

## **A. Rationale for a Diocesan Vaccination COVID-19 Policy**

Our Church must be mindful that we are a component of society, unique in our vocation, but similar in operation and exposure as many others. We must react and take steps that are in keeping with the law and with our duties to provide safe places of worship and work, celebrate the sacraments, and carry out our religious duties and obligations with the least possibility of causing harm.

COVID-19 is a clear and present threat to society. It is not imaginary as some suggest, or a disease only for the elderly, nor is it a trifling illness like the common cold.

We must operate under the premise that the potential for damage caused by COVID-19 means that the common good must prevail over individual rights for society to protect itself. These are rare but necessary occurrences, and our society is not without precedent in this regard as past pandemics and other serious issues have shown.

We must operate with the understanding that the vaccinations are both safe and necessary. We, as the Diocese of London, are well within reason to rely upon the various ministries of health, public authorities and world bodies that have declared the vaccinations made available to date to be both safe and effective. That there may be side effects for some does not negate the general need for these vaccines to be used by the general public.

Finally, we must bear in mind that the need to combat this pandemic is temporary.

In light of the above, in advance of publication of this Policy, Bishop Fabbro issued a letter dated 29 September 2021 to the priests, deacons, and lay ecclesial ministers working in the Diocese with fuller explanation of this rationale.

## **B. Definitions**

The following definitions shall apply to this Policy:

- (i) **Fully Vaccinated** means having received the full series of a COVID-19 vaccine or combination of COVID-19 vaccines approved by Health Canada, and having completed the 14-day waiting period.
- (ii) **Individuals** means all bishops, priests, deacons, lay ecclesial ministers, staff (including employees of cemeteries), and volunteers in the Diocese of London.
- (iii) **Visitors** include, but are not limited to: service providers, clergy or lay people coming from other dioceses for temporary ministry. Visitors do not include children under 12 years of age until such time as they are eligible to be vaccinated.
- (iv) **Proof of Vaccination** means a written vaccination record of an individual's COVID-19 immunization date(s) issued by the government of the province, territory or country in which they were immunized.

### **C. Vaccinations for Individuals are Mandatory**

It is expected that all bishops, priests, deacons, lay ecclesial ministers, and staff, including cemetery staff, will be fully vaccinated in accordance with the requirements of Health Canada and the Ontario Ministry of Health. This applies, as well, to all clergy and lay presenters who come from outside of the Diocese of London for the purpose of doing ministry in this Diocese.

Visitors to diocesan, parochial, and cemetery offices and any independent contractors are also subject to this Policy. There is no requirement for the Diocese to accommodate any of these people. Visitors or contractors in these buildings for less than 15 minutes are not required to provide proof of vaccination, but are required to follow all other safety protocols.

Vaccinations against COVID-19 are mandatory, bearing in mind the context of clergy, employees, cemetery employees, and volunteers engaged in the ministry of the Church who come into personal contact with others. It is important to be mindful of the direction encouraged by the provincial Ministry of Health and the regional health authorities, as well as our legal duties to avoid claims of negligence.

The following factors are pertinent:

- All clergy, employees, cemetery employees, and volunteers must necessarily work with vulnerable members of the public, such as those who are elderly or medically compromised.
- Many of our churches and parishes do not allow us to avoid working in proximity of less than two metres (six feet) from one another.
- Many new variants of COVID-19 are presenting themselves, and vaccinations are the only safeguard available to combat them.
- Obtaining a vaccination is simple, safe, and effective.

“Mandatory” in this context does not mean employees must get a vaccine; the Diocese will not force clergy, employees, or volunteers to do so. This policy means those persons in direct contact with the public or coworkers must have a vaccine to physically be at their workplace or perform ministry.

It will not be sufficient in these circumstances to suggest alternatives, such as masking or regular testing, to individuals that cannot or will not be vaccinated.

