#### **Federal Vaccination Mandate**

## **Guidance for Cruise Operators on Passenger Exceptions**

Passengers are strongly encouraged to use the new standardized **Canadian COVID-19 proof of vaccination**.

Very limited exceptions to vaccination will be allowed for travel within and out of Canada, of which the following will be administered by operators:

- Medical inability to be vaccinated
- Sincere religious belief

# 1. Operator-Administered Temporary Exceptions for Passengers (Medical Inability to be Vaccinated and Sincere Religious Belief)

The process for issuing exceptions is governed by the applicable Transport Canada Orders.

All operators will accept/approve or refuse temporary passenger exceptions due to medical inability to be vaccinated or sincere religious belief based on detailed guidance from TC (using this document as a starting point).

Operators will be required to develop operational guidance and procedures on how they will receive, evaluate, and accept/approve requests for temporary exceptions, as well as how they will confirm and communicate acceptance or approval of the temporary exceptions to passengers, and handle refusals.

It is the responsibility of operators to inform passengers that they must submit their requests for temporary exceptions before embarkation.

Transport Canada will provide template forms for operators to adapt for their use.

Passengers will be responsible to submit to the operator a completed exception form. A request for temporary exception due to medical inability or sincere religious belief must be submitted 3 weeks in advance of planned embarkation.

Passengers are required to carry the completed exception form and proof of the operator's acceptance/approval with them during their travel journey. As this documentation must be provided to the operator, multiple copies may be required depending on the specific operator's requirements.

Temporary exceptions due to Medical Inability or Sincere Religious Belief are <u>operator-specific</u>. In other words, a temporary exception by an airline does not automatically allow the passenger to embark on a cruise ship, or transfer from plane to ship or train. These exceptions are deemed to

be 'temporary' as both the exception form and the operator-administered exception approval is time limited.

A high-level summary of information on exceptions for passengers is located on this webpage: COVID-19 Boarding flights, trains and cruise ships in Canada – Travel restrictions in Canada – Travel.gc.ca (administered by Health Canada and Treasury Board Secretariat).

It will be the responsibility of the operator to communicate to the passenger details on the temporary exception request and approval process.

Passengers with temporary exceptions due to Medical Inability or Sincere Religious Belief will be required to provide the operator with the results of a pre-embarkation test AND an embarkation day test as outlined below prior to boarding. All tests results provided as evidence must have been on tests that were professionally administered or observed by an authorized test provider.

#### **Pre-embarkation Test**

- Passengers with an approved temporary exception will be required to present the carrier/operator one of the following:
  - Evidence of a negative COVID-19 molecular test (e.g. PCR test) performed on a specimen collected from the person no more than 72 hours prior to their initial boarding of the cruise ship;
  - Evidence of a negative COVID-19 antigen test (e.g. RAT) performed on a specimen collected from the person no more than 2 days before initially boarding the cruise ship; or
  - Evidence of a positive result for a COVID-19 molecular test that was performed on a specimen collected from the person at least 10 days and no more than 180 days before the person initially boards the cruise ship.

#### **Embarkation Day Test**

• In addition to meeting the pre-embarkation testing requirements, passengers with an approved temporary exception who have provided evidence of a negative COVID-19 pre-embarkation test will also be required to present the carrier/operator with a negative COVID-19 test that was performed on a specimen collected on the day of embarkation.

Temporary exemption requests from the requirement to provide professionally administered or observed test results, as outlined above, are not supported through this process.

## 1.1 Temporary Exception for Passengers due to Medical Inability

Based on the October 22, 2021 recommendation of the National Advisory Committee on Immunization, medical reasons that may qualify a passenger for a temporary exception are as follows (also found in the form):

