

Policy Inclusion of Mandated Vaccination for Employees

Medical experts are recommending that vaccinations are the key defense towards COVID-19 and there currently remains a high percentage of the Ontario population who are still unvaccinated. While Canada and Ontario have done a good job in vaccinating its citizens, we still have a long way to achieve vaccination for the entire population. The recent Delta variant has once again affected the safety of global destinations where once successful health progress was recorded.

Closer to home, Ontario health officials are showing concerns with much of the public losing confidence. Short of a complete resolution in ending the virus, the latest trends are raising fears on future business lockdowns which has resulted in shaky consumer confidence with our industry, in particular, indoor eating facilities such as restaurants, meeting and conference rooms and demand drivers such as theatres, sports, conferences and events.

More importantly, there has been an escalation of safety concerns of employees who are working with unvaccinated colleagues in a workplace environment that requires constant engagement.

We know that there are complexities in the vaccination process including that there is currently no vaccine that works 100% of the time, and we continue to learn as research and stats progress. The most effective way to limit exposure to COVID-19 is to avoid interactions outside of health and safety measures which make it impossible for hospitality operations to follow. The Ontario Health and Safety Act (OHSA) and the Employment Standard Act (ESA) do not directly address vaccination or the enforcement of employer vaccination policies for workers. Under the Occupational Health and Safety Act, employers are obliged to take every reasonable precaution necessary in protecting their workers.

When rolling out such a policy employers need to understand the implications such as Human Rights and Accessibility. Legal advice does help on setting such a policy. There are many ways employers can encourage and promote the vaccine to their workers. If you are an employer and are considering whether to develop a policy related to vaccination, be clear on the outcomes you intend to achieve.

The number of employers in Ontario introducing mandatory vaccinations for their employees is growing even though there is yet a mandated government policy to be initiated. All levels of government have likewise introduced mandatory vaccination for their employees.

ORHMA in its role as an industry association and due to the factors expressed in this article, recommends the policy inclusion of mandated vaccination for Ontario's hospitality workers with exception of those employees experiencing medical issues in which case they should be medically and frequently tested for the virus.