

MANDATORY MASK UPDATE:

See the latest [Public Health Orders](#) issued by the Chief Medical Health Officer for more details.



SASKATCHEWAN
HUMAN RIGHTS
COMMISSION

COVID-19 Vaccines, Vaccination Mandates, and Human Rights

On September 16, 2021, the Government of Saskatchewan announced that effective October 1, 2021, a proof of vaccination or negative test requirement will be implemented for all provincial and crown employees. Also effective October 1, 2021, a proof of vaccination or negative test requirement will be applied to [certain business, event venues and other establishments](#). Other organizations have implemented vaccination policies for employees and customers/patrons.

Vaccine Mandates and *The Saskatchewan Human Rights Code, 2018*

The Saskatchewan Human Rights Code, 2018 prohibits discrimination based on certain protected characteristics.

Those are:

- Race/perceived race or colour
- Place of origin, nationality, or ancestry
- Religion or creed
- Family or marital status
- Sexual orientation
- Gender identity
- Sex, including sexual harassment or pregnancy
- Disability (physical or mental)
- Receipt of public assistance
- Age (18 or more)

Vaccine mandates requiring proof of vaccination or negative testing are generally permissible under the *Code*, so long as individuals who are unable to be vaccinated due to a *Code*-protected characteristic are reasonably accommodated.

Duty to Accommodate

Some individuals are not able to receive the COVID-19 vaccine due to a reason protected by the *Code*, such as disability. Employers and service providers have a duty to reasonably accommodate them, to the point of undue hardship. Reasonable accommodation will differ on a case-by-case basis. Employers and service providers must balance the duty to accommodate with any resulting health and safety risks. COVID testing requirements may meet the duty to accommodate those who cannot be vaccinated.

Individuals who require accommodation may be required to provide medical information to support the request for accommodation. Individuals who are unable to be vaccinated for medical reasons should be prepared to provide a supporting medical note.

Objection to vaccination based on personal preference is not protected by the *Code*. An individual who chooses not to be vaccinated based on personal preference does not have the right to accommodation under the *Code*.



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Proof of vaccination status

The collection of information about vaccination status is also not protected by the Code. Where such information is collected, it constitutes personal medical information and must be collected and stored in a manner consistent with privacy legislation. Employers or service providers may wish to obtain legal advice or contact the Saskatchewan Office of the Privacy Commissioner.

Filing a human rights complaint

The Commission accepts and investigates complaints of discrimination based on one of the protected characteristics listed above. The Commission will not accept a complaint based on a personal objection to vaccinations or vaccination mandates.

If you have been subject to discrimination on the basis of disability or other protected characteristic, please see the following information on [how to file a complaint](#).

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