

Questions and Answers

COVID-19 vaccination requirement for employees

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1. Why is the Yukon government implementing this vaccination requirement?

Throughout the pandemic, the Yukon government has followed the guidance and recommendations of the Chief Medical Officer of Health. The acting Chief Medical Officer of Health supports implementing a requirement that public servants be vaccinated.

As the Yukon's largest employer, we have a duty to lead by example and do our part to keep Yukoners safe from the spread of COVID-19. Implementing a mandatory vaccination requirement for employees, combined with existing COVID-19 health and safety measures, will help to ensure our workplaces are safe, for both employees and members of the public who access government services.

While all employees must comply with the requirement, some individuals may find doing so personally challenging. All employees are reminded that, regardless of our views on vaccination or this requirement, we have an obligation to treat one another with kindness, respect and professionalism and must adhere to our responsibilities under the [Respectful Workplace Policy](#) at all times.


2. What is required under the Yukon government mandatory COVID-19 vaccination requirement?

By November 30, 2021 all Yukon government employees (including full-time, part-time, auxiliary on call, on strength seasonal auxiliary and casual employees) are required by law under the [Public Services \(COVID-19\) Vaccination Regulation](#) of the Public Health and Safety Act to have received at least one dose of a COVID-19 vaccine. By November 30, employees must attest to their vaccination status and may be required to provide proof of the vaccination status to a supervisor or manager.

By January 30, 2022, employees will be required to have received a second dose of a COVID-19 vaccine and attest that they have received both doses.

Seasonal auxiliary employees who are not currently on strength will need to attest they are fully vaccinated upon receipt of their recall letter, which will advise them of their recall start date in their seasonal position.

In accordance with the regulation, employees who do not comply with these legal requirements will be placed on leave without pay and must not attend their place of work at the employer's workplace or worksite. Working arrangements of casual employees and volunteers will be suspended or terminated.



3. Does this requirement apply to all employees?

Yes, this requirement applies to any Yukon government employees that are hired under the *Public Service Act* or the *Education Act*. It also applies to casual employees and volunteers providing services on behalf of the Yukon government.

Yukon government employees who work in the federally regulated air transportation sector or who access the restricted area of the Erik Nielsen Whitehorse International Airport must meet a separate Government of Canada requirement to be vaccinated by November 15. These employees have been contacted directly with information about what this separate requirement means for them. As of December 1, 2021, the Yukon government requirement to be vaccinated will apply to these employees and therefore they will be placed on leave without pay if they do not have at least one dose of a COVID-19 vaccine.

4. What about new employees who join the Yukon government public service after November 30?

Anyone accepting a new position with the Yukon government with a start date on or after November 30 will be required to provide an attestation to their vaccine status. Exceptions may be considered where there are legitimate grounds for exemption that have been assessed as per the Yukon government's exemption process.

Language regarding vaccine requirements has been created and hard coded in all job postings and offer letters.


All candidates must be advised of the mandatory vaccine requirement during the recruitment process and again prior to being offered a position. Once the employee starts in the workplace they will be required to attest to their vaccination requirement through their online My HR File, and future verification by the manager may be required.

5. If I work remotely, am I required to provide proof of vaccination?

Yes. The Yukon government has an obligation to take appropriate measures to provide for the health and safety of any employee while they are performing the duties of their job. Employees who are working remotely will need to comply with the vaccination requirement, as the remote work policy acknowledges any employee working remotely must be prepared to attend the workplace in person, as required.

6. How do I provide information about my vaccination status?

You can make an attestation confirming your vaccination status through your online My HR File prior to November 30, 2021. By November 30, employees will need to attest to their first and second dose and enter the dates of each. The online My HR system is accepting



vaccine attestations from employees as of November 15, 2021. For more information on how to make an attestation in My HR File, see the [Vaccine Attestation for Employees how-to guide \(Yukonnect\)](#).

Employees who do not have regular access to their My HR File account can have their supervisor or Director of Human Resources complete the attestation on their behalf. Supervisors can use this [how-to guide for managers \(Yukonnect\)](#) for help on how to do this.

At a later date, employees will be required to provide proof of vaccination, and the verification of your proof of vaccination will be entered in the online system. Providing proof will need to be done by showing a digital or paper version of your government-issued proof of vaccination credential that includes the QR code. More information will be provided in the weeks ahead on the vaccination verification process.

