

INSTRUCTIONS FROM THE MEDICAL OFFICER OF HEALTH

Subject: Medical Officer of Health Instructions regarding proof of vaccination requirements for persons entering facilities used for sport and recreational fitness activities.

Date: September 23, 2021

To: **All Owners, Operators and Persons Responsible for facilities used for sports and recreational fitness activities that include an indoor area located in the Wellington-Dufferin-Guelph Health Unit.**

From: Dr. Nicola Mercer, Medical Officer of Health and CEO

Effective Date of Implementation: September 23, 2021

We are now experiencing a fourth wave of the COVID-19 pandemic¹ and seeing a rise in cases locally and across the province. In a report published by Public Health Ontario (covering the period from December 20, 2020 to August 7, 2021), the rate of COVID-19 cases in unvaccinated individuals was consistently higher compared to fully vaccinated individuals.² COVID-19 will continue to pose a threat in our community as long as a significant number of people remain unvaccinated.

We need to remain vigilant to prevent the transmission of COVID-19 as much as possible. The new provincial proof-of-vaccination requirements, effective this week, apply to a number of high-risk settings including the indoor areas of facilities used for sports and recreational fitness activities. [Ontario Regulation 364/20](#) now mandates that you require proof of identification and proof of being fully immunized (or proof of being entitled to an exemption) for:

1. Each patron, 18 years of age and older, who enters solely for the purpose of actively participating in an organized sport; and
2. Each patron, 12 years of age and older, who enters for any other reason (e.g., as a spectator).

Additional information about the provincial proof-of-vaccination requirements can be found in the Ministry of Health's [Proof of Vaccination Guidance for Businesses and Organizations under the Reopening Ontario Act](#).

Certain individuals, such as volunteers, coaches, instructors, and sport officials, are currently excluded from provincial proof-of-vaccination requirements. Because these individuals are necessary for the operation of organized sports, they will have close and prolonged contact with vulnerable youth who are unvaccinated. As a result, and by way of this Letter of Instruction, I am requiring proof of vaccination for individuals who support indoor organized sports (including recreational fitness activities), in addition to the individuals prescribed by provincial regulation. Requiring these individuals to be fully vaccinated provides enhanced protection for our community and further curbs the local risk associated with indoor organized sports.

AS MEDICAL OFFICER OF HEALTH FOR THE WELLINGTON-DUFFERIN-GUELPH HEALTH UNIT, I AM ISSUING THE FOLLOWING INSTRUCTIONS PURSUANT TO SCHEDULE 1, SECTION 2 (2.1) OF ONTARIO REGULATION 364/20: RULES FOR AREAS IN STEP 3 AND AT THE ROADMAP EXIT STEP - OF THE REOPENING ONTARIO (A FLEXIBLE RESPONSE TO COVID-19) ACT, 2020, S.O. 2020, c. 17

All Owners, Operators and Persons Responsible for facilities used for sports and recreational fitness activities that include an indoor area located in the Wellington-Dufferin-Guelph Health Unit, are instructed to:

1. Require proof of identification and proof of being fully vaccinated (or proof of being entitled to a medical exemption) for all individuals, 12 years of age and older, who support an indoor organized sport or recreational fitness activity, prior to or upon arrival at the facility. For greater certainty, this includes all volunteers, coaches, instructors, coordinators, trainers, officials, and organizers.
2. Develop a proof of vaccination plan that describes the measures and procedures which have been implemented or will be implemented in the facility, to ensure compliance with the proof of vaccination requirements listed above or as otherwise required by O. Reg. 364/20.

It is expected that Owners, Operators, and Persons Responsible for facilities will already have systems in place to confirm proof of vaccination for patrons, including athletes/participants and spectators, in accordance with O. Reg. 364/20.

Further, it is expected that all Owners, Operators, and Persons Responsible for facilities will continue to comply with all other public health measures including, but not limited to screening, physical distancing and use of personal protective equipment, as outlined in O. Reg. 364/20.

For the purpose of these instructions, the following definitions apply:

Person Responsible means the holder of a permit/rental agreement to use the facility or designated individual which may include, but is not limited to, a coach, instructor, coordinator, trainer, organizer, or other person responsible for the compliance with public health measures related to COVID-19.

Facilities used for sport and recreational fitness activities include gyms, fitness/sporting/recreational facilities, dance studios, yoga studios, gymnastic centres, dojos/martial art studios, tennis clubs, pools, waterparks, and other premises where sporting events are played or spectated or where recreational fitness activities or personal fitness training occurs.

Organized sport means sports and recreational fitness activities including, but not limited to, sports leagues, organized pick-up sports, fitness classes, dance classes, yoga classes, gymnastics, martial arts and swimming classes, or as otherwise described in the Ministry of Health's [Proof of Vaccination Guidance for Businesses and Organizations under the Reopening Ontario Act](#).

