

February 9, 2022

Re: COVID-19 vaccination policies at post-secondary institutions in Ontario

Dear Premier Ford,

We are writing to voice our serious concerns regarding the province's latest reopening plan. In particular, we are alarmed that it does not include the **removal of vaccine mandates at post-secondary institutions**. You assured the public that the pandemic restrictions would not stay in place a minute longer than necessary. By the province's own data, that moment has long since passed, since the rate of positive cases in the fully vaccinated exceeded that in the unvaccinated in December 2021.

The vaccination mandates at Ontario colleges and universities have run their course. Post-secondary institutions across Ontario implemented strict vaccination policies based on Dr. Moore's instructions from Aug. 30, 2021. That document states that the reason for the mandate is that unvaccinated people on campus "pose risks to staff and students". It was presumed at the time that unvaccinated people were more likely to be infected and transmit COVID-19. However, waning vaccine immunity and the Omicron variant have completely erased the scientific basis for this mandate, as we are sure you are well aware. Based on Ontario's public case data, on the last date full testing was being performed (around Jan. 2, 2022), the 7-day average for cases in the fully vaccinated was 94.8/100,000 people and for unvaccinated 71.7/100,000 people. Indeed, even after revisions, the latest Ontario study on vaccine effectiveness against Omicron shows it to be less than 15% effective after two months, and essentially 0% effective 6 months after the 2nd dose [1]. Thus, the rate of vaccinated people contracting COVID-19 has continued to climb. Data from around the world seems to indicate that double-vaccinated people may now have a higher chance of testing positive than unvaccinated people, including data from Denmark [2], Scotland [3], and the UK [4]. According to the Public Health Scotland COVID-19 & Winter Statistical Report, as at January 17, 2022, Table 14 [3], unvaccinated people have lower case rates than those with 1, 2, or even 3 doses (table shows age-standardized case rates per 100k population for 4 weeks from Dec. 18, 2021 to Jan. 14, 2022). According to the UK Health Security Agency COVID-19 Vaccine Surveillance Report, Week 2, Table 12 [4], in early January in the UK, for persons ages 18 – 69 (the main age bracket for people on campuses), people vaccinated with 2 doses had over double the positive case reports (per 100k population) compared to unvaccinated people. For ages 70+, the positive case rate for people with 2 doses is significantly higher than that of unvaccinated people. While scientists are still trying to understand these results, it is clear that unvaccinated people are not more likely to test positive than those who are vaccinated.

It has also been shown that infected vaccinated people transmit the virus at the same rate as infected unvaccinated people [5]. This was also observed by Dr. Moore as early as Aug. 31, 2021 in an internal memo, as well as in many peer-reviewed studies, and is confirmed by the CDC. If disproportionately more vaccinated people are now infected it follows that they disproportionately spread as well. Indeed, numerous Ontario university campuses had outbreaks, and are currently working remotely, implying, absurdly, that even 100% vaccinated campuses are not "safe".

You might not be aware, but most post-secondary institutions used the instructions from Dr. Moore to make vaccination the only option for faculty, staff, and students to access campus (no testing option, unlike almost all other sectors). Exemption requests, sent into an anonymous administrative void, were routinely denied with no meaningful explanations given. Numerous faculty and staff members were suspended without pay, terminated, or had their contracts lapse despite long-term service and seniority. This often happened without any attempt to find reasonable alternatives such as continued online teaching. Students were de-enrolled en masse from courses they needed to complete their degrees, even though COVID-19 poses practically no risk to that age group. Meanwhile, for the vaccinated, the risk of myocarditis and related complications, potentially life-changing, is very real, particularly for young males. We note that the myocarditis rates posted by Public Health Ontario for the male 18-24 age group continue to exceed the 1-in-5,000 rate for which Moderna was deprioritized in September 2021.

The colleges' and universities' actions, given the availability and effectiveness of reasonable alternatives such as testing and remote work and education, appear to be punitive. Dr. Moore recently stated that the province is not interested in embarking on a punitive approach to people who are not vaccinated or choose to keep their medical history private. We applaud this position, but your government's instructions and recommendations are causing such punitive actions nevertheless.

