

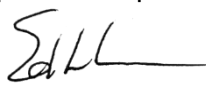
Creation Date: September 9, 2021

Revision Date(s): N/A

Reviewed by the following Joint Health and Safety Committees: OCT, OPS, Housing, Fire, Emergency Services

Approved by: Ed Archer, Chief Administrative Officer

Date of Approval: September 9, 2021

Signature: 

1.0 PURPOSE/SCOPE

The purpose of this policy is to continue to protect the health and safety of City of Greater Sudbury (CGS) employees from the spread of COVID-19, and to meet the obligation under the Occupational Health and Safety Act to take all necessary precautions to protect the health and safety of the workforce.

This policy provides expectations and requirements of CGS employees with respect to a COVID-19 vaccination, and vaccination verification.

This policy will be subject to federal, provincial and local public health regulations related to the COVID-19 pandemic, and will evolve based on public health guidance on measures for fully vaccinated, partially vaccinated and unvaccinated individuals.

The policy applies to all CGS employees including full-time, part-time, permanent, temporary, casual, volunteers, and students, and is regardless of an employee's work from home status. It will also include members of Council and members of Council appointed committees. New employees will also be subject to this policy as a condition of their employment with CGS.

Employees who work at Pioneer Manor are not subject to this policy. Employees in various City operations may have additional requirements under government directives, regulations, orders and/or legislation, based on their specific roles and responsibilities.

2.0 POLICY STATEMENT

The City of Greater Sudbury is committed to workplace safety and to protecting our employees, volunteers, contractors and attendees at City facilities from the hazards of COVID-19. Vaccination is one of the critical protective measures against the hazard of COVID-19.

This policy is a temporary measure to reduce the risks of the hazards of COVID-19 and may be amended as new public health directives and/or provincial or federal government legislation, regulations and/or orders are formalized. Any such directives, legislation, regulations or orders shall take precedence until such time as this policy may be amended to conform to the new requirements.

It will be applicable until otherwise directed by the Executive Leadership Team in consultation with Public Health Sudbury & Districts.

All persons in a CGS workplace covered by the scope of this policy are required to:

- Disclose their COVID-19 vaccination status using the procedure outlined in section 5.0 by September 30, 2021.
- Provide proof of two doses received by November 15, 2021, unless there is a bona fide medical or religious exemption approved by Human Resources.
- Provide a completed COVID-19 Vaccination Exemption Form, in accordance with the procedure.
- Where an employee is not fully vaccinated due to a bona fide medical or religious exemption, participate in the accommodation process, and undergo regular rapid antigen testing to protect other employees and ensure adequate infection and prevention control measures.
- Employees without an approved accommodation plan and not fully vaccinated against the hazard of COVID-19, in accordance with the implementation requirements of this policy, may elect to request vacation leave, time off in lieu of overtime (if available) or a leave of absence without pay in accordance with the current provisions in place either by policy and/or within all collective bargaining agreements. These will be subject to a review of operational requirements.

3.0 DEFINITIONS

Accepted vaccine: A COVID-19 vaccine that has been approved for use by Health Canada and/or the World Health Organization.

Fully vaccinated: Having received the completed series of an approved COVID-19 vaccine by Health Canada. An individual is considered fully vaccinated 14 days after receiving their completed dose, including any required booster doses.

Proof of vaccination: In Ontario, proof of vaccination, in the form of an official dose administration receipt provided by the Ministry of Health in Ontario. For those vaccinated outside Ontario, acceptable proof is based on the criteria provided by the province/state in which they received their vaccine.

Rapid antigen testing: Rapid diagnostic test that directly detects the presence or absence of an antigen.

4.0 WORKPLACE RESPONSIBILITIES

Employer

- In recognition of CGS' responsibilities under the Provincial human rights legislation including the Human Rights Code, provide reasonable accommodation to any employee who presents a bona fide exemption up to a point of undue hardship.
- Maintain vaccination disclosure information, including verifying receipt of a vaccination, in accordance with privacy legislation.
- Use the information only to the extent necessary for implementation of this policy, for administering health and safety protocols, infection and prevention control measures in the workplace and as required by law.

