



Corporation of the Town of Cobourg

Policy Title: COVID-19 Vaccination Policy

Division: General Administration
Effective Date: October 12, 2021
Approval Level: Municipal Council
Section Number: 2-20

Department: Human Resources
Revision Date: N/A
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Purpose

The purpose of the COVID-19 Vaccination Policy (the “policy”) is to reduce the risk of COVID-19 in the workplace and to provide a safe environment for employees and the public to access and use municipal facilities.

The health and safety of the Town of Cobourg (the “Town”) staff is a priority. The Town is committed to maintaining a safe, secure, and clean working environment for all individuals and visitors in the workplaces.

As the employer, the Town is obligated under the *Occupational Health and Safety Act* (OHSA) to take every precaution reasonable in the circumstances for the protection of all individuals’ health and safety, including protection from the spread of an infectious disease. Similarly, individuals are obligated under the Town’s Workplace Health and Safety Commitment to protect their own health and safety by working in compliance with prevailing regulations and standards and with safe work practices and procedures established by the Town and as outlined in the OHSA.

Health Canada states that, “vaccination is one of the most effective ways to protect our families, communities and ourselves against COVID-19. Evidence indicates that vaccines are effective at preventing serious outcomes, such as severe illness, hospitalization and death due to COVID-19”. It is important for Town individuals to be fully vaccinated in order to protect themselves against serious illness from COVID-19 as well as to provide indirect protection to others, including other staff members, volunteers and members of the public.

According to Ontario Regulations 364/20 section 2 (2.1), the person responsible for a business or organization that is open shall operate the business or organization in compliance with any advice, recommendations and instructions issued by the Office of the Chief Medical Officer of Health, or by a medical officer of health after consultation with the Office of the Chief Medical Officer of Health. These regulations will encourage the Town to establish, implement and ensure compliance with a COVID-19 vaccination policy or that the Town sets out the precautions and procedures that the business or organization must include in its COVID-19 vaccination policy.

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Definitions

Banked time is time that the individual has accrued in their banks. This would exclude sick time.

Contraindications are medical reasons why a person should not receive the vaccine. Contraindications may vary by type of COVID-19 vaccine.

Coronavirus disease (COVID-19) is an infectious disease caused by a newly discovered coronavirus. Most people infected with the COVID-19 virus will experience mild to moderate respiratory illness and recover without requiring special treatment. Older people, and those with underlying medical problems like cardiovascular disease, diabetes, chronic respiratory disease, and cancer are more likely to develop serious illness. (World Health Organization)

COVID-19 vaccine includes any COVID-19 vaccines approved by Health Canada.

Fully Vaccinated means having received the full series of a 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 (and any boosters should they become recommended by Health Canada) at least 14 days ago.

Individual(s) is an employee of the Town, including full-time, part-time, contract employees, volunteer Firefighters and students.

National Advisory Committee on Immunization (NACI) is a national advisory committee of experts in the fields of pediatrics, infectious diseases, immunology, medical microbiology, internal medicine and public health.

Partially Vaccinated is an individual having received only one dose of a two-dose vaccine series or having received the final dose of the two-dose vaccination series less than 14 days ago.

Proof of Vaccination means vaccination receipt from the Ontario Ministry of Health or the Ontario Government's vaccination passport program (when that is established). A receipt of vaccination can be obtained by logging into the Ontario COVID-19 portal at <https://covid19.ontariohealth.ca/>.

Rapid Antigen Testing is a form of point-of-care testing that directly detects the presence or absence of an antigen. It is commonly used for the detection of SARSCoV-2, the virus that causes COVID-19.

Workplace refers to any Town operated facility/building. This definition excludes Venture-13 partners.

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Policy

1. Vaccination Requirement

Individuals are required to be fully vaccinated with a Health Canada or World Health Organization approved COVID-19 vaccine series by November 29, 2021.

Support for Vaccinations

The Town supports individuals in obtaining their COVID-19 Vaccination. If operationally feasible and with the permission of their immediate supervisor, individuals can be released on work time to be vaccinated without loss of compensation.

2. Proof of Vaccination Requirement

In following the National Advisory Committee on Immunization (NACI) recommendations and the Ontario Ministry of Health Directives, the Town strives to provide the best protective measures for individuals and the public. In order to assess the site-specific workplace risk of individual exposure to contracting and transmitting COVID-19, the Town mandates that individuals shall disclose their vaccination status by submitting the vaccination disclosure form and proof of vaccination for full immunization.

Submission Dates

Individuals must disclose their vaccination status to Human Resources in accordance with the established process no later than October 22, 2021 or upon hire.

Individuals who, by October 22, 2021, disclose that they have not received the final dose an approved COVID-19 vaccine series, or who have not disclosed their vaccination status as required, shall attend mandatory education on the benefits of vaccination that is endorsed by the Haliburton, Kawartha, Pine Ridge District Health Unit.