Furthermore, Dr. Moore has recently claimed that the province only mandated vaccination for LTC settings, but the reality at Ontario's post-secondary institutions is that employees are being dismissed and students deprived of their education because the August 30 instructions are a mandate by proxy, and are used mercilessly. Careers and educations are being ruined with no current scientific rationale, via an outdated policy. We urge you to reconsider its purpose and wording, and either revise it to prevent universities from taking drastic, permanent measures or, better yet, we encourage Dr. Moore to revoke the instructions as obsolete. In a similar vein, an August 24th letter from the Council of Ontario Medical Officers of Health (COMOH) is sometimes cited by the administration at colleges and universities as the reason they are "obliged" to discipline non-compliant employees and de-enroll students; this letter should be clearly and unequivocally revoked. Denying higher education to thousands of students for not taking a medical product that has no effect on transmission, after all faculty and students have had a chance to take as many shots as they wish for their personal benefit is egregious, and surely not how this government wishes to be remembered.

We appreciate that there are many pressures and attitudes that need to be weighed in politics, but this effective mandate currently carries no benefit, and serves only to embitter those affected by it. Most other provinces in Canada, even the extremely restrictive Quebec, have avoided inflicting such hardship on students, staff, and faculty by maintaining alternatives to vaccination, primarily through rapid antigen testing for campus access (e.g., BC), or not restricting the core educational function of the institutions at all (e.g., Quebec). Ontario colleges and universities need strong leadership to get themselves out of a non-scientific and non-defensible vaccination mandate. In our view, the province absolutely must take the lead here so that Ontario post-secondary institutions can move in lockstep to drop the mandates and no one school has to be first. We believe that suspended, terminated, or de-enrolled faculty, staff, and students should be given just reprieve.

Omicron provides an off-ramp to remove mandates and transition to an approach where messaging can focus on personal risk assessment, rather than one of alienating and further

reinforcing a sense of dread in the general population. Your government previously announced that general pandemic restrictions would be eased between January and March 2022, but now we are yet again given an unspecific time in the spring, with no specific plan for ending the post-secondary vaccine mandates, which are one of the most devastating and least defensible restrictions. People's lives and rights cannot be trifled with by using such nonchalant and vague words, especially since the most strict measures adversely impacting people, educations, livelihoods, and mental health are the ones now completely divorced from their original stated purpose.

This is the time to restore rights and be a strong voice for the people and for integrity. **We urge you to remove post-secondary vaccine mandates immediately**, and join the UK, Ireland, Catalonia, several Scandinavian countries, and now, imminently, Saskatchewan, in the vanguard of restoring sanity to the world. You will be pleasantly surprised by how many will applaud that. After two years, we still must follow the science, and it has never been clearer that it does not support a continued violation of Ontarians' rights and opportunities. We very much look forward to your response, and your leadership in righting these wrongs.

Sincerely,

Members of *Canadian Academics for COVID Ethics* (CA4CE)

- [1] S. Buchan, et al. "Effectiveness of COVID-19 vaccines against Omicron or Delta symptomatic infection and severe outcomes", preprint January 28, 2022, <https://www.medrxiv.org/content/10.1101/2021.12.30.21268565v2.full.pdf>.
- [2] C. Holm Hansen, et al. "Vaccine effectiveness against SARS-CoV-2 infection with the Omicron or Delta variants following a two-dose or booster BNT162b2 or mRNA-1273 vaccination series: A Danish cohort study", preprint December 23, 2021, <https://www.medrxiv.org/content/10.1101/2021.12.20.21267966v3.full-text>.
- [3] Public Health Scotland COVID-19 & Winter Statistical Report, January 19, 2022, Table 14, https://publichealthscotland.scot/media/11223/22-01-19-covid19-winter_publication_report.pdf.
- [4] UK Health Security Agency COVID-19 Vaccine Surveillance Report, Week 2, Table 12, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1047814/Vaccine-surveillance-report-week-2-2022.pdf.
- [5] C. Franco-Paredes, "Transmissibility of SARS-CoV-2 amount fully vaccinated individuals", *The Lancet Infectious Diseases*, vol. 22, no. 1, p. 16, January 1 2022, [https://www.thelancet.com/journals/laninf/article/PIIS1473-3099\(21\)00768-4/fulltext](https://www.thelancet.com/journals/laninf/article/PIIS1473-3099(21)00768-4/fulltext).