

BULLETIN

RECENT ARBITRATOR DECISIONS ON VACCINATION POLICIES

COTAPSA is providing members with a summary of recent arbitrator decisions on vaccination policies provided by our Legal Counsel, LeNoury Law. These decisions are consistent with original advice provided to COTAPSA that a legal challenge of the City's Mandatory Vaccination Policy would not likely succeed, and that Members are better served through fair and consistent implementation of the policy as it is a reasonable measure to protect the health and safety of all employees. As such, COTAPSA will continue to monitor the City's implementation of the policy and respond to any new directives that may arise.

The decisions made in arbitration uphold employer rights to implement a vaccination policy (with exemptions on Human Rights grounds) on the basis that it is a reasonable and necessary method to address the on-going health and safety issues arising from the current COVID-19 global pandemic, and is required to balance individual employee rights with an obligation to maintain a safe workplace for all under the Occupational Health & Safety Act.

You can find a summary of the arbitrator decisions in the attachment to this Bulletin, or you can read about the two cases here:

1. [Bruce Hamilton Canada vs United Food and Commercial Workers Canada, Local 175](#)
2. [Hydro One Inc. vs Power Workers' Union](#)

Should you have any questions or require further clarification, please email COTAPSA at cotapsa@toronto.ca.