



## H-37 - COVID-19 Vaccination Policy

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### Frequently Asked Questions ...

#### **Who does this policy apply to?**

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

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

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

Everyone covered under this policy is required to complete and return to Human Resources the COVID-19 Vaccination Declaration form no later than October 20, 2021.

#### **Why is this policy being put into place?**

The Province of Ontario, through the *Occupational Health and Safety act, 1990*, requires that employers ensure a safe workplace for their employees. Considering the hierarchy of controls, the best way to ensure a safe work environment is to eliminate the risk; COVID-19 vaccinations enable us to eliminate the risk to employees of severe illness or death due to COVID-19. Provincial data (as of August 31, 2021) is currently showing vaccines reduce hospitalizations by 96.6% and Intensive Care Unit (ICU) admissions by 98.0%.

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. Ensuring high rates of vaccination remains one of the most important ways we can protect our employees and community against COVID-19. Vaccinations will help end pandemic restrictions by decreasing the overall severity and duration of illness. Shorter and less severe illness means overall less virus produced with fewer opportunities for spread in an increasingly resilient population.

You can find more information regarding daily updates on vaccination information across Ontario at <https://covid-19.ontario.ca/data>. The health and safety of our employees and all members of the public remains a top priority and the Municipality is committed to doing our part to help mitigate the fourth wave of COVID-19.

#### **When will I need to provide proof of vaccination?**

No later than October 20, 2021, all Municipal employees are required to disclose and provide proof of vaccination status. Employees who have not been fully vaccinated or who do not disclose their vaccination status will be required to complete mandatory education on the benefits of vaccination and will need to adhere to other requirements. Unvaccinated employees will then need to provide proof of first dose no later than November 8, 2021, and second dose by December 6, 2021.

### **When do I have to be fully vaccinated by?**

All Municipality of Clarington employees are required to be fully vaccinated with a COVID-19 vaccine no later than December 20, 2021. For a two dose vaccine series, employees must receive one (1) dose of COVID-19 vaccine no later than November 8, 2021 with a second dose scheduled within the following four (4) weeks, no later than December 6, 2021.

### **I am in good health. Do I still need to be vaccinated against COVID-19?**

A vaccine is a great tool for individual and community safety. Getting the vaccine reduces your chances of catching the virus and spreading it to others, especially people at greater risk of severe illness or death. To date, in Canada over one and a half million people have contracted COVID-19, and over 27,300 have died. While it is rare that younger people die, some have. Even those in good health who contracted COVID-19 have continued to experience negative symptoms for months after being infected (i.e., COVID long haulers).

### **Why do I have to complete training or education on vaccines if I have already decided, based on my own research, that I don't want to be vaccinated?**

The Province of Ontario, through the *Occupational Health and Safety Act, 1990*, requires that all employers ensure a safe workplace environment for their employees, and it's the Municipality's duty to take every precaution to protect its workers. This can include assigning training it deems necessary. The purpose of the training or education is to make sure that you are receiving accurate information regarding vaccines.

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

### **I am vaccinated but I don't feel I should have to disclose my vaccination status to the employer. Do I still have to do anything?**

By no later than October 20, 2021, all Municipal employees are required to disclose and provide proof of vaccination status. The Municipality requires this information in order to determine whether the COVID-19 Vaccination Policy is being followed. Should you choose not to disclose your vaccination status, you will be subject to the same consequences of non-compliance as an individual who is not vaccinated.

### **Do I stop coming into work or delay my return to the office if I am not fully vaccinated?**

No. Employees continue to attend work in the normal course regardless of their vaccination status in advance of the required date to be fully vaccinated. Employees must follow all workplace health and safety policies and directions, including wearing a mask/face covering, regardless of their vaccination status.

For those who are not vaccinated, the timing of the policy rollout provides you with time to get the information you may need to get vaccinated and understand how it will help protect you, your loved ones, and others in the workplace.

### **Can I continue to work from home if I don't want to get vaccinated?**

No. You need to be vaccinated in the event you need to come into the workplace. All employees are being treated the same and consistent. Many departments are working on returning employees to the workplace.

### **I haven't received both vaccination doses yet. Am I still able to get vaccinated while on work time?**

To encourage and support employees wanting to be vaccinated, 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.

### **Does being vaccinated exempt me from wearing a mask and/or physical distancing while in my workplace?**

No. Vaccination status is independent of any health and safety protocols/policies in place to further control the spread of COVID-19. Employees must follow all workplace health and safety policies and directions, including wearing a mask/face covering, regardless of their vaccination status.

### **Can I request a reassignment or transfer so that I don't have to work with someone who is not yet vaccinated?**

No. The best course of action in this situation is to continue to follow all of the health and safety precautions and speak to your manager and/or supervisor about your concerns.

### **Someone is refusing to advise me of their vaccination status. Can they be required to disclose whether they are vaccinated?**

Employees should not inquire about the vaccination status of a colleague. Employees may be required as a function of their job to review vaccination status of a member of the public to allow access to a facility or service we provide.

### **How do fully vaccinated employees work with employees who are not vaccinated?**

All of the health and safety protocols will remain in place to reduce the risk of transmission in the workplace. This includes screening, physical distancing, masking and hand hygiene.

### **What happens if I refuse to take any mandatory training?**

Breach of this policy will be assessed on a case-by-base basis and the Municipality 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.

