

CORPORATE POLICY



Name of Policy:	COVID-19 Mandatory Vaccination Policy
Policy Number:	CS - 057
Responsibility:	Corporate Services Division
Approval:	David Logan, General Manager, Corporate Services
Approval Date:	September 13, 2021
Date of Next Review:	Ongoing

1.0 Purpose

The purpose of this policy is to reduce the risk of COVID-19 in the workplace and to provide a safe environment for employees and the public. Implementing the COVID-19 Mandatory Vaccination Policy is another tool to help prevent the spread and severity of COVID-19 and the Delta variant in the workplace and the community. The City of Sarnia (the "City"), as an employer, has an obligation under the *Occupational Health and Safety Act* to take every precaution reasonable in the circumstances for the protection of its workers.

Vaccination, in combination with health and safety precautions, have been identified by public health as the most effective means of reducing the transmission of COVID-19 in the workplace and in our community. In addition to the current health and safety precautions which will be maintained and revised in accordance with public health guidance, the City requires all employees, volunteers (excluding persons appointed by City Council), and students to:

- Provide proof of full vaccination against COVID-19; or
- Provide a written attestation of a medical reason(s), *Ontario Human Rights Code* reason(s), or the *Canadian Charter of Rights and Freedom*, with supporting documentation, for not being fully vaccinated against COVID-19, undertake regular antigen testing and disclose the certified test results to the City, and complete the COVID-19 Vaccine Mandatory Education Module; or
- Undertake regular antigen testing and disclose the certified test results to the City, and complete the COVID-19 Vaccine Mandatory Education Module.

Contractors and consultants acting on behalf of the City will be required to return a signed attestation acknowledging their awareness of the policy and their commitment to ensuring compliance among its employees attending City facilities or working in close proximity with City employees as part of their contract administration duties. Contractors and consultants are required to keep all records, which disclosure may be required by the City.

This policy is in place for an undefined period of time, as long as the risks and impacts of COVID-19 are present. The policy will be reviewed on a regular basis and amended, as required, as the information and data regarding COVID-19 evolves.

This policy sets out the requirements of employees, volunteers (excluding persons appointed by City Council), students, contractors, and consultants acting on behalf of the City, with respect to COVID-19 and vaccination.

2.0 Scope

This policy applies to all employees of the City, including full-time, part-time, permanent, temporary and casual, volunteers (excluding persons appointed by City Council) students.

The policy applies to contractors and consultants acting on behalf of the City as required.

New employees to the City are required to be fully vaccinated on their first day of employment. If not fully vaccinated, offers of employment may be rescinded.

The City reserves the right to amend the scope of this policy as required, with minimal notice, to meet changing provincial or federal requirements.

3.0 Definitions

The following terms referenced in this policy are defined as:

“Consent to Disclose/Release Medical Information Form” shall mean documentation for which the employee provides express consent to release and disclose personal medical information to the City of Sarnia.

“COVID -19” shall mean a large family of viruses that cause illness ranging from the common cold to more severe diseases such as Middle East Respiratory Syndrome (MERS-CoV), Severe Acute Respiratory Syndrome (SARS-CoV), and COVID-19. A novel coronavirus is a new strain that has not been previously identified in humans.

“Sarnia COVID-19 Acknowledgment Form” shall mean documentation for which the employee declares they choose not to be fully vaccinated.

“COVID-19 Vaccine Mandatory Education Module” shall mean an educational program that has been approved by and/or provided by the City of Sarnia and, at minimum, 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

“Fully Vaccinated” shall mean having received the full series of a COVID-19 vaccine or combination of COVID-19 vaccines approved by the Health Canada (e.g., two doses of a two-dose vaccine series, or one dose of a single-dose vaccine series).

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

“Statement of Medical Exemption Form” shall mean written proof of an acceptable exemption consistent with the guidelines established by the College of Physicians and Surgeons of Ontario, and provided by and signed by a physician or nurse practitioner in the extended class that sets out: (i) a documented medical reason for not being fully vaccinated against COVID-19, and (ii) the effective time-period for the medical reason.

“Statement of Religious, Creed, Conscience Belief Form” shall mean written proof of a religious or creed based exemption that is protected under the *Ontario Human Rights Code* or protected under the *Canadian Charter of Rights and Freedoms*, and completed and signed by a faith leader, as required, and signed by the employee.

“Vaccine” for the purpose of this policy, is defined as a substance approved by Health Canada and used to stimulate the production of antibodies and provide immunity against SARS-CoV-2.

