4 467:4 477:2 480:1,6,8,13 529:27 551:30 552:4 558:11 572:31 573:5 605:30 633:2 642:20,25 644:17 657:20 referenced 647:3 references 573:4,19 619:8 657:16,17 referred 485:2, 23 487:4 490:14 492:17 494:2 503:31 511:20 542:8 549:29 571:24 588:27 601:32 602:1 622:23 632:6 652:9 referring 469:9 481:19 484:12,20 487:5,29 494:13 495:7 497:32 525:13 534:17 547:1 595:24,31 refers 517:17 537:5 reflect 576:4 577:29 622:1 reflected 562:2 571:30 580:24 reflecting 608:1 reflection 565:31 590:31 593:23 628:12 reflective 594:14 refresh 513:14 refresher 626:22 640:21

refrigerated 644:10	relation 524:28 564:18 574:29 587:19 588:32	repeatedly 485:23 503:11 509:24 549:6	635:8,13	resident/ representative 607:25
refused 635:2	relations 485:20 486:32 487:3,11 490:20 491:22	repeats 609:22	represent 564:29	residents 454:16 456:19 469:32 476:19 488:31 503:1,2 539:22 544:22,26 545:2,7 546:17 562:12 563:12 595:10,15,18 602:2,4,30 603:4, 13,28 604:24 607:10 608:4 614:26 615:4 621:2,29 623:27 626:2,6,31 628:2, 8 629:3,6 635:14 654:4,24 656:9,16
regarded 569:22 574:28	relationship 545:15	rephrase 593:1	representative 474:14 532:6,9 634:19 635:1	
regime 582:2	relevant 576:16 627:7	replace 594:12 655:12	representative s 608:17	
regional 470:29 471:6 486:20	remain 455:1 652:8	replaced 491:10	representing 455:16 484:9 536:20 625:15	
registered 451:25 454:1 459:9 460:30 461:3,5,6 466:15 482:1 485:6,7,8 499:29 500:5,23 503:9,18 506:14 549:20 556:7 585:9 592:24 593:3,5,8,11,14, 18 594:8,12,16,28 595:2 596:3,4,8,9, 16,17,20 602:20, 26 604:7 612:26 623:2 647:13 648:25 653:28 654:29 655:8,17, 30 656:2,3,6,22 657:29	remainder 627:29	replacement 453:20,24 458:23	represents 601:26	
regular 477:11, 14	remarks 622:24	replicated 495:24	reprisal 605:7	
regularly 486:21	remember 461:24,26 463:12, 22 464:2,28 466:8 471:10 472:32 473:11 506:2,4 540:10 573:16 580:23 583:23,25 589:22,23,24 597:5,7 608:13,18 610:16 612:14 618:2 643:9	report 469:5 470:14 477:8 478:5 480:31 533:32 541:7 545:4,5,18 549:14,32 560:28, 30 562:3 565:29 566:12,27 567:7, 19 569:11 570:16, 18,23 571:21,23, 30 572:3 573:28, 30 574:3,11,18 577:5 578:19 579:21 580:25 582:7,9,15,27 583:3,14,17,22,28 584:5,18 586:21 588:24 591:31 604:16 612:1,19, 31 613:4,6,9,11, 13 635:6,8,18,24, 25 654:17	reps 491:1 633:9	request 497:12 502:13 552:29 555:2 597:26 634:32
regulated 484:31 485:9,11	remembered 517:30	reported 475:16,25 480:30 541:5 549:21 568:24 580:23 612:17,22,23 622:27,30	require 519:4 553:13 592:32	request 497:12 502:13 552:29 555:2 597:26 634:32
regulation 492:18	remembering 608:19	reporter 499:16 544:28	required 481:1 553:18 568:24 615:3 656:21	require 519:4 553:13 592:32
regulations 487:19	remind 646:28, 31,32	reporting 471:4 475:21 480:18 545:22 550:7,30 560:7 612:10	requirements 487:20 603:12 656:20	required 481:1 553:18 568:24 615:3 656:21
regulatory 602:22	reminds 540:7	reports 570:24, 28 571:2,24 576:23 586:28 600:12 612:12	resident 521:11 545:22,25 568:23, 25 580:31,32 582:30 583:9 584:27 606:16,19, 27,28 607:20 609:24 611:30 616:32 617:8 618:2,22 619:1,2, 6,21 620:30 621:5,26 623:32 628:7,17 654:16	requirement 493:10 509:15 550:9 594:15 657:26
relate 574:24	removed 575:9, 12		resident's 546:13 607:30 609:26 617:4	required 481:1 553:18 568:24 615:3 656:21
related 462:24, 27 469:3 470:12 571:2 625:24	rep 490:15,30 491:23 492:8 536:12,15 537:10, 16,18 539:15,17 540:16,18,23 549:1 632:28 633:5,17,20 635:22			resigned 481:18
relates 629:26	repeat 471:18 490:1 492:16 498:28 499:17 520:17 522:25,27 550:12 572:15 597:6			resolve 518:2
relating 460:29 467:16 481:30				resolved 479:30 518:15
				resolving 518:9 557:22
				resources 455:30 477:18,20 485:18,20 486:24, 29,30 630:25
				respect 462:16 469:24 472:24 488:18 494:10,25 495:8 497:27,29 498:22 500:22 501:32 502:10,16 503:16,21,30,32 505:25,28 507:6, 26 508:27 509:2, 21 524:11,16 525:10 527:1,3,7, 17,28,30 528:15 529:5 530:17,20, 28,31 533:23 534:13,15 539:13, 18 540:1,11,26