- 1. Certified medical contraindications to full vaccination against COVID-19 with an mRNA vaccine:
  - A history of anaphylaxis after previous administration of an mRNA COVID-19 vaccine (and noting that most people who experienced a severe immediate allergic reaction after a first dose of an mRNA COVID-19 vaccine can safely receive future doses of the same or another mRNA COVID-19 vaccine after consulting with an allergist or another appropriate physician); and/or
  - A confirmed allergy to polyethylene glycol (PEG) which is found in the Pfizer-BioNTech and Moderna COVID-19 vaccines (note that if a person is allergic to tromethamine which is found in Moderna, they can receive the Pfizer-BioNTech product).
- 2. Medical reasons for delay of full vaccination against COVID-19:
  - A history of myocarditis/pericarditis following the first dose of an mRNA vaccine; and/or
  - An immunocompromising condition or medication that requires waiting to vaccinate
    when immune response can be maximized (i.e., waiting to vaccinate when
    immunocompromised state or medication is lower).
- 3. A medical condition precluding full vaccination against COVID-19 (not covered above), as briefly described by the medical physician or nurse practitioner.

## **Proof of medical inability**

To receive a temporary exception from the mandatory vaccination requirement, passengers must submit to the operator a completed temporary exception form due to medical inability, which has been signed by a medical doctor or nurse practitioner licensed to practice in a Canadian province or territory. This form is available from the operator and must be completed prior to departure and in accordance with the operator's exception approval process. Temporary exception requests due to medical inability must be submitted to the operator **3 weeks in advance.** 

# Who is considered a medical doctor or nurse practitioner for the purposes of the Mandatory Vaccination Mandate?

Considered a (provincial/territorial) licensed medical doctor or a nurse practitioner:

- Family doctor
- Nurse practitioner
- Allergist
- Immunologist
- Cardiologist
- Rheumatologist
- Oncologist

Not considered a licensed medical doctor or a nurse practitioner:

- Paramedical or alternative health providers (e.g., chiropractor, podiatrist, optometrist, naturopath)
- Registered nurse (RN), registered practical nurse (RPN), licensed practical nurse (LPN)
- Physician's assistant (PA)
- Dentist or dental hygienist
- Psychologist

# **Provincial/Territorial Medical Exemptions**

A medical exemption issued by a Canadian province or territory may also be accepted. For those provinces/territories where a medical letter or medical contraindication credential is issued, the traveller must still apply to the operator by completing and submitting a Medical Inability exemption form to the operator. The Provincial/Territorial issued letter or credential, however, can be provided in lieu of the Medical Doctor or Nurse Practitioner's signature on the exemption form.

Note: in all cases, travellers with a temporary exemption are required to provide their professionally administered or observed pre-embarkation test and embarkation day test results before embarking.

As respects Provincial or Territorial exemptions for medical contraindication, the approach by Provinces and Territories continues to evolve. It is strongly recommended that operators keep current on evolving Provincial and Territorial approaches.

The below is current to January 7, 2022:

Jurisdiction	Provincial/Territorial Documentation	Direction to traveller
PEI, NWT	Medical Letter <b>issued</b> by	- Complete Operator's Exemption Form (except
	Province/Territory following	for section F) and attach the P/T issued medical
	a review process.	letter in lieu of completion of section F by a
		medical doctor or nurse practitioner.
		- COVID Tests required for travel
MB, QC, NL,	Provincial Digital or	- Complete Operator's Exemption Form (except
ON, YK	Physical Immunization Card	for section F) and attach the P/T issued medical

	(exemption not indicated in physical immunization card or digital QR Code)	credential in lieu of completion of section F by a medical doctor or nurse practitioner.  COVID Tests required for travel
NB, AB, NS, NL	Letter completed by Medical Doctor or Nurse Practitioner licenced to practice in the Province/Territory.	Complete Operator's Exemption Form (except for section F) and attach the completed medical exemption letter in lieu of completion of section F by a medical doctor or nurse practitioner.  COVID Tests required for travel
BC, NU, SK	N/A - Jurisdictions do not issue medical exemption letters or credentials, and do not provide templates for doctors. Medical exemptions are not recognized in the Province.	Complete Operator's Exemption Form including section F by a medical doctor or nurse practitioner  COVID Tests required for travel

# Types of documents issued or accepted by each province/territory as exemptions to vaccination for persons medically unable to be vaccinated against COVID-19:

P/T	<b>Exemption Document</b>	Provincial webpage
British	There are <b>no medical exemptions</b> for the COVID-19	Proof of vaccination and the
Columbia	vaccines recognized by the Province.	BC Vaccine Card - Province
		of British Columbia
		(gov.bc.ca)
		Vaccine Considerations
		(bccdc.ca)
Alberta	A valid medical exemption is the <b>original signed letter</b>	COVID-19 public health
	from a physician or nurse practitioner that includes:	actions   Alberta.ca
	- Date which the letter was provided.	
	- Person's name that matches their identification.	
	- Physician's or nurse practitioner's complete	
	information, including:	
	o name, phone number, contact information,	
	professional registration number and signature	
	o statement that there is a medical reason for not	
	being fully vaccinated against COVID-19	
	<ul> <li>duration that the exemption is valid</li> </ul>	
Saskatchewan	As immunization is not mandatory, exemption is not	Government of Saskatchewan
	required.	/ Proof of COVID Vaccination
		/ Affidavit Submissions

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Manitoba	Provincial Digital or Physical Immunization Card	Province of Manitoba
	(exemption not indicated in digital or physical	Eligibility Criteria
	immunization card)	(gov.mb.ca)
Ontario	Enhanced vaccination certificate with official QR Code	Medical Exemption Guidance
	(exemption not indicated in digital certificate)	(gov.on.ca)
Quebec	Provincial Digital Passport (exemption not indicated in	COVID-19 protection status
	digital Passport)	Gouvernement du Québec
		(quebec.ca)
New	A New Brunswick Medical Exemption template form	Proof of Covid-19
Brunswick	signed by a physician or nurse practitioner licensed in	Vaccination (gnb.ca)
	New Brunswick is accepted as meeting the proof of	
	vaccination policy. A note written on a prescription pad is	
	not accepted as an exemption form.	
Nova Scotia	Valid Medical Contraindication for COVID-19	Coronavirus (COVID-19):
1 tova Scotia	Vaccination template letter from doctor or nurse	medical exceptions -
	practitioner.	Government of Nova Scotia,
	practitioner.	Canada
DEI	Individuals alaiming a modical avamation from COVID 10	
PEI	Individuals claiming a medical exemption from COVID-19	Residents - Important PEI
	vaccination will be required to have a <b>Medical Exemption</b>	Vax Pass Information
	Letter issued by the Chief Public Health Office	Government of Prince Edward
		<u>Island</u>
	Acceptable proof of an approved medical exemption	Guidance for Residents -
and Labrador	includes:	COVID-19 (gov.nl.ca)
	- An electronic <b>QR code</b> downloaded and shown on a	
	mobile device (e.g., tablet or smartphone) (exemption	
	not indicated); or	
	- A physical copy of the QR code ( <b>exemption not</b>	
	indicated); or,	
	- A Valid Medical Exemption for COVID-19	
	Vaccination letter.	
Yukon	Temporary vaccine medical deferral issued by Government	Learn about temporary
	of Yukon by way of QR Code credential. Credential will	medical deferrals for COVID-
	show Vaccines Administered: 0.	19 vaccines   Government of
		Yukon
Northwest	Territorial (NTHSSA) Medical Letter of Exemption	Public Notice - Medical
Territories	(- (- )	Vaccine Exemptions, Travel
2 311101100		and Workplace Testing
		Health and Social Services
		Authority (nthssa.ca)
Nunavut	No medical exemption process defined	Travel and Isolation
Nunavut	and medical exemption process defined	
		Government of Nunavut

#### A note about QR Code Readers:

QR Code readers that indicate an 'adequately protected' status message in **green** (QC), or a green check mark screen (ON), do not provide sufficient detail to verify that a traveller is fully vaccinated. Digital vaccination credentials from certain provinces (MB, NL, QC) may not show medical exemptions. Travellers with medical exemptions must produce the results of a valid COVID-19 test before travelling.

