

COVID-19 UPDATE:

Vaccination Policies, Workplace Screening, Paid Infectious Disease Emergency Leave (IDEL) and New Proof of Vaccination Requirements

September 2, 2021

Vaccination Policies

[O. Reg 364/20](#), *Rules for Areas at Step 3 and at the Roadmap Exit Step* requires any business or organization open for business to operate “*in compliance with the advice, **recommendations** and instructions of public health officials...*”. (emphasis added)

On August 25, 2021, the Medical Officer of Health for Peel issued a “[strong recommendation](#)” that every Peel business update its safety plan to address vaccination. The following day, August 26, 2021, the Medical Officer of Health for Halton issued a “[recommendation](#)” that every local business implement a COVID-19 vaccination policy; a similar “[strong recommendation](#)” was issued by the Medical Officer of Health for Hamilton on August 30, 2021.

On the basis of the language of O. Reg 364/20 and these recommendations, any business or organization open for business in Halton Region or the City of Hamilton must have a vaccination policy and any business or organization open for business in Peel must update its safety plan to address vaccination.

Workplace Screening - Updated

On August 27, 2021, the Office of the Chief Medical Officer of Health for Ontario updated its [COVID-19 Screening Tool for Businesses and Organizations \(Screening Workers\)](#). Significantly, the list of adult COVID-19 symptoms for which a business must screen has been reduced to: fever and/or chills, cough or barking cough, shortness of breath, decrease of loss of taste or smell, and fatigue unrelated to vaccination (including lethargy, malaise and/or myalgias).

Paid IDEL Extended to December 31, 2021

As discussed in our earlier [briefing note](#), on April 29, 2021, the Ontario Government amended the *Employment Standards Act, 2000* to entitle an employee to up to three days of paid IDEL between April 19, 2021 and September 25, 2021. That latter date has now been extended to **December 31, 2021**. All other components of the paid IDEL program remain unchanged.

Ontario Introduces Proof of Vaccination Requirement

On September 1, 2021, the Ontario Government [announced](#) that, as of **September 22, 2021**, proof of full COVID-19 vaccination along with photo identification will be required for entry to certain high-risk indoor, public settings, including:

<ul style="list-style-type: none">• Restaurants & bars (excluding patios, takeout and delivery)• Nightclubs (including outdoor areas)• Meeting & event spaces, such as banquet halls & conference/convention centres• Gyms, fitness and recreational facilities (excluding youth recreational sports)	<ul style="list-style-type: none">• Sporting events• Casinos, bingo halls & gaming establishments• Concerts, music festivals• Theatres & cinemas• Strip clubs, bathhouses & sex clubs• Racing venues
--	---

In its press briefing, the Government confirmed this requirement will **not** apply to **employees** of any impacted business.

Initially, proof of vaccination will be an individual's existing Ministry of Health paper or PDF vaccine receipt. By October 22, 2021, the Province will unveil an enhanced digital vaccine receipt with a QR code. An individual who cannot be vaccinated due to a medical exemption will be permitted entry with a doctor's note until such time as the medical exemption can be integrated into the digital receipt. The Government has advised that it will develop and provide business-supports regarding the new proof of vaccination requirements.

We will continue to update our readers as matters develop.

For assistance with any COVID-19 related issue in your workplace, contact your Sherrard Kuzz LLP lawyer, or any member of the Sherrard Kuzz team at info@sherrardkuzz.com. We'll respond promptly.

*The information contained in this briefing note is provided for general information purposes only and does not constitute legal or other professional advice, nor does accessing this information create a lawyer-client relationship. This briefing note is current as of **September 2, 2021** and applies only to Ontario, Canada, or such other laws of Canada as expressly indicated. Information about the law is checked for legal accuracy as at the date the briefing note is prepared, but may become outdated as laws or policies change. For clarification or for legal or other professional assistance please contact Sherrard Kuzz LLP.*



Sherrard Kuzz LLP, Employment & Labour Lawyer

COVID-19 UPDATE: Vaccination Policies, Workplace Screening, Paid Infectious Disease Emergency Leave (IDEL) and New Proof of Vaccination Requirements - September 2, 2021

Main 416.603.0700 / 24 Hour 416.420.0738 / www.sherrardkuzz.com