

## **Municipality of West Elgin**

### **Policy HR-2.34 COVID-19 Vaccination Verification Policy**

**Effective Date:** November 1, 2021

**Review Date:**

## **Background**

The Corporation of the Municipality of West Elgin has an obligation under Provincial legislation to take all necessary precautions reasonable in the circumstances to protect the health and safety of its workforce and members of the public from the hazard of COVID-19 and is committed to providing excellent service to our community and to building trust and confidence in local government.

A key element to ensuring this protection is putting in place a program requiring that all Employees, Members of Council and Council appointed Committees, staff of contractors and consultants acting on behalf of the Corporation and performing work in Municipal facilities and/or buildings, interns, students, and volunteers are fully immunized against COVID-19 or regularly tested for COVID-19.

The Municipality of West Elgin considers vaccinations to be fundamental to the protection of individuals and the community. This policy is in line with Public Health guidance and supports the direction that vaccines provide a high level of protection against COVID-19 and related variants. Getting both doses of the COVID-19 vaccine and any subsequent recommended boosters is the best defense against the virus, including variants.

The Province of Ontario announced that beginning September 22, 2021, proof of COVID-19 vaccination will be required to access certain public settings and facilities. This policy aims to achieve full vaccination amongst Municipal Employees and volunteers in alignment with provincial directives and subject to limited exceptions in accordance with the Human Rights Code (Ontario).

Vaccination, in combination with health and safety precautions, have been identified by Public Health as the single most effective means of reducing the transmission of COVID-19 in the workplace and in our community.

Individuals who are unvaccinated are at higher risk of contracting and transmitting COVID-19 in our workplace and in the community.

## **Purpose**

The purpose of the COVID-19 Vaccination Policy is to provide guidelines pertaining to the expectations and requirements the Municipality of West Elgin has of Employees, Members of Council and Members of Council appointed Committees, volunteers, contractors, and students (interns and students on placements), with respect to COVID-19 and vaccinations.

## **Definitions**

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

**COVID-19** - 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.

**Educational Program** - an educational program that has been approved by and/or provided by the County of Elgin and 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

**Employees** – means Municipality of West Elgin employees, including full-time, part-time, permanent, temporary, casual staff and volunteer firefighters.

**Fully Vaccinated** – means having received the full series of COVID-19 vaccine or a combination of COVID-19 vaccines approved by Health Canada; and having received the final dose of the COVID-19 vaccine at least 14 days ago.

**Individuals** – means Members of West Elgin Council and Members of Council appointed Committees required to enter a Municipal facility and/or building; Staff of contractors and consultants acting on behalf of the Corporation and performing in Municipal facilities, and buildings; Volunteers; and Interns and students on placements.

**Proof of Medical Exemption** - written proof of a medical reason, provided 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.

**Proof of Vaccination** - documentation issued by the Ontario Ministry of Health, other province or territory or international equivalent indicating individual immunization status

against the COVID-19 virus. Individuals can download copies of their vaccination documentation at this link: [covid19.ontariohealth.ca](https://covid19.ontariohealth.ca). If the individual has a red and white health card, call 1-833-943-3900.

**Vaccine** - for the purposes of this Policy, a Vaccine is defined as a substance used to stimulate the production of antibodies and provide immunity against SARS-CoV-2.

**Vaccines approved by Health Canada** are as follows:

- Pfizer-BioTech COVID-19 vaccine
- Moderna COVID-19 vaccine
- Janssen (Johnson and Johnson) COVID-19 vaccine
- AstraZeneca/COVISHIELD COVID-19 vaccine

## Policy

In addition to the current health and safety precautions (personal protective equipment, daily health screening, mandatory masking, social distancing, hand hygiene, enhanced cleaning, etc.), which will be maintained and revised in accordance with Public Health guidance, the Municipality of West Elgin requires all active Employees, staff of contractors and consultants acting on behalf of the Corporation and performing work in Municipal facilities and/or buildings, volunteers, interns, and students on placements to select one of the following options:

