

COVID-19: Enforcing Mandatory Vaccination Policy Is Not an OHS Reprisal



Municipal workers placed on unpaid leave for defying the employer's mandatory vaccination policy claimed they were the victim of OHS reprisals. Their argument: By disobeying the policy, we were looking after our safety and asserting our OHS rights. The Ontario Labour Relations Board found the reverse to be true—it was the employer that was looking after workplace health and safety in response to the pandemic. There was absolutely no support for the argument that workers have an 'unfettered right to refuse to disclose their vaccination status' in either the case law or the OHS Act [*Milka Cavic v Canadian Union of Public Employees Union Local 905*, 2022 CanLII 5015 (ON LRB), January 20, 2022].