Management/Supervisors

- Ensure employees attending work have verified their vaccination status and are following the appropriate protocols based on the procedure outlined in section 5.0, if applicable.
- Following notification from Human Resources of any employee who is required to submit to rapid antigen testing due to a bona fide religious or medical exemption, ensure compliance with the procedure outlined in section 5.3.
- Follow and comply with all federal or provincial mandates or directives regarding the vaccination of staff.
- Continue to enforce workplace precautions that limit the spread of COVID-19 virus.
- Provide staff with access to information on COVID-19, health and safety precautions, and on the efficacy of the COVID-19 vaccine.
- Where operationally feasible, reasonable arrangements can be made to allow for staff to attend COVID-19 vaccination clinics during work time, using existing applicable leave entitlements.
- Ensure those employees without an approved accommodation plan and not fully vaccinated against the hazard of COVID-19, in accordance with the implementation requirements of this policy, may elect to request vacation leave, time off in lieu of overtime (if available) or a leave of absence without pay in accordance with the current provisions in place either by policy and/or within all collective bargaining agreements. These will be subject to a review of operational requirements.
- Discuss and determine the schedule that an employee with a bona fide religious or medical exemption undergoes rapid antigen testing, using following parameters:
 - If absent for 48 hours or more, testing prior to returning to the workplace; and,
 - Every 72 hours within a work week or as designated by the operating department in consultation with Human Resources and Public Health Sudbury & Districts.
- Forward results of any rapid antigen testing to Human Resources at Claims.Rehab@greatersudbury.ca and ensure protection of privacy of information. In consultation with Human Resources, areas operating 24/7 or 7 day week operations may need to develop an alternate reporting procedure to ensure operational requirements are met while ensuring protection of privacy of information.
- Ensure all future hires are aware of and meet the requirements of this policy.
- Departments overseeing contractors will be responsible for reviewing contracts and determine obligations with respect to mandatory vaccinations.

Employees

- Submit verification of vaccination by September 30, 2021, and update vaccination status as required, in accordance with the established process found in section 5.0.
- Receive both doses of the COVID-19 vaccine and any subsequent recommended boosters, unless a there is bona fide medical or religious exemption, by November 15, 2021, so that all staff are fully vaccinated as of November 29, 2021 at the latest (14 days after dose is received).
- 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.

- Continue to follow health and safety protocols to ensure personal safety and prevent the spread of COVID-19 before and after vaccination.
- Remain informed about COVID-19 and COVID-19 vaccination as it relates to your role, personal health and/or professional requirements.
- Adhere to any additional mandates or directives or reporting requirements from provincial or federal authorities.
- Identify opportunities to obtain a COVID-19 vaccination through community clinics or from health-care professionals.
- Where applicable, provide additional information and participate in the workplace accommodation process.
- Recognize that there is no requirement under human rights legislation or Ontario Human Rights Code that requires the employer to accommodate a personal refusal to be fully vaccinated arising from political and/or personal principles.
- Employees without an approved accommodation plan and not fully vaccinated against the hazard of COVID-19, in accordance with the implementation requirements of this policy, may elect to request vacation leave, time off in lieu of overtime (if available) or a leave of absence without pay in accordance with the current provisions in place either by policy and/or within all collective bargaining agreements. These will be subject to a review of operational requirements.

Human Resources

- Assist management with any labour relations and health and safety issues arising from application of this policy including liaising directly with Union leadership.
- In accordance with all application legislation and provision of privacy requirements, create procedure for collecting and storing documentation on employee vaccination status and providing adequate information to supervisors relating to employees who are required to undergo the procedure outlined in section 5.0.
- Receive and record results of the rapid antigen testing of unvaccinated employees due to a bona fide religious or medical exemption.
- Lead the accommodation process for any employee who submits a request for either a medical or religious exemption, and evaluate it on a case-by-case basis.
- Prepare vaccination status reports.
- Update recruitment protocols to reflect the requirement for all new hires to adhere to the requirements of this policy.

