

Ministry of Health

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Ministère de la Santé

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**Instructions issued by the Office of the Chief Medical Officer of Health**

WHEREAS under subsection 2(2.1) of Schedule 1 and Schedule 4 of [O. Reg. 364/20: Rules for Areas at Step 3 and at the Roadmap Exit Step](#) under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* (ROA) the person responsible for a business or organization that is open shall operate the business or organization in compliance with any advice, recommendations and instructions issued by the Office of the Chief Medical Officer of Health (OCMOH):

- a) requiring the business or organization to establish, implement and ensure compliance with a COVID-19 vaccination policy; or
- b) setting out the precautions and procedures that the business or organization must include in its COVID-19 vaccination policy.

AND WHEREAS:

- some employees, staff, contractors, volunteers, and students, as well as persons who provide services in an Education and Community Partnership program in the settings described below remain unvaccinated, posing risks to other staff, residents, and service recipients;
- vaccines provide the best protection against COVID-19; and
- the protection of staff, residents and service recipients in these settings from COVID-19 disease also enhances the protection of other community members by reducing the risk of disease transmission during an outbreak.

AND HAVING REGARD TO the prevalence of the Delta variant of concern globally and within Ontario, which has increased transmissibility and disease severity than previous COVID-19 virus strains, in addition to the declaration by the World Health Organization (WHO) on March 11, 2020 that COVID-19 is a pandemic virus and the spread of COVID-19 in Ontario.

I AM THEREFORE OF THE OPINION that instructions from the OCMOH be issued to establish mandatory COVID-19 vaccination policies in the below listed organizations.

Date of Issuance: August 30, 2021

Effective Date: Every Covered Organization (as defined below) must establish a COVID-19 vaccination policy by no later than September 23, 2021 and implement it by no later than September 23, 2021.

Issued To:

- service agencies, as defined in the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008* (SIPDDA).
- third parties that have entered into a contract with a service agency, as defined in SIPDDA, to provide services and supports to adults with developmental disabilities.^[1]
- a transfer payment recipient funded by the Ministry of Children, Community and Social Services (MCCSS) that provides intervenor services for persons who are deafblind.
- a transfer payment recipient funded by MCCSS that provides residential or emergency residential services under the Violence Against Women Support Services program or the Anti-Human Trafficking Community Supports program.
- licensees operating a children’s residence as defined in the *Child, Youth and Family Services Act, 2017* (CYFSA) and licensees to which section 117 of Ontario Regulation 156/18 made under the CYFSA applies.
- businesses or organizations providing residential care within the meaning of the CYFSA where:
 - No licence is required pursuant to Part IX; and,
 - The child is placed with the business or organization by a service provider as defined in the CYFSA.
- transfer payment recipients funded under the CYFSA that provide programs and deliver services with respect to children and youth with special needs programs including Early Intervention; Autism; Respite; Complex Special Needs funded services; Coordinated Service Planning; and FASD worker services.^[2]
- third parties that have entered into a contract with a transfer payment recipient to provide services to children and youth with special needs.^[3]
- a transfer payment recipient funded by MCCSS that provides and delivers Healthy Child Development (HCD) and Early Intervention programs.

(collectively the “**Covered Organizations**”).

Required Precautions and Procedures

1. Every Covered Organization must establish, implement, and ensure compliance with a COVID-19 vaccination policy requiring its employees, staff, contractors, volunteers, and students, as well as persons who provide services in an Education and

^[1] Does not apply to host family residences under SIPDDA.

^[2] Does not apply to direct funding programs such as Special Services at Home, through which families receive funding to purchase their own services.

^[3] Does not apply to foster care as defined under CYFSA.

Community Partnership program (herein referred to as “**Required Individual**”) to provide:

- a) proof of full vaccination^[4] against COVID-19; or
- b) written proof of a medical reason, provided by a physician or registered nurse in the extended class that sets out: (i) a documented medical reason for not being fully vaccinated against COVID-19, and (ii) the effective time-period for the medical reason; or
- c) proof of completing an educational session approved by the Covered Organization about the benefits of COVID-19 vaccination prior to declining vaccination for any reason other than a medical reason. The approved session must, at minimum address:
 - i. how COVID-19 vaccines work;
 - ii. vaccine safety related to the development of the COVID-19 vaccines;
 - iii. the benefits of vaccination against COVID-19;
 - iv. risks of not being vaccinated against COVID-19; and
 - v. possible side effects of COVID-19 vaccination.

2. Every Covered Organization’s vaccination policy shall require that where a Required Individual does not provide proof of being fully vaccinated against COVID-19 in accordance with paragraph 1(a), but instead relies upon the medical reason described at paragraph 1(b) or the educational session at paragraph 1(c), the Required Individual shall:

- a) submit to regular antigen point of care testing for COVID-19 and demonstrate a negative result, at intervals to be determined by the Covered Organization, which must be at minimum once every seven days.
- b) provide verification of the negative test result in a manner determined by the Covered Organization that enables the Covered Organization to confirm the result at its discretion.

3. Every Covered Organization must collect, maintain, and disclose, statistical (non-identifiable) information as follows:

^[4] For the purposes of this document, “fully vaccinated” means having received the full series of a COVID-19 vaccine or combination of COVID-19 vaccines approved by WHO (e.g., two doses of a two-dose vaccine series, or one dose of a single-dose vaccine series); and having received the final dose of the COVID-19 vaccine at least 14 days ago.

- a) documentation that includes (collectively, “the Statistical Information”):
- i. the number of Required Individuals that provided proof of being fully vaccinated against COVID-19;
 - ii. the number of Required Individuals that provided a documented medical reason for not being fully vaccinated against COVID-19;
 - iii. the number of Required Individuals that completed an educational session about the benefits of COVID-19 vaccination in accordance with paragraph 1(c), where applicable; and
 - iv. the total number of the Covered Organization’s Required Individuals to whom these Instructions apply.
- b) disclose the Statistical Information to MCCSS in the manner and within the timelines specified by MCCSS. MCCSS may seek additional detail within the requested Statistical Information outlined above which will also be specified in the request. MCCSS may further disclose this Statistical Information and may make it publicly available.

Questions

Covered Organizations may contact their MCCSS program supervisor or ministry contact with questions or concerns about these Instructions.

Covered Organizations are also required to comply with applicable provisions of the [Occupational Health and Safety Act](#) and its Regulations.



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