

## FTR Now

# Federal Government Announces COVID-19 Vaccination Requirements for Travellers and Federal Sector Employees

**Date:** October 7, 2021

On October 6, 2021, the federal government [announced](#) that as of October 30, 2021, all travellers departing from Canadian airports, travelling on VIA Rail and Rocky Mountaineer trains or travelling on non-essential marine passenger vessels must be fully vaccinated.

The government also announced that, effective October 30, the federally regulated transportation sector will be required to create vaccination policies for their organizations. Among other things, employers will need to guarantee their employees are fully vaccinated.

In a separate [announcement](#), the government stated that under its new [policy](#) on COVID-19 vaccination for the Core Public Administration (CPA) and the Royal Canadian Mounted Police (RCMP), federal public servants in the CPA, including members and reservists of the RCMP, must be vaccinated against COVID-19. This requirement applies to employees whether they work on-site, work remotely or telework.

In this *FTR Now* we highlight the key details of these two news releases.

## Vaccine Requirements for Travellers

Effective October 30, all travellers 12 years of age and older will need to be fully vaccinated in order to:

- fly on domestic, transborder or international flights departing from airports in Canada;
- travel on VIA Rail and Rocky Mountaineer trains; or
- travel on non-essential marine passenger vessels, such as cruise ships, on trips 24 hours or more.

A one-month transition period will give some leeway to travellers who are in the process of getting vaccinated. During this period, presentation of a negative COVID-19 test within 72 hours of a trip will gain unvaccinated travellers access to departure. By November 30, however, all travellers must be fully vaccinated, with limited exceptions (e.g., for emergency travel, and those with a medical exemption).

The vaccination travel mandate will also include specific accommodation to recognize the unique needs of travellers from remote communities, some of which are not accessible by road.

## Vaccine Requirements for the Federally Regulated Transportation Sector

By October 30, employers in the federally regulated transportation sector will be required to create and implement vaccination policies for their organizations. The vaccination requirement will apply to:

- airlines and airports, and other organizations who have employees who enter restricted areas of airports, such as concession and hospitality workers;
- federally regulated railways, and their rail crew and track employees; and
- marine operators with Canadian vessels that operate with 12 or more crew.

The vaccination policies must be rigorous. After a “short phase-in period” employees who are not fully vaccinated will not be permitted to work. Vaccination policies must also:

- include a provision for employee attestation/declaration of their vaccination status;
- include a description of consequences for employees who do not comply or who falsify information; and
- meet standards consistent with the approach taken by the Government of Canada for the Core Public Administration.

## Enforcement

To ensure compliance with these measures Transport Canada will conduct inspections. Travellers, organizations or employees found to be non-compliant will be subject to significant monetary penalties.

## Vaccine Requirements for Federal Public Servants in the CPA

Under the government’s new vaccination policy, employees in the departments and organizations that comprise the CPA (as outlined in Schedules I and IV of the [Financial Administration Act](#)) must be fully vaccinated in order to work. This includes members of the RCMP. The vaccination requirement also extends to casual workers, students and contractors who require access to federal government worksites, among others.

Employees must provide their vaccine attestation through an online system between October 6 and October 29, 2021. Public servants who refuse to disclose their vaccination status or who are not fully vaccinated will be placed on administrative leave without pay as early as November 15, 2021.

Exceptions apply to employees who are being accommodated based on a certified medical contraindication or other prohibited ground as defined under the *Canadian Human Rights Act*.

Crown corporations and separate government agencies will also be asked to implement mandatory vaccination policies. In addition, vaccination will be required for the Canadian Armed Forces.

We will continue to monitor developments related to the federal government’s announcements. Should you have any questions related to the vaccination requirements for travellers and/or federal sector employees, please contact [Gabrielle Lemoine](#) or [your regular Hicks Morley lawyer](#).

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