QR Code readers used for domestic and outbound travel must have the technical ability to show sufficient information to validate an individual is fully vaccinated, including:

- Full name (family name and given name(s)) of the person who received the vaccine;
- The name of the government / non-government entity who issued the proof document;
- The manufacturer of the vaccine and number of doses (refer to: <u>COVID-19 vaccinated</u> <u>travellers entering Canada Travel restrictions in Canada Travel.gc.ca</u> for information on the accepted vaccines/regimens).
- The date the traveller received their second dose. This date must be at least 14 full days prior to their date of travel. For example, if the last dose was administered on Thursday July 1, then Friday July 16 would be the first day that the traveller would meet the 14-day condition).

## Regarding foreign nationals

If a foreign national travelling in Canada requires an exception for medical inability to be vaccinated, the process will be the same as for Canadian citizens and permanent residents. A medical note or letter issued by a medical doctor/nurse practitioner in a country other than Canada shall not be accepted by the operator for domestic or outbound travel.

Note, however, that unvaccinated foreign nationals are generally allowed to **leave** the country if they can provide the necessary evidence to demonstrate the purpose of their trip is to exit Canada (e.g., itinerary), along with their foreign credentials (e.g., foreign passport, temporary visa).

#### **Reviewing a Temporary Exception Request**

Before approving a medical exception request, operators should confirm it meets the following criteria:

1.	Completed exception request form was submitted to operator prior to departure, in
	accordance with operator requirements
2	First/Last name of person requesting exception and civic address provided
3	Where the form indicates a previous exception request has been refused, the passenger may be asked to provide further detail to inform the operator's review. An operator may approve the exception request, regardless of a previous refusal, provided the exception request meets the criteria.

4	Sufficient travel details provided as per operator requirements			
5	Passengers may submit a completed form with one of the following:			
	a. Confirmation and signature from a Canadian medical doctor / nurse practitioner on			
	the form itself; or,			
	b. A medical letter or credential issued by a Canadian Province/Territory indicating a			
	medical inability to be vaccinated (medical exemption) accompanying the form.			
6	Forms without a medical letter or doctor note must have confirmation from a Medical			
	Doctor or Nurse Practitioner of the person's medical inability to be vaccinated,			
	including one or more of the following boxes checked:			
	a. Medical contraindication			
	b. Medical reason for delay of full vaccination			
	c. Medical condition precluding full vaccination			
	If (c) is checked, then a brief description must be included by the Medical			
	Doctor/Nurse Practitioner.			
7	The form must include contact details (civic address/phone number) for the medical			
	doctor or nurse practitioner, as well as their <b>provincial/territorial medical license</b>			
	number.			
	The form must be signed and dated by the medical doctor or nurse practitioner.			
8	The form is valid for 1 year following the date of signature by the medical doctor or			
	nurse practitioner, or			
	For conditions which may be temporary in nature, the completed form may be valid			
	until the end of the period of the temporary condition as established and identified by			
	the medical doctor or nurse practitioner.			
9	Attestation by the requestor signed and dated.			
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#### 1.2 Temporary Exception for Passengers due to Sincere Religious Belief

Leaders and members of a number of religions and religious denominations (e.g., Islam, Roman Catholicism, Judaism, Greek Orthodox, Mennonites, Jehovah's Witnesses, Christian Science) have released public statements indicating their support for the COVID-19 vaccine specifically in the interest of public health. In addition, a number of provincial human right commissions, including the Ontario Human Right Commission, have taken the position that objection to vaccination for personal reasons is not a protected ground under their respective Code and does not need to be accommodated. Nevertheless, an individual may hold a strongly held religious belief that prevents full vaccination.

For the purpose of domestic or outbound travel, operators must consider religious exceptions to mandatory vaccination based on sincerely held religious belief, in recognition of the obligations under the *Canadian Human Rights Act*.

Temporary exceptions due to sincere religious belief shall be considered only for domestic and outbound travel.

## Note: Provinces/Territories do not issue exceptions based on religious beliefs.

Requests to travel with a temporary exception due to religious conviction must be evaluated on a case-by-case basis. All requests made by the passenger need to clearly demonstrate that:

- 1. the belief is religious in nature,
- 2. the belief prevents full vaccination, and
- 3. the belief is sincerely held.

