



Media RELEASE

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For Immediate Release

YEU Statement on the Implementation of YG's Mandatory Vaccination Regulation

Like most unions in North America, Yukon Employees' Union supports vaccinations as an important tool to foster workplace safety. As an Occupational Health and Safety measure, vaccination is our best choice. And while we support the goals of a mandate, we have serious reservations and concerns that have not been addressed in any meaningful way by Yukon government. YEU is categorically opposed to the idea that any worker should be placed on unpaid leave should they refuse to comply with the new terms and conditions of employment.

Today, on the eve of its implementation we have finally seen a copy of the Order in Council on which the formal policy will be based. Until yesterday we were advised the policy was still incomplete. Metadata on the Vaccination Regulation document shows it was not signed until nearly 7pm on the 29th of November; fewer than 30 hours from the planned launch of a policy *that has not yet been shared with the union.*

Of note, the regulation states that any YG worker who enters their workplace on or after December 1 while on administrative LWOP is subject to a summary conviction and will be fined \$500. Dedicated employees should not be put on administrative Leave Without Pay as the consequence of a policy finalized in haste, and without consultation. We maintain that YG has failed its workers with this mandate.

Both YEU and the Yukon Teachers Association have consistently advocated for alternatives to placing workers on LWOP, but our demands have been rejected. Our support of a vaccinated workforce does not extend to support of this government's handling of this process. And although remote work has proven successful throughout the pandemic, it's no longer being considered as an option for unvaccinated workers.

We know not everyone agrees with the union's support of the vaccination mandate, in fact we have heard from vocal and passionate members across the entire spectrum of opinion. It's important to remember that we are obligated by law to consider all members' concerns and assess whether a grievance is appropriate based on jurisprudence, existing, and emerging case law. Our support must be for all members, vaccinated and unvaccinated - those for and against the mandate.

Taking a firm stance during a time like this is challenging. YEU Leadership and union staff have been repeatedly harassed and threatened, and the stream of angry messages online and in our inboxes has taken a toll on everyone in our organization.

Although positive member emails and messages confirm that our position in support of a vaccinated public service is shared by most of our members, we are aware that some feel they are not being well represented. Despite what some may believe, personal choice is not a protected ground under Human Rights legislation.

The timing of the Yukon government's decision to reinstate the State of Emergency was not benign. The employer policy edict is more difficult for unions or individuals to successfully challenge with the added weight of the Public Health and Safety Act and CEMA. The few unions that have attempted to file injunctions or cease and desist orders have so far been unsuccessful in the courts. Jurisprudence is leaning toward courts upholding the mandates as reasonable measures under the circumstances and we continue to monitor the evolving legal situation.

Yukon Employees' Union has not yet seen a policy that will become law within hours. Many valuable Yukon workers will be off the job, either because they have not chosen to be vaccinated or because they have opted out of the formal attestation process. It's clear that many of the public services we rely on will be impacted - some catastrophically, while experienced and dedicated public servants are forced to choose compliance or a wage.

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Both the Pfizer vaccine and the one-dose Janssen (Johnson & Johnson) vaccine are now available for those who prefer an alternative to the Moderna shot. Workers wishing to be vaccinated ahead of the deadline can do so on the 29th and 30th of November at the Whitehorse Health Centre, by appointment. Regular vaccination appointments are available for booking at yukon.ca/appointments on November 29 and 30