

# Health & Safety Policy

<b>POLICY TYPE:</b>	<b>Health and Safety</b>
<b>POLICY TITLE:</b>	<b>Workplace COVID-19 Vaccine Policy</b>
<b>POLICY #:</b>	<b>H-37</b>
<b>POLICY APPROVED BY:</b>	<b>Chief Administrative Officer</b>
<b>EFFECTIVE DATE:</b>	<b>September 21, 2021</b>
<b>APPLICABLE TO:</b>	<b>All Employees</b>

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## **Policy Statement**

The Municipality is committed to providing a safe working environment for all our employees as well as the community we serve. As the employer, the Municipality is obligated under the Occupational Health and Safety Act (OHSA) to take every precaution reasonable in the circumstances for the protection of all workers' health and safety, including protection from the spread of infectious disease. Similarly, workers are obligated to take every precaution reasonable to protect themselves and fellow workers from hazards, unsafe situations, and exposure to infectious disease.

The purpose of this policy is to ensure the Municipality is in compliance with advice, recommendations and instructions issued by Durham Region's Medical Officer of Health after consultation with the office of the Chief Medical Officer of Health in regard to a COVID-19 vaccination policy, and to outline the Municipality's requirement with regard to COVID-19 vaccinations.

## **Background and Current Situation**

Coronaviruses are a large family of viruses that originate in animals but are known to cause respiratory infections in humans. Novel coronaviruses include Severe Acute Respiratory Syndrome (SARS), Middle East Respiratory Syndrome (MERS-CoV) and coronavirus disease 2019 (COVID-19). COVID-19 is a novel (new) coronavirus that was first identified in Wuhan, China in late 2019. The World Health Organization (WHO) classified COVID-19 as a pandemic on March 11, 2020.

Full vaccination has been shown to be effective at reducing COVID-19 virus transmission and protecting vaccinated individuals from severe consequences of COVID-19 and COVID-19 variants including the Delta variant currently circulating in Ontario. Additional information on this can be found at <https://covid-19.ontario.ca/data>. Ensuring high rates of vaccination remains one of the most important ways we can protect our employees and community against COVID-19.

## **Scope**

This policy applies to all employees of the Municipality, including full-time, part-time, temporary, contract, casual, and students.

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This policy applies to volunteers and contractors only where the Municipality has any duties as an employer as defined under the *Occupational Health and Safety Act, 1990*.

New employees will be subject to this policy as a condition of employment.

The scope of this policy and to whom it applies may be amended from time to time at the sole discretion of the Municipality.

## **Definitions**

**Contraindication** is a condition or circumstance that suggests or indicates that a particular technique or drug should not be used in the case in question.

**COVID-19 Vaccine** includes any COVID-19 vaccines approved by Health Canada, and for the purpose of this policy, is defined as a substance used to stimulate the production of antibodies and provide immunity against SARS-CoV-2. This includes any subsequent recommended boosters.

**Fully Vaccinated** means having received the full series of a COVID-19 vaccine or combination of COVID-19 vaccines approved by the World Health Organization (WHO) or Health Canada (e.g., two doses of a two-dose vaccine series, or one dose of a single-dose vaccine series); and having received the final dose of the COVID-19 vaccine at least 14 days ago. A list of vaccines approved by Health Canada can be found at <https://www.canada.ca/en/health-canada/services/drugs-health-products/covid19-industry/drugs-vaccines-treatments/authorization/list-drugs.html>

**Educational Program** is a program that has been approved by and/or provided by the Municipality of Clarington and addresses the following learning components:

- How COVID-19 vaccines work
- Vaccine safety related to the development of the COVID-19 vaccines
- Benefits of vaccination against COVID-19
- Risks of not being vaccinated against COVID-19
- Possible side effects of COVID-19 vaccination

**Proof of Vaccination** is documentation issued by the Ontario Ministry of Health, other province or territory or international equivalent indicating individual immunization status against the COVID-19 virus.

## **Procedures**

### **Vaccination Requirement**

All employees are required to be fully vaccinated with a COVID-19 vaccine series by

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December 20, 2021. For a two dose vaccine series, employees must receive one dose of COVID-19 vaccine by November 8, 2021 and two doses of COVID-19 by December 6, 2021.

## Providing Proof of COVID-19 Vaccination Status

The Municipality requires proof of vaccination status from all employees to be submitted by October 20, 2021. This includes documentation verifying receipt of a vaccination series approved by Health Canada or the World Health Organization (WHO). Acceptable proof of vaccination is the receipt provided by the Ministry of Health/Public Health or equivalent out-of-province health body of the person vaccinated.

Employees must complete the **COVID-19 Vaccination Policy - Vaccination Declaration Form** and attach their proof of vaccination. These documents are to be submitted to [HRVaccine@clarington.net](mailto:HRVaccine@clarington.net) or employees may place copies in a sealed envelope addressed to HR Vaccine, Human Resources, Municipal Administration Centre, no later than October 20, 2021.

Employees requesting accommodation shall follow the process outlined in the following section.

Employees who, by October 20, 2021, disclose that they have not received two doses of COVID-19 vaccine (or a single dose in the case of a single dose vaccine series), or who have not disclosed their vaccination status as required, shall attend **mandatory education** on the benefits of vaccination as approved by the Municipality on the risks of being unvaccinated in the workplace and proof of completion of this program must be provided to [HRVaccine@clarington.net](mailto:HRVaccine@clarington.net).

Employees will be required to update their vaccination status in accordance with the established process and by the dates set out in this policy, as they obtain each dose of COVID-19 vaccine.

The Municipality will maintain vaccination disclosure information, including documentation verifying receipt of a vaccination series approved by Health Canada or the WHO, in accordance with privacy legislation. This information will only be used to the extent necessary for implementation of this policy, for administering health and safety protocols, and infection and prevention control measures in the workplace.

