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Clarification on PHO vaccination disclosure order

The Provincial Health Officer has issued a new order regarding the reporting of vaccination status of K-12 staff. According to the PHO and Ministry of Education, this order enables local Medical Health Officers (MHOs) to direct school boards to obtain the vaccination status of school staff and share that information with the local MHO.

Like many K-12 members, CUPE was surprised by this announcement. We were not consulted on the order, nor given advance notice it was being issued. We also understand that initial news coverage of the order added to confusion over the nature and scope of the order. We hope this bulletin will provide clarity on what this means for K-12 support staff.

The PHO and Ministry of Education says this is an enabling order for local MHOs and provides a consistent approach for gathering this information if needed. **It is not a province-wide order, nor does it require immediate action by school districts.** School districts have been told that they are not required to collect staff vaccination status information unless they are ordered by their local MHO with a specific directive.

The Ministry of Education says the purpose of this order is “to support MHOs to obtain information about K–12 staff vaccination rates to assess, advise on and respond to risks arising

from exposures, cases, clusters and outbreaks in schools.”

If an MHO directive is issued under this order, it would:

- Require the employer to collect vaccination status information of staff
- Require staff to report vaccination status information to their employer
- Require staff to update their vaccination status information if their status changes to their employer
- Require the employer to provide aggregated vaccination status information by school to the MHO
- Require the employer to consider that staff who do not provide vaccination status as unvaccinated, when implementing control measures

PHO orders are not a grievable matter as they are not a decision from an employer. As an order from the PHO, it does carry penalties for non-compliance that are unrelated to the workplace.

If an MHO does order this directive to a school district, CUPE expects this information will be gathered in a way that protects the privacy and rights of K-12 staff as outlined in the province’s [K-12 Sector Guidelines for Vaccination Policies](#).