

## What is known so far about the Federal Government's plan to Implement a "Vaccination Policy"

August 20<sup>th</sup>, 2021

The statement by the federal government of an intent to introduce a future policy concerning vaccination in Canada's marine transportation sector and the federal public sector was announced on Friday the 13<sup>th</sup> of August, 2021. The government press release containing the details of that announcement was immediately sent to Guild members that we have e-mail addresses for, and was also posted on the Guild website. This notice sent out by the Guild informed members that we have been notified of the intent of the federal government to introduce such a policy and that we would participate with other unions in consultations regarding this important matter. Those postings can be reviewed in the "Newsroom" of the Guild website at [www.cmsg-gmmc.ca](http://www.cmsg-gmmc.ca)

At this point, there are far more questions than answers regarding the intention to establish a vaccination policy in federal sectors. Consultations are in the very early stages and will continue. Federal government officials have explained to unions that generally speaking, the reasoning behind the government's intention to proceed with this initiative include:

\* (please keep in mind that these are reasons stated by federal officials)

- *the federal government intends to introduce a vaccination policy as a public health protection measure*
- *the federal government has the authority to implement such public health protection measures*
- *employers and regulators have a duty to take all reasonable measures to provide a safe and healthy workplace for employees*
- *there are concerns that over 1 million Canadians have been infected with Covid-19 and over 26 thousand have died and that worldwide there have been hundreds of millions of infections with over 4 million deaths*
- *federal government medical experts have officially taken a position that vaccines and other protective measures are the best way to reduce the risk of infection*
- *over 81% of Canadians over the age of 12 have already received one dose of the vaccine and over 70% have received two doses*
- *the issue is extremely complicated and needs a lot more work and the upcoming election could likely lead to delays.*

From the standpoint of federal government officials, that is the general rationale and background regarding their intention to establish their vaccination policy.

Unions, including the Guild have emphasized the importance of keeping in mind a number of important factors including:

- *any policy related to matters in the workplace must meet certain legal criteria in order to be a valid policy*
- *there will be disputes that arise if and when a vaccination policy is eventually implemented, and unions including the Guild, will meet their duty to provide advice and assistance to workers who find themselves involved in such disputes*
- *What proof of vaccination status is acceptable? The legal requirements regarding "privacy rights" related to an individual's vaccination status, and who has access to that information will need to be kept in mind.*
- *will workers who have been infected with Covid-19 and have already recovered, still be required to be vaccinated?*
- *contractors who enter workplaces in the federal sector must be made to comply with the same vaccination policies*
- *Despite unions being actively engaged with the federal government since the outset of this pandemic, many of our members that will be targeted by this policy experienced long delays in having access to vaccinations and the federal government did not provide any assistance, despite the advocacy by their union. This needs to be addressed.*
- *there will need to be provisions regarding exceptions to the vaccination policy, and protocols of how those exceptions will affect workers*
- *the potential repercussions for individuals not in compliance with the policy need to be known*
- *Individuals can't be forced to be vaccinated. How will shortages of key personnel be dealt with if workers who are not in compliance with the policy are denied access to workplaces in the federal sector?*
- *generally in Canada, court decisions regarding individual rights usually try to balance as much as possible, those individual rights, against the reasonableness of limiting the rights of others, and the collective public interest*
- *in Canada, the timelines and target dates announced by the federal government to complete most of their ambitious projects are usually delayed and postponed.*

These items in blue are some of the many key considerations that need to be kept in mind, that were raised by the Guild and other unions at this very early stage. The Guild will continue to update members once there are developments to report on this matter.