



SHINING WATERS  
REGIONAL COUNCIL  
The United Church of Canada

September 22, 2021

## Mandatory Vaccination Policy

Current UCC legal advice: “The advice on mandatory vaccination policies has shifted since spring. The advice then was that generally the benefits of a mandatory vaccination policy didn’t outweigh the risks. The science has evolved, the government recommendations have changed, and the prevailing direction in Canada is towards mandatory vaccination, with very limited exceptions.” New advice is “not implementing mandatory vaccination policies in a workplace is now the riskier choice, since the obligation of employers to provide a safe workplace outweighs the chance of a human rights code violation or other infringement on the individual.”

References, Regulations or Examples:

From a regulatory perspective, O. Reg 364/20 requires that, “The person responsible for a business or organization that is open shall operate the business or organization in compliance with the advice, recommendations and instructions of public health officials operate in the compliance with the advice / recommendations of the health units.” Some health units have recommended that employers implement a mandatory vaccination policy.

For example, Toronto Public Health announced August 20, 2021 that it now “strongly recommends” that employers implement mandatory vaccinations in their workplace:  
<https://www.toronto.ca/news/toronto-medical-officer-of-health-strongly-recommending-toronto-employers-institute-covid-19-vaccination-policy-and-support-workplace-vaccination/>

North Bay Parry Sound District Health Unit “encourages businesses to create their own vaccine policies:”

<https://www.myhealthunit.ca/en/health-topics/covid-19-vaccine-certificate-program.asp>

- O. Reg 645/21 which amends O. Reg 364/20 re proof of vaccinations:  
<https://www.ontario.ca/laws/regulation/r21645>
- O. Reg 364/20 which will be amended as of Sept 22 to include the new requirements:  
<https://www.ontario.ca/laws/regulation/r21645>
- Guidance on vaccine passports:  
[https://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/guidance\\_proof\\_of\\_vaccination\\_for\\_businesses\\_and\\_organizations.pdf](https://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/guidance_proof_of_vaccination_for_businesses_and_organizations.pdf)