Employees who are not currently working (such as employees on approved leaves including parental, deferred salary, and medical; seasonal employees in their off-season; and employees on secondment) do not need to attest and provide proof of vaccination right away but will be required to attest that they are fully vaccinated before their return to work. These employees were contacted separately by the Public Service Commission informing them of the vaccination requirement and how it applies to them.

Employees, including supervisors, will be subject to disciplinary action up to and including termination if they are found to have:


- deliberately falsified or misrepresented their vaccination status; or
- aided another employee to deliberately falsify or misrepresent their vaccination status.

For information on how to get proof of your COVID-19 vaccination, visit [Yukon Proof of COVID-19 Vaccination](#).

7. What if I do not have at least one dose of the vaccine by November 30?

Unvaccinated employees, except those who have provided information and received approval or are awaiting a decision for an exemption for legitimate medical or religious grounds will be placed on leave without pay effective December 1, 2021. Unvaccinated employees will not be approved to use vacation or other discretionary leave time for this purpose in lieu of leave without pay.

An employee who receives their first dose of vaccine after November 30 may be able to return to the workplace. More information about the return to work process has been provided to managers and human resources [on Yukonnect](#).



Guidance has also been provided to supervisors and human resources regarding employees being placed on leave without pay at the above link.

For information on how to get your COVID-19 vaccination in the Yukon, visit the Yukon government [Vaccine appointments](#) website.

8. Can I use a negative test or evidence of prior infection as a substitute for the vaccination requirement?

The acting Chief Medical Officer of Health has advised that testing or evidence of prior infection are not viable substitutes for the vaccination requirements. Yukon's health care system does not have capacity to provide rigorous and precise testing for employees as an alternative to the vaccination requirement. Other, less precise testing alternatives to vaccination would be unreliable and would not meet the goals of protecting health and safety in the workplace.

Employees who have had COVID-19 are still required to be immunized with the COVID-19 vaccine. The science around the level of immunity provided by a previous COVID-19 infection is not settled and therefore, as per advice from the acting Chief Medical Officer of Health, vaccination is the best way to ensure immunity.


9. What if I believe I am unable to be vaccinated for medical or religious reasons?

Employees who are requesting an exemption from the vaccine requirement for medical or religious reasons should follow the processes below. Employees who have submitted a request before November 30, 2021 will be accommodated while their request is being reviewed and will not be placed on leave without pay during the time it takes to review the request. Note that personal preference to not be vaccinated is not considered a legitimate ground that would require the employer to provide an accommodation. Employees can visit the [Yukon Human Rights Commission's COVID-19 FAQ](#) to learn more.

Human resources can contact the Public Service Commission's Health, Safety and Wellbeing branch for guidance on exemptions for legitimate medical reasons and the Labour Relations branch for guidance on exemptions for legitimate religious reasons.

Requests for exemption – medical

Employees will only be exempted from the mandatory vaccination requirement for medical reasons if the Yukon Immunization Program or the Office of the Chief Medical Officer of Health has approved a recommendation made by a physician or nurse practitioner to temporarily defer COVID-19 vaccination. Employees should be aware that the acting Chief Medical Officer of Health has advised that there are very limited medical reasons why an individual may be advised to defer vaccination.



Employees should take the following steps to request an exemption from the vaccination requirement:

- ✓ First, an employee who believes they cannot comply with the vaccine requirement for medical reasons should email the Health, Safety and Wellbeing Branch of the Public Service Commission at HSW.inquiry@yukon.ca. The employee does not need to submit a form to the employer. The employee is only required to request an exemption from the vaccine requirement for medical reasons. Employees do not need to share a medical diagnosis or other medical information with the employer in this email.

If an employee emails their request to their department HR, HR can forward the request to HSW.inquiry@yukon.ca, if the employee consents for HR to do so on the employee's behalf.