To be temporarily excepted from the mandatory vaccination requirement, passengers must submit to the operators a form that includes a sworn, solemn oath of conviction co-signed by a Commissioner of Oaths. This must be completed prior to departure (3 weeks in advance) and in accordance with the operator's exception approval process.

The completed temporary exception form is valid for the traveller's complete journey (i.e. booked return trip).

The passenger is required to reconfirm their religious conviction by submitting a new form for any new trips.

## Reviewing a Temporary Exception Request due to Sincere Religious Belief

Before approving a temporary exception due to religious conviction request, operators should confirm it meets the following:

	·
1	The temporary exception request was submitted to operator <b>3 weeks before departure</b>
	and in accordance with operator requirements.
2	First and Last name of person requesting temporary exception and civic address is
	provided
3	If a previous request for temporary exception has been refused, the passenger may be
	asked to provide further detail to inform the operator's review. However, the operator
	may approve the temporary exception request, regardless of a previous refusal, provided
	the request meets the criteria.
4	Sufficient travel details required by the form and the operator
5	The belief is <b>religious in nature</b>
	<ul> <li>Religion typically involves a particular and comprehensive system of faith and worship</li> </ul>
	as well as the belief in a divine, superhuman or controlling power (e.g., "I don't believe
	in vaccination" would not in itself be a reason).
	<ul> <li>It does <b>not apply</b> to beliefs, convictions or practices that are secular, socially based or</li> </ul>
	only conscientiously held; nor does it protect false empirical beliefs about the
	development, the contents, effects, or purpose of the vaccines.
6	The belief <b>prevents full vaccination</b>
	- It is not sufficient for the passenger to state they have a certain religious belief, and they
	cannot be vaccinated.
	- They must explain how vaccination would conflict with their religious belief in a way
	that is not trivial or insubstantial (meaning, being vaccinated conflicts with the
	employee's <b>genuine connection with the divine</b> ).

7	The belief is <b>sincerely held</b>
	- The requirement is to focus on the sincerity of the individual belief <b>rooted in religion</b> ,
	not whether it is recognized by other members of the same religion.
	- The <u>validity</u> of the belief itself must not be challenged by the operator.
8	Form is signed and dated by a Commissioner of Oaths. The form may be certified by the
	Commissioner of Oath's affixing a stamp/seal and date.
9	Completed temporary exception forms for passengers due to religious conviction forms
	are valid for the period of the <b>return trip only.</b>
10	Attestation by the requestor signed and dated.

<sup>\*</sup> With respect to #6-#8, there are a number of false empirical beliefs about the development, the contents, effects, or purpose of the vaccines. These are not, however, grounds on which a temporary exception can be granted. If the sincere belief is not based on a religious belief, but rather a personal preference or choice based on misinformation or misunderstandings of scientific information, there is no need to accommodate.

For example, a conviction that the COVID-19 vaccine contains aborted human/animal fetal cells or that DNA is altered by mRNA vaccines is empirically incorrect, and should not be used as a rationale for the granting of a religious exception, even where this belief is sincerely held and/or rooted in religion. The following website includes additional information about COVID-19 myths:

Web Site about DNA modification: COVID-19 mRNA vaccines

## 1.3 Refusing a Temporary Exception Request

The operator will notify the applicant accordingly if an exception request is refused. The operator must issue refusals to the passenger in advance of check-in/embarkation.

Passengers without approved exception requests must not be permitted to embark. Passengers may re-apply for exception requests within the time period required by the operator in advance of the planned date of embarkation only if they are providing additional information.

#### 1.4 Reviewing and Accepting/Approving a Temporary Exception Request

Operators must notify the passenger that the exception request is accepted/approved and issue them a confirmation of approval that can be shown at check-in or embarkation. The operator must issue confirmation of approval to the passenger in advance of departure.

Temporary exceptions are only valid with the operator who issued the exception and for the period of the booked return trip.

The passenger will be required to present proof of exception to any authority requesting it throughout the trip, including at the time of check-in or embarkation, along with their **valid**,

professionally administered or observed, pre-embarkation test and embarkation day test results.