4.0 Application

1. COVID-19 Vaccinations

All persons to whom the policy applies shall comply with one of the following:

- a. Provide proof of full vaccination against COVID-19 no later than September 23, 2021, together with completed Consent to Disclose/Release Medical Information Form; or
- b. Where a person has received one dose of the COVID-19 vaccine as of September 23, 2021, and has not yet received their scheduled second dose,

the person shall:

- i. Provide completed Consent to Disclose/Release Medical Information Form;
 - ii. Provide proof of all required doses of COVID-19 vaccinations approved by Health Canada, no later than November 8, 2021;
 - iii. Submit to regular antigen testing for COVID-19 in accordance with section 4 of this policy until confirmation of administration of the second dose, at which time the individual will be considered fully vaccinated; or
- c. Where a person does not provide proof of full vaccination against COVID-19, but instead provides a Statement of Medical Exemption Form or Statement of Religious, Creed, Conscience Belief Form for not being vaccinated against COVID-19, no later than September 23, 2021, the person shall:
- i. For those persons providing a Statement of Medical Exemption Form, a completed Consent to Disclose/Release Medical Information Form must be provided;
 - ii. Complete the COVID-19 Vaccine Mandatory Education Module no later than October 7, 2021;
 - iii. Submit to regular antigen testing for COVID-19 in accordance with section 4 of this policy; or
- d. Where a person does not provide proof of full vaccination against COVID-19 and does not provide a Statement of Medical Exemption Form or Statement of Religious, Creed, Conscience Belief Form for not being vaccinated against COVID-19, no later than September 23, 2021, the person shall:
- i. Provide completed Sarnia COVID-19 Acknowledgment Form;
 - ii. Complete the COVID-19 Vaccinate Mandatory Education Module no later than October 7, 2021; and
 - iii. Submit to regular antigen testing for COVID-19 in accordance with section 4 of this policy.

2. Providing Proof of COVID-19 Vaccination

Employees shall provide their Ontario Ministry of Health certified vaccination receipt(s) demonstrating one of the following:

- a. Proof of all required doses of COVID-19 vaccinations approved by Health Canada as soon as reasonably possible, but no later than November 8, 2021; or
- b. If the individual has only received the first dose of a two-dose COVID-19 vaccination series approved by Health Canada, proof that the first dose was administered no later than September 23, 2021 and proof of administration

of the second dose as soon as reasonably possible, but no later than November 8, 2021; or

3. Providing Documentation For Exemption Approval

The City will comply with its human rights obligations and accommodate employees who are legally entitled to accommodation. Exemptions will be made for grounds protected by the *Ontario Human Rights Code* which includes confirmed medical reasons, or the *Canadian Charter of Rights and Freedom*.

Employees are required to provide one of the following:

- a. Completed City of Sarnia Statement of Medical Exemption Form which is consistent with an acceptable exemptions established by the College of Physicians and Surgeons of Ontario, and which includes a signed statement provided by either a physician or nurse practitioner in the extended class that sets out:
 - i. That the person cannot be vaccinated against COVID-19 and;
 - ii. The effective date and duration of the medical exemption.

Where the medical exemption is time-limited, Human Resources will follow-up with the employee within 30 days of the medical exemption expiring to obtain proof of vaccination or a completed Sarnia COVID-19 Acknowledgment Form, together with the related requirements.

- b. Completed City of Sarnia Statement of Religious, Creed, Conscience Belief Form outlining the tenants of the religion, creed, or conscience belief which are impacted by vaccination and which includes a signed statement provided by the employee's respective faith leader, as required.

All exemption requests are subject to review and approval by the General Manager of Corporate Services, or designate.

The City will work with those who receive an approved exemption to develop an appropriate accommodation plan.

4. Providing Sarnia COVID-19 Acknowledgment Form

Employees who choose not to provide proof of being fully vaccinated and do not receive an approved exemption shall submit a completed Sarnia COVID-19 Acknowledgment Form no later than September 23, 2021, declaring that they

choose not to provide proof of being fully vaccinated.

Employees will be required to submit certified antigen test results to the City in accordance with section 4 of this policy and complete the COVID-19 Vaccine Mandatory Education Module no later than October 7, 2021.

The City may make efforts to provide appropriate accommodation, however the City is not legally obligated to do so. If an accommodation plan is not provided, the employee may be placed on an unpaid leave.