It must be made clear to all concerned, including parishioners, that it is essential to the Diocese that clergy, employees, and volunteers have the COVID-19 vaccination. All members of the Diocese, including parishioners, are strongly encouraged to obtain vaccinations as directed by the authorities.

Pastors/administrators and other diocesan administrators shall ensure a copy of this Policy is provided to every employee under their supervision, and that volunteers have access to this Policy.

This policy is work- and ministry-related, and does not require attendees at religious services in worship spaces to provide proof of vaccination.

#### **D. Those Not Fully Vaccinated**

Failure to comply with this policy could result in disciplinary action (which includes being placed on an unpaid leave of absence), up to and including termination of employment for just cause. The decision to take disciplinary action would be made by the Director of Human Resources in consultation with the employee's supervisor.

Clergy who refuse vaccination will be removed from current duties. If possible, they will be re-assigned by the Bishop at his discretion to roles that do not feature public contact, and their stipend may be adjusted accordingly.

Any clergy of the Diocese who subsequently become fully vaccinated may apply to the Bishop's Designate with proof of same asking for restoration to ministry.

Any lay ecclesial minister who has been dismissed, and who subsequently becomes fully vaccinated, may re-apply with proof of same for employment to the Director of Lay Ecclesial Ministry; however, there shall be no automatic reinstatement for someone who has been dismissed.

Any employee who has been dismissed, and who subsequently becomes fully vaccinated, may re-apply with proof of same for employment with the Director of Human Resources; however, there shall be no automatic reinstatement for someone who has been dismissed.

Any volunteer who has been relieved from their duties, and who subsequently becomes fully vaccinated, may re-apply with proof of same to their pastor or administrator.

#### **E. This COVID-19 Vaccination Policy is Temporary**

The Diocese recognises that vaccinations are invasive, and the COVID-19 pandemic, while of the greatest seriousness, is hoped to be temporary. The Diocese, therefore, does not have mandatory vaccinations for flu, rabies, or such other maladies that are not as serious or persistent.

This Policy is not permanent and will remain in effect only as long as it is required to ensure the health and safety of individuals and parishioners, and it will be revoked when the Diocese can do so safely based on applicable public health advice that the risks of COVID-19 have subsided.

Steps taken during the pandemic pursuant to this Policy, however, such as dismissal, will remain in effect after the pandemic has ended.

#### **F. The Diocese Encourages and Supports Vaccination of all People**

All individuals subject to this Policy shall have appropriate time off from their duties to be vaccinated. Employees shall have two hours of paid time off from work to obtain vaccinations if they have not already done so. Any difficulty in scheduling this shall be resolved by the Bishop's Designate.

## **G. Providing Proof of Vaccination**

All individuals must provide proof of vaccination as soon as reasonably possible, but no later than 45 days from the promulgation of this Policy:

- priests to the Director of Priest Personnel;
- deacons to the Director of Permanent Deacons;
- lay ecclesial ministers to the Director of Lay Ecclesial Ministers;
- staff to the Director of Human Resources of the Diocese;
- volunteers to their pastor/administrator.

Those who are already fully vaccinated shall obtain certificates to that effect from the Government of Ontario website (<https://covid19.ontariohealth.ca>).

## **H. Timeline to Become Vaccinated and Warnings**

All clergy and employees who have not had an initial vaccination will be given a maximum of 45 days from the date of promulgation of this policy to become fully vaccinated. They may remain in service during that time period, however their duties may be modified or the individual may be reassigned to avoid unnecessary contact with vulnerable people. Modified duties may include:

- revised or reduced duties and total compensation accordingly;
- working alternative hours;
- leave of absence without compensation.

No warnings will be issued after the 45 days have lapsed. Permission for any extension to the time period set out in this Policy must be sought in writing from the Bishop's Designate.

## **I. Further Testing and Potential Booster Shots**

Testing may be required where individuals are diagnosed with or exposed to persons infected with COVID-19. Clear negative test results are necessary before returning to service, as determined by the local health unit.

