



SEIU-West Statement on the SHA Proof of Vaccination Policy

October 8, 2021

The Covid-19 pandemic has pushed SEIU-West to protect and defend our members in new ways. Core to this is working with our members to ensure their safety on the job. [We fought to get enough PPE](#) to keep our members safe. We continually highlighted the need for [mental health supports](#) during each wave. We pushed and continue to push for [better staffing ratios and more staff](#) to address work overload and burnout and we fought for members in acute care, home care, community care and long term care to have [priority access to vaccines](#) as essential healthcare workers.

SEIU-West has taken an active role in combating Covid-19 by raising our members' concerns and issues with the [Government of Saskatchewan, in the media](#) and [with healthcare employers](#). We continue to strongly encourage members to get vaccinated, wear a mask and follow public health orders in order to keep themselves and their loved ones safe.

SEIU-West stands by that encouragement to get vaccinated. SEIU-West stands beside our members.

On October 1, the Government of Saskatchewan gave employers, including the [Saskatchewan Health Authority, the legal authority to require workers to provide proof of vaccination](#) or proof of a negative test for Covid-19. SEIU-West will continue to stand with our members. Your vaccination status will not change our Union's representation of each and every member. We will ensure that you have access to a fair process; we will assist with any duty to accommodate requests; and we will represent all our members.

The Canadian Charter of Rights and Freedoms sets out four fundamental freedoms: (a) freedom of conscience and religion; (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication; (c) freedom of peaceful assembly; and (d) freedom of association. However, these rights are not absolute; the Charter, even before it sets out the fundamental freedoms, states that those rights and freedoms set out in it are subject to such reasonable legal limits as can be demonstrably justified in a free and democratic society.

You may have rights to make choices about how you live, but the Charter may not protect you from every consequence of those choices. The Charter only applies to limitations imposed by a provincial or federal government, and permits governments to impose limits on freedoms where those limits are reasonably justifiable.

The Saskatchewan Human Rights Commission has released [an information sheet](#) stating that requiring proof of vaccination or negative COVID tests is generally permissible under the Saskatchewan Human

Rights Code, so long as individuals who are unable to be vaccinated due to a Code-protected characteristic are reasonably accommodated.

The objection to vaccination based on personal preference is not protected by the Saskatchewan Human Rights Code. Individuals who choose not to be vaccinated based on personal preferences do not have the right to accommodation under the Saskatchewan Human Rights Code.

The collection of information about vaccination status is also not protected by the Saskatchewan Human Rights Code. Where such information is collected, it constitutes personal medical information and must be collected and stored in a manner consistent with privacy legislation.

The SHA is permitted to collect its employees' personal information related to proof of COVID 19 vaccination and/or proof of participation in its SHA COVID-19 monitored testing program. In doing so, the SHA is required to comply with [The Health Information Protection Act \(HIPA\)](#) and The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP) legislation relating to the privacy and confidentiality of personal information and personal health information.

The principles for collecting personal private information set out in the legislation are that the Employer is to establish the purpose and authority for the collection, collect the least amount of information to meet the purpose, share it only with those who need-to-know, store it, keep it secure and destroy it when no longer needed.

All of our membership have rights and responsibilities – our responsibility as a union is to represent our membership's rights in a manner free from arbitrariness, bias or unreasonableness. We will continue to represent the interests of all of our members.

- Your SEIU-West Executive Board

The Executive Board of SEIU-West is the highest elected body of our union who oversee governance and direction. The members of the Executive Board are front line essential workers who have experienced the peaks and valleys of the COVID-19 global pandemic with our members.