



CIPRIANI COLLEGE OF LABOUR AND CO-OPERATIVE STUDIES

Mandating Inequity

There has been a perennial problem that policy which seeks to address a national crisis, whether social or economic, invariably places the greater burden of adjustment on workers. This has been the experience without exception. The implementation of IMF's Structural Adjustment Programmes in the 1980s is perhaps the most profound example. I want to posit that the vaccine mandate is a continuation of this trend. The mandate prescribes a disproportionate responsibility on the employee for mitigating the spread of the virus in order for the country to return to normalcy.

On the 18th December 2021, at a news conference, the Prime Minister the Honourable Dr Keith Rowley announced the following:

“Outside of that, the government’s workplace will require, if you are a government employee, that you show your vaccination status, failing which you would not be encouraged in the workplace. (And) if you are not in a position to come to the workplace, you will be on leave on your own and you would be furloughed. Meaning, you will still have a job at the establishment, but you choosing not to be able to come to work under the conditions laid down, you then will not be paid.”

Firstly, let us address the fact that a sector of the workforce has been singled out without a significantly reasonable rationale beyond the fact that these are the workers over whose employment the Government has control. In other words, the relations of power determined the target group. It was the worst kept secret that the Government had been contemplating a vaccine mandate for some time, and this really ought to have been ventilated publicly. In general, there is an inherent distrust associated with the relations of power and we continue to be indifferent to the debilitating impact of this distrust on our national development. The Government would have been well-served to make a clear declaration of intent and facilitated structured public discourse. Instead, what has happened, is a public discourse on procedure and process which serves to deepen divides, rather than provide a progressive dialogue which is most desirable in a time of crisis.

Furthermore, the mandate, in singling out the worker, places no similar responsibility on the employer. Indeed, the insistence for compliance on the part of the employer is in no way comparable with the declaration that public servants ‘will not be paid’. It has to be said that the current administration must be given credit for maintaining salaries for government employees since the pandemic started, which makes this threat even more ‘left field’.

There are clear gaps. There ought to have been a commitment to ensuring compliance on the part of employers, including the Government in its capacity as an employer, to facilitate social distancing and sanitisation at the workplace. There must be a real consideration for the pressures put on productive capacity at places of work in the same way that we discuss pressures placed on the public health systems. If the mandate is intended to protect vaccinated workers, then it does not go far enough. The mandate must also place as a central

tenant, compliance to public health measures and introduce punitive fines for noncompliance. For example, with the return to work of 100% of public servants, what adjustments been made to ensure social distancing? This social distancing is not just confined to where persons sit, but also common areas such as lunchrooms and congregating areas on the compound.

Finally, the same decisiveness applied to threaten the income of the unvaccinated should be applied to protect the income of the vaccinated. The country is now into its third year of dealing with the pandemic and to date, and the government has not made any noteworthy intervention on the question of protecting leave. Unless there has been a shift in treating with positive cases, vaccinated persons will also find themselves in a position where they are asked to go into quarantine and use their personal leave. Therefore, there remains a threat of loss of income even for the vaccinated with the present mandate in its limited scope.

There is no question that any response in order to be successful, would require all hands-on-deck. However, it is detrimental to pretend that we are working in a vacuum. The failure to attend to mistrust inherent in extant relationships is a sure way to fail. The process has been poorly managed in my own view, but more importantly it is clear that responsibility has been placed squarely at the feet of the worker, and more specifically the unvaccinated worker. While the argument is to protect the vaccinated worker, the mandate provides no guarantee of provision of a safe working environment nor does it protect the income of the vaccinated. Instead, it is a case of same old approach where the workers get the short end of the stick, even though the mandate is purported to be in their best interests.

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