- **Vaccination with proof of vaccination**
- **Not vaccinated, but in progress to complete vaccination**  
Mandatory rapid testing is required until proof of full vaccination is provided in accordance with vaccine administration guidelines.
- **Not vaccinated due to a medical accommodation**  
Physician or Nurse Practitioner note is required. Mandatory rapid testing is required and will be provided by employer.
- **Not vaccinated**  
Mandatory rapid testing is required three (3) times per week with 48 hours between testing, as well as completion of an education program. These conditions will be required to occur outside of working hours, at the expense of the Employee.
- **Decline to Disclose Vaccination Status**  
Mandatory rapid testing is required three (3) times per week with 48 hours between testing, as well as completion of an education program. These conditions will be required outside of working hours, at the expense of the

Employee and proof of negative result to be submitted to CAO within 48 hours of results.

The policy is indefinite in nature to address the risks and impacts of the COVID-19 pandemic, noting the duration of the pandemic is unknown. The policy will be reviewed on a regular basis and amended as required as new information, data, and Public Health guidance regarding the COVID-19 pandemic evolves.

The Municipality of West Elgin will continue to closely monitor its COVID-19 risk mitigation strategy and the evolving health information and context, to ensure that it continues to optimally protect the health and safety of its Employees in the workplace, volunteers, contractors, students, elected officials and the public that they serve. To that end, and in consultation with Public Health and occupational health and safety resources, the Municipality will continue to assess other available workplace risk mitigation measures. If it is determined that additional precautions are necessary, the Municipality of West Elgin may decide to deploy new measures (including at an individual level) to protect Employees, volunteers, contractors, students, and elected officials and the public from COVID-19, and may amend this policy accordingly and/or communicate the required precautions to impacted Employees.

Unless a legislated or regulatory exemption applies, all Municipality of West Elgin Employees are expected and required to continue to comply with all applicable health and safety measures to reduce the hazard of COVID-19, including but not limited to compliance with established workplace access controls (e.g. screening), wearing a mask or face covering, using provided Personal Protective Equipment (PPE), maintaining appropriate physical distancing and self-monitoring of potential COVID-19 symptoms when at work or otherwise engaged in Municipal business. The applicable Health and Safety measures are outlined in the Municipality of West Elgin's COVID-19 Safety Plan.

## **Procedure**

Municipality of West Elgin Employees, including full-time, part-time, permanent, temporary, casual staff and volunteer firefighters; and Members of West Elgin Council and Members of Council appointed Committees required to enter a Municipal facility and/or building; Staff of contractors and consultants acting on behalf of the Corporation and performing in Municipal facilities, and buildings; Volunteers; and Interns and students on placements will be required to select one of the following options and the following procedure(s) will apply:

### **4.1 Vaccination with proof of vaccination**

- The Municipality of West Elgin requires all Employees and Individuals to whom the policy applies to disclose their COVID-19 vaccination status through a confidential Vaccine Declaration Form. The only acceptable proof of vaccination

is the receipt or other documentation provided by the Ministry of Health/Public Health, or equivalent out-of-province health body to the person who was vaccinated.

- Employees must disclose their vaccination status to the Municipality of West Elgin in accordance with the established process by no later than Monday November 8, 2021.

Individuals must disclose their vaccination status to the Municipality prior to entering a Municipal facility and/or building.

#### **4.2 Not vaccinated, but in progress to complete vaccination**

- Employees and Individuals who, by Monday, November 8, 2021, disclose that they have not received two doses of COVID-19 vaccine (or a single dose in the case of a single dose vaccine series), but have disclosed they are in progress to complete vaccination must participate in mandatory Rapid Antigen Testing three (3) times per week with 48 hours between testing, until proof of full vaccination is provided;
- Employees and Individuals must provide verification of the negative test result in a manner that enables the Municipality of West Elgin to confirm the results at its discretion; and,
- Rapid Antigen Testing will be available onsite at no charge for those Employees and Individuals who have scheduled their second dose of the COVID-19 vaccination in accordance with vaccine administration guidelines.

#### **4.3 Not vaccinated due to a medical accommodation**

- Provide Proof of Medical Exemption;
- Employees and Individuals must participate in mandatory Rapid Antigen Testing three (3) times per week with 48 hours between testing, until proof of full vaccination is provided;
- Employees and Individuals must provide verification of the negative test result in a manner that enables the Municipality of West Elgin to confirm the results at its discretion; and,
- Rapid Antigen Tests will be supplied by the Municipality for Employees and Individuals who have submitted the required documentation for medical exemption from receiving the vaccination.

