

	HUMAN RESOURCES POLICY		Policy # HR-XX
		Approval Date: August 4, 2021	Revision Date:
Title:	COVID-19 VOLUNTARY VACCINATION POLICY		
Applies To:	All Employees		

POLICY STATEMENT

The Municipality of North Grenville (the “**Municipality**”) is committed to the health and safety of its employees.

The objective of this Policy is to reduce the transmission of COVID-19 in order to protect the employees of the Municipality by strongly encouraging all employees, who are able, to be vaccinated against COVID-19.

This Policy is applied in conjunction with the other applicable policies of the Municipality, including but not limited to:

- Policy # G-1 Health & Safety
- Working from Home or Alternate Location
- Policy # I-5- Workplace Accommodation

This Policy is subject to and shall be interpreted and applied in a manner consistent with the Ontario *Human Rights Code* (the “**OHRC**”) and any other legislation, regulations, or policies, including any policies or guidance received by the Leeds, Grenville and Lanark District Health Unit (the “**Health Unit**”).

This Policy will be communicated to all employees by an ‘All Staff’ email and posted on all Municipal site bulletin boards.

PREAMBLE

COVID-19 is defined as the SARS-CoV-2 virus (severe acute respiratory syndrome coronavirus 2). As COVID-19 has spread, mutations have occurred in the virus’ genetic code, resulting in several new variants of COVID-19. In this Policy, COVID-19 refers to both the initial COVID-19 virus and its mutations/variants.

COVID-19’s incubation period is usually five to seven days but can range from one to 14 days. Individuals may spread COVID-19 within 14 days of contracting the virus and may

develop symptoms anytime within those 14 days. Although some people may not develop symptoms (i.e., are asymptomatic), they may still spread the virus. Common symptoms of COVID-19 include the sudden onset of a high fever, chills, sore throat, fatigue, and a dry cough. These symptoms may be accompanied by other symptoms, such as body aches, loss of taste and smell, and diarrhea. More serious symptoms include difficulty breathing or shortness of breath, chest pain, and loss of speech or movement. In some cases, COVID-19 can be fatal.

The COVID-19 vaccine is one of the most effective ways to prevent transmission of and infection by COVID-19. Canadian public health authorities have stated that vaccines are safe, have few side effects, and have a high rate of effectiveness. For more information on the various COVID-19 vaccines, please see the [Government of Canada's website](#).

NOTE: Based on current scientific information, the earliest an individual can achieve immunity to COVID-19 following vaccination is fourteen (14) days from receiving a second vaccine dose. According to the Ontario government's most recent vaccine distribution plan, individuals will be scheduled to receive their second dose of the vaccine at various intervals before the end of August 2021, depending on their age and the timeframe in which they received their first dose.

SCOPE

This Policy applies to all employees of the Municipality, regardless of their position.

1. POLICY

- a) In accordance with the *Occupational Health and Safety Act* (the “**OHSA**”), the Municipality will take all reasonable precautions to protect its employees from the transmission of COVID-19 by encouraging employees to receive the COVID-19 vaccine.
- b) Vaccination is voluntary. It is not a condition of employment and, accordingly, employees will not be discharged, disciplined, or otherwise experience reprisal as a consequence of vaccination status. No employee will be disciplined for refusing to provide proof of immunization.
- c) Subject to Section 1(b), employees who have received a COVID-19 vaccination are requested to provide written proof of immunization in the form of a vaccination card/record showing whether the dose was the first or second dose, as well as the date of vaccination, to the Manager of Human Resources as soon as possible after receiving a vaccination. This information will be held in confidence in accordance with the provisions of this Policy. A receipt of vaccination can be obtained by logging into the COVID-19 portal at <https://covid19.ontariohealth.ca>. Such disclosure is voluntary.

- d) To facilitate vaccine access, the Municipality will allow employees paid time off from work to attend vaccination appointments.
- e) Based on currently available scientific information, it is possible that those who have received a vaccine against COVID-19 may still carry the virus and infect others, even after obtaining both doses of the vaccine. For this reason, in order to ensure the protection of all employees from exposure and transmission of COVID-19, all employees must at all times continue to adhere to the infection prevention and control measures put in place in response to the COVID-19 pandemic, which include, but are not limited to, the following:
- i. Enhanced hand hygiene, including washing one's hands with soap and water for at least 20 seconds (or using alcohol-based hand sanitizer if soap and water are not available - following Health Unit guidelines) often throughout the day while at work;
 - ii. Avoiding touching one's eyes, nose or mouth while at work unless one has just washed one's hands;
 - iii. Maintaining a distance of at least two metres from others while at work, even when a face mask is worn;
 - iv. Wearing a face mask in any area where one might encounter another individual while at work (unless they are unable to do so for a medical reason or other reason protected by the OHRC);
 - v. Completing a COVID-19 self-screening daily prior to commencing work;
 - vi. Self-monitoring, and reporting exposures to, symptoms of, or a positive test result for COVID-19 to one's supervisor; and
 - vii. Following all relevant public health guidance relating to quarantining/self-isolation and staying home when sick.

Without limiting the foregoing, in accordance with O.Reg.364/20 as amended by O.Reg.520/21, while in an indoor workplace setting where:

- the work is performed in an area that is not accessible to members of the public;
and
- the employee is able to maintain a physical distance of at least two (2) metres from every other person while in the indoor area;

masks do not need to be worn. Notwithstanding the foregoing, those employees who have not voluntarily provided proof of full vaccination to the Manger of Human Resources as set out in this Policy will be required to continue to wear a mask and all other relevant PPE at all times even when able to otherwise meet the conditions of O.Reg.364/20, as amended.

Employees shall wear a mask when a physical distance of two (2)m cannot be maintained, regardless of vaccination status.

