

Barrhead & District Chamber of Commerce General Meeting Minutes

Date: Thursday, October 21, 2021

Time: 12:00 noon

Location: Zoom

1. Call to Order

a) 12:01

2. Additions to the Agenda - none

3. Adoption of Agenda – Chartiy

4. Adoption of Minutes of Previous Meetings

a) October Executive Meeting Minutes- Charity

b) September General Meeting Minutes- Charity

5. Business Arising from the Minutes- none

6. Speaker:

Alison Walsh – Dentons - Covid-19 Vaccine Policies in the Workplace

-Overview of industries that have implemented a mandate include transportation, municipalities, law firms, accountants, tele companies, universities and colleges

-Seems like this is becoming more and more excepted however human rights complaint have increased with approx. 80 calls per day.

-three legal issues to be aware of

1) Occupational health and safety obligations- COVID 19 is a workplace hazard that needs to be controlled

2) Human rights must be considered by employers; those that human rights exemption such as religious or a disability (medical). Should be in writing and valid. No exemption has ever been granted for religious reason in history, so this is going to be very rare if at all. An employer should and can request as much information from the employee to show proof of their exemption. If there is a legitimate case of exemption

reasonable accommodations should be made (if possible) for the employee such as rapid covid testing to this individual at employers' expense, masking, social distance, barriers etc., working remotely.

3) Employees personal privacy, to collect covid information from your employees you should have a policy in place that states you are collecting only for the purpose the companies COVID mandate. Must collect bare minimum information needed. Do not keep copies of the vaccine cards or the type of vax took, just view and document that it has been seen. Need to avoid privacy complaints by limiting the employee information you keep

-courts have generally favoured in way of health and safety regarding wrongful dismissal claim

-unpaid leave or termination for not complying with the new covid policies such as mandatory vaccine policy

-this could potentially lead to a staff shortage, should consider this when implementing this policy.

-If the policy is mandatory vaccination or mandatory testing and the employee choses testing as long as the reason for choosing the testing option is for a legitimate human rights exemption then the employee could be required to pay for the testing

-if you are interested in implementing a vaccine policy, please do not hesitate to contact Alison for assistance on this

7. Financial Update – Michelle - skip

8. Committee Reports

a) Advertising/Marketing -Dustin - skip

b) Economic Development – Megan

i. implementing a shop local program for this year

ii. Boxes put together with some local product our businesses have to offer

c) Membership – Dave

i. Please finalize the membership call list

d) Networking & Business Activities – Tracey - skip

e) Charitable Activities (Festival of Trees, etc.) – Michelle - skip

9. Related Organizations – Updates

- a) Business Support Network – Dave
 - i. Vaccine in the workplace early November BSN seminar

10. Town of Barrhead Update

- a) Election – results will be official Friday by noon
- b) This week’s council meeting there was a presentation regarding the Better in Barrhead brand developed and marketing strategies, have seen some positive results by way of attraction to what has been done so far, need help from business community by advising events being held. betterinbarrhead.ca will advertise on their page. Share information via contact page on website.

11. County of Barrhead Update

- a) Election - 5 out of 7 returned and 2 new council members
- b) Broadband services still working on this
- c) Developments permit still up

12. Other Business/Announcements - None

13. Next Meetings:

- a) General Meeting November 18, 2021 ZOOM
- b) Executive Board Meeting November 10, 2021 ZOOM

14. Adjourn Meeting 12:53pm

Speaker

**Alison Walsh**

Partner, Edmonton
Employment and Labour

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Alison Walsh is a Partner at Dentons Canada LLP with over ten years experience practicing employment and labour law. In her practice, Alison provides strategic advice to employers on all aspects of the employment relationship, as well as represents employers in employment related litigation, including wrongful dismissal, wrongful competition and human rights complaints. Alison is also the host of Dentons Employment and Labour podcast.

Alison will be providing an update on COVID-19 vaccine policies and the key legal issues for employers to consider when introducing a COVID-19 vaccine policy into the workplace.

COVID-19 Vaccine Policies: Key Legal Issues

Alison Walsh

Partner, Dentons Canada LLP

Overview: Implementation of Vaccine Mandates

- Several industries have implemented mandatory vaccine mandates, including:
 - Transportation
 - Municipalities
 - Professional services and commercial enterprises
 - Healthcare and fitness
 - Education, housing and religious groups
 - Telecommunications and technology
 - Entertainment and sports
 - Universities and colleges
 - Public sector employees

Can employers impose COVID-19 vaccine policies?

- Three legal issues that affect permissibility of COVID-19 vaccine policies:
 - Occupational health and safety obligations
 - Human rights considerations and duty to accommodate
 - Privacy issues related to the collection, use and disclosure of personal information

COVID-19 Vaccine Policies and Human Rights

- Vaccine policies must provide for reasonable accommodation for employees unable to receive vaccination due to a protected ground under human rights legislation, e.g. disability or religion
- Employers must accommodate up to a point of undue hardship
- Reasonable accommodation and undue hardship are fact specific and should be considered on a case by case basis
- Examples of accommodation:
 - Work remotely;
 - Show a negative COVID-19 test
 - Adhere to additional preventative measures

COVID-19 Vaccine Policies and Privacy

- Vaccination status is personal information
- Collection, use and disclosure of this information is subject to privacy legislation in Alberta – *Personal Information Protection Act*.
- Collection of vaccination status must be demonstrably necessary and effective in achieving the public health purpose (collecting it “just in case” will not be sufficient).
- Only collect the bare minimum of personal information to achieve purpose to reduce compliance risk (and impact of any breach)
- Information collected should be properly secured and destroyed when no longer needed

Risks Associated with Vaccine Policies

- Human rights complaints
- Privacy complaints
- Constructive dismissal claims
- Wrongful dismissal complaints
- Staffing shortages