

Question

With regard to the COVID-19 vaccine mandates for public service employees, contractors and temporary workers, announced in October 2021 and those for federally regulated companies announced in December 2021: (a) did the government classify this policy as a public-health measure under the Public Health Agency of Canada Act, a human-resources requirement under the Financial Administration Act or as an occupational safety preventive measure under Part II of the Canada Labour Code; (b) which ministers, deputy ministers and senior officials approved the final classification of the vaccination policy, and, for each, what was (i) their name, (ii) their title, (iii) the date of the approval; (c) what hazard-identification or residual-risk assessments were performed under Canada Occupational Health and Safety Regulations sections 10.4 to 10.6 to determine whether existing controls such as hand sanitization, barriers, masking, distancing and disinfection were inadequate before escalation to mandating the COVID-19 vaccine; (d) were Policy and Workplace Health and Safety Committees consulted under Canada Occupational Health and Safety Regulations section 10.8 and section 125(1)(z.14) of the Code prior to implementation of the COVID-19 vaccine mandate, and, if so, for each meeting, what are the details, including the (i) date, (ii) list of attendees, (iii) outcome of the meeting, (iv) internal tracking or file number of the minutes; (e) did any federal department submit a notice or obtain approval under Canada Occupational Health and Safety Regulations section 12.04(1) when introducing the COVID-19 vaccine mandate as a biological preventive measure, and what documentation demonstrates compliance with 12.04(3) that the measure itself “did not create or contribute to a hazard”; (f) did Department of Justice Canada, Employment and Social Development Canada, Health Canada or the Treasury Board Secretariat issue any legal opinions or interpretive memos clarifying whether COVID-19 vaccination constituted “personal protective equipment” or was otherwise subject to Part II of the Canada Labour Code, and, if so, for each opinion or memo (i) what was the date, (ii) what was the name of the issuer, (iii) who received the information, (iv) on what date was it tabled in the House of Commons; (g) did Employment and Social Development Canada Occupational Health and Safety Officers revise 2020 findings that the existing hierarchy of control measures under section 122.2 of the Canada Labour Code were adequate, and, if so, for each revision what was the (i) date of the revision, (ii) reason for revision, (iii) evidence to justify the revision; (h) did the Minister of Labour determine that COVID-19 vaccination qualified for introduction at the third stage of the hierarchy, in section 122.2 of the Canada Labour Code requiring hazard elimination or reduction before resorting to personal protective equipment, and, if so, what analysis supported that decision; (i) following the Prime Minister’s 2021 announcement that the COVID-19 vaccine policy aimed to “protect the safety of our workplaces,” did the government classify the COVID-19 vaccine mandate measure as falling within its Part II duties to protect employees at work, and how was that classification conveyed to departments; (j) were employees explicitly informed that the COVID-19 vaccine mandate was implemented to protect workplace health and safety and therefore that their rights under sections 125 to 128, including the right to know, participate and refuse dangerous work, would apply, and, if not, why not; (k) which departments maintain records of federal employee exposures or adverse reactions resulting from the mandatory COVID-19 vaccine mandate policy pursuant to section 125(1)(j), how many reports were made and what is the schedule for retention and reporting; (l) which departments participated in interdepartmental meetings to coordinate the workplace COVID-19 vaccination policy, and which department led the decision to classify it as a public-health or human-resources measure rather than occupational protective equipment; (m) does the government plan to propose amendments to Part II of the Canada Labour Code or to the Canadian Occupational Health and Safety Regulations to clarify the classification of biological or pharmacological interventions in workplace safety programs; (n) did the Minister of Labour consult the National Advisory Committee on Occupational Safety and Health with respect to sections 122.2 and 124 of the Canada Labour Code regarding compliance before introducing medical or biological measures as occupational controls; (o) did the Minister of Health, Health Canada or the Public Health Agency of Canada have knowledge that biochemical components of the COVID-19 vaccines were registered chemicals, and, if so, on what date did they inform all federal employees of these chemicals under section 125.1 of the Canada Labour Code; and (p) was the mandatory vaccination policy for federal workers classified as a workplace safety measure under Part 2 of the Canada Labour Code, and,

if so, on what dates were employees informed to document and report all adverse events, related to vaccination to the provincial worker's compensation boards for review?