#### 1.5 Embarkation

Operators will be required to verify the confirmation of temporary exception and the **valid**, completed temporary exception form before the passenger is issued a boarding pass or permitted to board.

Valid professionally administered or observed pre-embarkation test and embarkation day test results will be required before issuing a boarding pass or boarding.

Operators may verify proof of temporary exception and test results at any time during travel (e.g. check-in, embarkation, during travel, etc.). Operators will be responsible for denying boarding to passengers who are unvaccinated and without an exception.

# 1.6 Reporting Requirements on Exceptions

Operators will be required to report to TC on justification and details of all temporary exceptions granted.

In addition, operators are expected to report to TC on temporary exception requests that are **approved** or **refused**, on **suspicious patterns** and **suspected reports of false information**.

#### 1.7 Oversight of Exceptions

Passengers who make false claims are an offence under of the *Criminal Code* and false declaration could be subject to TC fines or administrative monetary penalties. With respect to oversight of operators, those not undertaking due diligence of exception requests in accordance with the requirements could also be subject to fines or administrative monetary penalty under the Interim Order.

Any doctor or medical practitioner who is inappropriately applying NACI criteria will be reported and disallowed to certify exception requests. Transport Canada may follow up on medical license numbers and/or supporting medical professionals.

Any problematic Commissioners of Oaths could face disallowance to certify other requests.

# Annex A. Privacy Considerations – Transport Canada Policies on Vaccination Mandates in the Transportation Sector

(La version française suit)

Companies/Operators are subject to obligations respecting the creation, collection, retention, use, disclosure and disposal of personal information that respects the provisions set out in applicable Canadian privacy legislation and other applicable legislation. As such, companies/operators should ensure that privacy is considered at the earliest opportunity and that they implement best privacy practices in order to properly protect the personal information that will be processed.

Please note that the privacy tips below are provided solely as general privacy considerations and do not constitute legal advice. For specific advice on compliance with applicable privacy laws, please contact your legal counsel, privacy professional and/or consult with the applicable Privacy Commissioners' Office.

#### Privacy considerations:

- Document a defined purpose and authority for the collection and use of this personal information.
- Be transparent with employees/passengers and inform them about the reasons for collection, use, disclosure (including but not limited to the disclosure to Transport Canada), retention and disposal of their personal information and the consequences for not providing the requested personal information, through a concise, transparent, intelligible and easily accessible Privacy Notice Statement ("PNS"), as required under applicable Canadian privacy legislation.
  - Employees/Passengers should also be informed and provided with a contact to
    request access to, and correction of, any personal information available or to make an
    inquiry or complaint about the handling of their personal information, including the
    contact for the Privacy Commissioner of the relevant jurisdiction and accountable
    individual who can respond to questions and concerns regarding the vaccine
    requirements.
  - Provide a link to your vaccination policies for employees and/or passengers, as applicable.
- The necessity, effectiveness, proportionality and data minimization principles should be applied so that the least amount of personal information is collected, used or disclosed, for example: unnecessary data fields within a form.
- Employee/Passenger data related to vaccination status is only used for the purposes it was
  collected for, retained for a specific period of time and can only be accessed on a need to
  know basis.

- All company/operator personnel handling personal information, including managers, are aware of their responsibilities and adhere to applicable Canadian privacy legislation and other applicable legislation.
- Consider conducting a Privacy Impact Assessment or other meaningful privacy analyses.
- Privacy breach plans and procedures are up to date.
- Personal information is appropriately protected against unauthorized access and that technical, physical and administrative safeguards are put in place and are appropriate given the sensitivity of the personal information to be collected, used or disclosed through the requirement.

#### Relevant Links:

- Joint Statement issued by the Privacy Commissioner of Canada and his Provincial and Territorial counterparts in May 2021 on <u>Privacy and COVID-19 Vaccine Passports</u> (The Statement).
- <u>Provincial and territorial privacy laws and oversight</u>: List of the provincial and territorial privacy laws as well as the privacy commissioner offices responsible for their enforcement issued by the Privacy Commissioner of Canada.

