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## ATTENTION ALL MEMBERS

Dear Sisters & Brothers,

### **Re: CMBC Vaccination Requirement**

Over the past few weeks, we have become aware of the Employer's intention to introduce a vaccination policy and have now held various discussions and reviewed their written policy with internal and external legal counsel and safety experts. The policy is similar to a number of other organizations around the province and country.

Employers have the obligation to take every precaution reasonable in the circumstances for the protection of a worker. Employer requirements that employees must be vaccinated against a highly transmissible disease are one kind of precaution. Vaccination policies may help to ensure that employers are complying with their occupational health and safety obligations.

The introduction of mandatory vaccine policies does not raise valid "human rights" concerns except that a policy must adequately address genuine human rights considerations that affect a very small number of people who cannot receive a COVID-19 vaccine because of medical or religious reasons. A personal objection to vaccinations generally or the COVID-19 vaccine is not a human rights issue.

Employer policies in a unionized workplace must be reasonable and arbitrators will make decisions about reasonableness if required. The reasonableness of a policy will depend on the nature of the employment and the workplace, the type of work being performed, the relative safety risks to co-workers, customers or clients and the public, as well as other potential harms. Personal opinions about vaccination will not be relevant. Arbitrators can be expected to consider the importance of public health guidance, the fact of the ongoing global pandemic, the highly transmissible nature of the virus that causes COVID-19 illness, and the proven success of vaccination as a key measure to resolve the pandemic.

If an employer imposes a requirement to be vaccinated and if that policy is found to be reasonable, persons who choose not to comply with that policy will likely face employment consequences. Those consequences could include being kept away from work or even termination of employment as is now outlined in the Employer's vaccination policy.

Therefore, after careful consideration, we advise our members to comply with the employer's vaccination policy without delay. **If you have any adverse side effects from this vaccination, please make a WCB Claim.** If an individual member believes they have a valid medical or religious exemption in accordance with the BC Human Rights Code, please secure appropriate documentation and reach out to your union representative for assistance. As always, we will continue to represent all our membership collectively and individually as this policy is implemented and will intervene with the Employer as required.

In Solidarity,

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