Individuals will be required to update their vaccination status in accordance with the established process and by the dates set out in this policy, as they obtain each dose of COVID-19 vaccine.

3. Accommodations in Accordance with the Ontario Human Rights Code

Accommodations in accordance with the Ontario Human Rights Code (Code) will include those individuals that are not able to receive the COVID-19 vaccine for medical or disability-related reasons.

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Medical Exemptions

Individuals who believe they have a valid medical contraindication to the COVID-19 vaccine which prevents them from receiving the vaccine, shall provide written medical documentation supplied by a physician (MD) or by a registered nurse extended class (RNEC) or nurse practitioner (NP) that sets out a documented medical reason for not being fully vaccinated and the effective time period for the medical reason. This documentation and a copy of the Exemption Form shall be provided to Human Resources as proof of exemption.

Other Protected Grounds

Individuals who are not able to obtain a COVID-19 vaccine for a reason related to a protected ground set out in the Ontario Human Rights Code (Code) can request accommodation through Human Resources. According to the Ontario Human Rights Commission policy statement, a person who chooses not to be vaccinated based on personal preference does not have the right to accommodation under the Code. While the Code prohibits discrimination based on creed, personal preferences or singular beliefs do not amount to a creed within the meaning of the Code.

Accommodation Plan

Individuals who substantiate a valid medical exemption or other need for accommodation under another protected ground shall:

- Submit to regular antigen testing (Rapid Test) for COVID-19 and demonstrate a negative result, at least twice per week on Mondays and Thursdays. High risk conditions or workplaces, such as the Fire Department, may increase testing frequency at the discretion of the employer;
- Provide verification of the negative test result to Human Resources prior to attending the workplace and within two (2) hours of their scheduled shift;
- Proof shall be provided via email with a photo (date/time stamped) of the negative test result;
- If proof is not received prior to the start of the individual's shift, they shall not be permitted to work or enter the workplace and will be required to utilize their banked time to make their pay whole; and
- Not attend the workplace if a positive test result is received.

Individuals with approved exemptions will be provided the test kit by the Corporation for conducting the Rapid Test. If the Corporation is unable to provide the test kits, individuals with a medical exemption will be reimbursed for the cost to have the Rapid Test conducted at another location, up to a cost of \$50.00.

In addition to Rapid Testing, the Town will work with the individual to determine whether and how the employee may be accommodated, as required. Each situation

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will be considered on its own facts, in accordance with any applicable legal obligations under the Ontario Human Rights Code. Individuals may be reassigned to work where the individual has less exposure to potential risks of contracting and transmitting COVID-19. All reassignments will be regularly reviewed to determine feasibility and need.

4. Undisclosed and Non-Vaccinated Individuals

Individuals who do not provide proof of vaccination or disclose that they are unvaccinated by November 29th, 2021, and do not have a recognized exemption as outlined above, shall:

- Be considered unvaccinated under this policy
- Attend mandatory education on the benefits of vaccination that is endorsed by the Haliburton, Kawartha, Pine Ridge District Health Unit.
- Submit to regular antigen testing (Rapid Test) for COVID-19 and demonstrate a negative result, at least twice per week on Mondays and Thursdays. High risk conditions or workplaces, such as the Fire Department, may increase testing frequency at the discretion of the employer;
- Provide proof of a negative test result to Human Resources prior to attending the workplace and within two (2) hours of their scheduled shift;
- Proof shall be provided via email with a photo (date/time stamped) of the negative test result;
- If proof is not received prior to the start of the individual's shift, they shall not be permitted to work or enter the workplace and will be required to utilize their banked time to make their pay whole;
- Not attend or enter the workplace if a positive test result is received;
- Not be compensated for testing;
- Not be provided test kits for conducting the Rapid Test or be compensated the cost of conducting the testing; and
- Will be required to conduct the testing outside of work time.

Individuals who decline the COVID-19 vaccine may be reassigned to work where the individual has less exposure to potential risk of contracting and transmitting COVID-19. If reassignment is deemed necessary, but no alternative work is available, the individual will be placed on an unpaid leave of absence. Individuals on an unpaid leave of absence may use personal banked time to keep their pay whole. Should an individual refuse to submit to Rapid Testing as outlined above, they will be placed on an unpaid leave of absence.

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5. Vaccine Awareness

An educational program will be provided to those individuals who are undisclosed or non-vaccinated and shall include:

- Description and hazards of COVID-19;
- How COVID-19 vaccines work;
- Vaccine safety related to the development of the COVID-19 vaccines;
- The benefits of vaccination against COVID-19;
- Risks of not being vaccinated against COVID-19;
- Possible side effects of COVID-19 vaccination; and
- Requirements for COVID-19 testing.