Response

This response was tabled in the House of Commons on May 6, 2026, as Sessional Paper 8555-451-968.



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Sessional Paper
8555-451-968

House of Commons

Order/Address of the House of Commons

Question number Q-968	Asked by Dean Allison (Niagara West)	Date asked March 19, 2026
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Presented by

Kevin Lamoureux

Parliamentary Secretary to the
Leader of the Government in
the House of Commons

Employment and Social Development Canada

Reply by: the Minister of Jobs and Families and Minister responsible for the Federal Economic Development Agency for Northern Ontario

Name of Signatory: Annie Koutrakis

Reply

Employment and Social Development Canada

(f) did Department of Justice Canada, Employment and Social Development Canada, Health Canada or the Treasury Board Secretariat issue any legal opinions or interpretive memos clarifying whether COVID-19 vaccination constituted “personal protective equipment” or was otherwise subject to Part II of the Canada Labour Code, and, if so, for each opinion or memo (i) what was the date, (ii) what was the name of the issuer, (iii) who received the information, (iv) on what date was it tabled in the House of Commons?

Employment and Social Development Canada is only aware of information on its role as regulator responsible for enforcement of the *Canada Labour Code*. Employment and Social Development Canada has not issued an interpretive memo on COVID-19 vaccine constituting a personal protective equipment.

(g) did Employment and Social Development Canada Occupational Health and Safety Officers revise 2020 findings that the existing hierarchy of control measures under section 122.2 of the Canada Labour Code were adequate, and, if so, for each revision what was the (i) date of the revision, (ii) reason for revision, (iii) evidence to justify the revision?

It is unclear what the reference to “2020 finding” refers to with respect to section 122.2 of the *Canada Labour Code*. Section 122.2 establishes the hierarchy of measures to be implemented in response to a hazard in the workplace. This requirement of the Code is consistent with best practices in occupational health and safety. It is a prescriptive measure applicable to any preventive measure in response to a hazard. The use of a vaccine aims to reduce the hazard by limiting the proliferation of a biological agent. In the hierarchy of controls, vaccination therefore comes at the second level, namely hazard reduction. However, it is not a form of protective equipment.

(j) were employees explicitly informed that the COVID-19 vaccine mandate was implemented to protect workplace health and safety and therefore that their rights under sections 125 to 128, including the right to know, participate and refuse dangerous work, would apply, and, if not, why not?

The decision to mandate vaccination in the public service was officially announced on October 6, 2021, by The Right Honorable Justin Trudeau, former Prime Minister of Canada and the Honorable Chrystia Freeland, former Deputy Prime Minister of Canada and Minister of Finance.

Public service employees are informed of their rights under the *Canada Labour Code* upon hiring and are represented on the committees established by the *Canada Labour Code*. The Department of Employment and Social Development Canada, through the Labour Program does not have information specific to each department.

(k) which departments maintain records of federal employee exposures or adverse reactions resulting from the mandatory COVID-19 vaccine mandate policy pursuant to section 125(1)(j), how many reports were made and what is the schedule for retention and reporting?

Maintaining data related to the health and safety of Government of Canada employees is the responsibility of government departments and not the Labour Program. Therefore, the Department of Employment and Social Development Canada, through the Labour Program does not have information regarding reports on these matters and their retention periods, as there is no reporting obligation under the *Canada Labour Code* .

(m) does the government plan to propose amendments to Part II of the Canada Labour Code or to the Canadian Occupational Health and Safety Regulations to clarify the classification of biological or pharmacological interventions in workplace safety programs?

At this time, no amendments to Part II of the *Canada Labour Code* , or its regulations, have been proposed or are planned to clarify the classification of pharmacological or biological interventions in occupational safety programs.

(n) did the Minister of Labour consult the National Advisory Committee on Occupational Safety and Health with respect to sections 122.2 and 124 of the Canada Labour Code regarding compliance before introducing medical or biological measures as occupational controls?

