



## Stakeholder Feedback

Online consultation on the topic below was posted from January 25 to March 28, 2022. The verbatim comments received by WCB-Alberta during online consultation are reproduced below.

### Cost relief for reactions to compulsory COVID-19 vaccinations - Policy 05-02, Part II, Application 2

<i>Stakeholder</i>	<i>Category</i>	<i>Comments</i>
<b>Wilco Contractors Northwest Inc</b>	<b>Employer</b>	Is the Policy retro active to Oct 2020? If so an we have paid employees for their time away can we submit for reimbursement for those cases? I am assuming a claim would need to be made for each case.
<b>Action Roofing and Siding Ltd</b>	<b>Employer</b>	I find the policy draft to be acceptable and fair.
<b>City of St. Albert</b>	<b>Employer</b>	I agree with the draft policy language changes associated with cost relief for mandatory COVID vaccination compensable earnings impacts.
<b>Action Roofing and Siding Ltd</b>	<b>Employer</b>	I think this is a great policy amendment!
<b>KB CARRIERS LTD</b>	<b>Employer</b>	<p>I am not in favor of WCB providing cost relief for COVID-19 vaccination reactions. In my opinion it is up to the individual employer to provide cost relief for COVID-19 vaccination reactions. Certain employers chose to implement mandatory vaccine policies. They should of been aware that these types of adverse reactions could happen. As part of the implementation of a vaccine policy they should of talked with a legal team and their insurance companies about adverse reactions. Because these are an experimental vaccine without proper safety data, I don't think companies should of implemented mandatory vaccine policies (due diligence). I don't feel like it the responsibility of all employers in certain industries to have premium rates increase because for what a few employers chose to implement. COVID-19 was not solely a work place hazard, COVID-19 according to the experts was spread mainly through community transmission. The COVID-19 vaccination did not stop the transmission or infection of employees.</p> <p>Although I feel badly for employees that have had reactions to mandated COVID-19 vaccines, I DO NOT feel it the responsibility for those who did not make vaccines compulsory. Making the COVID-19</p>

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		<p>vaccines compulsory violates many other laws.  * Canada's immunity act** Alberta recently changed its laws to state that no person is required in the province of Alberta to receive a vaccine. (Especially not a vaccine that has not been properly tested)</p>
Lochend Energy	Employer	<p>Given that our governmental reporting systems to acknowledge alleged Vaccine Adverse Events/reactions is extremely unreliable, it is my concern that the ability for a worker to be able to obtain medical verification to WCB that their injury is either directly or indirectly related to the COVID19 Vaccines will be near impossible, or remote.</p> <p>Given that the entire medical community is being forced into denying such events, are we not virtue signaling to the workforce that "don't worry, your vaccine injury is claimable". And exactly how long after a given dose (1st/2nd/3rd) do debilitating symptoms appear and are considered?</p> <p>If there a statute of limitations on accepting vaccine injury claims, if employers "force or make it mandatory". I personally have my doubts and are highly skeptical that claims will be accepted, based on the pressure on our medical community to rule in favour of the worker. I say this in AB specifically, facts indicate that Doctors were threatened for "giving medical exemptions"; "treated as outcasts for questioning the efficacy and safety of the COVID 19 Vaccines" so, why would WCB imply that they would accept employee injury claims? Potentially could be years before side effects could manifest, compare it to asbestosis, if you will. I think the policy needs to be far more descriptive than it is in the draft form, to address a couple of the points addressed above.</p>
Roska DBO	Employer	<p>I agree costs should go back to industry. I agree with this policy update.</p>
Not identified	Employer	<p>In review of the policy changes being suggested, there is no doubt that the employer should not be liable for reactions to a vaccine that is administered and overseen by the department of health. Cost relief in the form of wage loss and any long term effects from such as reaction should be cleared from the employer's costs.</p> <p>There are many steps that are being taken to assist employers with the added costs incurred due to the decreasing economy after and during the pandemic. However, there continues to be a lack of acknowledgement on the part of the WCB around the ability of</p>