After the employee has contacted HSW.inquiry@yukon.ca:

- ✓ The employee should bring the Yukon Immunization Program COVID-19 Vaccine Temporary Medical Deferral form to an appointment with their Yukon physician or nurse practitioner as soon as possible. If employees do not have access to a physician or nurse practitioner in the Yukon, they should contact the Health, Safety and Wellbeing branch to determine next steps. Employees may want to wait until they have been contacted by a Disability Accommodation Consultant before they make an appointment with their doctor (see step 3).
- ✓ A Disability Accommodation Consultant will contact the employee to acknowledge the request was received and explain the exemption request process. The Disability Accommodation Consultant will support the department HR to plan for how to accommodate the employee while their exemption request is being reviewed. The Disability Accommodation Consultant and HR will communicate to the employee about whether they can attend work and what their work assignment is.
- ✓ If a temporary deferral to COVID-19 vaccination was approved by the Yukon Immunization Program or the Office of the Chief Medical Officer of Health, the employee will be exempt from the vaccine requirement during the recommended deferral period. Approved medical deferrals will be entered into the Yukon vaccine and medical deferral credential system by Yukon Communicable Disease Control. The employee will be required to download their proof of medical deferral credential by following the steps outlined at Yukon.ca/vaccine-proof. The employee will then be required to provide a copy of their proof of deferral credential to Health, Safety and Wellbeing by email at HSW.inquiry@yukon.ca.

If a deferral request is approved, the department will work with the employee in conjunction with Health, Safety and Wellbeing to determine accommodation options.

If a deferral is not approved, the employee will be placed on leave without pay until they comply with the vaccine requirement.

Requests for exemption – religious

Employees who disclose a religious reason for not complying with the requirement will be asked to provide information to demonstrate their belief and how it impacts their ability to comply by completing the [COVID-19 Vaccine Religious Exemption Request \(Yukonnect\)](#) form. The employee will provide the completed form directly to the Labour Relations Branch of the Public Service Commission as per the instructions on the form, and Labour Relations will make a final determination on the exemption request. The Labour Relations Branch will communicate the decision to the Health, Safety and Wellbeing Branch of the Public Service Commission. If an exemption request is approved, the department will work with the employee in conjunction with Health, Safety and Wellbeing to determine accommodation options.

If a religious exemption request is not approved, the employee will be placed on leave without pay.

10. What if I am waiting for a decision on my exemption or deferral request as of the November 30 deadline?

Unvaccinated employees who are awaiting a decision on their exemption or deferral requests as of November 30 will be accommodated during the assessment process. They will not be placed on leave without pay during the assessment. A Disability Accommodation Consultant from the Public Service Commission will contact the employee and their HR branch to plan for how to accommodate the employee while their request is reviewed. Employees cannot attend the workplace while their request is reviewed, unless they have been advised that it is safe to do so by the Disability Accommodation Consultant. Employees are encouraged to make a request for exemption as early as possible. If they have not done so by November 30, they will be placed on leave without pay.

11. Can I request an exemption after November 30 if I have been put on leave without pay?

Employees who have not submitted a request for an exemption and who have not attested to their first dose of vaccine by November 30 will be placed on leave without pay effective December 1, 2021. Employees may submit a request for exemption after that date but will remain on leave without pay until and if they receive an approved exemption from the Public Service Commission.

12. What if I am on long-term disability, secondment, or other approved long-term leave?

Employees who for various reasons related to their current employment status, such as extended leave, are unable to provide information about their vaccination status by November 30, 2021 will be required to attest to their vaccine status prior to their return to work. This includes long-term disability, maternity and parental leave and deferred salary leave. It also includes employees on secondment, who will need to provide proof of their vaccination status on returning to their Yukon government workplace

Managers and supervisors should inform staff on these types of leave that proof of vaccination will be part of the return to work planning process.

13. What if I am on short-term sick or vacation/comp leave as of the vaccination requirement deadline?

If you are on approved short-term sick or vacation/comp leave, you are still required to enter your attestation into My HR File. For example, if you are taking leave that begins November 30, or begins before and extends past November 30, you will still need to enter your attestation by November 30 or you will be placed on leave without pay as of December 1. Prior to approving accrued leave, or in communication with employees about short-term sick leave, supervisors should ensure employees understand that they are still responsible to enter their attestation information in order to comply with the vaccine requirement.


14. Will my vaccination be recorded and tracked by the employer?

Personal information on vaccination will be collected, retained, used, and disclosed in a manner that respects the provisions of the *Access to Information and Protection of Privacy Act* and will be treated with the utmost confidentiality. An employee's vaccination status will only be shared with other individuals where required to enable the implementation of the COVID-19 vaccination requirement.

In the case of requests for exemptions, any information related to an employee's personal medical or religious information will be treated with the same level of confidentiality that would apply with any other accommodation request.