5. COVID-19 Vaccine Mandatory Education Module

In order to ensure that persons subject to this policy are adequately educated about COVID-19 and the COVID-19 vaccines, employees that do not provide proof of being fully vaccinated are required to complete the COVID-10 Vaccine Mandatory Education Module no later than October 7, 2021.

6. Vaccination Reporting and Documentation

Vaccination documentation will be collected and protected in accordance with Ontario privacy legislation. When submitting their vaccination documentation, employees shall complete a Consent to Disclose/Release Medical Information Form. The Consent to Disclose/Release Medical Information Form and any and all documentation relating to religious, creed, and conscience belief exemption(s) will be maintained in the employee's file. Any and all documentation relating to an individual's proof of vaccination or the valid medical reason(s) for not receiving a COVID-19 vaccination will remain in their confidential Human Resources file.

7. COVID-19 Rapid Antigen Testing

Employees who are not fully vaccinated as of September 23, 2021 will be required to submit to ongoing antigen testing and provide to the City's Human Resources Department the certified receipt of test results administered by a medical professional. Such testing shall be at the expense of the employee and is required to take place on Tuesdays and Thursdays of each week, or as otherwise directed, prior to attending the work place for the employee's scheduled shift. Ongoing antigen testing is required for the duration of this policy, or as otherwise directed.

8. Non-Compliance

In accordance with City's Human Resources policies, collective agreements, and applicable legislation, non-compliance with the COVID-19 Mandatory Vaccination Policy will result in a meeting with the employee, including their Union representative if applicable, which may result in disciplinary action up to and

including termination.

9. Access to COVID-19 Vaccination Clinics

Reasonable arrangements will be made to allow for staff to attend COVID-19 vaccination clinics for their first and second doses, and any other doses as recommended by Health Canada during work time without loss of pay.

10. Continued Adherence to Public Health Measures

All employees are required to practice Public Health measures to control the spread of COVID-19 regardless of their vaccination status.

Employees must adhere to the City's health and safety protocols at all times while in the workplace, including handwashing, physical distancing where possible, and the use of Personal Protective Equipment as required by their position.

5.0 Responsibilities

The following positions and/or departments are responsible for fulfilling the responsibilities detailed in this policy as follows:

Management/Supervisors

- Review and manage accommodation requests in consultation with Human Resources
- Reasonable arrangements will be provided to support time from regular duties for staff to attend vaccination clinics in accordance with relevant collective agreement language and/or corporate policies.

Employees

- Submit proof of vaccination status; an approved exemption; or submission of Sarnia COVID-19 Acknowledgment Form.
- Submit certified antigen testing results as required.
- Complete COVID-19 Vaccine Mandatory Education Module(s) as required.
- Follow direction provided by the City and/or medical professional in cases where certified antigen testing identifies a positive case.
- Continue to follow health and safety protocols to ensure personal safety and prevent the spread of COVID-19 before and after vaccination.
- Adhere to any additional mandates or directives or reporting requirements from the City, Lambton Public Health, and provincial or federal authorities.
- If additional doses of the COVID-19 vaccine are required, ensure notification of subsequent doses are also submitted to the City.

Procurement

- Ensure current and future contractors and consultants are aware of their requirements under the policy
- Obtain written attestation from contractors and consultants

Human Resources

- Ensure employees attending work are fully vaccinated against COVID-19.
- Ensure employees have submitted proof of their vaccination status, or an approved exemption in compliance with Ontario privacy legislation.
- Ensure employees that choose to not be fully vaccinated are completing the COVID-19 Vaccine Mandatory Education Module and regular antigen testing.
- Continue to enforce workplace precautions that limit the spread of the COVID-19 virus.
- Ensure employees are aware of the importance of getting vaccinated against COVID-19.
- Provide staff with access to information on COVID-19, health and safety precautions, and on the efficacy of the COVID-19 vaccine.
- Provide staff with information on location and scheduling of vaccination clinics when available.
- Assist management with any labour relations and health and safety issues arising from application of this policy including liaising directly with Union leadership.
- Create procedure for collecting and storing documentation on employee vaccination status, in compliance with privacy legislation.
- Create a procedure for collecting and storing rapid antigen testing of unvaccinated employees.
- Assist management with accommodation requests.
- Ensure applicants are made aware of the policy

6.0 Related Policies & References

[Canadian Charter of Rights and Freedom](#)

[Corporate Covid-19 Policy](#)

[Employee screening tool](#)

[Municipal Freedom of Information and Privacy Protection Act \(MFIPPA\)](#)

[Ontario Human Rights Code](#)

[Occupational Health & Safety Act](#)