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		<p>employers to offer modified duties. The policy as it relates to cost relief for the pandemic indicates that modified duties needed to be offered within a two week period of the "re-opening" of Alberta. However, there is no consideration given to the fact that many industries do not have the ability to work from home. The employer I represent is in the construction and infrastructure industry and thus, working from home is not a viable option. Many of the workers who were released when COVID closed down Alberta, remained off as the employer could not offer modified duties. Although the province "re-opened", employers were still required to keep to essential staff only. But there seems to be little consideration given to this. Employers have incurred the wage loss and other subsequent charges for not being able to bring workers back to modified duties to ensure the safety and well being of the workers and compliance with the public health guidelines.</p> <p>In closing, if WCB wishes to provide employers with more support, they need to explore the fundamentals of their own policy and take into consideration the reality of the different industries.</p>
ITF Association	Employer Association	<p>Thank you for the opportunity to provide input on the draft policy. Following is submitted on behalf of our membership.</p> <ol style="list-style-type: none"> <li>1. Definition of "compulsory immunization" - Neither the proposed draft nor Policy 03-01, Part II, Application 3 provides sufficient detail regarding when an immunization is considered compulsory. It is important this be clarified in WCB policy given the complexities of COVID as a public health issue. If a company encourages vaccination as a public health measure, but there are no consequences (e.g. discipline) for failure to get vaccinated, then it should not be deemed compulsory. Policy should also specifically address situations where the worker has an option to either be immunized or participate in rapid testing. Making this clarification will help to ensure only true compulsory vaccination reactions are covered and eligible for cost relief.</li> <li>2. WCB policy should be clear that placing a worker on a leave of absence without pay does not constitute a loss of earnings and is also not a termination of the employment agreement for WCB purposes.</li> <li>3. Application of Cost Relief for a compulsory vaccination against the Accident Fund - cost relief for a reaction to a COVID-19 vaccination is available to all employers and therefore should be applied against the</li> </ol>

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		<p>Accident Fund. Where a vaccination is specific to an occupation, it is appropriate that cost relief be applied to the industry, but that is not the case with a public health issue like COVID. Furthermore, a number of organizations and federally regulated agencies implemented vaccination policies following a government requirement or direction. In alignment with a system of shared/collective liability, having the costs absorbed by the Accident Fund so all employers, not just the industry to which an employer belongs, share the costs is appropriate. If costs are applied at the Industry level, employers who operate in industries with a small number of other employers (e.g. airlines, universities, railways and industrial camp operators) become responsible for a higher % of costs. The latter two examples are not only their industries but also their rate groups which unfairly targets them with a higher cost impact on claims where cost relief is applied. This would also help ensure there is no disincentive for employers and/or industries to mandate vaccines since COVID is a public health issue and vaccination benefits society in general, not only the workplace.</p>
<b>Alberta Construction Association</b>	<b>Employer Association</b>	<p>Thank you for the opportunity to comment on these policies. Alberta Construction Association represents nearly 3000 member firms, comprising up to 25% of WCB premiums.</p> <p>The definition of compulsory vaccination is unclear in the draft. If the employer provides the option for either rapid testing or vaccination, then vaccination is not compulsory. If the employer does not enforce consequences in the event of failure to vaccinate, then vaccination is not compulsory. The policy should be amended to reflect these scenarios.</p> <p>The policy should also specify that there is no termination or loss in earnings should the employer place a worker on unpaid leave in the event of a failure to vaccinate.</p> <p>There are instances where the Government of Alberta has de facto imposed compulsory vaccination on contractors as a condition of contract, given that COVID is a public health issue. Rather than applying cost relief at the industry level, it would be fairer to apply cost relief against the Accident Fund.</p>
<b>Individual</b>	<b>Other</b>	I am in favor of providing cost relief to employers when their workers have compensable reactions to compulsory COVID-19 vaccination.
<b>Not identified</b>	<b>Other</b>	There should be a consideration if the vaccination is mandated by the federal or provincial government or the employer. If only mandated

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		<p>by the employer and there were no other options such as testing, working in a remote location, reduce exposure, and testing then suggest cost relief apply. Otherwise the employer should be responsible for the full cost of the claim. Less invasive measures should always be chosen above all else.</p> <p>If mandated by the provincial or Federal government then cost relief should apply.</p> <p>The employer should have to submit their COVID-19 exposure control plan to qualify as well.</p>
<b>Individual</b>	<b>Other</b>	<i>[This submission related entirely to medical cannabis and has been moved to the appropriate topic.]</i>
<b>Individual</b>	<b>Other</b>	The need to consider mandate effective from/to dates - when did the employer initiate the mandate vs when/if the mandate was lifted by the employer. What timeframe from communication of policy/implementation of policy would/should be covered prior to mandae. The duration of this timeframe should be considered for the cost relief consideration.
<b>Individual</b>	<b>Worker</b>	This burden should souly fall on the individual employer, who makes it mandatory for vaccination, since many employers are already weighing the risk of their employee getting covid with the long-term risk of vaccine injuries. If the employer in question makes vaccination a term of employment they must souly bare the cost of any and ALL claims and this should not impact the industry as a whole!.
<b>Individual</b>	<b>Worker</b>	I do not agree with employers making vaccination compulsory. So, although I understand that for small companies, this cost relief being added to the policy could be of great assistance to them, I'm inclined to disagree with it being included.