542:4 544:9,26 546:27 548:21,22 550:5 551:19,29 552:15 553:13,16, 31 555:28 596:14 604:30 607:22 609:25 648:20 652:15 657:2	retaining 504:27 505:3	rise 584:28	rotate 647:22	477:28 479:1 487:6
respected 609:17 617:5	retainment 505:32	risen 571:4,13	rotation 501:27	sat 471:8
respectful 465:3,13	retention 458:4 655:7	rises 582:28 583:1	rough 643:19	schedule 489:13,31 542:32
respond 596:32 623:28	retired 450:23 461:16 481:26 655:11	risk 476:19 480:3,14 580:32 581:15,27 582:31 584:16	roughly 638:11	scheduled 502:12 508:15 509:11
responding 621:24	returned 493:31	RN 451:8 453:28 454:15,26,32 455:2,4 479:20 492:19 500:26 502:18 503:4 510:3 549:10 562:12,16 594:29 595:22 596:23 640:23 641:6 656:9	routine 508:23 532:30	school 601:17 640:13 653:30 654:3
response 471:23 567:9 608:29	return 493:31	RNS 451:2,6,12 457:25 458:17 466:15 491:28 656:12,29	routinely 502:9	Schwartz 625:12,14 631:3
responsibilitie s 455:30 595:5 596:27 653:22 654:9,15 656:2	review 497:9,22 498:13 505:13 511:16 512:8,22, 31 513:10 523:20, 21,27,32 524:23 554:9 555:20 570:16 614:2	road 562:4	RPN 454:28 455:1 485:8 616:27	scope 471:10 475:20
responsibility 612:31	review.' 469:7 470:16	role 471:1 509:23 561:8 562:15 597:3 602:21 630:2,21 634:22	RPN's 612:31	Scott 450:6,7,10, 13 455:11,32 458:31
responsible 468:19 477:19,30, 32 485:17 560:16 562:17,22,24,25 563:7 596:29 598:2 614:14 653:26 654:13 657:22	reviewed 459:23 506:24 522:6 523:26 530:6 554:19 556:3 585:14 615:7,22	roles 595:5	RPNS 455:3,4 535:11 594:29 595:5,10,12,21 602:25 616:29 647:14 653:28 656:13	screen 494:16 511:5,8 517:11 521:6 553:4 632:6 645:2
rest 459:12	reviewing 471:26 497:14 572:29 614:5	room 501:11 572:13 590:25 608:22 638:5 642:7 644:4,6,7, 18,21,23,24 645:5,10,18,20, 22,28,31 646:6,8, 9,17 647:2,4,12, 30 648:1,5,6,7,9, 17,21,22,23,26,28 649:3,16,18,19,32 650:2,15,26,27 651:15,20 652:5, 8,13,16,23 653:14 654:5	ruler 622:15	scroll 535:17 536:24 537:9 539:7 644:16 647:22 650:17
restricts 489:25	reviews 476:30 553:8	rooms 501:10 642:9,15,17,26 644:1,3 645:7 647:6 649:26 652:16	run 568:10	scrutinizing 572:17
result 581:28 589:21 595:20 611:31 633:8	revised 522:6	rose 495:15 570:2 572:5	running 484:27 638:28	seconds 483:29
resulted 578:21	revisit 600:29		running 484:27 638:28	section 468:32 490:3 496:30 500:27,28,30,32 501:7,15,18,19 518:23 607:20 608:22 609:9 642:21,24,31 643:20 644:12,21 647:24 648:14,21, 32 649:10 650:18, 27 651:3,5,12 653:2,24,25
results 570:10 580:31 626:13	riding 637:10		run 568:10	sections 487:29 608:23 650:31
RESUMED 514:29 580:13 638:18	right-hand 538:9 647:29		running 484:27 638:28	sector 486:2
resumés 451:8	rightly 584:22		running 484:27 638:28	sectors 486:3
retain 503:14 593:3,5 655:17	rights 488:19,20, 22,25 489:18 603:13,28 604:24, 28 605:15 607:23 609:6,16,19 610:12 617:4		running 484:27 638:28	seeking 462:2,5
			S	
			safe 605:11	
			Safeguards 606:27 607:20	
			safety 469:32 470:1,6 488:30	
			sake 561:21	
			salary 557:29	
			sample 569:21	
			Sandler 559:20, 24,27 573:27 574:5,9,13,16 579:31 580:15,16 589:12,16,17 592:17 622:4 624:4	

selecting 567:27	services 606:28 607:1,28 608:5 610:7,15	short 459:1,2,8, 14 526:5 579:14	simply 478:15 491:1 562:1 568:9 575:12 576:4 577:2,7 587:27 592:4,8 645:16	627:21,29
semi-privates 642:8	sessions 630:11	short-staffed 459:16 467:25 508:1	SINGH 592:26 597:11	sounds 627:30 628:26 630:9
send 472:9 477:22 478:26 517:25 529:18 532:14 534:1 539:29 583:2 634:31	set 490:24 523:24 531:19 544:4 612:29 647:15,16	shortage 453:26 503:11,12, 17 505:31 508:20 656:29	single 542:22 563:1,7 578:24	source 599:28 600:11,28
sending 477:32 560:16 586:16	setting 490:25	shorten 576:8	sit 478:20 531:2 537:19 546:1	south 501:2 642:25,27,28 643:24
sense 465:15 512:19 561:22 589:32 590:16 630:11 637:7 655:32	settle 559:8	shoulder 545:23	sitting 462:23	space 568:10 651:8,23,29
sensitive 514:9	settled 588:6,10	show 543:25 558:1 614:4	situation 497:25 516:1 517:4	span 572:3
sentence 461:29 464:18 469:1,19 476:14 479:31 504:13 626:26	settlement 478:32 494:26 551:31 553:26 558:9,13,19,23	showed 465:12 544:13 645:12	size 556:4 648:6	speak 480:10 520:23 522:16 550:3 585:12 592:28 597:6 605:14 624:24 630:18
separate 575:24 582:6,10,11 585:20 588:25 589:8,9	severe 521:16, 18,19	showing 545:12	skills 479:12,16, 19	speaking 472:30 473:1 575:28 630:28
separately 598:26	sexual 532:25, 27	shown 509:7	skin 654:29	special 634:20
separation 455:29	shaking 546:11 623:31	shows 496:1 645:14	skip 462:29 520:13	specific 456:4 488:2 497:18 533:5,16,22 565:32 595:25
September 450:23,25 536:30 537:4	share 591:29 633:12 635:11	sick 656:31	skipped 524:27	specifically 495:9 519:23 521:10 522:17 532:32 546:12
sequence 574:22	shared 467:10, 31 635:16	side 566:20 643:22 647:28,29	sleeping 543:29	specifics 497:10
sequentially 599:13	sharing 514:1	signature 461:27 639:14	slide 614:4	spelled 604:24 605:15
series 459:24 534:23 577:3 592:30 598:14 621:10	sheet 526:21	signed 475:32 479:4 536:25	slightest 561:32	spend 560:13 637:20
seriousness 585:6 617:18 634:3	shift 454:9,20,24 491:14,15 499:19 500:9,14 501:22, 24 502:2,6,20,25, 29 508:27,28 533:2 562:6,19 563:1,7,22 593:10,11,14 594:16,28 614:17 641:11	significant 506:31 610:12 622:5 623:19 637:13	slowly 655:11	spent 453:8 494:10 637:17
serve 467:17	shifting 454:3 458:13,16,20 463:15 467:26 492:8 499:14,17, 25,30 500:2,7,22 501:26,30 508:24 509:6,11,12,15 593:19 657:1	signify 562:9	Slyfield 615:13 616:8,17,27	spirit 572:25
service 485:1,12 553:1	shook 546:12	Silcox 481:11 508:28	small 455:19	split 524:32 525:9
		Silcox's 481:6	snuff 655:25	spoke 460:6 466:12 472:28 521:11 522:19 531:4
		Simard 641:19, 21	socially 460:16	spoken 473:22, 24 479:26,29 622:32
		similar 529:23, 29 530:11,13 576:2 593:4 596:13 611:22 637:16 650:21 652:31 656:5	solid 649:1	
		similarly 534:13 535:10 584:21	solution 595:9, 11,14	
			somewheres 551:11 627:4,31	
			sooner 452:18 453:3,17 481:1	
			sort 461:13 462:6 478:14 585:20 599:15 605:24 608:14 612:29 613:28	
			sound 584:7,9	

