

CUPE Local 2723

City of Burlington Covid Vaccination and Testing Policies

This will be a long note where your Local Executive will explain how we will go about protecting **ALL** our members rights and providing an easy place to access information you will require about the COB's (City of Burlington) various policies.

General Approach to Vaccine Mandates

In February 2020 at our general meeting, it was noted that we as an Executive would have a focus on Safety and Customer Service. This would be used as a way to approach management in discussions about how to best put forward the needs and requirements of the members of Local 2723. This has not changed, but much of the time spent over the last many months has been focused mostly on Safety.

CUPE and generally the trade unionist movement has been focused on workplace safety, protecting workers' rights and collective bargaining.

The link here is a CUPE statement on Vaccine Mandate Guidelines. This is a good summary on how we are proceeding.

https://cupe.ca/vaccine-mandate-guidelines?utm_medium=email&utm_source=CUPEToday

CUPE's approach is not out of step with other National Unions as we have reviewed statements made by ATU and Unifor.

CUPE Ontario Town Hall

On September 13, CUPE Ontario presented an excellent Vaccine Policy Town Hall. The link to the video is below. It is 1.5 hours long but is worth setting aside some time and reviewing. We have identified some key points by time line in the video. There are 4 presenters, We have summarized below the time lines where 3 of them are talking about various issues.

<https://www.youtube.com/watch?v=C1M76j2Vnw8>

Fred Hahn, President of CUPE Ontario discusses CUPE's approach to Covid Vaccine Mandates at the 3:05 mark and answers questions posed at the 59:20 and 1:32:45 mark.

Paul Sylvestre, CUPE National, Health and Safety Branch did a presentation on COVID and Health and Safety (@9:23) and answered a question about swabs / EO (@55:16).

Daniel Sheppard a lawyer with Goldblatt and Partners did a presentation on the many legal issues surrounding Vaccine Mandates and Testing requirements. Daniel is focused on social justice issues and takes a labour view of the issues but describes what the current law is and what uncertainty there is in the new era of Covid. This link gives you a brief description of his experience and approach.

<https://goldblattpartners.com/our-lawyers/daniel-sheppard/>

Points Daniel discusses and time marks

- presentation begins 19:25
- can employers impose covid vaccination mandates and ask status? 20:57
- employers forcing vaccinations and negative consequences. 21:50
- what happens if I don't become vaccinated – what are the types of things the employee can do? 23:00
- Can I be fired for not getting vaccinated? 25:43
- Accommodations 27:53
- Charter rights 34:25
- Section 7 Charter rights regarding job security 39:00
- Rights to privacy and sharing vaccination status 48:45
- Mandatory testing policies 51:55
- Work from Home accommodations 53:45
- Terminations for not following vaccine policies 58:01
- Refusing to work with unvaccinated coworkers 1:04:00
- Having to personally pay for testing 1:05:30
- Who is liable if there are vaccine side effects 1:08:27
- Work refusal if a co-worker discloses they are not vaccinated 1:13:46
- Vaccinations, masks are not in Collective Agreements how can they be implemented 1:14:26
- Is the forcing of Vaccine Mandates coercion? 1:21:53
- Accommodations for Religion / Creed 1:24:19
- Who should have access to Covid screening information 1:25:45

Tara Moriarty is an Associate Professor at the University of Toronto and was the fourth presenter. Tara did a short presentation and answered questions at various times during the town hall. She and a group of medical experts hold bi-weekly online sessions where questions about Covid can be raised and answered in a non-confrontational way. The link on how and when this happens is below.

<https://covid19resources.ca/public/vaccineqa/>

Information compilation

Some of our members do not have access or have problems accessing the COB 360 website so we have accumulated copies of the various documents and put them in a shared folder on google drive. The list of files and link to them is below.



<https://drive.google.com/drive/folders/1wy6rVMkIzHnyeg2Fx6y4OMDV2yXp8CtO?usp=sharing>

CUPE Local 2723 Next Steps

We will remain focused on safety in our workplace and protecting the rights of all members where appropriate.

With regard to the Vaccine policies there are several areas we are looking at for possible grievances depending on how they are implemented. Such as:

- paid testing beyond November 26, 2021
- paid time for testing

We will support anyone who believes they have an accommodation requirement based on the allowed conditions.

We are still reviewing if the testing for only non-vaccinated members is discriminatory as this is a complex area.

We are planning a general membership meeting for Sunday morning October 17, 2021. Venue and/or Zoom are being considered. Please mark your calendar. Details to follow shortly.