If an Employee has a medical reason for not being vaccinated now or in the future, it is the Employee's responsibility to contact CAO to provide a letter to take to their attending physician; each case will be considered on its own facts, in accordance with any applicable legal obligations under the Human Rights Code.

The Municipality will require Proof of Medical Exemption that sets out at least the following:

- That the Employee or Individual cannot be vaccinated against COVID-19; and
- The general nature of the medical reason why the Employee or Individual cannot be vaccinated and confirmation that this is a genuine medical condition and not simply the patient's preference or self-evaluation; and,
- The effective time period for the medical reason (i.e., permanent or time-limited).

This medical information received is to be submitted to and retained by the CAO in a confidential file.

The Municipality will work with the Employee or Individual to determine whether and how they may be accommodated, as required, in accordance with the Human Rights Code (Ontario). Without limitation, such measures for Employees may include changes to work assignments, work location, as well as regular paid Rapid Antigen Testing.

**note:** These conditions may also be increased following further consultation with Public Health

#### **4.4 Not vaccinated**

The following **conditions will be required to occur outside of working hours** for Employees:

- Employees who, by Monday, November 8, 2021, disclose that they have not received two doses of COVID-19 vaccine (or a single dose in the case of a single dose vaccine series), or who have not disclosed their vaccination status as required, shall attend Mandatory training / Educational Program (\*);
- Employees and Individuals must participate in mandatory Rapid Antigen Testing three (3) times per week with 48 hours between testing, until proof of full vaccination is provided; by means as determined appropriate by the Municipality of West Elgin, in consultation with Public Health, until such time as they are considered fully immunized;
- If an Employee or Individual has chosen not to be vaccinated, without Proof of Medical Exemption (noted above), the Employee shall pay for each Rapid Antigen Test. The time required to receive a Rapid Antigen Test will be unpaid

time/personal time for the Employee or Individual, and mileage will not be paid if travel is required to receive the test.

- Employees and Individuals must provide verification of the negative Rapid Antigen Test result in a manner that enables the Municipality of West Elgin to confirm the results at its discretion. In cases where testing identifies a positive case, or where a negative result cannot be confirmed by the Municipality of West Elgin, Employees will be directed to stay home utilizing sick time or unpaid/personal time until verification in a manner that enables the Municipality of West Elgin to confirm their ability to return to work is provided prior to attending the workplace in accordance with the Municipality of West Elgin COVID-19 Safety Plan and individuals will not be permitted to enter Municipal buildings and/or facilities; and,

(\*) Mandatory training/Educational Program sessions addresses the following:

- How COVID-19 vaccines work;
- Vaccine safety related to the development of the COVID-19 vaccines;
- The benefits of vaccination against COVID-19;
- The risks of not being vaccinated against COVID-19; and,
- Possible side effects of COVID-19 vaccination.

**note:** These conditions may also be increasing following further consultation with Public Health

#### **4.5 Decline to Disclose Vaccination Status**

The following **conditions will be required to occur outside of working hours** for Employees:

- After Monday, November 8, 2021, Employees and Individuals must participate in rapid antigen testing conducted at interval frequency/location(s) and/or by means, as determined appropriate by the Municipality of West Elgin, in consultation with Public Health, until such time as they are considered fully immunized;
- Employees and Individuals must provide verification of the negative Rapid Antigen Test result in a manner that enables the Municipality of West Elgin to confirm the results at its discretion;
- An Employee or Individual that declines to disclose vaccination status, without Proof of Medical Exemption (noted above), shall pay for each Rapid Antigen Test. The time required to receive a Rapid Antigen Test will be unpaid time/personal time for the Employee or Individual, and mileage will not be paid if travel is required to receive the test; and,
- Employees must undertake mandatory training/Educational Program (\*).

