



# The Law Society of Manitoba

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## COVID-19 PREMISES POLICY - Executive Summary

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November 1, 2021

## LAW SOCIETY OF MANITOBA COVID-19 PREMISES POLICY

To minimize the health risks associated with the COVID-19 pandemic, the Law Society of Manitoba (the "Society") will implement procedures for the variety of persons who generally attend at the Society.

### **A. Access to Law Society Premises During COVID**

#### *Vaccination Status or Negative Test*

To gain access to the Society premises, persons who will be at the Law Society's offices for an extended period of time (e.g. employees, benchers, committee members, other lawyers and articling students who attend education sessions, contractors and service providers) will be required to provide:

- 1) proof of vaccination, or
- 2) a recent negative "PCR test"<sup>1</sup> (taken within 72 hours).

The Society will not be responsible for costs associated with COVID-19 testing.

#### *Personal Information Collection, Use and Disclosure*

The Society will collect personal medical information relating to whether a person has been fully vaccinated or has tested negative following a "PCR test " taken within 72 hours (the "Information") which will be used to establish whether a person is able to access the Society premises.

The information will be received and retained in a confidential manner with limited access to the Information and disclosed only as required by law.

The information will be retained for no longer than may be required and disposed of in a confidential manner.

#### *Accommodation*

Prior to seeking access to the Society's premises, those seeking an exemption from this policy on the basis of a ground articulated in the *Human Rights Code* must provide sufficient relevant information with sufficient or reasonable notice to the Society's CEO to support the need for an

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<sup>1</sup> Also called a molecular or RNA test, this COVID-19 test detects genetic material of the virus using a lab technique called polymerase chain reaction (PCR). Results from rapid testing for the presence of COVID-19 antigens will not be accepted in lieu of a negative recent PCR test.

accommodation. Information is also properly required to conduct an individualized assessment to determine what could be done to accommodate a person's needs without causing undue hardship on the Society. After receiving and reviewing the information provided, the CEO will assess:

- a) whether the information provided amounts to a specified ground that is protected at law; and,
- b) if so, the type of accommodation that may be appropriate.

Any information provided to the CEO relating to an accommodation request is personal information that will be treated in accordance with the above-referenced Information protocols.

### *Alternative Options*

In addition to those who may be accommodated in some manner on account of a protected ground under human rights legislation:

- a) Employees who decline to disclose their vaccination status or provide proof of a recent negative "PCR test" (taken within 72 hours) will be permitted to work remotely, where possible. Remote work will be accommodated to the point of undue hardship on the Society, as Employer.
- b) For other persons who seek access to the Society premises but decline to provide proof of vaccination status or provide proof of a recent negative "PCR test" (taken within 72 hours):
  - CPD programs will be delivered live on-line or will be recorded and made available at a subsequent point in time where reasonably possible;
  - Benchers and committee members will be able to attend meetings remotely.
- c) Additional accommodation will be provided for members of the profession who are compelled to attend a discipline hearing or a complaints investigation committee meeting. For example, additional social distancing and protection may be implemented (e.g. use of plexi-glass) or, where possible, the member and their counsel may appear remotely.
- d) Short Duration Visits

There are occasions where couriers, lawyers, students, and members of the public may attend the reception area of the Society to deliver or receive documents or items. Commensurate with the lower risk of transmission and because other safety measures have been implemented (plexi-glass), in these circumstances proof of

vaccination or in the alternative a negative result from a recent “PCR test” (taken within 72 hours) will not be required.

## **B. Mask Wearing**

Everyone who attends the Society premises will be required to wear a mask. Society employees may remove their masks when in their private work spaces.

If individuals are unable to wear a mask for reasons based upon a characteristic protected under human rights legislation, the Society will consider whether a requirement to wear a face shield coupled with physical distancing may be a viable accommodation in some circumstances. Alternatively, the policy already contemplates remote attendance options in the context of vaccination status.

## **C. Review of Policy**

The pandemic and the associated safety and health measures must be responsive to changing public health advice and recommendations and the level of risk presented by COVID-19.

It is the Society’s intention to enforce this policy only as required to provide a safe office environment for its employees and volunteers. Accordingly, this policy (and any related policies that may be created) will be reviewed on a regular basis and revised as necessary. Options for accommodation also may change over time and will be revisited in order to ensure that they meet individuals’ needs appropriately. The latest version of this policy can be reviewed in full [here](#).

Questions about this policy should be directed to the Chief Executive Officer (Leah Kosokowsky at [lkosokowsky@lawsociety.mb.ca](mailto:lkosokowsky@lawsociety.mb.ca)) or the Director of Policy and Ethics (Darcia Senft at [dsenft@lawsociety.mb.ca](mailto:dsenft@lawsociety.mb.ca)).