15. How long will the vaccine requirement be in effect?

The mandatory vaccine requirement will be in effect until general public health concerns regarding COVID-19 are reduced to a level where workplaces can operate without COVID-related restrictions. The law will be updated as required, given the evolving nature of the pandemic and public health direction. The Yukon government will continue to follow the



advice and recommendations of the Chief Medical Officer of Health on how to keep employees and the public safe.

16. What if public health requirements for full vaccination change? Do I need to provide proof of my booster?

Employees must be fully vaccinated by January 30, meaning they have received a full series of a COVID-19 vaccine by that date. At this time, the definition of “fully vaccinated” does not include booster shots and employees are not required to attest or provide proof that they have received a booster shot. If the definition of “fully vaccinated” changes in the future, employees will be provided information about their responsibilities and how to comply with the requirement.

17. What happens to my benefits coverage if I am placed on LWOP?


If you were eligible for benefits (e.g. extended health, dental, life insurances) prior to the beginning of the leave, you will be provided options for maintaining your benefit coverage during the leave period. Benefit coverage varies by employee group, hours of work, age and other factors. The Pay and Benefits unit of the Public Service Commission will contact employees placed on leave without pay with their personal benefit information, outlining options and associated costs for the employee to maintain benefit coverage.

Employees on LWOP will continue to have access to the [Employee and Family Assistance Program \(Yukonnect\)](#).

All employees on LWOP who are eligible for long-term disability are able to maintain this benefit for a maximum of 30 days and other benefits for a maximum of 6 months. Employees must choose whether to maintain all benefit coverages they are eligible for, or no benefit coverages.

While the employee is on leave, the employer will continue to pay their portion of the monthly benefit premiums for up to 3 months and the employee will continue to pay their portion. If the employee remains on leave for more than 3 months, the employee is responsible for both the employee and the employer portions of the benefit premiums for the remaining period of coverage (up to a maximum coverage period of 6 months). The employee premium payments are to be taken through a pre-authorized debit to their bank account.

If an employee returns to work following an unpaid leave, their mandatory benefit coverages are automatically reinstated if they were not maintained during the leave period. Employees must apply for optional life insurances on their return to work, including providing medical evidence of insurability – optional life insurances are not automatically reinstated.



18. What is the impact on my pension if I am placed on LWOP?

In general, employer-approved LWOP can be pensionable, meaning that the period of service may count in the calculation of the employee's pensionable time.

Contributions for periods of pensionable unpaid leave are calculated by the Pension Centre and re-payment schedule arrangements are initiated by the Pension Centre on your return to work. The Yukon government participates in the Government of Canada's Public Service Pension Plan (PSPP) and follows the eligibility rules and contribution rates set by the plan.

More details on the Public Service Pension Plan is available [here](#).

Currently, the PSPP is deeming leave without pay due to a mandatory vaccination requirement as pensionable for up to six months. This federal policy will be reviewed after six months.

19. If I do not have an approved exemption and I am not vaccinated, can I access Employment Insurance?

The Government of Canada has directed that if an employee doesn't report to work, is placed on leave without pay, or terminated for refusing to comply with a vaccine mandate, the employer should indicate on the Record of Employment that they chose to quit, that they took a leave of absence, or that they were dismissed. These reasons potentially disqualify a person from receiving employment insurance benefits. Service Canada is the decision maker about employment insurance benefits eligibility.

20. I am planning to take maternity leave that will begin after November 30 but I am not vaccinated. Will my ability to take maternity leave be affected if I am placed on LWOP after November 30?

The CMOH, consistent with the National Advisory Committee on Immunization (NACI), recommends COVID-19 vaccinations for pregnant women and that it is considerably safer for a pregnant woman to be vaccinated than to risk getting COVID-19 during pregnancy. As such, employees who are pregnant are required to be fully vaccinated by January 30, 2022, having received the first dose by November 30, 2021. Any employee can request a medical exemption from the requirement to be fully vaccinated through their family physician (see question #9). Employees can talk to their doctor and start the medical exemption approval process if they choose to do so.

Being placed on LWOP may have impacts on maternity leave benefits, both employment insurance (EI) and maternity leave allowance payments (top up). The Yukon government has no control over the EI portion of maternity leave and there are many variables in an employee's personal situation that can impact their EI application and eligibility period.