### **What happens if I refuse to get vaccinated and/or disclose my vaccination status?**

All Municipal employees are required to disclose and provide proof of vaccination status by October 20, 2021. Employees who have not been vaccinated or who do not disclose their

vaccination status will need to adhere to other requirements. Unvaccinated employees will then need to provide proof of first dose no later than November 8, 2021.

As of December 20, 2021, all Municipal employees will be required to be fully vaccinated. The Municipality will comply with its human rights obligations and accommodate employees who are legally entitled to accommodation.

### **Why can't I just submit to regular testing if I don't want to be vaccinated?**

Testing is only another screening tool and has its limitations. Mandatory vaccines focus on primary prevention by focusing on eliminating the risk.

### **What if there is a reason that I am not able to get the vaccine?**

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>, can request accommodation, using the Municipality's newly created **COVID-19 Vaccination Policy Request for Accommodation Forms (Creed/Religion and Medical Exemption)** and cooperating in the accommodation process as set in the Municipal policies for accommodation.

To expedite requests for accommodation under this policy, the COVID-19 Vaccination Declaration and Request for Accommodation forms need to be completed in full to be considered for accommodation under this policy.

### **What grounds will be considered for an accommodation?**

Under the *Ontario Human Rights Code*, the Municipality has an obligation to conduct an individualized assessment of accommodation requests. The Municipality has an established process for assessing such requests and will use it in this case. To be entitled to accommodation, an employee's request must fall within one of the protected grounds listed in the Code.

Philosophical objections or personal preferences are not a protected ground under the *Ontario Human Rights Code*.

There are likely to be very few medical exemptions to COVID-19 vaccination. The largest group of individuals who receive a medical exception will be those with severe allergic reactions or anaphylaxis to a previous dose of a COVID-19 vaccine or to any of its components and who have been assessed by an allergist/immunologist to review methods for possible (re)administration of a COVID-19 vaccine. There are existing protocols to administer COVID-19 vaccines to individuals with other types of allergies. These other types of allergies do not on their own constitute the grounds for a medical exemption. Any concerns regarding the safety or effectiveness of the vaccination should be reviewed with your physician.

Another group of individuals who may receive a medical exemption are those who are delaying

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their second dose because of a diagnosed episode of myocarditis/pericarditis after receipt of an initial dose of an mRNA vaccine.

In some instances, the medical reasons for the person not being vaccinated may be time-limited, (e.g., timing around a procedure or other medical treatment). The Directive requires that the note from the physician/nurse practitioner specifies whether the reason is permanent or time-limited, the accommodation request should indicate how long it is expected to last. Proof must be provided by either a physician or a nurse practitioner.

### **If my request for accommodation, under the *Ontario Human Rights Code*, is approved do I still have to submit to additional screening?**

Employees with approved accommodations may be required to take additional infection and prevention control measures.

### **What type of proof of vaccination will I have to provide?**

Employees will need to provide documentation that verifies receipt of a vaccination series approved by Health Canada and/or the World Health Organization, along with a completed and signed **COVID-19 Vaccination Declaration**.

If you have misplaced your receipt that was provided at time of vaccination, you can obtain a copy at <https://covid19.ontariohealth.ca/>. To log in you will need a green photo health card with the numbers from both the front and back of the card, date of birth, and postal code. You may then download or print a COVID-19 Vaccine receipt (pdf) for each dose received. Only the second dose receipt is required to be submitted.

If you have a red health card, call the Provincial Vaccine Booking Line at 1-833-943-3900 and you can request a copy of your receipt.

### **What is the process to disclose vaccination status?**

You can email the .pdf version of your receipt, along with the completed and signed COVID-19 Vaccination Declaration Form, to Human Resources at [HRVaccine@clarington.net](mailto:HRVaccine@clarington.net), or send a hard copy, in a sealed envelope, addressed to HR Vaccine, Human Resources, Municipal Administration Centre.

### **Who sees my medical information and who will know my vaccination status?**

The Municipality will maintain this information in accordance with all privacy legislation. This information will only be used to the extent necessary for implementation of this policy, health and safety protocols, and infection and prevention control measures in the workplace. Only Human Resources employees required to review this information for the purposes of determining policy compliance will see this information.

### **Will it be mandatory for Municipal contractors to comply with this policy? If not, how is the Municipality keeping me safe as I work with many contractors in my role?**

The Municipality is reviewing its contracts with service providers to determine their obligations in



respect of mandatory vaccinations.

**For unionized employees, did you advise or discuss with the unions during the development of this policy?**

The Municipality provided advance information to the unions about the policy. The feedback provided was very much appreciated. If you have any questions regarding your union's position with respect to mandatory vaccinations, please speak with your local union representative.

**Can I expect more COVID-19 protection measures to come?**

The Municipality will continue to monitor and assess the situation and evolving recommendations from Durham Public Health, Public Health Ontario and the Ministry of Labour for workplace risk mitigation measures. If it is determined that additional precautions are necessary, the Municipality may decide to implement new measures to protect employees and the public from COVID-19.

**Will I lose my job if I decide not to get vaccinated?**

Right now, the focus is on education and getting the workforce vaccinated. The Municipality will assess any breach of this policy on a case-by-case basis. It is understood that employees who don't comply with this policy as with other Municipal policies, may be subject to discipline, up to and including termination of employment.