spreadsheet 526:21	608:11 641:5 642:6 644:5,11 655:10	story 623:10	sugar 545:24	surprising 561:14
staff 451:12 452:7,8 453:12 455:1 457:27 458:9 459:2,9 460:13 461:3,5,7 467:25 485:6,7 490:30 492:27 499:13,29 500:5, 23 541:5 546:11, 16 549:7 550:29 556:7 570:25 580:31 584:27 585:10 593:14 594:16 595:2 596:30 607:9 612:7 613:32 615:11 621:26 622:9,15,21 623:13,15 653:27 654:29 655:5 657:29	starting 463:20 504:16 523:27 525:29 526:3	straight 456:26	suggest 497:20 522:30 561:6 564:23 569:7,8 571:20 578:8 579:6,11 584:11 586:13,18 593:22 600:21 620:8 636:4	suspect 611:30 637:32
staffed 459:11	starts 476:9,25	strictly 575:28	suggested 524:21 591:7	suspected 590:20
staffing 450:30 453:29 454:1 459:14 485:18 492:15 498:22,24 499:3 500:23 508:22 593:26 595:16	stated 461:8 464:20 614:32	strikes 577:6 623:1	suggesting 457:14,17,21 459:13 473:25,28 476:12 480:9 569:14 570:14 575:11,13 578:2 620:9 634:19	suspend 456:17 458:26
stairway 651:1	statement 470:17 480:4 485:27,32 501:31 508:26 571:1 572:29 573:1,20, 24 574:7 594:13	strong 479:11, 15 572:16	suggestion 591:6	suspended 557:7 558:7
stand 472:21 574:17 615:24,28 623:7 638:21	station 501:5,6,8	structure 647:27 652:2	suitable 657:11, 18	suspension 456:27 472:29 473:2,4 474:21 519:27 523:7,15 524:5,12 525:11 527:4 528:17,18, 19,24,26 529:6 530:20 557:3,28, 31 558:6,8 570:8, 9 633:26 634:4
standard 602:22 609:3	stations 501:10	structures 650:22	summarize 635:23	suspensions 452:4 456:2 530:25
standards 488:29 602:14 606:16,19,29 607:21 613:16	Statute 609:20	struggle 503:13 593:3,5	summary 524:21,31	suspicion 612:1,18,20,32
standing 544:11 578:20,25 579:13 649:16,18	statutory 592:1	students 653:29,30	sunset 542:9	suspicious 588:32
start 463:21 471:12 479:7 525:2 597:31 602:6 625:18 644:30	stay 542:14 637:24 638:6	subject 514:11, 17 569:12 576:26 582:7,8,26 583:16	supervise 455:2	sustained 582:21
started 499:26 568:4 605:27	stayed 475:13 542:21	submitted 480:32 517:17 584:1	supervisor 479:21 597:2	Suzan 597:25 601:22
	step 463:10 509:5 517:16 520:13 523:1 538:19	subsequent 481:17	support 586:14 601:29 602:29 604:8,12,14 606:29 607:11,22 615:17,27 616:29 635:32 653:29	swear 638:31
	steps 510:32 511:11 517:23 518:1 520:9,16,17 521:19 522:25,28, 30	subsequently 477:2 481:14 561:26	supervise 455:2	switch 588:20 611:27
	sticky 610:28	substantial 456:30	supporting 602:31	swore 493:13 639:16,20
	stirred 622:9,21	success 576:11	supports 601:26	sworn 639:1,26 640:5
	stirring 622:26 623:13	successful 456:1	supposed 577:17,21 602:9	system 458:11 622:16 627:31,32
	stop 529:26 579:5 638:13 646:21 654:6	successfully 520:26	surmising 583:11	systematic 466:17
	stopping 566:23 570:31 572:14 607:32	succinct 646:25	surprised 563:2	systemic 575:20
	storage 644:9 650:4	sudden 481:4		systemically 581:4
	stored 644:8 649:25	suffer 611:31		
		suffered 584:15 611:30		
		sufficient 509:18 513:9 638:15		

