

Section: Terms of Employment	Policy Number: 1.10
Subject: COVID-19 Vaccination Policy	Effective Date: October 12, 2021
	Revision Date:
Pages: 6	

COVID-19 Vaccination Policy

Legal Standards & References

Occupational Health & Safety Act (OHSA) R.S.O. 1990 and Regulations

1. Duties of employers 25 (2) (h)
2. Policies, violence and harassment 32.0.1. (1) and 32.0.7 (1)

The Human Rights Code, R.S.O. 1990, c. H.19

1. Policy on preventing discrimination based on disability
2. Policy on preventing discrimination based on creed
3. Ontario Human Rights Commission Policy Statement on COVID-19 Vaccine Mandates and Proof of Vaccine Certificates, September 22, 2021

Ontario Government Regulation 577/21 - directs that all employers comply with the advice, recommendations and instructions issued by the Chief Medical Officer of Health and all Regional/Municipal Medical Officers of Health.

Peterborough Public Health Recommendation for all Workplaces in the City and County of Peterborough to have COVID-19 vaccination policies – issued September 9, 2021

Bill 284 – an act to amend the Employment Standards Act

Purpose:

The purpose of this policy is to outline the Township of Selwyn’s requirements with regard to COVID-19 vaccination and provide direction on the requirement to receive the COVID-19 vaccination, provide proof of vaccination or a bona fide exemption, and conditions for attending work without vaccination.

This policy recognizes that those who are unvaccinated or not fully vaccinated are at significantly increased risk of becoming seriously ill from COVID-19 and also of spreading the virus to others in the workplace. Ensuring compliance with this policy contributes to a safer workplace. It is a critical protection for other members of our community, and sets a positive example for others to follow as we work together to increase our vaccination rate and drive down infections. Given the nature of the municipal services provided by the Township of Selwyn to the community, vaccination is also an important measure to support business continuity.

The Township of Selwyn is committed to taking every precaution reasonable in the circumstances for the protection of the health and safety of our employees and volunteers, from the hazard of COVID-19. In response to the Ontario Regulation 577/21 and the

recommendation from the Peterborough Public Health Medical Officer of Health, and to help reduce the risk of COVID-19 transmission, the Township of Selwyn has implemented this workplace vaccination policy as an important measure to protect our workplace, protect our residents and keep our local economy strong and operating.

Scope:

This policy applies to all Township employee status and hours of work classifications (permanent, contract, full-time, part-time), and volunteer classifications (including Volunteer Firefighters,) members of Township Council and Board/Committee Members.

Employees and Volunteers on an approved Leave of Absence at the time of this policy approval, will be required to provide proof of vaccination or provide proof of a bona fide medical or Human Rights Code exemption, in accordance with this policy, upon their return to the workplace at the end of the Leave of Absence.

All newly hired employees and volunteers are required to be fully vaccinated against COVID-19 as a condition of being hired, or provide proof of a bona fide medical or Human Rights Code exemption, in accordance with the policy.

Definitions:

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.

Fully Vaccinated For the purposes of this policy, shall mean being fully vaccinated as defined by the Ontario Ministry of Health as follows, and as may be amended from time to time:

An individual is defined as fully vaccinated if they have received:

- The full series of a COVID-19 vaccine authorized by Health Canada, or any combination of such vaccines, or
- One or two doses of a COVID-19 vaccine not authorized by Health Canada, followed by one dose of a COVID-19 mRNA vaccine authorized by Health Canada, or
- Three doses of a COVID-19 vaccine not authorized by Health Canada; and
- Their final dose of the COVID-19 vaccine at least 14 days ago.

Proof of Vaccination Means documentation issued by the Ontario Ministry of Health, or other province or territory or international equivalent indicating individual immunization status against the COVID-19 virus.

Policy:

1. All Township of Selwyn employees, volunteers and members of Council/Board/Committee are required to comply with one of the following:
 - a. Provide proof of vaccination documenting that they are fully vaccinated (as per definitions in this policy) against COVID-19; or
 - b. Provide written proof of a medical reason documented by a physician or a nurse practitioner, 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 (i.e. permanent or time-limited; if time limited the individual must provide proof of vaccination in accordance with this policy within 30 days of the medical reason expiring); or
 - c. Written proof of the bona fide Human Rights Code Creed exemption that sets out:
 - i. Documented evidence to confirm the requirements for the Creed (i.e. Religion) exemption for the COVID-19 vaccine.
2. All Selwyn Township employees, volunteers and members of Council/Board/Committee are required to provide proof of compliance with this policy by October 20th, 2021.
3. Those who have not been fully vaccinated or who do not disclose their vaccination status and have not provided proof of a bona fide medical or Human Rights Code exemption under this policy by October 20th, 2021 are required to:
 - a. complete an education session approved by the Township of Selwyn on the benefits of vaccination;
 - b. adhere to any additional infection and prevention control measures in consultation with their manager and/or as recommended by the Ministry of Health and/or Medical Officer of Health;
 - c. provide proof of a first dose of a Health Canada approved COVID-19 vaccine by no later than October 29th, 2021; and a second dose no later than November 29th, 2021.
4. All newly hired employees and volunteers are required to be fully vaccinated against COVID-19 as a condition of being hired, or provide proof of a bona fide medical or Human Rights Code exemption, in accordance with the policy.
5. The Township will comply with its obligations under the Human Rights Code and accommodate workers who are legally entitled to accommodation in accordance with Township policy.
6. Where an employee, volunteer or member of Council does not provide proof of being fully vaccinated against COVID-19, but instead provides proof of a bona fide medical or Human Rights Code exemption as described in this policy, the individual shall:
 - a. For employees, volunteer firefighters and members of Council, undergo

regular COVID-19 rapid antigen testing every Monday and Thursday of each week, and provide the Township with a negative test result prior to the start of the work shift and before attending the workplace or participating in any work related activities.

