

# Vaccines and Employer's Rights



*This is a webinar from 2021, reflective upon the COVID-19 pandemic, but the principles and strategies mentioned are still applicable for HR directors facing any spread of infectious illness in the workplace or interpersonal dilemmas regarding vaccination mandates.*

**Recorded Date:** April 28, 2021

**Time:** 9am – 10:30am PDT

**Speaker:** Ryan Conlin

To access the recording of this webinar, please go [here](#). As a member of HR Insider, use discount code **HRIVIP21** to watch the recording for free on demand. All ancillary material is available as a handout with the recording.

## **About the Webinar**

In the absence of legislation, an employer cannot force an employee to be vaccinated. However, an employer may be able to implement policies which require vaccination if an employee wishes to remain employed. Any workplace policy, including one that would mandate employees to receive the COVID-19 vaccination, must be reasonably necessary and rationally connected to the workplace. For example, a mandatory vaccination policy could be considered reasonably necessary if an employee is employed in the healthcare sector or is required to have frequent close contact with members of the public. However, if the employee is working from home or in an office that has sufficient safety precautions in place, the policy may not be considered reasonably necessary. Given this, employers should not assume that a mandatory vaccination policy is going to be legal. As noted above, it will depend on the nature of the workplace itself, with particular regard to the level of exposure to individuals who are especially vulnerable or at-risk. However there are human rights, privacy, morale and OHS considerations that need to be addressed and understood before employers act. Join Ryan Conlin and Jeremy Schwartz of Stringer LLP as they help employers understand their rights regarding vaccinations.

## **About Speakers**

**Ryan Conlin** is a partner with Stringer LLP and practices primarily in the area of regulatory and employment law.

His experience includes:

- Advising and acting for employers and individuals charged with contraventions of the Occupational Health and Safety Act and the Environmental Protection Act Providing pro-active advice on OH&S and environmental matters
- Assisting employers with a range of workers' compensation issues Litigation before the WSIB and WSIAT, claims management;
- independent operator issues and revenue matters;
- Defending professional discipline cases;
- Assisting employers with all facets of employment related immigration.

Ryan is a frequent speaker and writer and has given presentations to a number of legal organizations, employers, and human resource groups on a wide range of regulatory and employment law issues.

**Jeremy D Schwartz** practices in all areas of Human Resources law, including employment, employment standards and employment contracts and negotiations, labour and construction labour relations, occupational health and safety and human rights.

Jeremy has represented employers at all levels of Ontario courts, before the Ontario Labour Relations Board, Workplace Safety and Insurance Appeals Tribunal, and the Human Rights Tribunal of Ontario. Jeremy has a practical, proactive approach to client service and enjoys the challenge of helping clients to focus and achieve their strategic objectives.

His experience includes:

- acting on behalf of employers in wrongful dismissal litigation;
- advising employers in union avoidance and representing them in applications for certification;
- assisting employers to navigate complex labour relations issues and representing employers at arbitration and the bargaining table;
- advising employers on health and safety due diligence and representing employers faced with orders and defending health and safety charges;
- and providing guidance to employers on how to minimize the costs and risks of terminations and of implementing changes in the workplace.