Identification means a form of identification with the name of the identification holder and the holder's date of birth; it does not necessarily mean photo identification. Additional details can be found in the [Proof of Vaccination Guidance for Businesses and Organizations under the Reopening Ontario Act](#).

Medical exemption means an exemption confirmed by an individual who provides a written document, completed, and supplied by a physician or registered nurse in the extended class, that sets out, in accordance with the Ministry of Health's [Proof of Vaccination Guidance for Businesses and Organizations under the Reopening Ontario Act](#):

- (i) a documented medical reason for not being fully vaccinated against COVID-19, and
- (ii) the effective time-period for the medical reason.

Proof of being fully vaccinated means proof that an individual has received all required doses of a COVID-19 vaccine at least 14 days previously, in accordance with the Ministry of Health's [Proof of Vaccination Guidance for Businesses and Organizations under the Reopening Ontario Act](#).

FAILURE to comply with the said Regulation under the *Reopening Ontario (A Flexible Response to Covid-19) Act, 2020* is an offence for which either the patron or the business or organization may be liable, on conviction, to a fine of \$750 for individuals and \$1,000.00 for corporations, for every day or part of each day on which the offence occurs or continues. Maximum penalties based on prosecution under Part I or Part III of the [Provincial Offences Act, R.S.O. 1990, c.P.33](#) (POA), includes fines of up to

\$100,000 and up to one year in jail for an individual; up to \$500,000 and up to one year in jail for an individual who is a director or officer of a corporation; and up to \$10 million for a corporation.

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Questions about these instructions can be directed to the Wellington-Dufferin-Guelph Public Health COVID-19 Call Centre at 519-822-2715 ext. 4020.

¹ Science Table: COVID-19 Advisory for Ontario. Update on COVID-19 Projections: Science Advisory and Modelling Consensus Tables. September 1, 2021. Retrieved from: https://covid19-sciencetable.ca/wp-content/uploads/2021/09/Update-on-COVID-19-Projections_2021.09.01_English-1.pdf

² Ontario Agency for Health Protection and Promotion (Public Health Ontario). Confirmed cases of COVID-19 following vaccination in Ontario: December 14, 2020 to August 7, 2021. Toronto, ON: Queen's Printer for Ontario; 2021. Retrieved from: <https://www.publichealthontario.ca/-/media/documents/ncov/epi/covid-19-epi-confirmed-cases-post-vaccination.pdf?la=en>

**Appendix: Application of O. Reg. 364/20 and this
Letter of Instruction to individuals in various contexts**

Category		Age 11 years old or younger	Age 12 to 17 years old	Age 18 years old or older
Patrons	Athletes/participants who are present solely for the purpose of actively participating in an organized sport	Exempt from proof-of-vaccination requirements.	Exempt from proof-of-vaccination requirements.	Required to provide proof of vaccination by O. Reg. 364/20.
	All other athletes/participants	Exempt from proof-of-vaccination requirements.	Required to provide proof of vaccination by O. Reg. 364/20.	Required to provide proof of vaccination by O. Reg. 364/20.
	Spectators	Exempt from proof-of-vaccination requirements.	Required to provide proof of vaccination by O. Reg. 364/20.	Required to provide proof of vaccination by O. Reg. 364/20.
	Parents/guardians who are accompanying athletes/participants or spectators	Exempt from proof-of-vaccination requirements.	Required to provide proof of vaccination by O. Reg. 364/20.	Required to provide proof of vaccination by O. Reg. 364/20.
	Patrons attending solely for a reason listed in O. Reg. 364/20, Schedule 1, section 2.1 (3) (e.g., to use a washroom)	Exempt from proof-of-vaccination requirements.	Exempt from proof-of-vaccination requirements.	Exempt from proof-of-vaccination requirements.
Individuals Supporting Organized Sport and Recreational Fitness Activities	Coaches, instructors, or trainers	Exempt from proof-of-vaccination requirements.	Required to provide proof of vaccination by this Letter of Instruction.	Required to provide proof of vaccination by this Letter of Instruction.
	Sport officials (e.g., referees) and organizers	Exempt from proof-of-vaccination requirements.	Required to provide proof of vaccination by this Letter of Instruction.	Required to provide proof of vaccination by this Letter of Instruction.
	Any other individuals (e.g., volunteers) who are not patrons but who participate in the sport or fitness activity	Exempt from proof-of-vaccination requirements.	Required to provide proof of vaccination by this Letter of Instruction.	Required to provide proof of vaccination by this Letter of Instruction.
Other Staff and Contractors	Any other staff employed by the facility who do not participate in a sport or fitness activity	Exempt from proof-of-vaccination requirements.	Exempt from proof-of-vaccination requirements.	Exempt from proof-of-vaccination requirements.
	Delivery workers, repair workers, or other external contractors performing work who are not employed by the facility and who do not participate in a sport or fitness activity	Exempt from proof-of-vaccination requirements.	Exempt from proof-of-vaccination requirements.	Exempt from proof-of-vaccination requirements.