- b. For volunteer Board and Committee members, undergo COVID-19 rapid antigen testing within 24-hours of attendance at any in-person Board or Committee meeting or participation in any in-person other Board/Committee activity and provide the Township with a negative test result prior to the start of the meeting/activity.
 - c. Adhere to any additional infection and prevention control measures in consultation with their manager and/or as recommended by the Ministry of Health and/or Medical Officer of Health
7. Where an employee, volunteer or a member of Council/Board/Committee does not provide proof of being fully vaccinated against COVID-19, does not provide accepted proof of a bona fide medical or Human Rights Code exemption as described in this policy and has not provided proof of a first dose of a Health Canada approved COVID-19 vaccine by October 29th, 2021, the individual shall:
- a. For employees, volunteer firefighters and members of Council, undergo regular COVID-19 rapid antigen testing every Monday and Thursday of each week, and provide the Township with a negative test result prior to the start of the work shift and before attending the workplace or participating in any work related activities.¹
 - b. For volunteer Board and Committee members, undergo COVID-19 rapid antigen testing within 24-hours of attendance at any in-person Board or Committee meeting or participation in any other in-person Board/Committee activity and provide the Township with a negative test result prior to the start of the meeting/activity.
 - c. Adhere to any additional infection and prevention control measures in consultation with their manager and/or as recommended by the Ministry of Health and/or Medical Officer of Health
8. Employees and volunteer firefighters who have not provided proof of vaccination or proof of a bona fide medical or Human Rights Code exemption and do not participate in regular COVID-19 rapid antigen testing, as outlined in Section 7 of this policy, shall be placed on an unpaid leave of absence for up to 30 days, until proof of compliance with the policy has been submitted. During this 30 day unpaid leave, employees and volunteer firefighters will not have access to facilities, workplaces or the use of Township property or equipment. Continued non-compliance with this policy beyond the leave of absence noted above, will result in termination of employment for cause.

Members of Council and volunteers serving on a Township Committee or Board, who have not provided proof of vaccination or proof of a bona fide medical or Human Rights Code exemption and do not participate in regular COVID-19 rapid antigen testing, as outlined in Section 7 of this policy, will be prohibited from attending in person meetings (including Council and Committee) and conducting

¹ At the time of writing, free rapid COVID-19 tests are available through the Peterborough Chamber of Commerce. Should this program end, individuals who do not provide accepted proof of a bona fide medical or Human Rights Code exemption, will be responsible for the cost associated with the rapid COVID-19 tests.

business on Township property or facilities, or attending official events in their capacity as Township Council or Committee/Board members.

9. Effective November 29, 2021, where an employee or volunteer firefighter continues to be in non-compliance with this policy, the individual shall be placed on an unpaid leave of absence for up to 30 days, until proof of compliance with this policy has been submitted. During this 30 day unpaid leave, employees and volunteer firefighters will not have access to facilities, workplaces or the use of Township property or equipment. Continued non-compliance of this policy beyond the leave of absence noted above, will result in termination of employment for cause.

Effective November 29, 2021 where a member of Council or volunteer Committee or Board member continues to be in non-compliance with this policy, the individual shall be prohibited from attending in person meetings (including Council and Committee) and conducting business on Township property or facilities, or attending official events in their capacity as Township Council or Committee/Board members.

10. Individuals who provide false documents related to being vaccinated or as part of a bona fide medical or Human Rights Code exemption, will be subject to disciplinary action, up to and including termination.

11. Access to Vaccination Clinics

The Township supports employees in obtaining their COVID-19 vaccination. If operationally feasible and with permission of the department Manager, reasonable arrangements will be made to allow employees to attend COVID-19 vaccination clinics during work time without loss of compensation, or the requirement to use their vacation or sick time or banked hours.

12. Continued Compliance with all Health and Safety Precautions

All Township employees and volunteers are expected and required to continue to comply with the Township's health and safety protocols at all times while in the workplace, including but not limited to compliance with established workplace access controls (e.g. screening), masking, handwashing, physical distancing where possible, and the use of Personal Protective Equipment as required by their position.

13. Confidentiality

Information relating to an individual's proof of vaccination and/or the reason for exemption will remain in a secured, confidential location. The information will not be disclosed except as may be required for the purposes of;

- applying and enforcing this policy;
- ensuring the safety of individuals in the event of a COVID-19 outbreak,
- ensure every precaution reasonable is taken to protect health and safety of staff or otherwise may be required by law.

Policy Review

The Township will continue to monitor and review government directives and Public Health guidance, and reserves the right to modify the contents at any time, based on current information.