<p>T</p> <p>tab 461:18 462:9, 28,29 465:24,25 466:30 468:15 469:11 471:29 473:29,30 475:29 477:4,5,17 478:4, 31 480:16 536:2 537:3 538:13,17 539:1,2 549:17 605:31 606:15 616:15,16 639:10</p> <p>tabbed 605:25</p> <p>Table 606:15</p> <p>tabs 483:16,20</p> <p>takes 582:13</p> <p>taking 464:4 488:17 505:21 509:5 529:28 567:24 630:4</p> <p>talk 503:19 513:30 531:20 548:32 575:5,7 624:31 654:18 656:10</p> <p>talked 460:5,25 472:2 486:1,20 490:12 493:1 507:27 522:28 536:20 540:29 558:10 609:23 614:18 622:12 655:4,29</p> <p>talking 458:31 470:29 473:11 485:5,6 491:31 503:22 507:7 541:17 557:2 558:5,8,19,22 570:6,11 591:8 629:25 634:10</p> <p>talks 489:5 519:24</p> <p>target 621:13,14, 19</p> <p>task 565:11</p> <p>team 471:8</p>	<p>602:10 654:31</p> <p>team-building 471:9</p> <p>teamwork 603:32</p> <p>technical 512:5 513:22</p> <p>telling 520:12,31 619:4</p> <p>tells 547:12</p> <p>ten 454:15 492:2, 5 572:5,11 579:20 618:1</p> <p>tend 586:14</p> <p>tender 639:24</p> <p>tenor 467:32</p> <p>tenure 575:26</p> <p>terminate 451:17 456:17 458:5,24,26 551:22 624:22</p> <p>terminated 452:17,18 472:15, 21 475:12 518:14 579:15 585:32 588:5,17 594:21 624:5,12</p> <p>terminating 451:11 457:8 506:2 636:5</p> <p>termination 456:26 457:17,22 458:29 474:5,21 475:31 478:1 480:2 530:21 551:19,20,21 552:30 553:26 560:23 566:12 568:5 570:27 578:21 586:21,25 587:1 591:22 592:9,13 624:29 633:27 634:5 636:5</p> <p>terminations 451:12 452:3 456:1,2 477:19,30 624:32</p>	<p>terminology 626:10,11</p> <p>terms 459:6 464:25 491:20 492:14 493:6 498:11,24 499:2, 3,11 500:24 501:10 505:17,23 510:30 514:21 515:16 524:2,9 525:8 541:29 591:10 602:32 603:27,31 604:6 605:23 608:12 610:11 613:15 614:18 621:1 622:13 624:17,22 631:5 654:7,8 655:7 656:1</p> <p>test 569:20 584:7 589:18</p> <p>testified 513:17 593:2,9 596:6</p> <p>testimony 457:25 458:32 515:22 516:10 553:24 572:32 579:24 580:20</p> <p>text 468:20 470:9</p> <p>themes 459:27</p> <p>theoretically 581:27</p> <p>thick 598:14</p> <p>thing 466:11 513:19 518:31 542:22 566:30 577:6 583:12 590:29 596:31 618:10</p> <p>things 450:31 466:18 470:30 488:27 512:14 515:15 521:25 534:3 544:6 562:30 566:11 570:22 587:25 599:29 601:15 616:5 620:32 621:12 622:18,21 623:13 628:14 633:28 643:14</p>	<p>650:2 656:32</p> <p>thinking 467:27 469:18 470:26,27 478:27 492:3 542:16 579:3 594:23</p> <p>thirds 467:4</p> <p>thought 468:7,8, 11 471:24 475:22 482:17 519:21 523:13 529:31 532:24 544:19 545:9,17 549:31 550:6 556:19 558:24,26,28 564:27 578:30 583:19 584:4 598:7 599:15 617:22 618:31 622:26 629:15 640:21</p> <p>thoughts 563:32</p> <p>thousands 507:8</p> <p>threat 618:29 619:12</p> <p>three-inch 605:25</p> <p>three-month 627:6</p> <p>Thursday 637:22</p> <p>tied 600:6</p> <p>Tillsonburg 640:14</p> <p>time 451:15,24 452:11 453:27 458:29 463:14 464:3 465:14,22 467:15 469:13,18 474:4 475:15 479:9,28 481:13, 32 482:28 483:9 486:27 487:15 491:4 497:15 499:30 501:17,19 505:21 507:11,12, 28 508:12,30 513:9 521:29</p>	<p>523:17 525:17,18, 19 526:10 529:7 531:30 533:15 536:18,20 556:1 559:15 560:14 564:1,27 565:3 569:8,30 570:27 574:28 575:10 577:16 578:7,16 580:1,7 586:23 587:21 588:7,16 589:27 590:13 591:9,14 592:12, 23,31 594:19,20, 26 595:13,19 597:12 599:19,21 601:8 603:9 605:13 607:16 610:1 611:13 614:14,19,32 615:10 616:1,9,22 617:29 618:9,32 619:31,32 620:4 621:10,11,30 622:3 623:10 627:24 628:26 629:10 631:10 633:6 635:19,28 636:20 637:3,17, 19 638:12 639:20 640:20 641:23,31 642:5,12,18 643:5 646:31,32 653:31 655:11 657:9,28</p> <p>timeline 550:11, 27,31 551:2,7</p> <p>timelines 550:18,25</p> <p>timely 550:7 551:3 586:22 614:26 615:4 623:28</p> <p>times 459:1,2 460:5 491:5 547:11 590:9 593:25 594:16 604:7 616:25 648:10 652:8 656:22,26</p> <p>today 462:23 482:28 567:11 626:12 639:17</p>
---	--	---	--	---