#### **FRANÇAIS**

Considérations relatives à la protection des renseignements personnels – Politiques de Transports Canada sur les mandats de vaccination dans le secteur des transports

Les entreprises et les exploitants doivent s'assurer que les renseignements personnels ne sont créés, recueillis, conservés, utilisés, divulgués et éliminés que dans le respect des dispositions de la législation canadienne sur la protection des renseignements personnels et des autres lois applicables. Pour cette raison, les entreprises et les exploitants doivent veiller à ce que la protection des renseignements personnels soit prise en compte dès que possible et à ce qu'ils mettent en œuvre les meilleures pratiques en matière de protection des renseignements personnels afin de protéger adéquatement les renseignements personnels qui seront traités.

Veuillez noter que les conseils sur la protection des renseignements personnels ci-dessous ne sont fournis qu'à titre de considérations générales sur la confidentialité et ne constituent pas des conseils juridiques. Pour obtenir des conseils précis sur le respect des lois applicables en matière de protection des renseignements personnels, veuillez communiquer avec votre conseiller juridique, votre professionnel de la protection des renseignements personnels et/ou consulter le bureau des commissaires à la protection de la vie privée applicable.

#### Considérations relatives à la protection des renseignements personnels

- Documentez un but et une autorité définis pour la collecte et l'utilisation de ces renseignements personnels.
- Soyez transparent avec les employés et les passagers et informez-les des raisons de la collecte, de l'utilisation, de la divulgation (y compris, sans toutefois s'y limiter, la divulgation à Transports Canada), de la conservation et de l'élimination de leurs renseignements personnels et des conséquences de ne pas fournir les renseignements personnels demandés, au moyen d'un énoncé de confidentialité concis, transparent, intelligible et facilement accessible, tel que requis par la législation canadienne applicable en matière de protection des renseignements personnels.
  - Les employés et les passagers devraient également être informés et obtenir les coordonnées d'une personne-ressource pour demander l'accès et la correction de toute information personnelle disponible ou pour faire une demande ou une plainte concernant le traitement de leurs renseignements personnels, y compris la personne-ressource du commissaire à la protection de la vie privée de la juridiction concernée et la personne responsable qui peut répondre aux questions et aux préoccupations concernant les exigences en matière de vaccination.
  - Fournissez un lien vers vos politiques de vaccination pour les employés et/ou les passagers, selon le cas.
- Les principes de nécessité, d'efficacité, de proportionnalité et de minimisation des données devraient être appliqués de manière à ce que le plus petit nombre possible de renseignements personnels soit recueilli, utilisé ou divulgué, par exemple : champs de données inutiles dans un formulaire.
- Les données sur les employés et les passagers se rapportant au statut vaccinal ne sont utilisées qu'aux fins pour lesquelles elles ont été recueillies, conservées pendant une période donnée et ne peuvent être consultées que sur la base du besoin de savoir.
- Tous les employés de l'entreprise ou de l'exploitant qui traitent des renseignements personnels, y compris les gestionnaires, sont au courant de leurs responsabilités et se conforment aux lois sur la protection des renseignements personnels et aux autres lois canadiennes applicables.
- Envisagez de mener une évaluation des facteurs relatifs à la vie privée ou d'autres analyses pertinentes relatives à la vie privée.
- Les plans et les procédures liés aux atteintes à la vie privée sont à jour.
- Les renseignements personnels sont protégés de façon appropriée contre tout accès non autorisé et des mesures de protection techniques, physiques et administratives sont mises en place et sont appropriées compte tenu de la sensibilité des renseignements personnels qui doivent être recueillis, utilisés ou divulgués en vertu de l'exigence.

#### Liens pertinents:

• Déclaration conjointe publiée par le commissaire à la protection de la vie privée du Canada et ses homologues provinciaux et territoriaux en mai 2021 sur <u>la vie privée et les passeports vaccinaux relatifs à la COVID-19</u> (la Déclaration).

• Lois et organismes de surveillance provinciaux et territoriaux en matière de protection de la vie privée : Liste des lois provinciales et territoriales sur la protection de la vie privée ainsi que des commissariats à la protection de la vie privée responsables de leur application publiée par le commissaire à la protection de la vie privée du Canada.