(\*) Mandatory training/Education Program sessions outside of working hours which addresses the following:

- How COVID-19 vaccines work;
- Vaccine safety related to the development of the COVID-19 vaccines;
- The benefits of vaccination against COVID-19;
- The risks of not being vaccinated against COVID-19; and,
- Possible side effects of COVID-19 vaccination.

**note:** These conditions may also be increasing following further consultation with Public Health

#### **4.6 Additional Testing**

The Municipality of West Elgin reserves the right to require Rapid Antigen Testing of any Employee or individual at any time on a reasonable basis.

Additional details regarding the implementation of this policy will be available in the COVID-19 Safety Plan.

#### **Accommodations**

Employees requiring any further Ontario Human Rights Code accommodations under this policy may request accommodations by advising their Supervisor/Manager/Director. Individuals requiring any further Ontario Human Rights Code accommodations under this policy may request accommodations by advising CAO ([mbadura@westelgin.net](mailto:mbadura@westelgin.net)). The Municipality of West Elgin is committed to fulfilling its obligations under the Ontario Human Rights Code.

#### **Responsibilities**

All levels of management are responsible for the administration of this Policy.

Management/Supervisors are expected to:

- Lead by example;
- Submit Proof of Vaccination and meet the requirements outlined in this policy;
- Ensure Employees have submitted proof of their vaccination status, as outlined in this policy;
- Ensure Employees complete any required education or training about COVID-19, including regarding vaccinations and safety protocols; and,



- Continue to enforce workplace precautions that limit the spread of COVID-19 virus.

Employees are expected to:

- Continue to follow all health and safety policies and protocols to ensure personal safety and prevent the spread of COVID-19 before and after vaccination;
- Submit proof of vaccination status, Rapid Antigen Test results or an approved exemption, and meet the requirements outlined in this policy;
- Follow direction provided by the employer in cases where Rapid Antigen Testing identifies a positive case including completion of a laboratory-based polymerase chain reaction (PCR) test;
- Complete any required Educational Program or training about COVID-19, including regarding vaccinations and safety protocols;
- Adhere to any additional mandates or directives or reporting requirements from provincial or federal authorities; and,
- If additional booster doses of the COVID-19 vaccine are required, ensure subsequent doses are also received.

Individuals are expected to:

- Continue to follow all health and safety policies and protocols to ensure personal safety and prevent the spread of COVID-19 before and after vaccination;
- Submit proof of vaccination status, Rapid Antigen Test results or an approved exemption, and meet the requirements outlined in this policy;
- Follow direction provided by the Municipality of West Elgin in cases where Rapid Antigen Testing identifies a positive case including completion of a laboratory-based polymerase chain reaction (PCR) test;
- Adhere to any additional mandates or directives or reporting requirements from provincial or federal authorities; and,
- If additional booster doses of the COVID-19 vaccine are required, ensure subsequent doses are also received.

All Municipality of West Elgin Employees are required to create and foster a work environment free from harassment and disrespectful behavior, as outlined in HR Policy 9.1 *Harassment and Violence in the Workplace Policy*.

## COVID-19 Screening

Regardless of vaccination status, all active Employees, Members of Council or Council appointed Committees, volunteers, interns, and students on placements shall:

- a.) Complete daily passive screening for COVID-19 symptoms prior to attending any Municipal facilities and/or buildings;
- b.) Be tested for COVID-19 where persons fail screening (provincial COVID-19 self-assessment) and be restricted from entering Municipal building and/or facility; and
- c.) Provide verification in a manner that enables the Municipality of West Elgin to confirm their ability to return to work or enter Municipal building and/or facility prior to attending the workplace in accordance with the Municipality of West Elgin COVID-19 Safety Plan.

### Contractor or Consultant Owners

- Ensure any Contractor(s) and/or Consultant(s) acting on behalf of the Corporation and performing work in Municipal facilities and/or buildings receive a letter (Appendix A) and a copy of the policy.
- Ensure the Corporation receives an acknowledgement (Organizational Attestation) from any Contractor and/or Consultant that they received a copy of the policy.
- Take any actions required if a finding of noncompliance by a Contractor or Consultant is identified.

### New or Rehired Employees

All new or rehired Employees must provide the required proof of vaccination to CAO prior to commencing their employment, engagement, assignment, or placement. This policy shall form one of the conditions of employment which new Employees accept as part of an offer of employment into such positions.

