



# Schedule "A" to By-law 9-2022 **Employee COVID-19 Vaccination Policy**

Policy # [C or A] - [DI] - XXXXXX

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. Therefore, it is critical for employees to be vaccinated in order to protect themselves from COVID-19 as well as to provide indirect protection to others during service delivery.
- 1.3** The Municipality is committed to a workplace free from discrimination and harassment. The Municipality will accommodate employees qualifying for medical exemption or who 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 Municipal employees including those employed on a permanent, part-time or contract basis (for example contracted by the Municipality directly or those employed by an employment agency), co-op and placement students whether in receipt of compensation or salary or not, volunteers.
- 1.5** Where employees are subject to an Ontario provincial directive with respect to COVID-19 vaccination that is more strict than this policy, an employee vaccination policy for those employees will be established in accordance with such directive and that specific policy will prevail over this policy. In addition, where an employee's departmental COVID-19 vaccination policy is more stringent than this policy, such departmental policy will prevail over this policy.

## **2.0 Definitions**

- 2.1 COVID-19:** coronavirus disease is an infectious disease caused by the SARS-CoV-2 virus and includes variants of this disease.



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- 2.2 Fire Call:** means a call from the Municipality's Fire Dispatch provider to dispatch Volunteer Firefighters.
- 2.3 Exemption:** means a Medical or Protected Ground Exemption.
- 2.4 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.
- 2.5 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.
- 2.6 Leadership:** This group of positions includes persons in the role of Team Leaders, Division Leaders, Corporate Leaders and the Chief Administrative Officer and any other persons deemed to be supervisors under the OHSA.
- 2.7 Medical Exemption:** This is a situation in which an employee 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.
- 2.8 Protected Ground Exemption:** This is a situation in which an employee 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*.
- 2.9 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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**2.10 Workplace:** Any location that a Municipal employee performs tasks, jobs or projects for the Municipality, but does not include a person's home if working remotely.

**2.11 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 employees are required to become Fully Vaccinated in accordance with the COVID-19 Vaccination/Rapid Antigen Testing Procedures approved by the Chief Administrative Officer.

**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, the Municipality will accommodate those employees that are not able to be Fully Vaccinated for a reason relating to an Exemption. Employees seeking any such exemption shall provide valid written proof of evidence as required by the Municipality COVID-19 Employee Vaccination Policy.

**3.2.1** An Employee that 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** An Employee that 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** Despite anything to the contrary in this policy, Volunteer Firefighters that are not Fully Vaccinated shall not respond to a Fire Call.



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- 3.5** In addition to COVID-19 screening results collected by the Municipality, the Municipality will maintain the confidentiality of an employee's vaccination status. The collection of personal health information will be limited to:

**3.5.1** Rapid Antigen Test results;

**3.5.2** Lab-based Test Results;

**3.5.3** Proof of Exemption;

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

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

**3.5.6** 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.

**3.5.7** Notwithstanding an Employee having received a vaccine or Exemption, all Employees 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.



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- 4.2** Workforce Development and all levels of Leadership are responsible for the administration of this policy in accordance with applicable law.
- 4.3** All employees are responsible for compliance with this policy, and shall comply with all applicable legal obligations in doing so, including with respect to public health measures such as physical distancing, wearing a mask, and staying home if they are sick.

## **5.0 Consequences**

- 5.1** No employee will be permitted to attend a Workplace unless:
  - 5.1.1** The employee is Fully Vaccinated and has provided proof of vaccination to the Municipality in accordance with the COVID-19 Vaccination/Rapid Antigen Testing Procedures; or
  - 5.1.2** The employee has been granted an Exemption and has complied with Municipal testing requirements in accordance with the COVID-19 Vaccination/Rapid Antigen Testing Procedures; or
  - 5.1.3** The employee has submitted the employee's request for an Exemption and is awaiting a decision from the Municipality with respect to the request and has complied with Municipal testing requirements in accordance with the COVID-19 Vaccination/Rapid Antigen Testing Procedures; or
  - 5.1.4** The employee has provided Rapid Antigen Testing in accordance with the COVID-19 Vaccination/Rapid Antigen Testing Procedures.
- 5.2** Employees who refuse to disclose their vaccination status in accordance with this policy may be subject to certain health and safety measures and progressive discipline, including without limitation, restricting access to the workplace, placing the individual on an unpaid leave of absence, and/or modifying or terminating their contract of employment.



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- 5.3** Employees failing to follow this policy may be subject to disciplinary action up to and including termination of employment.

## **6.0 Reference Documents**

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

**6.2** Human Rights Code

**6.3** Employee COVID-19 Vaccination/Rapid Antigen Testing Procedures

## **7.0 Communication and Training**

- 7.1** All employees will be notified of this policy through email or employees meetings.

## **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	Sept 2021	Workforce Development		New draft policy
2	October 2021	Workforce Development		Revised draft policy
3	October 2021	Workforce Development		Policy approved
3	January 2022	Workforce Development		Revised



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#	Date Revised	Author	Section	Details of Change
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Refer policy questions to: Workforce Development