

COVID-19 Vaccination Administrative Policy

1.0 Purpose

The purpose of the Proof of COVID-19 Vaccination Administrative Policy (the “policy”) is to reduce the risk of COVID-19 in the workplace and to provide a safe environment for employees and the public to access and use municipal facilities. COVID-19 is a highly contagious virus that spreads through respiratory droplets and aerosols.

The Municipality of Middlesex Centre is committed to protecting employees and others from hazards in the workplace, including infectious and vaccine preventable diseases and to maintaining a protected workforce.

Under the Occupational Health and Safety Act, all workplace parties have a duty to keep the workplace safe, and the Act requires the Municipality to take every precaution reasonable in the circumstances for the protection of workers. This policy and program is in alignment with provincial and federal directives as well as legal and regulatory requirements.

2.0 Scope

This policy applies to all municipal workers, **interns, contractors, subcontractors, consultants, council appointed committee members and Members of Council** engaging in functions or activities on behalf of the Municipality which, on the advice of public health, make COVID-19 vaccinations a priority for their own health or that of others with whom they engage on behalf of the Municipality.

The Municipality also reserves the right to amend the scope of this policy as needed, with minimal notice, to meet changing municipal, provincial or federal requirements

3.0 Definitions

‘Attestation of a medical reason(s) or Ontario Human Rights Code reason(s)’ means a written statement that sets out that the person cannot be vaccinated against COVID-19.

‘COVID-19’ is a virus belonging to a large family called coronavirus which includes the virus that causes the common cold and more severe disease such as Severe Acute Respiratory Syndrome (SARs) and Middle East Respiratory Syndrome (MERS-COV).

The virus that causes COVID-19 is a novel coronavirus, named SARS-CoV-2 and its variants.

‘Fully vaccinated’ means having received the full series of a COVID-19 vaccine or a combination of COVID-19 vaccines approved by Health Canada; having received the final dose of the COVID-19 vaccine at least 14 days ago and having any booster vaccinations required by Health Canada for full immunity.

‘Proof of full vaccination against COVID-19’ means the COVID-19 vaccination receipt issued by the Ontario Ministry of Health confirming the person is fully vaccinated.

4.0 Legislative Framework

Occupational Health and Safety Act, R.S.O. 1990, c.0.1

Human Rights Code, R.S.O. 1990 c. H. 19 (“Ontario Human Rights Code”)

Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990 c. M.56 (“MFIPPA”) Roles & Responsibilities

5.0 Application of Policy

5.1 Vaccination Requirements

All municipal staff must provide one of the following to designated Human Resources personnel:

1. Proof of COVID-19 vaccine administration as per the following requirements:
 - a. 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 by September 30, 2021, followed by proof of administration of the second dose by November 15, 2021 ; or
 - b. Proof of **all** required doses of a COVID-19 vaccine approved by Health Canada; or
2. Written proof of a medical reason, provided by an approved medical professional, that sets out:
 - a. That the person cannot be vaccinated against COVID-19; the medical reason; and the effective period for the medical reason (i.e., permanent or time-limited).

Contractors, subcontractors, consultants, interns, council appointed committee members and Members of Council must provide one of the following to the entrance staff upon entering into a municipal facility:

1. Proof of COVID-19 vaccine administration as per requirements noted in above in 5.1(1); or
2. Written proof of a medical reason, provided by an approved medical professional and provide a negative antigen test at least 48 hours prior to attending the municipal facility or site work location.

5.2 Providing Proof of Vaccination

All municipal staff, interns, contractors, subcontractors, consultants, council appointed committee members and Members of Council must provide proof of vaccination status. The only acceptable proof of vaccination is the receipt provided by the Ministry of Health/Public Health, or equivalent out-of-province health body to the person who was vaccinated. Once vaccination status has been verified and documented, the record will kept in accordance with the Municipality's retention policy. Should a staff member fail to produce the appropriate vaccination records, they will be deemed to be unvaccinated.

For municipal staff who have only received the first dose of a two-dose COVID-19 vaccination series, proof must be provided that the first dose was administered and, as soon as reasonably possible (i.e., November 15, 2021 or less than 2 months in all cases, whichever comes first), proof of administration of the second dose is to be provided.

Municipal staff who have received only one dose, must participate in regular antigen testing until such time as they are considered fully immunized.

If a municipal staff member who has received a first dose of a two-dose COVID-19 vaccination series does not receive the second dose within two (2) months, the individual must provide proof of a medical reason for not receiving it.

If additional doses of any COVID-19 vaccination series are required by Health Canada to be considered "fully vaccinated", municipal staff shall receive such dose as soon as reasonably possible. If a municipal staff member does not receive the additional dose within a reasonable time period, the individual must provide proof of a medical reason for not receiving it.

5.3 Medical Exemption for COVID-19 Vaccination

Medical documentation must be provided by a physician for any municipal staff member who claims to have a medical reason for not being vaccinated.

Medical documentation must include whether the medical exemption is permanent or time-limited. If time-limited, the documentation must include how long it is to be expected to last. Where the medical exemption is time-limited, Human Resources must follow-up with the employee within 30 days of the medical exemption expiring, to obtain proof of vaccination.

Municipal workers who have a valid medical exemption will be required to undertake regular (at least twice per week for full-time employees) antigen testing or equivalent. Antigen testing will be conducted on a schedule determined by the Municipality, based on the staff member's shift patterns. Any isolation periods required as a result of a positive test will be unpaid by the Municipality.

Contractors, subcontractors, consultants, interns, council appointed committee members and Members of who are medically exempt must provide proof of a negative antigen test at least 48 hours prior to attending the municipal facility or site work location.

5.4 Employee Accommodations

Reasonable arrangements will be made to allow for staff to obtain a COVID-19 vaccination during work time if they are unable to obtain a vaccination outside working hours.

5.5 New Employees

All new hires must provide the required proof of vaccination to Human Resources prior to commencing their employment, engagement, assignment, or placement into positions where this policy applies. This policy shall form one of the conditions of employment which new employees accept as part of an offer of employment into such positions.

5.6 Inactive Employees

Inactive employees who are on a leave of absence are not required to comply with this policy so long as they remain on a leave of absence. Employees must comply with this policy prior to returning to work.

5.7 Booster Vaccination

Should Ministry of Health/Public Health mandate a booster or additional vaccine in addition to the above guidelines, this requirement will form part of the guidelines with reasonable times provided for municipal staff to have the appropriate vaccine(s).

5.8 Compliance

Vaccinated and unvaccinated individuals are required to continue to comply with all COVID-19 health and safety precautions (e.g. screening, physical distancing, hand sanitizing/washing, mask/face covering use, etc.)

Failure to comply with this policy will include disciplinary actions up to and including termination from employment.

The Municipality has policies that remain in effect such as the R-Zone and Code of Conduct, non-compliance with this policy will result in sanctions up to and including issuance of trespass from entering into municipal facilities.

6.0 Collection of Information and Privacy Considerations

All information gathered as part of the Proof of COVID-19 Vaccination Administrative Policy will be handled by human resources for the purposes outlined in the policy. All information, including personal health information, will be treated in compliance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

7.0 Accommodations

Employees requiring any further Ontario Human Rights Code accommodations under this policy may request accommodations by advising human resources. The Municipality of Middlesex Centre is committed to fulfilling its obligations under the Ontario Human Rights Code.

8.0 Policy Review

This policy will be reviewed periodically or on an as-needed basis to ensure relevancy with appropriate legislation and operation guidelines for the protection of staff and all individuals.