

New Ontario Regulation: Employers Must Comply with the Advice of the Chief of Medical Officer of Health Regarding COVID-19 Vaccination Policies

August 27, 2021

By Daniel Wong, Alfred Pepushaj

On August 24, 2021, the Ontario government filed O. Reg. 577/21, amending O. Reg. 364/20 (Rules for Areas at Step 3 and at the Roadmap Exit Step). The amendment requires businesses and organizations to operate “in compliance with any advice, recommendations and instructions” issued by either the Office of the Chief Medical Officer of Health, or by a medical officer of health after consultation with the Office of the Chief Medical Officer of Health,

- (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.

Just four days earlier, on August 20, 2021, the Medical Officer of Health for the City of Toronto issued a [press release](#) strongly recommending that Toronto employers institute workplace vaccination policies. As part of the recommendation, the City of Toronto provided [guidance](#) on developing workplace vaccination policies. The recommendation predates the filing of O. Reg. 577/21, and it is not clear whether such recommendation is binding on businesses and organizations in Toronto.

WeirFoulds’ Employment Law Group is monitoring these developments and will be providing updates as the COVID-19 situation progress. For more information on how this may affect your business or organization, please contact [Daniel Wong](#).

The information and comments herein are for the general information of the reader and are not intended as advice or opinion to be relied upon in relation to any particular circumstances. For particular application of the law to specific situations, the reader should seek professional advice.

For more information or inquiries:



Daniel Wong

Toronto
416.947.5042

Email:
dwong@weirfoulds.com

Daniel Wong is Chair of the Firm's Employment & Labour Practice Group with a practice that is focused on employment and labour relations.



Alfred Pepushaj

Toronto
416.619.6293

Email:
apepushaj@weirfoulds.com

Alfred Pepushaj is an Associate in the Commercial Litigation Practice Group at WeirFoulds LLP. He focuses on complex corporate and commercial litigation, including fraud, contract breaches, and shareholder disputes, as well as trusts and estates litigation involving will challenges, fiduciary breaches, and contested asset distributions.

WeirFouldsLLP

www.weirfoulds.com

Toronto Office

4100 – 66 Wellington Street West
PO Box 35, TD Bank Tower
Toronto, ON M5K 1B7

Tel: 416.365.1110
Fax: 416.365.1876

Oakville Office

1320 Cornwall Rd., Suite 201
Oakville, ON L6J 7W5

Tel: 416.365.1110
Fax: 905.829.2035