**Submission for COVID-19 Vaccination Policy Exemption**

**Date:**

**Name:**

**Employee Number:**

Ministry:

Position:

Telephone or Cell Phone #:

Manager Name:

Manager Phone:

Please accept the following information as my disclosure for exemption status as defined in the *Alberta Human Rights Act* under protected grounds. I do not consent to the release or further transmission or use of this private and confidential information for any reason other than to inform you of my protected grounds status. This information is not to be used to collect, collate, evaluate, analyse, or disseminate response data nor do I consent for it to be used for any decision apart from acknowledging receipt of my Human Rights protected grounds status.

The legal authority of my submission is referenced in Section 7 of the *Alberta Human Rights Act*, which states:

*“No employer shall (a) refuse to employ or refuse to continue to employ any person, or (b) discriminate against any person with regard to employment or any term or condition of employment, because of the race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that person or of any other person.”*

The submission form in 1GX as well as the “Exemption Package” (PDF submission form) is not conducive to the standard of disclosure required under the *Alberta Human Rights Act* as a threshold to inform you of my protected grounds.

* Please refer to the Alberta Human Rights Commission guidelines related to “*Obtaining and responding to medical information in the workplace: A summary for Employers*”. These guidelines are related to an employee absence due to medical reasons. This submission does not include a request for an absence from work. Therefore, the necessity to provide rationale for the medical disability or mental disability protection grounds is nominal. Liken to a General Illness Form, an employee is only required to provide you with confirmation from a personal medical practitioner that the employee has been diagnosed and is being treated for some medical (disability) or mental (disability) condition. The specifics of the diagnosis and treatment plan are private. The employee’s doctor shall be the only person to prescribe or discourage medical procedures and testing inclusive of vaccinations, rapid tests, or laboratory specimen examinations. If a medical practitioner confirms the employee suffers from a medical disability (inclusive of any illness) or mental disability (inclusive of any disorder) and thereby does not prescribe any medical procedure or medical testing outside of his or her duty of care, that shall suffice.
* Please refer to the Alberta Human Rights Commission guidelines related to “*Religious Beliefs*”. The Act allows all employees to follow their various religious beliefs without fear of having to make a choice between their employment and their religious beliefs, and without fear of being denied service because of their religious beliefs. The Supreme Court of Canada has determined that religious beliefs are subjective in nature. In defining religious beliefs in such an open-ended manner, the Supreme Court acknowledged the wide variety of religious beliefs personally held by employees. Therefore, the necessity to provide rationale for religious beliefs protected grounds is incongruent. There is no qualitative or quantitative measurement that would permit an employer to determine if an employee’s religious beliefs existed. Beliefs need only to exist according to the employee. Beliefs need only to be real according to the employee.
* Please refer to the Alberta Human Rights Commission guidelines related to “*Employment: Duty to Accommodate*”. The Supreme Court of Canada has ruled that an employer has a legal duty to take reasonable steps, in policies or conditions of work, to accommodate an employee's individual needs.

The protected ground(s) according to Section 7 that I am disclosing include:

(Include or delete any bullet that is not applicable)

* I have Religious Beliefs including any system of belief, worship and conduct and/or freely and deeply held personal convictions or beliefs connected to a spiritual faith and integrally linked to a self-definition and spiritual fulfillment, the practices of which allow me to foster a connection with the divine or with the subject or object of that spiritual faith.
* I have a Physical Disability inclusive of any degree of physical disability, infirmity, malformation, or disfigurement that is caused by bodily injury, birth defect or illness. An illness is inclusive of any condition that exposes the person to a higher health risk to an adverse reaction such as an allergy.
* I have a Mental Disability including mental disorder, developmental disorder or learning disorder, regardless of the cause or duration of the disorder.

Consequently, I am disclosing that I am protected from discrimination from any condition of employment that I believe is in conflict with my protected grounds (highlighted above). The Government of Alberta vaccine policy for employees is such a term or condition that has caused me to be discriminated against.

* As my employer, to demand disclosure of unnecessary details of my physical or medical disability is a discriminatory new term or condition of my employment.
* As my employer, to demand disclosure of unnecessary details of my religious beliefs is a discriminatory new term or condition of my employment.
* As my employer, to prescribe a medical procedure, such as a vaccination is both a discriminatory new term or condition of my employment and is absent of my informed consent and contrary to the rules outlined in the *College of Physicians and Surgeons of Alberta Standards of Practice*.
* As my employer, to prescribe a medical procedure, such as a laboratory or rapid test is both a discriminatory new term or condition of my employment and is absent of my informed consent and contrary to the rules outlined in the *College of Physicians and Surgeons of Alberta Standards of Practice*.
* As my employer, to discipline me for not adhering to policy for which I have disclosed to you is in conflict with my Human Rights protected grounds, is a discriminatory new term or condition of my employment.

Further, I reject any presumption that the Government of Alberta has a bona fide occupational requirement specific to my personal circumstances, classification, job description, job location, role, duties, or position. The vaccine policy is as blanket organizational wide requirement that has yet to evaluate the applicability to my specific employment accountabilities and contract. Accommodation can easily be facilitated with little to no impact.

* I am prepared to negotiate an accommodation provided it does not expose me to further discrimination, harassment or undue hardship (physical, mental or financial) because of my protected grounds status.

This form will also provide you with courtesy notice that a complaint has been filed on my behalf with the Alberta Human Rights Commission. I, therefore, remind you as my employer of Section 10 of the *Alberta Human Rights Act* which states:

*“No person shall retaliate against a person because that person (a) has made or attempted to make a complaint under this Act, (b) has given evidence or otherwise participated in or may give evidence or otherwise participate in a proceeding under this Act, (c) has made or is about to make a disclosure that person may be required to make in a proceeding under this Act, or (d) has assisted in any way in (i) making or attempting to make a complaint under this Act, or (ii) the investigation, settlement or prosecution of a complaint under this Act.”*

Accordingly, I have provided you with sufficient information for you to determine as my employer that I am protected under the *Alberta Human Rights Act* from non-consensual participation in the Government of Alberta COVID19 Vaccination Policy. This protection is inclusive of non-consensual disclosure of my private information; and my non-consensual participation in medical procedures such as vaccination, laboratory analysis or rapid testing.

Thank you.