



Nova Scotia/Nunavut Command
The Royal Canadian Legion

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All Branch Mail Out #74

Date: October 14, 2021

TO: NS/NU Branches
NS/NU Executive Council
NS/NU Zone Commanders
NS/NU Past Presidents
NS/NU Command Staff

From: Comrade Valerie Mitchell-Veinotte
Executive Director
NS/NU Command, RCL

Subject: Info for Partners

Message: Comrades: The attached is provided for your information

October 2021

Dear partners,

We are aware that anti-vaccination advocates have been distributing various documents (wallet cards, notices of liability, etc) that attempt to bully business owners, facility operators, non-profit organizations and others who are subject to the proof of vaccination order. These documents attempt to sow doubt about the need for Covid-19 vaccination and threaten those responsible with legal liability.

The proof of vaccination requirement, like all public health orders, is based on the best public health evidence and advice available. There is no doubt about the need for vaccination. There is no doubt about the usefulness of the vaccines which have been approved in Canada in saving lives. Based on the evidence, we are confident that the proof of vaccination requirement is valid, necessary and lawful, and will help to put this fourth wave behind us.

Adherence to public health orders is required by law. If your establishment, event or activity is covered by the proof of vaccination requirement, you must refuse attendance to those who do not show proof of vaccination or a valid Proof of Medical Contraindication for COVID-19 Vaccination Letter. It is an offence to disobey a public health order. For corporations and organizations, the fine is a minimum of \$7,500 for each separate offence.

If you or your staff are experiencing abuse or receiving threats from patrons refusing to comply with the proof of vaccination protocol or interfering with your business operations, you should call the police.

Please refer to the [provincial website](#) for more information on the Proof of Vaccination policy.

Additional resources to assist you and your staff are listed below.

Q+A

Where is proof of vaccine required

Proof of full vaccination is required for discretionary, non-essential events and activities, such as eating establishments, going to the gym, or going to a movie, theatre performance, concert, or sporting event. Proof of vaccination will be required for dining in at food establishments, including fast food restaurants and coffee shops, but not for take-out, delivery, drive-through or food courts.

Health records are private. Isn't asking for proof of vaccine a violation of privacy?

Businesses and organizations hosting discretionary, non-essential events and activities are required to ask for proof of full vaccination under this protocol. People can show either a paper version of their proof of vaccine to a digital version on their mobile phone or other device. Businesses and organizations are not able to keep records of people's proof of vaccination without their consent because it is private health information. However, they can get consent from people to keep this information. A template consent form is available in the guide for [businesses and organizations](#) that will need to check for proof of full vaccination. More information is in section 2.4 of the protocol.

Is the proof of full vaccination protocol legal?

The proof of vaccination protocol, like the Public Health Order and other protocols under it, is based on the best public health evidence and advice available. There is no doubt about the need for vaccination. There is no doubt about the usefulness of the vaccines which have been approved in Canada in saving lives. Based on the evidence, we are confident that the proof of vaccination requirement is valid, necessary, and lawful, and will help to put this fourth wave behind us.

Can my business be fined for not checking proof of vaccination?

Adherence to the Public Health Order is required by law. If your establishment, event or activity is covered by the proof of vaccination protocol, you must refuse attendance to those who do not show proof of vaccination or a valid exception letter. It is an offence to disobey a public health order. For corporations and organizations, the fine is a minimum of \$7,500 for each separate offence.

Can I, my business or staff be held liable for asking patrons for proof of vaccination, denying service/entry without proof of vaccination, or otherwise implementing the provincial proof of vaccination protocol?

You are required by law to adhere to the Public Health Order and proof of vaccination protocol under it. You are encouraged to seek legal advice if you have specific concerns regarding legal action by patrons.

What about threats of human rights violations?

You are encouraged to seek legal advice if you have specific concerns regarding legal action by patrons. You may also wish to contact the Nova Scotia Human Rights Commission to discuss any specific concerns or questions you may have in response to allegations of human rights violations.

Will there be inspections of businesses and organizations to make sure they are checking for proof of full vaccination?

Provincial inspectors will conduct compliance checks at events and activities where proof of full vaccination is required. Some may be coupled with regular inspections, such as food safety. Some may be based on complaints. Not every event and activity will be inspected.

Inspectors will ensure the business or organization has a system in place to only allow people who are either age 11 or under or have provided proof of full vaccination to participate. They will also check for compliance with other aspects of the Health Protection Act Order that may apply. Any compliance action will take into consideration the risk to public health and the willingness of the business or organization to comply with this protocol. If aspects of non-compliance are noted, enforcement will take a measured approach with the use of a range of available options to ensure compliance with this protocol (e.g. education, ticketing, etc.).

What can an organization do if a patron is causing a disturbance?

[Skills Online NS](#) offers free online training courses that may help your business/organization manage challenging situations. The recommended bundle of courses include:

- Working in a Challenging Time
- Specialities: Customer Service
- Bullying and Violence in the Workplace

If necessary, businesses and organizations can call their local police should they need assistance (i.e. to help manage people who are causing disturbances)

Proof of Vaccination Resources

[Proof of full vaccination protocol](#)

[Proof of full vaccination required signage](#)

[Guide for businesses and organizations to check proof of full vaccination](#)

[Consent form for recording vaccination status \(see Appendix B\)](#)

[Nova Scotia Health Protection Act Order](#)