<p>told 451:32 456:13 469:10 471:20 484:29 491:9 498:31 503:10 504:21 505:2 508:14 510:1 514:12 529:7 532:19 539:25 540:2 543:18 547:18 548:13 552:6 556:27,30 557:21 579:31 587:18 624:4 630:7 636:22</p> <p>tolerance 610:20 611:24</p> <p>tomorrow 637:26</p> <p>tone 467:32</p> <p>tonight 637:24</p> <p>Toon 537:5,6,9</p> <p>top 451:18 463:6 484:23 538:8 573:9 606:14 625:20 632:26 644:16,17 649:11 650:22</p> <p>topic 625:29 629:31</p> <p>total 541:32 572:5 644:2</p> <p>tough 452:12 600:31</p> <p>tours 654:19</p> <p>town 608:15</p> <p>track 565:6</p> <p>tracking 526:21</p> <p>train 504:28 522:10,12</p> <p>trained 482:2 484:30,32 485:15 548:24,27,29 655:25</p> <p>training 471:3 482:6 503:9 585:9 613:15,18 614:5, 6,15 630:9,24</p>	<p>trainings 613:28</p> <p>transcribing 646:24</p> <p>transcript 483:6 495:27 653:6</p> <p>transition 627:4</p> <p>treated 604:29 609:24</p> <p>treatment 528:14 580:30 582:29 584:27 611:32 612:28 644:6,23 647:2,12 648:4,8</p> <p>treatments 656:8</p> <p>trigger 464:24</p> <p>triggers 592:2</p> <p>true 535:4</p> <p>trust 646:30</p> <p>turn 461:18 468:14 480:19 547:10 561:19 580:18 599:20 606:22,23 610:26 618:21 632:19 639:9 643:15</p> <p>turning 596:25 608:31 618:20</p> <p>turnover 628:31 629:5</p> <p>turns 486:16</p> <p>twelve 491:31 492:1 525:23</p> <p>two-thirds 561:24</p> <p>type 562:6 590:28 596:31 614:4</p> <p>typed 478:29</p> <p>types 526:18 577:30 614:6</p> <p>typically 504:17</p>	<p>typing 468:20</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>uhm-hmm 465:10 491:7 550:17 553:32 560:10 643:28 653:4</p> <p>ultimately 474:31 584:24</p> <p>unclear 469:23 517:3</p> <p>understand 453:6 457:5 458:12 466:4 468:17 470:20 478:7 483:25 485:26 490:18,30 491:21 492:22,24 497:5 499:20 500:22,28 501:1, 14 505:6 510:7 516:9 517:15 518:5,14 520:10 524:30 537:4 558:18,22 564:22 566:27 587:20 602:8 604:18 612:4,5,8 613:23 625:32 629:32 630:22 634:3 635:10 637:5 646:3 647:21 653:12 654:7</p> <p>understanding 451:1 454:25 456:10,12 481:16 485:29 491:3 494:4 503:27 519:29 521:20,21 554:2,14,25,32 555:5 557:4 566:8 575:8 619:17 627:10 629:19 640:26 641:25 643:13,18 647:23 648:1 650:17 657:4</p> <p>understood 457:30 478:12 554:21,28 557:5</p>	<p>575:13 580:21 603:11 607:4,15 612:21 619:19</p> <p>undoubtedly 568:19</p> <p>unexpected 481:4,7</p> <p>unfair 494:18</p> <p>unfettered 489:17</p> <p>unilaterally 519:28</p> <p>union 452:29 453:2 457:2 479:2 489:25,31 490:4,9 491:21,23 492:8 509:24 510:16 520:1 530:32 534:1,4,6,16,26, 28 535:8,11,19 536:4,7,11,12,15, 21,26 537:10,16, 18 539:15,17,24, 29 540:2,11,16, 18,23 541:16,30 542:2 546:2 548:32 553:18 588:12,13 631:29, 30 632:4,17 633:13,15,17,20, 22,25 634:1,9,18 635:1,5,9,22</p> <p>union's 635:1</p> <p>unionized 518:6</p> <p>unique 480:10</p> <p>unit 491:2 562:11 565:22</p> <p>Unit/practice 562:6</p> <p>unknowing 581:30</p> <p>unlawful 611:31</p> <p>unmarked 516:19</p> <p>unpack 455:28 625:27</p>	<p>unpaid 558:7</p> <p>unprofessional 549:11,22</p> <p>unregulated 485:2,13</p> <p>unsure 592:31</p> <p>unusual 534:15 564:16 589:6,28, 30 590:8 612:14, 16</p> <p>updated 496:20</p> <p>upset 532:30</p> <p>urged 576:10</p> <p>urgency 586:23</p> <p>urine 569:20</p> <p>usual 650:5</p> <p>UTI 621:11</p> <p>utilized 567:17 575:29</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>vacation 656:31</p> <p>vaccine 644:8</p> <p>vaguely 464:27, 28</p> <p>Van 450:11 455:12,14,15,19, 25,26,27 477:25 482:30 483:2,15, 19,23 484:7,19 489:16 490:13 497:8,13,21 498:21 513:14 515:19 523:12 526:2 550:28 555:9 574:1 597:24 637:10,18</p> <p>variety 571:13 577:29</p> <p>verbal 462:16 519:26 523:2 524:3 527:19,32 528:1 570:8 632:12</p>
--	--	---	--	--