An individual who must participate in the educational program will sign a declaration that they completed the educational program. Staff wishing to participate in the educational program are encouraged to do so and can make that request through Human Resources.

6. Confidentiality Statement

The Town will not disclose personal information to any third party without the consent of the individual who the record pertains to or only as required by law. Only those individuals who require access to these records for the implementation of this policy will have access. All proof of vaccinations or negative test results will be collected, used, and stored in accordance with any applicable privacy law including the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

The Town will use this information to restrict access to Town facilities, as necessary, and to ensure compliance with any applicable legislation, regulations and guidelines by the Federal, Provincial, and Municipal Governments, and Public Health. This information will also be used for the purpose of implementing this policy, ensuring compliance with this policy, for administering health and safety protocols, and infection and prevention control measures in the workplace.

7. Consequences of Non-Compliance with Policy

This policy shall be followed in compliance with all Health and Safety Policies. Individuals who do not comply with this policy may be subject to discipline, up to and including dismissal.

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Misrepresentations of information related to COVID-19 or falsification of any COVID-19 documentation at any time will be subject to discipline, up to and including dismissal.

8. Workplace Safety Measures

COVID-19 vaccines do not replace workplace controls. The Town will continue to review all COVID-19 policies and procedures regularly as well as the evolving public health information and context, to ensure that each item continues to optimally protect the health and safety of all individuals and the public. The Town will continue to comply with Provincial and local health authority protective measures including isolation protocols, COVID-19 testing, protective barriers, wearing masks, wearing Personal Protective Equipment (PPE), and physical distancing.

9. Volunteers, Contractors and Consultants

The Town is committed to maintaining a safe, secure, and clean working environment for all individuals and visitors in any Town workplaces.

As such, all volunteers, contractors and consultants who elect to not be vaccinated for reasons other than an exemption under the Code will not be permitted to enter any Town workplace. Proof of vaccination will be required upon entering the workplace. This information will be verified by the Department/Division that is managing the volunteer, contractor or consultant which is entering the Town workplace.

Partners and/or tenants operating out of Venture-13 will be required to operate under the provincial legislation and their own organizational policies, with recommendations from the Town.

10. Council

Members of Council will be required to provide proof of vaccination status to the Town Clerk to demonstrate leading by example in the establishment of the COVID-19 Vaccination Policy. The Town mandates that Council shall disclose their vaccination status by submitting the vaccination disclosure form and proof of vaccination for full immunization. Council must disclose their vaccination status to the Town Clerk in accordance with the above established process no later than October 22, 2021.

Members of Council who have a recognized exemption due to a medical condition or protected ground set out under the Code shall:

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- Provide proof of a negative test result to the Town Clerk prior to attending a Town workplace;
- Test results shall be no older than forty-eight (48) hours;
- Proof shall be provided via email with a photo (date/time stamped) of the negative test result; and
- Not attend a Town workplace if a positive test result is received.

Members of Council that require an exemption due to a medical condition or protected ground set out under the Code will be provided the test kit by the Corporation for conducting the Rapid Test. If the Corporation is unable to provide the test kits, these individuals will be reimbursed for the cost to have the Rapid Test conducted at another location, up to a cost of \$50.00.

Members of Council who do not provide proof of vaccination or disclose that they are unvaccinated by November 29th, 2021, shall:

- Attend mandatory education on the benefits of vaccination that is endorsed by the Haliburton, Kawartha, Pine Ridge District Health Unit.
- Provide proof of a negative test result to the Town Clerk prior to attending a Town workplace;
- Test results shall be no older than forty-eight (48) hours;
- Proof shall be provided via email with a photo (date/time stamped) of the negative test result; and
- Not attend a Town workplace if a positive test result is received.

Scope

This policy applies to all employees of the Town, including full-time, part-time, contract individuals, students, volunteers, contractors, consultants and Members of Council. It applies to the initial dose of a vaccine and any subsequent doses.

Newly hired and re-hired employees are required to be fully vaccinated against COVID-19 as a condition of employment and will be required to show proof of immunization or seek an exemption pursuant to the Code at time of hire.

The Cobourg Police Services will be mandated through their own Policy titled CB-029 COVID-19 (Novel Coronavirus) Vaccination Verifications and Testing.

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Review

This policy will be reviewed semi-annually and

- As new information on COVID-19 and its variants and research data on coronavirus vaccines becomes available;
- As new provincial guidelines or policies are enacted; and
- When there are changes in NACI recommendations or any other medical directions.

Cross Reference

- Town of Cobourg Health and Safety Policy (Policy #2-20 HR-AP-HS1)
- Town of Cobourg Rights and Responsibilities of the Individual Procedure (Procedure #2-20 HR-AP-HS1.1)

Resolution # 426-21	Revision Description:	Signature/Municipal Clerk: 	Council Approval Date: October 12, 2021
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