

Service Canada Provides Guidance for Issuing Records of Employment When Employee Fails to Comply With Vaccination Policy

October 21, 2021

Service Canada has published [updated information](#) to help employers issue records of employment (“ROE”s) for employees during the COVID-19 pandemic. This includes when an employee either does not report to work or is dismissed because they refuse the COVID-19 vaccination.

Block 16 - Reason for issuing this ROE: Block 16 should indicate the reason for the employee’s leave or separation from employment, or the reason the ROE is being issued. When the employee is no longer working because the business has decreased operations or closed due to COVID-19, use **code A (shortage of work)**. When the employee is sick or quarantined, use **code D (illness or injury)**.

COVID-19 Vaccination: When the employee does not report to work because they refuse to comply with a mandatory COVID-19 vaccination policy, use **code E (quit)** or **code N (leave of absence)**. If an employee is suspended or terminated for not complying with a mandatory COVID-19 vaccination policy, use **code M (dismissal)**. If you use these codes, Service Canada may contact you to determine:

- if you had adopted and clearly communicated to employees a mandatory COVID-19 vaccination policy
- if employees were informed that failure to comply with the policy would result in loss of employment
- if application of the policy was reasonable within the workplace context
- if there were any exemptions for refusing to comply with the policy

For assistance developing a COVID-19 vaccination policy appropriate for your workplace, contact your Sherrard Kuzz lawyer or any member of the Sherrard Kuzz team at info@sherrardkuzz.com.

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