<p>version 521:32 552:9,25</p> <p>versus 460:30 493:25 505:18 656:3</p> <p>vertically 643:29</p> <p>victim 574:31</p> <p>victims' 455:16</p> <p>view 505:7 554:31 570:17 586:15 655:6</p> <p>viewer 460:20</p> <p>viewpoint 584:22</p> <p>voice 602:2</p> <p>volume 572:32 573:25,31 574:11 588:28,29</p> <p>volumes 639:5</p> <p>vulnerable 621:13,29 624:10</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>wage 504:10 655:24</p> <p>wages 503:19, 22,23,25 504:3,16 556:7,25</p> <p>wait 646:26</p> <p>waits 617:27</p> <p>wake 545:23</p> <p>waking 545:22</p> <p>walked 497:1</p> <p>walking 650:11</p> <p>wall 647:29 649:20 651:29</p> <p>Wanda 474:9,20, 25,31 476:6,13,32 487:6,9,10 522:29 524:13 552:6</p> <p>wanted 466:4,14 472:20 475:32</p>	<p>478:6 498:4 509:5 549:5 551:18 608:25 617:5 654:25 655:20</p> <p>warning 462:16 519:26 524:4 527:19,32 528:1, 2,4 569:1 632:12, 21</p> <p>watch 516:7</p> <p>watching 598:24 600:4</p> <p>webcast 516:7,8 598:22,25 600:4</p> <p>website 478:20, 28 516:20 517:1 568:31 598:4,22</p> <p>weeds 513:22</p> <p>week 492:20</p> <p>weeks 529:24 530:12,14 641:6</p> <p>welfare 488:30</p> <p>Wettlaufer 451:22,30 452:18 453:3,17,21 457:9,20 458:12 459:25,30 460:8, 12,16,30 461:23 462:5,13 463:13, 22 464:3,8 466:22 467:31 469:24 470:2,6 471:14, 21,24 475:7,12 479:1,10 481:7 482:23 501:15 506:8 510:3 518:13 521:7,30 522:18 523:23 524:25 528:25 529:17 533:6 534:28 541:19 545:28 546:11 550:16 560:24 561:10,27 564:16, 28 565:4 567:2 574:28 575:26 576:24,30 578:22 583:19,30 584:4 585:31 587:9,20 588:3 589:28 594:2,19 603:10</p>	<p>604:13 614:25 615:2,19,25 616:5,10,30 618:23 619:20 620:27 622:2 624:26 634:15,20 635:21,30 636:6 643:6</p> <p>Wettlaufer's 462:18 467:16 468:2 469:14 472:14 474:5 478:10,11 479:14 481:24 571:15 572:4 573:8 582:20 585:4 593:10 596:27 621:1 631:32 633:30 647:9</p> <p>wheels 649:24</p> <p>whichever 575:10</p> <p>whistle- blowing 481:30 482:3 550:29</p> <p>wider 645:13</p> <p>window 646:1, 16,19 648:16,30 649:4,6 650:8 651:26 652:12,19, 20,22,25 653:2,3, 11</p> <p>wing 501:2 643:24,27,30 