



Flu vaccine policy stands - arbitrator

The controversial flu vaccine policy requiring health care workers who do not get a flu shot to wear a mask at work throughout the flu season has been upheld by an arbitrator.

As a result of the October 23 ruling, the Hospital Employees' Union is advising its members to comply with the health authorities' new policy. If individuals do not comply with the policy, they risk discipline including being fired by their employer.

The flu season usually occurs from late November to the end of March.

Health care workers, including doctors, must provide proof that they have had a flu shot or they will have to wear a mask. Visitors are now also subject to the policy.

"Health care workers can take advantage of on-site flu shot clinics held in workplaces across the province," says HEU secretary-business manager Bonnie Pearson. "And for those who do not take a flu shot, the union expects that health authorities will have an adequate supply of masks available for use during the flu season."

The ruling is clear that employers are legally obligated to accommodate health care workers who cannot comply with the policy, for example, where medical reasons prevent vaccination.

The original policy, introduced in August 2012, included provisions requiring health care workers to wear an indentifying badge if they had had the flu shot and to notify a supervisor if they knew of a violation of the policy.

In the June 2013 revised policy, there is no requirement to wear a badge and workers are now "expected" rather than "required" to report non-compliance.

The arbitrator's decision is a result of a policy grievance filed last year by the Health Sciences Association (HSA). HEU had filed a similar grievance on behalf of facilities subsector members but held it in abeyance pending the outcome of the HSA grievance.

All health care workers in hospitals and residential care facilities and in community health are covered by the policy. It also includes volunteers, outside contractors and visitors.

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