



Amie Harbor <amieharbor@gmail.com>

(2021-153) RE: Vaccination Status Policy Announcement

1 message

Mike Laverty <mlaverty@tcsinfo.ca>

Thu, Dec 2, 2021 at 2:16 PM

To: Amie Harbor <amieharbor@gmail.com>

Cc: Mike Laverty <mlaverty@tcsinfo.ca>, Dawn McArthur <dmcArthur@tcsinfo.ca>

Amie:

Thank you for your email confirming you will not disclose your vaccination status as required by the November 18, 2021, Public Health Order(PHO); and a request for accommodation based on political belief.

First, we respect your continued choice not to disclose your vaccination status; however, under the provisions of the PHO requiring you to declare your status, we cannot allow you to continue to work past Friday, December 3, 2021, as you have not complied with the PHO.

To determine whether a Duty to Accommodate assessment is triggered, we require you to disclose your vaccination status. Once you have disclosed your status, we will be happy to consider you for accommodation.

Should you choose to disclose your status as part of the accommodation process, you need to demonstrate that you have had a long term involvement with the British Columbia Libertarian Party. Would you please provide me with copies of your membership receipts and any official documentation of your long term involvement with the party and its activities? In terms of the letter of this date from Mr MacIntyre, we have received several very similar letters and will require more substantive evidence of your long term political belief and participation with the British Columbia Libertarian Party

You will also have to notify your Union as the accommodation process is a tri-party process in the Unionised workplace. They will be involved in any discussions concerning accommodation.

In addition, I will need you to stipulate how your claim differs from the decision reached under *Class of Persons v. John Horgan, 2021 BCHRT 120* before the BC Human Rights Tribunal.

We accept that you are not prepared to disclose your vaccination status. As a result, we are required to follow the November 18, 2021, Provincial Health Order and will be placing you on unpaid leave effective Friday, December 3, 2021.

If you change your mind with respect to disclosing your vaccination status, I will then assess your accommodation request. If you do change your mind concerning being vaccinated, please notify your Manager immediately so that we can discuss your return to work.

Thank you, Mike

Michael Laverty
Director of Labour Relations &
Human Resources



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mlaverty@tcsinfo.ca

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From: Amie Harbor <amieharbor@gmail.com>
Sent: December 2, 2021 1:20 PM
To: Mike Laverty <mlaverty@tcsinfo.ca>
Subject: Fwd: Vaccination Status Policy Announcement

Hello Mr. Laverty,

I am employed at the Penticton Office of TCS as a Community Support Worker. As I am declining to disclose my personal vaccination status and TCS has said they will consider me unvaccinated, I am requesting an accommodation with regard to the newly implemented vaccine policy. My strongly and conscientiously held political beliefs prevent me from being vaccinated for compliance purposes with the COVID 19 vaccine in response to your mandatory vaccination policy announcement. My beliefs align with the principles of the BC Libertarian Party and under the BC Human Rights Code, this is protected grounds against discrimination. As a member in good standing with the BC Libertarian Party, I have a letter of support for accommodation on the grounds of political belief from Party Leader, Keith MacIntyre. Please see the attached letter and advise if more information is required.

Thank you,

Amie Harbor

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