

Arbitrator Upholds Mandatory 3-Dose Vaccination Policy



Having lost its case against the previous 2-dose mandatory COVID vaccination policy, the union challenged the new 3-dose policy that the long-term care homes operator unilaterally implemented in response to a case outbreak, specifically the part allowing for termination of vaccine refusers. Again, the Ontario arbitrator dismissed the grievance, reasoning that the 3-dose policy was consistent with the collective agreement and reasonable, even though 3 doses went beyond public health vaccination directives. Failing to require 3 doses would have violated the employer's duty under the *OHS Act* and collective agreement to take every precaution reasonable for the protection of a worker [*Regional Municipality of York v. CUPE, Local 905 (Long Term Care Unit)*, 2022 CanLII 78173 (ON LA), August 30, 2022].

Action Point: Take the right steps if workers defy your mandatory vaccination policy