Government of Canada announces mandatory vaccination of federal public service and certain federally regulated employers

August 13, 2021

Today, the Government of Canada announced by press release its intent to require vaccination against COVID-19 for all employees across the federal public service. The measure will take effect as early as the end of September. The government will provide accommodation to “those few who are unable to be vaccinated”.

The Government also announced its intention to require employees in the federally regulated air, rail, and marine transportation sectors to be vaccinated, as soon as possible in the fall, and by no later than the end of October.

In addition, the Government of Canada announced that it “expects that Crown corporations and other employers in the federally regulated sector will also require vaccination for their employees. The government indicated that it “will work with these employers to ensure this result”. As a result, federally regulated private sector employers will be expected to require vaccination for their employees.

The government is also calling upon other employers beyond the federally regulated sector to “put in place their own vaccination strategies”.

In support of these measures, the government points to the fact that since mid-December 2020 “less than 1 per cent of COVID-19 cases have been among those who were fully protected by the vaccine”. Furthermore, these measures aim to encourage the more than 6 million unvaccinated yet eligible Canadians to get the vaccine.

What does this mean for private sector employers?

Although the Government’s announcement provides few details about the actual implementation of the new policy, it nevertheless signals a possible change in the legal landscape applicable to certain federally regulated employers.

Moreover, it may encourage provincial governments to follow suit and facilitate a certain form of mandatory vaccination in provincially regulated sectors.

What should employers do now?

If you are a federally regulated employer, we recommend that you continue to closely monitor developments and announcements by the Government of Canada regarding details surrounding today's press release.

The same is true for provincially regulated employers who should monitor announcements by provincial authorities, as this is a rapidly evolving situation.

In all cases (federal or provincial), employers are strongly encouraged to consult their legal advisers before the actual implementation of a vaccination policy (against COVID-19 or any other disease).

Should you have any questions, contact your BLG lawyer or any of the key contacts listed below.

By

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