

Union Loses Bid to Overturn Mandatory Vaccination Policy for Lack of Notice



Sec. 54 of the *Labour Relations Code* requires employers to give at least 60 days' notice before introducing a policy 'that affects the terms, conditions or security of employment' of a significant number of employees' covered by a collective agreement. The union claimed that BC Rapid Transit violated the rule by implementing its mandatory COVID vaccination policy unilaterally and without notice. The BC arbitrator agreed but the Labour Relations Board sided with the company on the appeal, finding that it raised a legitimate argument questioning whether mandatory vaccination is the kind of policy subject to Sec. 54 [*British Columbia Rapid Transit Company Ltd. v CUPE, Local 7000*, 2022 BCLRB 84 (CanLII), August 3, 2022].

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