Individuals can download copies of their vaccination documentation at this link: [covid19.ontariohealth.ca](https://covid19.ontariohealth.ca). If the individual has a red and white health card, call 1-833-943-3900.

### Consequences of Non-Compliance with Policy

Employees who fail to comply with this policy will be subject to progressive disciplinary action up to and including termination.

## **Collection of Information and Protection of Privacy Considerations**

The Municipality of West Elgin will maintain vaccination disclosure information, including documentation verifying receipt of a vaccination series approved by Health Canada or the World Health Organization, in accordance with privacy principles and any applicable legislation including the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)* and the *Personal Health Information Protection Act (PHIPA)*. This information will be retained by Chief Administrative Office (CAO) and will only be used to the extent necessary for implementation of this policy, for administering health and safety protocols, and infection and prevention control measures in the workplace.

Employees or Individuals may also be required to disclose their vaccination status by law or to otherwise give effect to this policy, including, but not limited to, situations where Employees or Individuals are directed to stay home as a result of the daily screening tool in order to comply with the clearance criteria to return to the office (e.g. after experiencing symptoms, a COVID-19 exposure, or a travel quarantine exemption) or enter a Municipal building and/or facility.

## **Training**

All Employees and Individuals to whom this policy applies will have this policy shared with them on, or as soon as possible following, the effective date of this policy. All new Employees, Council appointed Committee Members, staff of contractors, consultants, volunteers, interns and students on placements will have the policy shared with them prior to commencement of first day of employment or entering a Municipal building and/or facility, where possible.

Employees and Individuals will be required to acknowledge that they have read and understood the policy, by signing an acknowledgement form.

Any questions about this policy can be directed to [mbadura@westelgin.net](mailto:mbadura@westelgin.net)

## **Implementation**

Implementation of this policy will be in accordance with applicable Council and/or Corporation by-laws, policies and procedures and legislation.

## **Provincial Legislation**

The Municipality of West Elgin has a legal duty under the Occupational Health and Safety Act (OHSA) to take reasonable precautions to protect workplace health and safety,

including hazards posed by infectious disease such as COVID-19 and associated variants.

## **Appendix A**

Date:

Dear: \_\_\_\_\_

(Contract or Consultant Owner)

### **Re: Requirements for contractors and consultants acting on behalf of the Corporation and performing work in Municipal facilities and/or buildings**

Effective November 1, 2021, the Municipality of West Elgin will require all contractors and consultants acting on behalf of the Corporation and performing work in Municipal facilities and/or buildings to comply with the Municipal “Mandatory Proof of COVID-19 Vaccination Verification Policy”. Since COVID-19 first emerged as a risk to the community, the Municipality of West Elgin has taken every measure to prevent the spread of this virus, and to protect the health and wellbeing of employees and residents. Implementing this policy is in keeping with those efforts and is aligned with Provincial requirements for proof of vaccination as well as with guidance from the Southwest Public Health Unit.

We have attached the full policy for your information with this letter. Under this policy, all contractors and consultants are required to comply with this policy.

We are asking that you review the policy in detail to ensure that any individuals working on behalf of the Municipality of West Elgin can comply with this policy. We also ask that you respond to this letter before November 1, 2021, acknowledging that you are in receipt of the policy.

As a contractor or consultant who is required to follow this policy, you may be subject to review and audit by the Municipality of West Elgin staff to ensure compliance.

If you have any questions about this policy, please contact the undersigned.

Sincerely,

## ORGANIZATIONAL ATTESTATION

I \_\_\_\_\_ (name), \_\_\_\_\_ (title)  
declare \_\_\_\_\_ (name of organization)  
awareness and commitment of compliance to the Municipality of West Elgin COVID-19  
Mandatory Vaccination Policy among its employees attending Municipal facilities or  
working in proximity with Municipal employees as part of their contract  
administration duties to the Municipality of West Elgin.

Date: \_\_\_\_\_

Name (please print): \_\_\_\_\_

Title: \_\_\_\_\_

Name of Organization: \_\_\_\_\_

Signature: \_\_\_\_\_