Any clergy, employee or volunteer who exhibits COVID-19 symptoms must seek medical aid and notify the Diocese pursuant to the diocesan requirements.

Booster shots of vaccine may be required, if called for by order of public authority. If booster shots are mandated, then individuals must obtain same and provide updated proof of receiving the booster shot as outlined above in section G.

## **J. Legitimate Reasons for Refusing Vaccination Must be Considered**

The Diocese will give consideration, in accordance with the Ontario Human Rights Code, to those who cannot be vaccinated because of a valid medical condition.

It is the position of the Diocese that receiving a vaccine is not contrary to the law of the Church, nor does it infringe any canon law. Non-Catholic employees who seek exemptions for religious reasons must outline these in writing for consideration by the Bishop's Designate.

Individuals with valid medical notes from a licensed physician that indicate that vaccinations for COVID-19 are dangerous to their health may submit same along with a request that they be exempted from vaccination. This medical note must be in accordance with the Ontario Ministry of Health's most recent version of "Medical Exemptions to COVID-19 Vaccination". Pastors, administrators, and supervisors are to submit medical dispensations for their staff to the Bishop's Designate. The Bishop's Designate, in consultation with the individual's supervisor and the Director of Human Resources, will make every reasonable effort to accommodate them, subject to them not being put in any position to have direct contact with others in the parish or workplace.

If there is no ability to accommodate these individuals, then a paid or an unpaid leave of absence may be provided at the discretion of the Bishop's Designate.

The Diocese is not required to accommodate an individual who does not have a valid medical or religious reason under the Ontario Human Rights Code not to be fully vaccinated.

#### **K. Obtaining and Maintaining Records of Proof of Vaccination for Diocesan Files**

Ontario allows for fully vaccinated persons to receive a certificate attesting to their status by way of a simple on-line application and the printing or downloading of a pdf receipt. As is provided for in this Policy, a copy of this receipt must be submitted by individuals as indicated above within 45 days of the promulgation of this Policy.

#### **L. Medical Records Will be Kept Confidential**

The Diocese understands that medical information is among the most sensitive of all personal information. The Diocese shall keep any medical information, including COVID-19 vaccination records or medical exemptions, confidential and separate from other personnel files.

COVID-19 vaccination information will be kept on file for a period of two years after the pandemic is declared ended by provincial authorities, at which time these records will be destroyed.

#### **M. This Policy is Subject to Further Revision as Circumstances Warrant**

Individuals working in the Diocese of London shall make themselves familiar with the Policy.

The Diocese reserves the right to unilaterally change this Policy, including by enhancing the protections in place and implementing supplementary policies which may be applicable at any time, or reducing restrictions as may be allowed.

#### **N. Consequence of Misleading Statements**

Misleading or untrue statements made by clergy with respect to their vaccination status, will be, at the discretion of the Bishop, grounds for immediate removal of faculties and being placed on administrative leave. In the case of employees and volunteers, dismissal will be determined by the Bishop's Designate in consultation with the individual's supervisor and the Director of Human Resources.

#### **O. St. Peter's Seminary**

As an independent corporation, St. Peter's Seminary, London, Ontario, is bound by its own policy regarding vaccinations and, therefore, is not considered in the framing of this policy. The Seminary's policy reflects its affiliation with Kings University College and Western University. Any persons attending the Seminary for any reason are required to follow their policy.

#### **P. Questions and Additional Information**

Requests for information, or any questions concerning the applicability of this Policy, should be addressed to the Bishop's Designate.

Additional information including the Ontario government's statement on the necessity of vaccinations, along with Frequently Asked Questions, can be found at <https://dol.ca/vaccinations>.

*+ Ronald Fabbro, CSB*

Most Rev. Ronald P. Fabbro, CSB  
Bishop of London



Date: 18 October 2021