Regarding top up, in order to be eligible for it, an employee must be approved for, and in receipt of EI as per the collective agreements.

Pregnant employees can choose to go on maternity leave effective December 1 provided they meet the criteria in the collective agreements.

21. What supports are available if I am feeling stressed or overwhelmed by COVID-19?

We acknowledge that this can be a stressful situation for some employees. The [Employee and Family Assistance Program \(Yukonnect\)](#) is available to all employees to help with any stress or anxiety that they may be feeling. The counselling, coaching and crisis management services from EFAP are available 24 hours a day/7 days a week to all employees by calling (867) 668-EFAP (3327) or toll-free 1-855-767-7429.

22. [NEW March 16, 2022] Why is the Yukon government removing the vaccination requirement for most employees?

Throughout the pandemic, the Yukon government has followed the guidance and recommendations of the Chief Medical Officer of Health. When the vaccination requirement was introduced, the acting Chief Medical Officer of Health was in support of implementing a requirement that public servants be vaccinated.


It was always the intention that the mandatory vaccination requirement be in effect until general public health concerns regarding COVID-19 are reduced to a level where workplaces can operate without COVID-related restrictions. Removing the requirement for most employees aligns with the easing of other COVID-19 public health measures in the territory.

The vaccine requirement will be updated as required, given the evolving nature of the pandemic and public health direction.

All employees are reminded that, regardless of our views on vaccination or this requirement, we have an obligation to treat one another with respect and professionalism and must adhere to our responsibilities under the [Respectful Workplace Policy](#) at all times.

23. [NEW March 16, 2022] Who will remain under the vaccination requirement after April 4, 2022?

As of April 4, public service employees, contractors and volunteers who work in the following settings must be fully vaccinated:

- long-term care homes;
 - residential substance use programs;
 - hospitals;
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- shelters;
- group homes for children in government care;
- correctional centres;
- community health centres; and
- public health clinics.

Vaccination will no longer be a requirement for employees, contractors and volunteers who do not work in the above facilities. However, in non-government high-risk settings, the Yukon government will continue to require employers to implement policies for employees, contractors and volunteers to be vaccinated as appropriate for their settings.

In addition, employees should be aware that federal laws requiring vaccination to board aircraft or work in the federally regulated aviation sector are still in effect. These requirements are determined by the Government of Canada and are outside the measures put in place by the Yukon government. For more information about how any federal vaccination requirements may apply to them, employees should speak to their supervisor or Human Resources Branch.


24. [NEW March 16, 2022] What can I do if I have concerns about reporting to work with unvaccinated employees returning to the workplace?

All employees are reminded that, regardless of our views on vaccination, we have an obligation to treat one another with respect and professionalism and must adhere to our responsibilities under the [Respectful Workplace Policy](#) at all times.

Maintaining healthy and safe workplaces for public servants and members of the public accessing services remains our top priority. Because of this, Yukon government workplaces should maintain [current safe work practices](#).

25. [NEW March 16, 2022] Can the COVID-19 vaccination requirement for all Yukon government employees be reintroduced at a later date?

It is important to consider that the pandemic landscape has shifted quickly before, and as such, the need to be flexible remains. The Yukon government will continue to follow the advice and recommendations from the Chief Medical Officer of Health on how to keep employees and the public that we serve safe.



26. [NEW March 16, 2022] What will happen to employees currently on Leave Without Pay (LWOP) who remain under the vaccination requirement after April 4, 2022?

Employees currently on Leave Without Pay (LWOP) will remain on LWOP and will be informed if any other decisions about their employment status are made.

27. [NEW March 16, 2022] What happens to my vaccination attestation and verification information in My HR File?

At this time, no decisions have been made to remove or retain vaccination attestation and verification information in My HR File.

Personal information on vaccination has been collected, retained, used and disclosed in a manner that respects the provisions of the Access to Information and Protection of Privacy Act and will be treated with the utmost confidentiality.

28. [NEW March 16, 2022] I have not yet verified my vaccination attestation. Do I still need to provide proof of vaccination?

Yes. There have been no changes to the vaccine verification deadline of March 18 for all employees. Under the Public Services (COVID-19) Vaccination Regulation, employees are required by law to provide proof of their vaccination status when requested by the employer. If this requirement changes, we will provide an update to employees.