Employees may also be required to disclose their vaccination status by law or to otherwise give effect to this policy, including situations where employees are directed to stay home as a result of the daily screening tool in order to comply with the clearance criteria to return to work (e.g. after experiencing symptoms, a COVID-19 exposure, or a travel quarantine exemption).

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## **Accommodations in accordance with the *Ontario Human Rights Code***

The Municipality will comply with its human rights obligations and accommodate employees who are legally entitled to accommodation.

Employees who are not able to obtain a COVID-19 vaccine for a reason related to a protected ground set out in the *Ontario Human Rights Code* (the Code) <http://www.ohrc.on.ca/en/ontario-human-rights-code> as well as the Municipality's policies A3 (Hiring Practices) and A15 (Employment Accessibility Standard) can request accommodation through Human Resources by completing the **COVID-19 Vaccination Policy Request for Accommodation; Creed/Religious Exemption or the Medical Exemption Form** and submitting all required supporting documentation.

All accommodation requests require written proof of the need for accommodation to be submitted. This includes sufficient information including objective documentation to confirm the need for accommodation. Supporting documentation must be verifiable. The Municipality will work with those who receive an exemption to ensure they are connected with the appropriate resources to develop a reasonable and appropriate accommodation plan and to confirm that the Municipality can put appropriate alternative health and safety measures in place.

## **Non-compliance with the Mandatory COVID-19 Vaccination Policy**

Unless a bona fide exemption is in place, all employees must be in compliance with this policy no later than December 20, 2021. The Municipality will assess any breach of this policy, including the submission of fraudulent documentation, on a case-by-case basis; and will determine the appropriate recourse based on what is reasonable in the circumstances. It is understood that one such recourse may include discipline, up to and including termination of employment.

## **Access to COVID-19 Vaccination Clinics**

Reasonable arrangements will continue to be made to allow for employees to attend COVID-19 vaccination clinics during work time, with prior approval from their supervisor. Employees should make every effort to utilize time at the beginning or end of their shift/day and break times as operationally feasible with work schedules to attend vaccination clinics.

## **Continued Monitoring and Assessment of COVID-19 Workplace Safety Measures**

The Municipality will continue to monitor its COVID-19 practices and the evolving public health information, to ensure that it continues to optimally protect the health and safety of employees in the workplace and the public that they serve.

Unless a legislated or regulatory exemption applies, all employees are expected and required to continue to comply with applicable health and safety measures to reduce the hazard of

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COVID-19, including but not limited to compliance with established workplace access controls (e.g. screening), hand washing, wearing a mask or face covering, using provided Personal Protective Equipment (PPE), maintaining appropriate physical distancing and self-monitoring of potential COVID-19 symptoms when at work or otherwise engaged in Municipal business. Additional measures (e.g. booster vaccines) to protect employees and the public from COVID-19 may be required and this policy may be amended accordingly.

Employees who remain unvaccinated due to a substantiated *Ontario Human Rights Code* related accommodation request, may be required to take additional infection and prevention control measures, including providing proof of a negative COVID-19 test, as well as self-isolating if exposed to COVID-19.

## **Responsibilities**

Managers/Supervisors are expected to:

- Lead by example
- Ensure that employees are aware of the policy, the importance of being vaccinated against COVID-19 and complete any required education or training regarding COVID-19 vaccinations and safety protocols
- In consultation with Human Resources, ensure employees attending work have submitted their Vaccination Declaration
- Follow and comply with any federal or provincial mandates or directives regarding the vaccination of employees
- Continue to enforce workplace precautions that limit the spread of COVID-19, as may be amended from time to time
- Where feasible, support time off from regular duties for employees to attend vaccination clinics

Employees are expected to:

- Submit the requested vaccination documentation in accordance with this policy
- Continue to follow all health and safety policies and protocols to ensure personal safety and prevent the spread of COVID-19 before and after vaccination
- Remain informed about COVID-19 and COVID-19 vaccination as it relates to your role, personal health and/or professional requirements
- Adhere to any additional mandates, directives, or reporting requirements from provincial or federal authorities
- Identify and utilize opportunities to obtain a COVID-19 vaccination through community clinics or from health care professionals
- If additional booster doses of the COVID-19 vaccine are required, ensure subsequent doses are also received

Human Resources are expected to:

- Provide information and guidance to employees regarding the importance of being

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vaccinated

- Provide employees with access to information on COVID-19, health and safety precautions, and vaccinations
- Receive and collect all Vaccination Declaration Forms and maintain a confidential list of employees' vaccination status
- In consultation with Managers/Supervisors, ensure employees attending work have completed required forms, submitted proof of vaccination status or been granted exemption in accordance with this policy and/or the Municipality's accommodation policies
- Assist management with accommodation questions, concerns and requests

## **Implementation**

By no later than October 20, 2021 Municipal employees will be required to provide proof of their vaccination status, proof of an approved medical exemption, or a formal request for accommodation for a valid reason under the *Ontario Human Rights Code*. Accommodations will be reviewed for employees who are legally entitled to accommodation.

Those employees who have not been vaccinated or who do not disclose their vaccination status by October 20, 2021 will be required to attend mandatory education on the benefits of vaccination.

Unvaccinated employees, or employees who have not yet disclosed their vaccination status, will then need to provide proof of first dose no later than November 8, 2021. As of December 20, 2021, it will be mandatory for all employees to be fully vaccinated against COVID-19.

### Attachments:

COVID-19 Vaccination Policy – Vaccination Declaration

COVID-19 Vaccination Policy Request for Accommodation – Creed/Religious

COVID-19 Vaccination Policy Request for Accommodation – Medical

COVID-19 Vaccination Policy FAQ