5.0 PROCEDURE

5.1 Vaccination Verification

All individuals covered by the scope of this policy are required to disclose their COVID-19 vaccination status by completing one of the following:

- a. Complete an online form which will require the respondent to enter information on their vaccination dates, the vaccine they received, and will also require their vaccination receipt to be uploaded; or,
- b. Complete a paper copy of the aforementioned form, with a copy of the receipt attached to the form and submit to an identified administrator within the division; or,

- c. Complete a paper copy of the aforementioned form, with a copy of the receipt attached to the form and submit to Human Resources.

A link to the form can be found in the Appendices.

Vaccination status information will only be used and disclosed for the purpose of implementing reasonable controls to ensure the health and safety of all individuals in the workplace through appropriate health and safety planning.

Depersonalized aggregate data will be disclosed to the Province of Ontario in accordance with reporting requirements and may also be disclosed to City of Greater Sudbury Council or in response to media requests for statistical information regarding the City's vaccination rates.

City departments with specific ministry or federal government reporting requirements are responsible to ensure reporting requirements for their operations are met.

All personal information, including personal health information, will be collected, used, disclosed, retained and safeguarded in accordance with applicable City policies and privacy legislation.

5.2 Human Rights Based Exemption

If an employee is not vaccinated due to medical or religious exemption, the employee will be required to:

- Complete and submit the request for accommodation documentation by October 15 to the recipient identified at the top of the accommodation documentation;
- Provide the required documentation:
 - Written proof of a medical reason (including why the employee cannot be vaccinated), provided by either a Physician, or Nurse Practitioner that outlines that the employee cannot be vaccinated against COVID-19 and the effective time period for the medical reason.
- Arrange for and submit to regular rapid antigen testing in accordance with section 5.3, on the employee's own time, and provide proof of negative COVID-19 tests.
- Adhere to requirements defined by CGS relating to the use of personal protective equipment.

5.3 Rapid Antigen Testing

Employees who have a bona fide exemption are required to provide proof of negative test results when:

- Absent from the workplace for 48 hours or more; and,
- Every 72 hours within a workweek.

The process to submit test results is as follows:

- No more than 24 hours ahead of the scheduled start time, undergo rapid antigen testing at one of the Public Health approved locations offering this service.

- Prior to the start of a shift, provide proof of a negative COVID-19 rapid antigen test, with a receipt of payment with the date and time clearly visible so to allow the supervisor to confirm adherence to the policy.

6.0 NON-COMPLIANCE

In accordance with CGS' Human Resources policies, the employee handbook, collective agreements and applicable legislation, directives, and policies, any non-compliance with the Vaccination and Vaccination Verification Policy may result in a meeting with the employee, including their Union representative if applicable to discuss the employment consequences of non-compliance with the requirements of this policy.

Failure to participate and comply with this policy may result in progressive discipline, up to and including termination.

7.0 EMPLOYEE SUPPORT

High vaccination rates against the hazards of COVID-19 are an effective measure to reducing the spread of COVID-19.

The City supports employees in becoming fully vaccinated against the hazard of COVID-19 by providing:

- Access to vaccination clinics at sites throughout the city.
- Where operationally feasible, reasonable arrangements can be made to allow for staff to attend COVID-19 vaccination clinics during work time, using existing applicable leave entitlements.
- Paid sick leave in accordance with their respective collective agreements, terms and conditions of employment or legislated leave if the employee experiences side effects to the vaccine.
- For those employees who are not yet vaccinated, educational material is available on City Links site and will be made available through the Learning Management System in the near future on how the COVID-19 vaccines work and their benefits, vaccine safety, the risks of not being vaccinated and the possible side effects of the vaccine.

8.0 APPENDICES

[Vaccination Status Disclosure Form](#)
[Request for Medical Exemption Form](#)
[Request for Human Rights Exemption Form](#)

9.0 REFERENCED DOCUMENTATION

[Occupational Health and Safety Act](#)
[Ontario Human Rights Code](#)
[Ontario Ministry of Health and Ontario Ministry of Long-Term Care Directive #6 \(link is external\)](#)

10.0 REVISION TABLE

Revision date	Revised section	Former language	Revised language