



Mandatory COVID-19 Vaccination Status Disclosure

Document #	HSStandard-PAN4	Prepared By	Health and Safety Department
Issued	September 2021	Corporate Approval	Senior Management Team
Revision #	0		

1.0 Purpose

The purpose of this Standard is to implement and outline a mandatory COVID-19 vaccination status disclosure procedure for the City's Councillors, employees, contractors and volunteers in an effort to reduce the spread of COVID-19 in the workplace and in the community at large and to encourage any eligible Councillors, employees, contractors and volunteers that are not fully vaccinated to become fully vaccinated.

2.0 Background

The global COVID-19 pandemic continues to be a significant threat to the health and safety of the City's Councillors, employees, contractors, volunteers and the public at large. Evolving data continues to indicate that the COVID-19 virus and its several variants, including, but not limited to, the Delta variant and the Mu variant, are highly transmissible and can result in severe adverse health effects, including death, for all demographics.

Growing concern around the transmissibility of the COVID-19 virus and its several variants, combined with recognition that health professionals continue to advise that vaccination is the best and most effective tool to reduce the adverse effects of COVID-19 and to protect the broader public health form the basis for this standard.

The City recognizes that those who are unvaccinated or not fully vaccinated are at an increased risk of becoming seriously ill from COVID-19 and also of spreading the virus to others, which could result in significant impacts on human health/wellness and workplace continuity.

This Standard aims to achieve full vaccination amongst all, eligible City Councillors, employees, contractors and volunteers in alignment with Provincial and Federal directives and within the limits of the *Human Rights Code* (Ontario).

3.0 Definitions

COVID-19: COVID-19 is an acute respiratory illness caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

Fully vaccinated: For the purposes of this standard, an individual is defined as fully vaccinated fourteen (14) days or more after receiving their second dose of a two-dose COVID-19 vaccine series or their first dose of a one-dose COVID-19 vaccine series that is approved by Health Canada. Vaccines currently approved by Health Canada are:

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

COVID-19 Rapid Test(ing): A real-time test that detects COVID-19 protein fragments.

Workers: For the purposes of this Standard only, the term Workers shall include all City of Brantford Councillors, employees, contractors and volunteers and shall incorporate the definition of “Worker” established under the Occupational Health and Safety Act. However, for the purpose of this Standard, the term “Worker” shall not include any person employed by the City of Brantford in the Fire Department.

Polymerase Chain Reaction (PCR) Test(ing): a COVID-19 test that detects RNA that is specific to the COVID-19 virus.

4.0 Applicable Legislation

[Occupational Health and Safety Act](#)¹

[Ontario Human Rights Code](#)²

5.0 Responsibilities

5.1 Management

All City employees that are employed in a management or leadership role are responsible for the administration of this standard and are required to:

- ensure Workers for whom they directly manage or supervise follow and abide by any health and safety protocols that are developed and prescribed as a result of this Standard; and
- ensure Workers are provided time to complete any required education or training about COVID-19 regarding vaccinations and safety protocols which are prescribed as a result of this Standard.

5.2 Workers

Workers are required to:

- disclose their respective vaccination status in accordance with the requirements of this Standard;
- follow all health and safety protocols that are established or communicated to Workers as a result of this Standard; and

¹ The Occupational Health and Safety Act can be viewed in its entirety at <https://www.ontario.ca/laws/statute/90o01>

² The Ontario Human Rights Code can be viewed in its entirety at <https://www.ontario.ca/laws/statute/90h19>

- complete any required education or training about COVID-19 regarding vaccinations and safety protocols which are prescribed as a result of this Standard.

5.3 Human Resources/Health and Safety

Human Resources/Health and Safety will:

- Ensure either proof of vaccination or proof of exemption meets the minimum requirements.
- Follow up with workers who have an exemption covered under the OHRC, where required.
- Ensure that employees who are not fully vaccinated submit to regular Rapid Antigen Testing and report results as directed by the City;
- Assist management with any labour relations and health and safety issues arising from application of this Standard including liaising directly with Union leadership;
- Secure supplies and create a procedure for Rapid Testing of unvaccinated employees, including any reporting requirements to public health;
- Assist management with accommodation questions, concerns and requests; Provide information and guidance to leaders, and employees on COVID-19 vaccination and Rapid Antigen Testing as requested;
- Ensure that any records of COVID-19 vaccination held by the City are stored and used in compliance with privacy legislation and corporate policies.

6.0 Procedure

6.1 General

- 6.1.1 All City of Brantford Workers that are not exclusively working from home, or exclusively working outdoors shall be required to disclose whether or not they are fully vaccinated as defined by this Standard.
- 6.1.2 This Standard shall come into force on September 23, 2021, however disclosure is required no later than October 31, 2021.
- 6.1.3 For greater certainty, any Workers that may have in person contact with any other Workers or community members while carrying out City business shall be required to disclose their vaccination status.
- 6.1.4 In order to confirm that a Worker is fully vaccinated, all Workers shall provide the Health, Wellness & Safety division of the Human Resources Department with a physical or electronic copy of the receipt provided by the Ministry of Health/Public Health or equivalent out-of-province health body. This receipt must confirm the date that the Worker received their second dose of a two-dose COVID-19

vaccine series or their first dose of a one-dose COVID-19 vaccine series. In the event that the Ministry of Health/Public Health or equivalent out-of-province health body issues proof of vaccination receipts in any other format, including for example QR codes, the City may accept proof of vaccination in that format.

