

MEMBER BULLETIN

Ontario Arbitrator Upholds COVID-19 Rapid Testing on Construction Sites as Reasonable

An Ontario Arbitrator recently [dismissed a policy grievance challenging](#) from LiUNA Local 183 which maintained that Covid-19 rapid testing on construction sites was “unreasonable”.

EllisDon Construction Ltd. required all persons entering affected job sites to provide a negative Covid-19 rapid test.

The Ontario Arbitrator concluded that “any invasion of privacy was outweighed by the objective of preventing the spread of Covid-19, and therefore the testing policy was reasonable.”

Although this award was related to the construction industry specifically, it establishes that in the appropriate context, Ontario employers may implement reasonable COVID-19 rapid testing protocols to protect the health and safety of workers and the public.

If you have any questions about rapid testing on construction projects across the province, please contact Steven Crombie (416-618-9839 or steven.crombie@oswca.org).