

Employer Must Pay Costs of Rapid Antigen Testing Program



A power company required employees to self-test for COVID-19 from home and send in a video of the process twice a week. Vaccinated employees got the rapid antigen tests for free; the unvaccinated had to pay a \$25 weekly fee. The Ontario arbitrator handed down a split decision: The employer had to pay for the tests of all employees, as part of its OHS duty to provide a safe workplace, but didn't have to pay employees for the time they spent administering the test outside of working hours. In addition, the arbitrator upheld the employer's right to place workers who refused testing on unpaid leave [*Ontario Power Generation v. Power Workers Union*, Re OPG-P-185, November 12, 2021].