The National Advisory Committee on Occupational Safety and Health is an agency under the authority of the Occupational Safety and Health Administration, within the United State Department of Labor. The Department of Employment and Social Development Canada, through its Labour Program does not have any records of consultations with the National Advisory Committee on Occupational Safety and Health on the above matter.

Health Canada

Reply by: the Minister of Health

Name of Signatory: Maggie Chi

Reply

Health Canada and the Public Health Agency of Canada

(a) did the government classify this policy as a public-health measure under the Public Health Agency of Canada Act, a human-resources requirement under the Financial Administration Act or as an

occupational safety preventive measure under Part II of the Canada Labour Code; (b) which ministers, deputy ministers and senior officials approved the final classification of the vaccination policy, and, for each, what was (i) their name, (ii) their title, (iii) the date of the approval; (c) what hazard-identification or residual-risk assessments were performed under Canada Occupational Health and Safety Regulations sections 10.4 to 10.6 to determine whether existing controls such as hand sanitization, barriers, masking, distancing and disinfection were inadequate before escalation to mandating the COVID-19 vaccine; (d) were Policy and Workplace Health and Safety Committees consulted under Canada Occupational Health and Safety Regulations section 10.8 and section 125(1)(z.14) of the Code prior to implementation of the COVID-19 vaccine mandate, and, if so, for each meeting, what are the details, including the (i) date, (ii) list of attendees, (iii) outcome of the meeting, (iv) internal tracking or file number of the minutes; (e) did any federal department submit a notice or obtain approval under Canada Occupational Health and Safety Regulations section 12.04(1) when introducing the COVID-19 vaccine mandate as a biological preventive measure, and what documentation demonstrates compliance with 12.04(3) that the measure itself “did not create or contribute to a hazard”?

The Treasury Board of Canada Secretariat will respond to these questions.

(f) did Department of Justice Canada, Employment and Social Development Canada, Health Canada or the Treasury Board Secretariat issue any legal opinions or interpretive memos clarifying whether COVID-19 vaccination constituted “personal protective equipment” or was otherwise subject to Part II of the Canada Labour Code, and, if so, for each opinion or memo (i) what was the date, (ii) what was the name of the issuer, (iii) who received the information, (iv) on what date was it tabled in the House of Commons?

Neither Health Canada nor the Public Health Agency of Canada issued any legal opinions or interpretive memoranda of the type described.

(g) did Employment and Social Development Canada Occupational Health and Safety Officers revise 2020 findings that the existing hierarchy of control measures under section 122.2 of the Canada Labour Code were adequate, and, if so, for each revision what was the (i) date of the revision, (ii) reason for revision, (iii) evidence to justify

the revision; (h) did the Minister of Labour determine that COVID-19 vaccination qualified for introduction at the third stage of the hierarchy, in section 122.2 of the Canada Labour Code requiring hazard elimination or reduction before resorting to personal protective equipment, and, if so, what analysis supported that decision; (i) following the Prime Minister's 2021 announcement that the COVID-19 vaccine policy aimed to "protect the safety of our workplaces," did the government classify the COVID-19 vaccine mandate measure as falling within its Part II duties to protect employees at work, and how was that classification conveyed to departments; (j) were employees explicitly informed that the COVID-19 vaccine mandate was implemented to protect workplace health and safety and therefore that their rights under sections 125 to 128, including the right to know, participate and refuse dangerous work, would apply, and, if not, why not; (k) which departments maintain records of federal employee exposures or adverse reactions resulting from the mandatory COVID-19 vaccine mandate policy pursuant to section 125(1)(j), how many reports were made and what is the schedule for retention and reporting; (l) which departments participated in interdepartmental meetings to coordinate the workplace COVID-19 vaccination policy, and which department led the decision to classify it as a public-health or human-resources measure rather than occupational protective equipment; (m) does the government plan to propose amendments to Part II of the Canada Labour Code or to the Canadian Occupational Health and Safety Regulations to clarify the classification of biological or pharmacological interventions in workplace safety programs; (n) did the Minister of Labour consult the National Advisory Committee on Occupational Safety and Health with respect to sections 122.2 and 124 of the Canada Labour Code regarding compliance before introducing medical or biological measures as occupational controls?

