

This correspondence is being sent to PEC

Good afternoon – please give this widest distribution to branches in Ontario that are no doubt dealing with the many questions regarding entrance to the Legion.

There is a baseline of requirements as provided in the Reopening Ontario Act set by the Province of Ontario. Businesses and organizations MUST comply with applicable municipal by-laws, section 22 orders issued by local Medical Officers of Health and any other applicable instructions, policies or guidelines issued by the Government of Ontario.

All applicable legislative or regulatory requirements related to health and safety, such as those in the Occupational Health and Safety Act, specifically with respect to worker/volunteer health and safety, the OHS Act also requires that employers take every precaution reasonable in circumstances to protect the health and safety of workers. This includes protecting workers from hazards posed by infectious diseases including COVID-19.

Therefore, effective September 22, 2021 members/patrons seeking access to areas of the business or premises must show proof of identification and proof of being fully vaccinated against COVID-19 before they can enter. Patrons are required to ensure that any information they provide to the business to demonstrate proof of vaccination is complete and accurate.

Canada's Criminal Code deals with matters such as violent act and threats. Harassment may also be a matter that falls under the Criminal Code or Ontario's Human Rights Code. As previously stated, under the OHS Act, employers have a responsibility to take every precaution reasonable in the circumstances to protect a worker. This includes assessing risk and implementing multiple control measures to address the risk of COVID-19 transmission, as well as the risk of workplace violence where that hazard may exist.

Furthermore, failing to comply with the Provincial requirements can result in charges and penalties under the Provincial Offences Act (POA), set fine amounts are \$750.00 for individuals and \$1,000.00 for Corporations. Neither of which The Royal Canadian Legion Branches nor patrons entering this not-for-profit organization might well afford. Obstructing any person exercising a power or performing a duty (including workers) in accordance with the Provincial requirements can also result in charges in the Reopening Ontario Act (ROA).

While I can appreciate this is a very sensitive issue that has divided many, we have an obligation to the safety of our employees, volunteers and members/patrons (some of which are in the most vulnerable sector and/or have pre-existing conditions) while observing the instructions set out by the Government of Ontario.

Regards,

Pamela Sweeny

Executive Director

The Royal Canadian Legion

Ontario Provincial Command