Regardless of vaccination status, an employee reserves the right to require any other person to wear a mask when meeting in person with the employee.

The Municipality will adhere to all applicable laws, as well as current available public health information and recommendations, in easing the infection prevention and control measures outlined above for vaccinated employees.¹

OUTBREAK MANAGEMENT

- a) For the purposes of this Policy, an outbreak is defined as two (2) or more confirmed cases of COVID-19 among employees in the same workplace, or when the Health Unit advises the Municipality that an employee(s) has been exposed to a confirmed case of COVID-19. An outbreak lasts until it is declared over by the Municipality, in consultation with the Health Unit.
- b) In the event of an outbreak, employees who have not been vaccinated, including those employees who cannot accept the COVID-19 vaccine for medical or religious reasons or on other grounds protected by the OHRC, and those employees who are vaccinated but have not yet provided written proof of immunization to the Manager of Human Resources, are considered unvaccinated employees.
- c) In determining the additional precautionary measures, if any, to be imposed on unvaccinated employees in the event of an outbreak, the Municipality will consider the following, non-exhaustive factors:
 - i. Current public health authority guidelines and recent scientific information relating to vaccination and employee management during an outbreak;
 - ii. The protected or non-protected nature of the grounds on which an employee has not been vaccinated;
 - iii. The unvaccinated employee's job location and duties; and

¹ Note that, for the purposes of this Policy, employees who a) cannot be vaccinated for grounds protected by the OHRC or b) are vaccinated but have not yet provided proof of vaccination in accordance with this Policy are considered **unvaccinated** employees.

- iv. The ability of the unvaccinated employee to perform their job duties or other duties remotely.
- d) The supervisors of unvaccinated employees will contact them to inform them of any additional precautionary measures that must be adhered to during the outbreak, as determined by the Municipality, as well as when such precautions may cease.
- e) Additional precautionary measures for unvaccinated employees in the event of an outbreak may include:
 - The use of additional personal protective equipment (PPE)
 - Modified duties and/or reassignment of duties
 - Remote work (work from home or alternate work location)

ACCOMMODATION

- a) The Municipality is committed to respecting its accommodation obligations under the OHRC. Where an employee cannot receive a COVID-19 vaccine due to protected grounds under the OHRC, such as medical grounds or for religious reasons, and where such employee requires workplace accommodation as a result, the Municipality will accommodate that employee to the point of undue hardship.
- b) Accommodation measures will be determined on a case-by-case basis. Where multiple methods of accommodation exist, the Municipality has the right to choose the one that is least expensive and/or least disruptive to its overall operations.
- c) During the accommodation process, employees are responsible for:
 - i. Disclosing to the Manager of Human Resources their need for accommodation;
 - ii. Providing the required supporting information/documentation to substantiate the reason(s) that they are unable to receive a COVID-19 vaccine (any information or documentation provided will be held in the strictest confidence, to be shared only on a “need to know” basis); and
 - iii. Cooperating and participating in the Municipality’s efforts to accommodate.

RECORDS AND PRIVACY CONFIDENTIALITY

The purpose of the collection of employees’ personal information under this Policy is to effectively implement this Policy. The Municipality is authorized to collect personal

information under this Policy in order to effectively manage the workplace, to ensure the health and safety of Municipal employees, and to maintain its operations safely in accordance the OHSA.

The uses of the personal information collected under this Policy that are consistent with its purpose are:

- To determine which employees have been vaccinated and which remain unvaccinated;
- To share with an unvaccinated employees' supervisors the fact that such employees need to be contacted in the event of an outbreak;
- To determine what, if any, precautionary measures must be implemented in order to protect specific unvaccinated employees in the event of an outbreak; and
- To provide appropriate accommodation measures to employees who require them.

The Municipality will maintain a database of employees' vaccination status for the purpose of implementing this Policy and ensuring the health and safety of its employees. Proof of vaccination collected under this Policy will be limited to the date the employee was vaccinated, and whether they received the first or second dose. If the written proof of vaccination that the employee provides contains more information than the above (for example, the brand of the vaccine received, the location the vaccine was received, etc.), the Manager of Human Resources will record only the information required in the database.

The database and the documents therein (including documentary proof of immunization or inability to receive vaccination), will be kept in the strictest confidence, to be shared only on a "need to know" basis. All such documents will be marked "Confidential". The database will be kept in a separate file from the employee files, in a locked cabinet or in a password-protected electronic file. The information collected under this Policy will be safeguarded against unauthorized use or disclosure in accordance with applicable privacy legislation.

The personal information collected under this Policy will only be disclosed to third parties without the employee's consent in cases where such information is needed to ensure the safety or health of the employee or others and the employee cannot be timely located, disclosure is required by law, or the proposed use or disclosure is otherwise permitted under the *Municipal Freedom of Information and Protection of Privacy Act* ("MFIPPA").

In accordance with *MFIPPA*, employees have the right to access, request correction of, and have their personal information protected. For more information, consult the *Municipal Freedom of Information and Protection of Privacy Act*.

If employees have concerns or complaints regarding the handling of their personal information by the Municipality, they are encouraged to contact the Municipality's Clerk.

DISCIPLINARY MEASURES

Administrative and/or progressive disciplinary measures, up to and including the termination of employment for just cause, may be used to address non-compliance with this Policy.

Without limiting the foregoing, and to provide clarification, no employee will be disciplined for refusing to be vaccinated or for failing to provide proof thereof. Employees who refuse to provide proof of vaccination will, however, be deemed to be unvaccinated for the purposes of this Policy.

REVIEW AND MODIFICATION OF POLICY

The Municipality will review this Policy on a regular basis and reserves the right to modify its contents at any time, based on current available public health information and recommendations.