The Treasury Board of Canada Secretariat and Employment and Social Development Canada will respond to these questions.

(o) did the Minister of Health, Health Canada or the Public Health Agency of Canada have knowledge that biochemical components of the COVID-19 vaccines were registered chemicals, and, if so, on what date did they inform all federal employees of these chemicals under section 125.1 of the Canada Labour Code?

The Product Monograph for each COVID-19 vaccine, which includes the composition of the vaccine, is publicly available in the [COVID-19 vaccines and treatments portal](#). The components of the COVID-19 vaccines are not hazardous substances as per Section 125.1 of the Canada Labour Code. All components are assessed during submission review and all vaccines are tested for safety in non-clinical and clinical studies prior to authorization.

(p) was the mandatory vaccination policy for federal workers classified as a workplace safety measure under Part 2 of the Canada Labour Code, and, if so, on what dates were employees informed to document and report all adverse events, related to vaccination to the provincial worker's compensation boards for review?

The Treasury Board of Canada Secretariat will respond to this question.

Treasury Board of Canada Secretariat

Reply by: the President of the Treasury Board

Name of Signatory: Tom Osborne

Reply

Treasury Board of Canada Secretariat

(a) Did the government classify this policy as a public-health measure under the Public Health Agency of Canada Act, a human-resources requirement under the Financial Administration Act or as an occupational safety preventive measure under Part II of the Canada Labour Code?

The Policy on COVID-19 Vaccination for the Core Public Administration Including the Royal Canadian Mounted Police was a human-resources requirement under the *Financial Administration Act* .

(b) Which ministers, deputy ministers and senior officials approved the final classification of the vaccination policy, and, for each, what was (i) their name, (ii) their title, (iii) the date of the approval?

The Policy on COVID-19 Vaccination was approved by the Treasury Board.

Please note that in processing Parliamentary Returns, the Treasury Board of Canada Secretariat applies the *Privacy Act* and the principles set out in the *Access to Information Act* , and certain information has been withheld on the grounds that the information constitutes Cabinet confidence.

(c) What hazard-identification or residual-risk assessments were performed under Canada Occupational Health and Safety Regulations sections 10.4 to 10.6 to determine whether existing controls such as hand sanitization, barriers, masking, distancing and disinfection were inadequate before escalation to mandating the COVID-19 vaccine?

The Policy on COVID-19 Vaccination was not implemented as an occupational health and safety response under Part II of the *Canada Labour Code* , nor as a control measure under the *Canada Occupational Health and Safety Regulations* .

The Policy on COVID-19 Vaccination was a human-resources policy issued under the *Financial Administration Act* , not a hazard control measure under the occupational health and safety regime.

(d) Were Policy and Workplace Health and Safety Committees consulted under Canada Occupational Health and Safety Regulations section 10.8 and section 125(1)(z.14) of the Code prior to implementation of the COVID-19 vaccine mandate, and, if so, for each meeting, what are the details, including the (i) date, (ii) list of attendees, (iii) outcome of the meeting, (iv) internal tracking or file number of the minutes?

The Policy on COVID-19 Vaccination was not implemented as an occupational health and safety response under Part II of the *Canada Labour Code* , nor as a control measure under the *Canada Occupational Health and Safety Regulations* .

(e) Did any federal department submit a notice or obtain approval under Canada Occupational Health and Safety Regulations section 12.04(1) when introducing the COVID-19 vaccine mandate as a biological preventive measure, and what documentation demonstrates compliance with 12.04(3) that the measure itself “did not create or contribute to a hazard”?

The Policy was not introduced as a biological preventive measure or as personal protective equipment under Part II of the *Canada Labour Code* or the *Canada Occupational Health and Safety Regulations* .

