



# Schedule "A" to By-law 104-2021

## Council Member COVID-19 Vaccination Policy

Policy #C-HS-

Date Last Reviewed:

### 1.0 Purpose and Scope

- 1.1 The Municipality of Lakeshore is committed to taking every reasonable precaution in the circumstances for the protection of the health and safety of workers from the hazard of COVID-19 as required by the *Occupational Health and Safety Act* (OHSA).
- 1.2 Vaccination in accordance with federal and provincial directives has been shown to be effective in reducing COVID-19 virus transmission and protecting unvaccinated individuals from severe consequences of COVID-19 and COVID-19 variants. Council Members shall be vaccinated in order to protect themselves from COVID-19, provide indirect protection to others and demonstrate leadership within the organization and in the community.
- 1.3 The Municipality is committed to a workplace free from discrimination and harassment. The Municipality will accommodate Council Members that qualify for medical exemption or that qualify based on one or more of the protected grounds of discrimination in the Human Rights Code up to the point of undue hardship.
- 1.4 This policy applies to all Council and Committee Members. This policy shall apply to a Committee Member in the same way that it applies to a Council Member.
- 1.5 Where a Council Member is subject to an Ontario provincial directive with respect to COVID-19 vaccination that is more strict than this policy, that policy will prevail over this policy.

### 2.0 Definitions

- 2.1 **Code Of Conduct for Members of Council, Local Boards, and Committees:** is the code of conduct for members established pursuant to section 232.2 of the *Municipal Act, 2001*.
- 2.2 **Committee:** is a committee created by the municipal council of the Municipality of Lakeshore.



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- 2.3 Committee Member:** is a member of a Committee appointed by Council.
- 2.4 Council Member:** a member of the municipal council of the Municipality of Lakeshore.
- 2.5 COVID-19:** coronavirus disease is an infectious disease caused by the SARS-CoV-2 virus and includes variants of this disease.
- 2.6 Exemption:** means a Medical or Protected Ground Exemption.
- 2.7 Fully Vaccinated and Full Vaccination:** means 14 days after having received the completed series of an accepted COVID-19 vaccine as recommended by Chief Medical Officer of Health for the Province of Ontario. In the event that a Government of Canada or Province of Ontario health official recommends an additional vaccine dose (or booster), such dose shall be required to be considered Fully Vaccinated.
- 2.8 Lab-Based Test:** This a polymerase chain reaction (PCR) test taken through a medical laboratory that detects SARS-CoV-2 genetic material and is used to diagnose an active COVID-19 infection.
- 2.9 Medical Exemption:** This is a situation in which a Council Member has provided written proof in a form satisfactory to the Municipality from an appropriately qualified physician or nurse practitioner of a medical reason for not being Fully Vaccinated.
- 2.10 Protected Ground Exemption:** This is a situation in which a Council Member has provided written proof in a form satisfactory to the Municipality of a valid exemption from the requirement to be Fully Vaccinated based on a protected ground under the *Human Rights Code*.
- 2.11 Rapid Antigen Test:** This is a COVID-19 test administered using a nasal swab to identify positive cases in asymptomatic individuals. This test safely yields a result within 15 minutes.



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- 2.12 Workplace:** Any location that an employee of the Municipality performs tasks, jobs or projects for the Municipality.
- 2.13 Vaccine:** a preparation that is administered (as by injection) to stimulate the body's immune response against a specific infectious agent or disease. A vaccine approved by Health Canada for use in Canada in relation to COVID-19.

## 3.0 Policy

- 3.1** Subject to 3.2, all Council Members are required to become Fully Vaccinated before January 4, 2022.
- 3.2** The Municipality respects its obligations pursuant to the Human Rights Code and OHSA. As such, to ensure the health and safety of its employees and Council Members, the Municipality will accommodate those Council Members who are not able to be Fully Vaccinated for a reason relating to an Exemption. Council Members seeking any such exemption shall provide valid written proof of evidence as required by the Municipality Council Members COVID-19 Vaccination Policy.
  - 3.2.1** After January 3, 2022, a Council Member who has been granted an Exemption or is awaiting a decision with respect to an Exemption must participate in rapid antigen testing twice per week which shall be performed at the cost of the Municipality.
- 3.3** Commencing January 4, 2022, a Council Member who is not eligible for an Exemption and is not Fully Vaccinated shall not enter the Workplace without engaging in a Rapid Antigen Testing two times per week in accordance with Municipal procedures.
- 3.4** In addition to COVID-19 screening results collected by the Municipality, the Municipality will maintain the confidentiality of a Council Member's vaccination status. The collection of personal health information will be limited to:



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**3.4.1** Rapid Antigen Test results;

**3.4.2** Lab-based Test Results;

**3.4.3** Proof of Exemption;

**3.4.4** Ministry of Health Dose Administration Receipts or other Provincially-sanctioned proof of vaccination; and

**3.4.5** Personnel records associated with Exemptions, administration of this policy and vaccination, where necessary.

**3.4.6** The personal health information collected in accordance with this policy may be used for the purpose of administering this policy. The personal health information may be disclosed only for the purpose of this purpose or for otherwise permitted in accordance with applicable law.

**3.4.7** Notwithstanding a Council Member having received a vaccine or Exemption, all Councillors shall continue to comply with COVID-19 preventative measures including COVID-19 screening, donning a mask, maintaining a physical distance and the use of barriers where possible.

## **4.0 Responsibilities**

**4.1** Workforce Development is responsible for developing administrative procedures to accompany this policy.

**4.2** The CAO is responsible for the administration of this policy in accordance with applicable law.

**4.3** All Council Members are responsible for compliance with this policy and shall comply with all applicable obligations in doing so, including with



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respect to public health measures such as physical distancing, wearing a mask, and staying home if they are sick.

## 5.0 Consequences

**5.1** After January 3, 2022, no Council Member will be permitted to attend a Workplace unless:

**5.1.1** The Council Member is Fully Vaccinated and has provided proof of vaccination to the Municipality; or

**5.1.2** The Council Member has been granted an Exemption and has complied with Municipal testing requirements; or

**5.1.3** The Council Member has submitted a request for an Exemption and is awaiting a decision from the Municipality with respect to the request and has complied with Municipal testing requirements; or

**5.1.4** The Council Member has provided Rapid Antigen Testing in accordance with administrative procedures.

**5.2** Council Members who refuse to disclose their vaccination status in accordance with this policy may be subject to certain health and safety measures including without limitation restricted access to the workplace.

**5.3** This policy and procedures developed in furtherance of this policy are policies and procedures subject to the provisions of section 13 of the *Code of Conduct for Members of Council, Local Boards, and Committees*.

## Reference Documents

**6.1** *Occupational Health and Safety Act*

**6.2** Human Rights Code

**6.3** *Code of Conduct for Members of Council, Local Boards, and Committees*



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## 6.4 Council COVID-19 Vaccination Procedures

## 7.0 Communication and Training

7.1 All Council Members shall be deemed to have been notified of this policy upon passage of the by-law adopting the policy.

## 8.0 Review/Revisions

8.1 The Municipality will review this policy and update it as required and as reasonable in the evolving nature of the pandemic, vaccine availability and government and public health authority direction.

#	Date Revised	Author	Section	Details of Change
1	Oct 2021			New draft policy
2				
3				
4				

Refer policy questions to: Corporate Leader – Strategic & Legal Affairs (Clerk)