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## Open Toronto Businesses Must Have a COVID-19 Vaccination Policy

By Peter C. Straszynski

Many of our clients have been inquiring about the implementation of workplace vaccination policies.

Effective August 24, 2021, the Ontario Government has amended Regulation 364/20 to specifically require that:

“(2.1) 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, 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 a few days earlier, the Medical Officer of Health for Toronto published a strong recommendation that all local businesses implement a COVID-19 vaccination policy.

In order to comply with the Regulation, Toronto businesses must have a COVID-19 vaccination policy. Neither the Regulation nor the Medical Officer’s recommendation expressly requires that such policies require “mandatory” vaccination, which presumably leaves it to the employer to determine whether vaccinations will be a mandatory requirement of employment.

For more information about vaccination policies please see our article on the topic, and/or call or email any member of our Employment and Labour Law Group.

The City of Toronto has also published its own recommendations on the necessary components of such policies, which you can find [here](#).

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