(f) Did Department of Justice Canada, Employment and Social Development Canada, Health Canada or the Treasury Board Secretariat issue any legal opinions or interpretive memos clarifying whether COVID-19 vaccination constituted “personal protective equipment” or was otherwise subject to Part II of the Canada Labour Code, and, if so, for each opinion or memo (i) what was the date, (ii) what was the name of the issuer, (iii) who received the information, (iv) on what date was it tabled in the House of Commons?

No, the Treasury Board of Canada Secretariat did not issue any such legal opinions or interpretive memos.

(g) Did Employment and Social Development Canada Occupational Health and Safety Officers revise 2020 findings that the existing hierarchy of control measures under section 122.2 of the Canada Labour Code were adequate, and, if so, for each revision what was the (i) date of the revision, (ii) reason for revision, (iii) evidence to justify the revision?

Interpretation of the *Canada Labour Code* , Part II, rests with the Labour Program at Employment and Social Development Canada. The Policy on COVID-19 Vaccination was not implemented as an occupational health and safety response under Part II of the *Canada Labour Code* , nor as a control measure under the *Canada Occupational Health and Safety Regulations* .

(h) Did the Minister of Labour determine that COVID-19 vaccination qualified for introduction at the third stage of the hierarchy, in section 122.2 of the Canada Labour Code requiring hazard elimination or reduction before resorting to personal protective equipment, and, if so, what analysis supported that decision?

Interpretation of the *Canada Labour Code* , Part II, rests with the Labour Program at Employment and Social Development Canada. The Policy on COVID-19 Vaccination was not implemented as an occupational health and safety response under Part II of the *Canada Labour Code* , nor as a control measure under the *Canada Occupational Health and Safety Regulations* .

(i) Following the Prime Minister's 2021 announcement that the COVID-19 vaccine policy aimed to "protect the safety of our workplaces," did the Government classify the COVID-19 vaccine mandate measure as falling within its Part II duties to protect employees at work, and how was that classification conveyed to departments?

No, the Policy on COVID-19 Vaccination was not implemented as an occupational health and safety response under Part II of the *Canada Labour Code* , nor as a control measure under the *Canada Occupational Health and Safety Regulations* . It was implemented as a human-resources policy under the *Financial Administration Act* and communicated to federal organizations for implementation.

(j) Were employees explicitly informed that the COVID-19 vaccine mandate was implemented to protect workplace health and safety and therefore that their rights under sections 125 to 128, including the right to know, participate and refuse dangerous work, would apply, and, if not, why not?

The Policy on COVID-19 Vaccination was implemented as a human-resources policy under the *Financial Administration Act* . Employee rights under sections 125 to 128 of the *Canada Labour Code* , including the rights to know, participate, and refuse dangerous work, apply at all times and do not depend on an employer restating them in connection with a particular policy. These rights apply continuously across the federal public administration.

(k) Which departments maintain records of federal employee exposures or adverse reactions resulting from the mandatory COVID-19 vaccine mandate policy pursuant to section 125(1)(j), how many reports were made and what is the schedule for retention and reporting?

The Treasury Board of Canada Secretariat does not hold such records. The Policy on COVID-19 Vaccination was a human-resource policy, not a *Canada Labour Code* , Part II measure, making section 125(1) inapplicable. Adverse events are tracked through federal and provincial public health systems, including the Canadian Adverse Events Following Immunization Surveillance System administered by the Public Health Agency of Canada.

(l) Which departments participated in interdepartmental meetings to coordinate the workplace COVID-19 vaccination policy, and which department led the decision to classify it as a public-health or human-resources measure rather than occupational protective equipment?

The Treasury Board of Canada Secretariat decided to implement the policy as a human-resources measure under the *Financial Administration Act* . It was coordinated through existing human-resources interdepartmental networks.

(p) Was the mandatory vaccination policy for federal workers classified as a workplace safety measure under Part 2 of the Canada Labour Code, and, if so, what dates were employees informed to document and report all adverse events, related to vaccination to the provincial worker's compensation boards for review?

No, the Policy on COVID-19 Vaccination for federal employees was not classified as a workplace safety measure under Part II of the *Canada Labour Code* . It was implemented as a human-resources policy under the *Financial Administration Act* , governing conditions of employment, rather than as an occupational health and safety measure.