- 6.1.5 Any Worker that is required to disclose his/her vaccination status under this Standard and is unable to provide proof that he/she is fully vaccinated or refuses to provide proof that he/she is fully vaccinated shall be subject to the following:
1. Mandatory training regarding the personal and community health benefits associated with being fully vaccinated to be completed by November 30, 2021; and
 2. Mandatory COVID-19 Rapid Testing or PCR testing, the frequency of which shall be no greater than 48 hours before the start of a shift.
- 6.1.6 This procedure is only meant for regular testing of asymptomatic Workers as a means of identifying any Workers that may be infectious and at risk of infecting other Workers and community members.
- 6.1.7 This procedure does not apply to any Worker that is displaying symptoms commonly associated with COVID-19 or who has been exposed to any person with a known, positive case of COVID-19.
- 6.1.8 This procedure does not in any way relieve Workers from complying with mandatory screening requirements or any other safety measure implemented by the City in order to reduce the risk of COVID-19 spread.
- 6.1.9 Any Worker displaying symptoms of COVID-19 should not attend the workplace and must follow all current public health guidelines regarding testing and isolation.
- 6.1.10 Any Workers that are required to undergo COVID-19 Rapid Testing or PCR Testing will receive educational materials/training on how to conduct an at home Rapid Test and how to report the results of at home COVID-19 Rapid Testing.
- 6.1.11 Rapid Test kits will be made available by the City to Workers that require them until November 30, 2021. As of December 1, 2021, workers will be required to obtain rapid test kits at their own expense.
- 6.1.12 Workers that receive Rapid Test kits from the City shall not sell or distribute those test kits to any other person and must only use the City-issued Rapid Test kits for the purposes of complying with this standard.

- 6.1.13 PCR tests will not be provided by the City and any worker that elects to undergo PCR testing may do so at any location offering these tests. The City will not reimburse the cost of PCR Testing.

6.2 Accommodation

- 6.2.1 In recognition of the City's obligations under the *Human Rights Code* (Ontario) (the "Code"), a Worker who presents and substantiates a valid, legal justification for exemption on the basis of any grounds listed under the Code will be accommodated up to the point of undue hardship.
- 6.2.2 Such Workers will be subject to regular testing under this Standard as described above, unless they also demonstrate they are unable to participate in regular testing on Code-recognized grounds. In such cases, the City will, where possible, coordinate with the Worker to develop and implement an appropriate accommodation.
- 6.2.3 In exceptional cases, where such an accommodation is not possible, the Worker may be placed on an unpaid leave to be reviewed at a time interval established by the City.

6.3 New Workers

- 6.3.1 Any Workers that apply to the City for new employment, contracts for services or political/committee appointments, among other things, will be provided with a copy of this Standard during the application process and will be informed of the contents of this Standard.
- 6.3.2 The City may request proof that a new Worker is fully vaccinated prior to awarding any new employment, contracts for services or appointments and may also request any information or documentation necessary to facilitate any legitimate and required accommodation as per this Standard.
- 6.3.3 Information regarding vaccination status will not be requested from new Workers that will be working in isolation, exclusively working virtually or at home, or exclusively working outdoors.

6.4 Vaccination Appointments

- 6.4.1 All efforts should be made to allow employees to use time at the beginning or end of their shift or to extend lunch and break times as operationally feasible with work schedules to attend vaccination clinics. In cases where a flexible work arrangement is not feasible, employees may use sick doctor appointment time (SICK_DR) and where sick doctor appointment time is not available, other banks (i.e. OT, lieu) may be used in order to attend vaccination appointments and permission to do so will not be unreasonably withheld. Where there are no banks available, some staff may be eligible for the Infectious Disease Emergency Leave (IDEL). This portion of the

Standard shall not apply to any person that is not a direct employee of the City.

6.5 Confidentiality

- 6.5.1 Information relating to a Worker's proof of vaccination and/or the reason(s) for not receiving a COVID-19 vaccination will remain in a confidential file with Human Resources or other applicable department if the Worker is not an employee of the City. The information gathered as a result of this Standard will be maintained only for as long as necessary and will be destroyed on the later of December 31, 2021 or the day following the day that the Provincial or Federal Government declares the COVID-19 pandemic over in Canada.

6.6 Provincial and Federal Policies

- 6.6.1 Any Provincial or Federal policies which apply to City of Brantford Workers and are either not compliant with, or are more stringent than, this Standard shall prevail only with respect to the effected Workers and to the extent of any inconsistency. For example, any Provincial or Federal policy or mandate which includes a mandatory vaccination requirement will prevail over this Standard, but only with respect to City Workers captured by the Federal or Provincial policy or standard.

6.7 Non-Compliance

- 6.7.1 Any Worker that does not comply with this Standard will be subject to discipline up to and including termination. In the event that any Worker who is required to undergo COVID-19 Rapid Testing or PCR testing fails to conduct testing in accordance with the established schedule, or incorrectly reports the results of said testing, will be subject to significant and immediate disciplinary measures up to and including termination.

7.0 Related Standards or Policies

HSStandard-PAN3-Staff Vaccination for COVID-19

8.0 Revision History

Date	Revision #	Reason for Revision
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