

Date:

To: Agent for business or organization

Agent's name:

Name of business or organization:

and

To Whom it May Concern,

This is to notify you that I am declining to disclose my vaccination status to (Name of employer: _____), as my personal health information is protected by privacy laws. My personal health choices are private and confidential, and I am not required to disclose these to anyone. As my employer, you do not have the right to ask me about my vaccination status. My privacy is protected under the Personal Information Protection and Electronic Documents Act, 2000 (PIPEDA) as well as the Personal Health Information Protection Act, 2004 (PHIPA), as well as the Ontario Occupational Health and Safety Act, R.S.O. 1990, c. O.1 and the Municipal Freedom of Information and Protection of Privacy Act, RSO 1990.

Further, I do not consent to any type of COVID-19 testing that you, as my employer, may mandate. I also do not consent to the administration of any Covid vaccination that is mandated by you, as my employer.

The Ontario Health Care Consent Act, 1996 affirms that, prior to administration of a medical procedure, consent must be given, and enumerates the elements of consent required under Section 10, "Consent to Treatment", see below:

No treatment without consent:

10 (1) A health practitioner who proposes a treatment for a person shall not administer the treatment, and shall take reasonable steps to ensure that it is not administered, unless

- (a) he or she is of the opinion that the person is capable with respect to the treatment, and the person has given consent (1996, c. 2, Sched. A, s. 10 (1).)

Elements of consent:

11 1. The following are the elements required for consent to treatment*:

1. The consent must relate to the treatment.
2. The consent must be informed.
3. The consent must be given voluntarily.
4. The consent must not be obtained through misrepresentation or fraud (1996, c. 2, Sched. A, s. 11 (1).)

Also regarding elements of consent, Section 265(3)(Consent) of the Criminal Code of Canada defines consent in relation to assault as follows:

"For the purposes of this section, no consent is obtained where the complainant submits, or does not resist, by reason of:

- (a) the application of force to the complainant or to a person other than the complainant;
- (b) threats or fear of the application of force to the complainant or to a person other than the complainant;
- (c) fraud, or
- (d) the exercise of authority."

The recipient of the proposed medical procedure must give his or her expressed, informed and explicit consent (voluntary) prior to its administration. Consent given under fear or duress is not consent.

Without consent, administration of a medical procedure is considered assault under the Criminal Code of Canada.

Furthermore, the Canadian Charter of Rights and Freedoms Section 2 (a) (freedom of conscience and religion) and Section 7 (everyone has the right to life, liberty, and security of person and the right not to be deprived thereof except in accordance with the principles of fundamental justice), also applies to these mandates. Human bodily autonomy is a fundamental human right. I have the right to refuse medical treatment (including vaccines or any of the available tests for COVID-19).

Additionally, the Nuremberg Code, to which Canada is a signatory, states (Nuremberg Code: Article 6, Section 1) that it is essential before performing a medical procedure on human beings that there be voluntary informed consent, without the intervention of any element of force, fraud, deceit, duress, overreaching, or other ulterior form of constraint or coercion; and that the person should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him/her to make an informed decision.

By requiring your employees to submit to a COVID-19 vaccination or test (including the rapid antigen test), you are in breach of the Nuremberg Code.

Furthermore, the Supreme Court of Canada has well established case law that deals with medical treatment without the informed consent of the patient.

Lastly, please be aware that, regardless of how this new mandate is rolled out, embedded within it are protocols that include special sanctions, reporting requirements and procedures based on staff's status as unvaccinated, accommodated or non-disclosed. These protocols carry with them a clear risk that staff so designated will be subject to harassment, discriminatory treatment, and a hostile work environment, and as such, (Name of employer: _____) will be in violation of its own policies regarding workplace harassment. Employees experiencing discrimination and harassment as a result of this new mandate will have grounds for human rights complaints, and (Name of employer: _____) will be liable for legal action as a result.

In summary, it is evident that, in imposing these new Covid-19 vaccination, reporting, and testing mandates, you, as my employer, are in breach of various federal and provincial legislations, as well as international law, case law and their own internal procedures.

I therefore hereby notify (Name of employer: _____) that I will hold you personally liable for any financial injury and/or loss of my personal income and my ability to provide food and shelter for my family if you use coercion or discrimination against me based on my decision to not participate in vaccination, reporting and testing mandates, nor will I disclose my vaccination status to you.

Name:
Signature:
Date:

Witness Name:
Witness Signature:
Date:

