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To: ["Direct to Mayor and Council - DL"](#)  
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Good afternoon Mayor and Council,

I am writing to provide a brief update on the steps that we are taking in response to the updated direction communicated by the Provincial Health Officer over the past week.

**Proof of Vaccination Requirements**

As you will have heard, the Province is mandating that members of the public will need to provide proof of vaccination to access a range of non-essential services. However, a written order defining such requirements has not yet been issued and there are a number of substantive questions that remain outstanding.

From the information available presently, it appears that certain services/facilities operated by the City and Park Board, including recreation centres and theatres, will be subject to the vaccination requirement. At this point, it is our understanding that proof of vaccination will NOT be required to access Council proceedings, service counters or social services in the downtown core. As additional detail is provided by the Province regarding administration of this requirement, we will provide further updates regarding implementation in our facilities.

We are aware that the pending provincial order will not require vaccination for City employees, including staff employed in settings where the public must demonstrate proof of vaccination. While the Province has indicated that vaccination will be required for employees in long-term care and is examining other health care settings, the decision to impose such requirements in other workplaces is being left to the discretion of employers, subject to constraints arising under the Charter of Rights and Freedoms, privacy legislation and employment law. I can confirm that we are reviewing this issue in detail and have external counsel engaged to advise on the complex legal implications for the City. Generally, in order to substantiate a mandatory vaccine requirement for some/all staff, we are advised that the City would need to justify on the basis of specific health risks to employees.

Aside from legal considerations, the establishment of a vaccination mandate for staff has potentially significant operational implications. Depending on the number of employees who have not yet been vaccinated, which is unknown, the dismissal or exclusion of non-vaccinated employees could potentially jeopardize the City's ability to maintain essential services. At this point, the option of frequent, ongoing testing as an alternative to exclusion of unvaccinated employees from the workplace is unclear in terms of cost or feasibility.

We are also maintaining close contact with VCH public health officials on this matter. At present, VCH does NOT recommend a mandatory vaccination requirement for our employees.

We will keep Council apprised of our ongoing work of the above issue and any additional guidance forthcoming from the province, public health and/or WorkSafeBC.

**Mask Mandate**

The Provincial Health Officer has reinstated the province-wide requirement for masks in all public indoor spaces, regardless of vaccination status. That includes all spaces in City facilities that are accessible to the public, including the Council chamber. For workspaces that are not accessible to the public, we are continuing to recommend that staff wear masks, particularly if they are not fully vaccinated. Once the written order is released and we have further details, we will update our approach if required.

**Council meetings – September 21/22**

Prior to the summer break, we reviewed with Council our planning assumption that meetings scheduled for September 21 and 22 would be conducted in person in the Council chamber. We have received questions from several members of Council regarding that plan given the change in circumstances over recent weeks. Given the spike in case counts as well as the requirement that individuals in the Council chamber will be required to wear a mask at all times, I am now

recommending that the Council proceedings on September 21 and 22 be conducted virtually.

In the event there are varying views amongst members of Council on this question, I suggest the matter would be an appropriate subject for debate and decision on September 21 or another future date.

If you have any questions or concerns regarding any of the foregoing matters, please let me know.

Best,  
Paul

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The City of Vancouver acknowledges that it is situated on the unceded traditional territories of the xʷməθkʷəy̓əm (Musqueam), Sḥwax̱wú7mesh (Squamish), and səlilwətaʔ (Tsleil-Waututh) Nations.