

Privileged and Confidential

COU Mandatory Vaccination Requirement Principles and Model Policy

Universities collectively received a [strong recommendation](#) from the Council of Ontario Medical Officers of Health (COMOH) to require mandatory vaccination for all individuals (including but not limited to students, staff, faculty, contractors, and visitors) involved in any in-person activities. Universities are required under the *Reopening Ontario Act* to implement the recommendations of public health authorities, and under the *Occupational Health and Safety Act* to maintain a safe work environment.

To comply with the COMOH recommendation and ensure consistency universities are recommended to implement the following principles in their policies and practices:

1. Full vaccination against COVID-19 is required for all individuals involved in any in-person activities (students, staff, faculty, contractors, and visitors) with the rare exception of those individuals who cannot be vaccinated due to permitted exemptions (medical and other protected grounds under the Ontario Human Rights Code).
2. Individuals must attest to their vaccination status and submit proof of vaccination. Vaccination status and supporting documentation is to be collected, stored, and used in a manner that complies with applicable privacy laws.
3. To be considered fully vaccinated, individuals are required to have completed a full series of a vaccine or a combination of vaccines accepted by the Government of Canada/World Health Organization, with their last dose at least 14 days before the date of attestation.
4. Individuals who are unvaccinated and do not have a permitted exemption cannot participate in any in-person activities on university property.
5. All individuals who are unvaccinated due to permitted exemptions or who are awaiting their second dose be required to adhere to additional health and safety measures, up to and including serial and frequent rapid testing. Rapid testing as an exception to full vaccination must be limited only to individuals who are unvaccinated due to a permitted exemption or who are awaiting their second dose. The latter must receive their second doses by a fixed, specified date.
6. Permitted exemptions to vaccination requirement are limited to proven medical exemptions or religious/creed exemptions. The forms should require individuals to provide sufficient supporting information in order to assess the request.
 - a. **Medical:** Individuals should be required to provide written proof of a medical reason from a primary care physician or nurse practitioner that includes whether the reason is permanent or time-limited. Public health officials have noted and provided guidance that medical grounds to be exempted from vaccination is rare. Medical exemptions may also include individuals with a documented disability impacting vaccination. Written documentation from a qualified regulated health professional (including psychologist/psychiatrist) of a diagnosed disability (diagnosis not required to be provided) that includes whether the reason is permanent or time-limited.

- b. **Religion/Creed:** Most religious organizations do not teach or profess a belief precluding vaccination. For a religious/creed exemption, individuals should be required to explain in writing why they are unable to be vaccinated due to their religion/creed. They should provide background on the religious belief/creed and connect the religious belief/creed to the reason they are requesting an exemption. Universities should consider requiring individuals to provide support from a witness/religious leader.

- 7. Before imposing any discipline or sanctions for employees failing to comply with the policy, a careful assessment, on a case by case basis, must be undertaken and legal advice sought. The appropriate response will depend on factors such as the nature of the position, the collective agreement, any specific employment agreement, operational requirements, fitness for duty, loss of qualifications and other considerations. Generally, employees who are operationally able to fully conduct their duties remotely may be permitted to work remotely as an alternative. In appropriate circumstances, employees who must work in person and who refuse to comply may be subject to being placed on leave without pay or an unpaid infectious disease emergency leave.

- 8. The vaccination policy is to be implemented as soon as operationally feasible.

- 9. From time to time, the policy may be updated as warranted by new public health guidance or other changing circumstances. At all times, a university will be guided by public health information, legislative requirements, and its existing obligations under, among others, the *Reopening Ontario Act*, the *Occupational Health and Safety Act*, and the *Human Rights Code*.

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