644:30 650:25 656:15</p> <p>wings 501:1 642:27,28</p> <p>withdrawn 530:23</p> <p>withdrew 529:9</p> <p>withholding 610:7</p> <p>witness' 625:19</p> <p>witness's 487:27</p> <p>witnesses 555:8 620:5 633:10 646:22</p>	<p>wondering 468:25 481:9 482:31 512:6,18</p> <p>Woodstock 456:5 471:2 484:21,24 486:15, 17 640:13,24</p> <p>word 458:1 524:26 572:10 624:28 645:24 646:5,6</p> <p>worded 617:24</p> <p>wording 489:2 619:27</p> <p>words 453:30 577:10 578:14,25 584:12 617:17 619:25</p> <p>work 460:9 463:16 467:26,29 469:2 470:11 499:4,13 504:29 527:29 530:4 542:28 543:29 599:26 638:13 640:17,20 655:20, 21</p> <p>worked 458:13 460:31 478:19 500:12 501:15,21, 26 508:28 533:2 562:7,21 568:5 612:7 640:15 641:11 643:8 648:14</p> <p>worker 484:32 485:1,2 617:9</p> <p>workers 485:13 548:23 602:30 604:9,15 615:18, 28 616:29 653:29</p> <p>working 459:8, 16 468:9 472:19 482:17,25 492:7 500:14 502:11 537:19 562:11 567:19,20 568:29 589:28 602:8,9 603:3 641:6 655:10</p>	<p>workload 459:10,19 467:24</p> <p>workplace 460:3 461:12,15 478:12 489:23 518:9</p> <p>workplaces 634:27</p> <p>works 477:29 629:20</p> <p>worried 456:17</p> <p>worry 646:32</p> <p>wound 654:30</p> <p>write 474:7 558:31</p> <p>writing 463:1,4 464:15,19 472:16 559:3</p> <p>writings 463:3</p> <p>written 471:16 476:20 480:31 519:8,17,26 522:14 523:3 524:4 528:1,4,16 550:27 552:25 569:1 615:22</p> <p>wrong 458:10 519:22 535:20 578:28,29 579:4 581:14,18 625:32 627:12 628:3 629:19 650:26</p> <p>wrongly 584:23</p> <p>wrote 471:26 537:12 615:10 616:8</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>yay 649:8</p> <p>year 542:17 575:7 625:26 626:15 627:17,19, 26,29 628:8,9 641:12,14</p> <p>years 459:25 461:25 504:15</p>
---	---	---	--	--

506:7 594:1,23
640:18,32 641:2,
28

Yee 562:4

yelling 465:11

yesterday

451:32 453:7
455:32 457:25
458:32 459:23
467:3 471:13
472:3 478:8,13
490:31 494:20
495:10 497:29
506:22 508:15
509:23 511:31
528:3 540:6
549:6,12,27,30
553:24 555:29
561:13 580:20
615:8 626:22
628:15 633:1

yesterday's

471:19

young 621:3

Z

Zigler 485:32