

## **October 25, 2021 UPDATE: Vaccines, Passports, and Mandatory Vaccination Policies**

In response to continued improvements to key indicators, including ongoing stability in the province's hospitals, effective October 25, 2021 at 12:01 a.m., Ontario will lift capacity limits in the vast majority of settings where proof of vaccination are required, such as restaurants, bars, indoor meeting and event spaces, etc. Limits will also be lifted in certain outdoor settings.

**At this time, the government will also allow other settings to lift capacity limits and physical distancing requirements if they choose to require proof of vaccination, including:**

- **Locations where a wedding, funeral or religious service, rite or ceremony takes place may also implement proof of vaccination requirements for services, rites, or ceremonies at the location (this does NOT include wedding receptions - that will be updated on Nov. 15th, 2021).**

Click on the button below to view the Ontario Government's "Plan to Safely Reopen Ontario and Manage COVID-19 for the Long Term" Document:

[button link="https://canadianshielddrc.ca/wp-content/uploads/2021/10/moh-plan-to-safely-reopen-ontario-en-2021-10-22.pdf" type="big" color="purple" newwindow="yes"] **Ont. Gov.'s Long Term Plan Spreadsheet**[/button]

For the latest information about re-opening, go to the Ontario Government News Release webpage at:

<https://news.ontario.ca/en/release/1001027/ontario-releases-plan-to-safely-reopen-ontario-and-manage-covid-19-for-the-long-term>

**NOTE: AS OF OCTOBER 25<sup>TH</sup>, 2021, THE ONTARIO GOVERNMENT HAS GIVEN CHURCHES THE OPTION TO LIFT CAPACITY LIMITS AND PHYSICAL DISTANCING REQUIREMENTS IF THEY CHOOSE TO REQUIRE PROOF OF VACCINATION. YOU MUST STILL WEAR YOUR MASKS.**

### **Canadian Shield and Shining Waters Regional Councils**

Recently, The United Church of Canada General Council Office provided updated legal advice for communities of faith in Ontario. On September 22, 2021 the Ontario Vaccine policy will be implemented in Ontario. The passport policy **does not apply to places of worship unless your community of faith decides to require proof of vaccine to lift capacity and distancing rules,**

**however, it applies to your meeting and event spaces. Please see the updates on this page and direct specific regulation questions to your local public health unit for best advice.** You can also reach out to your Regional Council Congregational Support Minister or Pastoral Relations Minister. (Melody Duncanson-Hales, [MDuncanson-Hales@united-church.ca](mailto:MDuncanson-Hales@united-church.ca); Rob Smith, [rsmith@united-church.ca](mailto:rsmith@united-church.ca))

### **Church Meetings and Local Outreach Ministries:**

Church meetings, like board meetings (which may include volunteers or staff), are not subject to the passport regulations. This means that you are not required by law to ask staff or volunteers attending a church meeting for proof of vaccination. Local outreach ministries which provide an essential service, like Food Banks, are not subject to the passport regulations. This means that you are not required to ask staff, volunteers and participants for proof of vaccinations to access an outreach ministry (you could set your own policy). **Again, you can check with your local health unit for specific advice.**

### **Meeting Space and Rental Space:**

Under the current legislation some Church events space may be subject to the passport regulations. This means that you may have to ask for proof of vaccinations for people wishing to use those spaces.

### **Who is responsible for verifying Passports in the case of Rental Properties?**

The onus to verify is put on “the person responsible for a business or an organization.” It is a question as to who is responsible for the meeting or event spaces of a church. If the spaces are leased out to tenants, the onus is on the tenants, if they are operating a business or organization that is subject to the regulation. However, if the church itself manages the rental space (for example, rents out the gym for a wedding), the church may be the group responsible for ensuring that vaccine passports are checked. **The responsibility to verify passports can be delegated to a renter.**

### **Vaccine passports will be required for funeral and wedding receptions.**

The regulation uses the term “patrons” when referring to the individuals who are required to show proof of vaccination, however, the current legislation specifically exempts “workers, contractors, repair workers, delivery workers, students, volunteers, inspectors or others who are entering the business or organization for work purposes.”

Any space rented for meeting or events are subject to the new regulation, wedding or funeral receptions being the most specific example.

### **Advice for congregations and their Tenants**

Again, places of worship are exempt, and that would include church meetings. However, any non-church related meetings or non-essential events are required to verify vaccination status of patrons attending those meetings/events (check with your local health unit).

### **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)

Here are the CSRC Recommendations for re-opening your building:

[button link="https://canadianshieldrc.ca/wp-content/uploads/2021/10/Moving-Forward-Living-Faithfully\_CSRC\_Oct.-2021.pdf" type="big" newwindow="yes"] **CSRC Recommendations for Re-Opening Church Buildings**[/button]

We continue to hold all of you in our prayers.

Canadian Shield Regional Council