

	TOWNSHIP OF SOUTH STORMONT
	Title: Vaccination Verification Policy Coronavirus (COVID-19)
	Policy Category: Human Resources
	Effective Date: October 13, 2021 Amended: October 27, 2021

Policy Statement

The Township of South Stormont (the “**Township**”) is committed to taking every precaution reasonable in the circumstances for the protection of the health and safety of workers from the hazards of COVID-19. This mandatory workplace *vaccination* verification policy is an important measure that complements other workplace health and safety measures in place in accordance with applicable governing legislation.

This policy may be amended as new public health directives and/or provincial or federal government legislation, regulations and/or orders are formalized. Any such directives, legislation, regulations, or orders shall take precedence until such time as this policy may be amended to conform to the new requirements.

At the time this policy is being implemented, the province of Ontario is experiencing the fourth wave of the COVID-19 pandemic, driven by variants that are more transmissible and that cause more serious health issues. The province has also introduced a “vaccine passport” in recognition of the efficacy of vaccination. This policy is being implemented to ensure that all workers, including employees, volunteers, Township Council members and students, take appropriate steps, including immunization and regular testing, to minimize the risk of infection and to reduce the risk of transmission to others.

Purpose

The purpose of this policy is to mandate that all employees (full-time, part-time, casual, contract seasonal), Township Council members, volunteer firefighters, volunteers, student placements and any other persons deemed reasonable in the circumstances (all of which are referred to hereinafter as “**workers**”), be fully vaccinated, as defined by the Ministry of Health, with an approved Health Canada or World Health Organization COVID-19 vaccine (or approved series of vaccines), and any subsequent recommended boosters as required, unless exempted for legitimate reasons and accommodated under the *Human Rights Code*.

Scope

This policy applies to all existing Township workers and is a condition of employment/ engagement/appointment for all future hires/engagements/appointments while this policy is in effect. It requires workers to be fully vaccinated from the COVID-19 virus, to receive any subsequent boosters, and requires workers to provide acceptable proof of vaccination or exemption status.

Policy

The Township has a duty to ensure a safe workplace for workers and a safe environment for residents and other third parties using or accessing Township facilities and services. The Township takes this responsibility seriously and is taking every reasonable measure to keep its workers, as well as its residents, safe. The COVID-19 vaccine is the most effective way to reduce morbidity and mortality associated with this disease, as well as contain the spread of this highly transmissible virus to others. This COVID-19 vaccination policy and its implementation is intended to protect the Township's workers and residents, all of whom are interacting within the organization.

Proof of Vaccination

All workers are required to provide proof of vaccination status no later than October 28th, 2021, in the form of a Ministry of Health vaccine certificate or receipt. Individuals with an Ontario photo health card can log into the provincial portal to download or print an enhanced COVID-19 vaccine receipt (PDF with QR code) at <https://covid19.ontariohealth.ca>.

Staff recommends that the Township accept the enhanced method or original method in order to confirm a worker's vaccination status. The Enhanced Method is based on new vaccine certificates with QR codes that can be scanned by Ontario's new Verify Ontario app. This enhanced approach to verifying proof of vaccination provides greater security and privacy protection. The QR code contains only necessary personal and health information: first name, last name, date of birth and vaccine dose information to the reader. The app will assess their vaccine record and immediately confirm whether the record is approved. The original method requires the submission or visual verification of a paper or downloaded proof of vaccination document. Both are acceptable proof of vaccine documentation. Proof of vaccination of both methods can only be confirmed by the Human Resources Coordinator or the Chief Administrative Officer.

Paragraph
added:
Oct 27/21

Workers who fail to provide proof of their vaccination status by October 28th, 2021, will be considered unvaccinated for the purposes of this Policy and be subject to the actions set out in this Policy.

Workers who are not fully vaccinated but provide written proof of having received a first dose of vaccine as of October 28th, 2021 must receive a second dose of vaccine by November 25th and provide proof of full vaccination status by no later than December 9th, 2021.

Accommodation

The Township will comply with its obligations under human rights legislation to participate in accommodation discussions with individuals who advise of a substantiated, valid legal exemption under the *Ontario Human Rights Code* to receiving the COVID-19 vaccination. Workers must advise the Township of such an exemption by no later than October 28th, 2021. The Township reserves the right to request additional information or documents as required.

In the event of a request for accommodation, sufficient proof of the ground (disability and/or creed) and the connection between the ground and the inability to be vaccinated must be provided.

Where the ground is disability, a note must be provided by either a Physician or Nurse Practitioner that sets out:

- confirmation that the person has a disability (but not the nature of the disability or the diagnosis)
- confirmation that the person cannot be vaccinated against COVID-19 due to the disability; and
- the effective time period for which the disability will prevent vaccination.

Where the ground is creed, the person must identify the creed, confirm that they are an adherent of that creed, and explain how their belief system prohibits being vaccinated against COVID-19. Further information may also be required.

Where the medical exemption is time limited, Human Resources will follow up with the worker following the medical exemption's expiry to determine the worker's exemption or vaccination status.

The Township has identified disability and creed but will also consider other grounds claimed under the *Human Rights Code* upon request from the affected worker and the provision of evidence appropriate in the circumstances.

It is incumbent on the worker to participate in discussions about a reasonable accommodation plan and provide information as may be required.

Non-Compliance & Restrictions

Workers who:

- do not have a legitimate exemption from vaccination and an approved accommodation plan with the Township;
- have not submitted proof of full or 1st dose vaccination status by October 28th, 2021; or
- have not been fully vaccinated against COVID-19 by the applicable date specified herein;

are considered to be in non-compliance with this policy and shall not be permitted to enter the workplace for any reason as of October 28th, 2021 or as soon as they become non-compliant (if later than October 28th, 2021). Such workers may elect to request vacation leave, other accrued entitlements, or a leave of absence without pay. Employees who refuse to be vaccinated as required by this Policy, for reasons other than legitimate grounds under the *Human Rights Code*, will not be accommodated and will not have the ability to work from home.

New Hires

All offers of employment/engagement/appointment after October 13th, 2021 will be conditional on the individual providing proof of the following:

- full vaccination status; or
- a substantiated, valid legal exemption under the *Ontario Human Rights Code* to receiving the COVID-19 vaccination.

Failure to do so will result in offer becoming void due to the condition not being met and the individual being unable to become employed/engaged/appointed with the Township.

Antigen Testing

Workers who have received a first vaccine dose and those who are being accommodated under the *Human Rights Code* will be required to perform Antigen Testing, at a frequency of not less than 2x/week (or such other frequency as the Township may deem appropriate), beginning the week of November 1st, 2021. This will continue until the worker provides proof of full vaccination and 14 days have elapsed from the worker's final vaccination dose. A test must be taken with a negative result on the day of the worker's first attendance at the workplace in a week (Monday to Sunday). A second test must be taken, with a negative result, on the later of: (a) the third day after the first attendance; or (b) the day of the worker's next attendance at the workplace. Unvaccinated individuals will confirm participation in this process as well as verification of negative test results, via self-attestation.

Antigen Testing kits, and applicable instructions, will be available for pickup at the Township Office until December 24th, 2021. Antigen Testing kits availability for workers who have Township approved accommodation exemption will continue to be available beyond December 24, 2021. It is the responsibility of the worker to ensure that they have a rapid antigen testing kit, and to confirm status when required. The worker will need to have the test complete prior to regular hours of work and be ready to start work with the proper documentation. There will be no compensation provided to the individual for the time required to complete this regular testing. The individual can determine when and where to self-administer the testing at their discretion provided it meets the frequency requirements set by the Township.

Mandatory COVID-19 Vaccination Education

To ensure that all workers subject to this policy are adequately educated about COVID-19 and the COVID-19 vaccines, any unvaccinated workers (including those with a valid medical exemption and those who do not disclose their vaccination status by October 28th, 2021), must complete a mandatory COVID-19 vaccination education program that has been approved by the Township on the risks of being unvaccinated in the workplace.

Employee Support

High vaccination rates against COVID-19 are effective in reducing the spread of COVID-19. The Township supports workers in becoming fully vaccinated against COVID-19 by providing:

- additional paid sick leave for all regular full-time employees for COVID-19-related absences as per Township policies;
- where operationally feasible, reasonable arrangements to allow for employees to attend COVID-19 vaccination clinics during work time; and
- allotted work hours to complete education sessions on how COVID-19 vaccines work and their benefits, vaccine safety, the risks of not being vaccinated and the possible side effects of the vaccine

Continued compliance with health and safety control

All workers must continue to use personal protective equipment and abide by the Township's health and safety protocols whether they have been vaccinated against COVID-19 or not. This includes complying with infection prevention and control practices, such as handwashing and sanitizing, wearing a mask, and informing management if they experience any symptoms related to COVID-19.

Unvaccinated individuals may be required to adhere to additional safety precautions.

Responsibilities

Employer is responsible for:

- Ensuring proper application of this policy
- Ensuring information and resources promoting the importance of being vaccinated and following current health and safety protocols to prevent the spread of COVID-19 are provided to employees
- Ensuring employee vaccination status information is collected, maintained and disclosed in accordance with this policy and privacy legislation
- Ensuring that employees who are not fully vaccinated have provided required medical proof of exemption or have completed the mandatory COVID-19 educational course
- Accommodating employees who are legally entitled to accommodation with the employer's obligation to comply with exemptions protected by the *Ontario Human Rights Code*

Directors/Supervisors are responsible for:

- Reviewing and managing accommodation requests, in consultation with Human Resources
- Ensuring that for new hires the condition requiring vaccination or exemption is satisfied prior to the individual working for the Township
- In outbreak situations, ensuring that non-vaccinated employees are not assigned work in situations where transmission is likely
- Providing employees and students with access to information about COVID-19 health and safety protocols and COVID-19 vaccines
- Ensuring employees are following health and safety protocols including being vaccinated against COVID-19

Human Resources is responsible for:

- Collecting and maintaining vaccination status information
- Ensuring COVID-19 education course is available to employees
- Providing guidance and support to managers and supervisors to assist with developing and managing employee accommodation plans
- Ensuring all future hires are aware of and meet the requirements of this policy

Workers are responsible for:

- Providing proof of COVID-19 vaccination status
- Providing proof of legitimate exemption if they are not fully vaccinated

- Completing the mandatory COVID-19 educational course if proof of vaccination was not provided
- Advising their director or supervisor of the need for accommodation and providing supporting documentation or information as may be required
- Educating themselves about COVID-19 and COVID-19 vaccinations
- Continuing to follow health and safety protocols to prevent the spread of COVID-19 before and after vaccination
- Maintaining their vaccination status including obtaining boosters as they are required and providing proof of full vaccination in accordance with this policy

Confidentiality

All information pertaining to vaccination status and any request for accommodation will be treated as confidential by the Township. All collection, use and disclosure of such information will be limited to the purposes this policy, including implementation and compliance, and as otherwise required by law. The information will be kept in accordance with the Township's Records Management Policy and privacy legislation.

Monitoring and Compliance

Any breaches of this Policy, including dishonesty regarding vaccination status or test results will result in disciplinary action up to and including termination of employment.

Authority and Related Policies

Human Rights Policy, Health and Safety Policy, Staff Accommodation Policy (Pandemic)

Definitions

Antigen Testing:

Antigen based tests detect specific proteins on the surface of the virus. These are often called rapid tests, as they typically provide results in less than an hour.

COVID-19:

COVID-19 is an acute respiratory illness caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) virus. It can be characterized by fever, cough, shortness of breath and a number of other symptoms.

Workers:

Individuals who perform work for/with the Township. For the purpose of this policy, this shall include: employees (full-time, part-time, casual, contract seasonal, volunteer firefighters), Township Council, volunteers, and student placements.

Full Vaccination:

Individuals will be deemed to have been fully vaccinated if they have received the full series of a COVID-19 vaccine or combination of COVID-19 vaccines approved by Health Canada (e.g. two doses of a two-dose vaccine series, or one dose of a single-dose vaccine series); and 14 days have elapsed from the final dose.

Ontario *Human Rights Code*:

The Ontario *Human Rights Code* prohibits differential treatment with respect to employment on the basis of certain enumerated grounds, including disability and creed (commonly referred to as "religion"), and requires accommodation to the point of undue hardship.

Contact

For more information on this policy, contact: Chief Administrative Officer