



Mandatory Proof of COVID-19 Vaccination Administrative Policy

1. Scope and Purpose

The purpose of the Mandatory Proof of COVID-19 Vaccination Administrative 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 City facilities. COVID-19 is a highly contagious virus that spreads through respiratory droplets and aerosols. The Omicron Variant of Concern currently circulating in London is rapidly spreading and highly transmissible. The City of London, as an employer, has an obligation under the *Occupational Health and Safety Act*, 1990 to take every precaution reasonable in the circumstances for the protection of its workers.

Vaccinations, 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.

In addition to the current health and safety precautions (personal protective equipment, physical distancing, frequent hand washing and hand sanitizing, frequent cleaning of high touch areas, COVID-19 screening, etc.), which will be maintained and revised in accordance with public health guidance, the City of London requires all active employees, staff of contractors and consultants acting on behalf of the Corporation and performing work in City facilities and/or buildings, volunteers, interns, and students on placements to:

- Provide proof of full vaccination against COVID-19; or
- Provide a written attestation of a medical reason(s) or *Ontario Human Rights Code* reason(s) for not being fully vaccinated against COVID-19 and effective December 21, 2021, require a COVID-19 Plan.

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.

2. Legislative Framework

Occupational Health and Safety Act, R.S.O. 1990, c.0.1

Human Rights Code, R.S.O. 1990 c. H. 19 (“*Ontario Human Rights Code*”)

Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990 c. M.56 (“MFIPPA”)

3. Applicability

This policy applies to:

- City of London employees;
- Staff of contractors and consultants acting on behalf of the Corporation and performing work in City facilities, buildings;
- Volunteers; and,
- Interns and students on placements.

For employees, student placements and volunteers working at Dearness Home, mandatory proof of vaccination is required, subject to proof of a medical reason(s) or requirement for *Ontario Human Rights Code* accommodation. Employees at Dearness Home are required to comply with the COVID-19 Immunization Policy, which includes further requirements mandated by the Minister of Long-Term Care, Chief Medical Officer of Health, the Province of Ontario or other regulatory or legislative authority.

4. Definitions

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

‘Fully vaccinated’ means having received the full series of a COVID-19 vaccine or a combination of COVID-19 vaccines approved by Health Canada or the World Health Organization; and having received the final dose of the COVID-19 vaccine at least 14 days ago.

‘Proof of full vaccination against COVID-19’ means the COVID-19 vaccination receipt issued by the Ontario Ministry of Health confirming the person is fully vaccinated.

‘Vaccinated’ means to be “fully vaccinated”.

‘Active duties’ means performing work for the City of London.

‘COVID-19 Plan’ means a Plan approved by People Services for any person who has a medical reason(s) or an *Ontario Human Rights Code* reason(s) for not being vaccinated against COVID-19. This Plan will include adherence to additional health and safety measures (e.g., working remotely, on-going COVID-19 Rapid Antigen Testing, reassignment, leave of absence etc.).

‘Rapid Antigen Testing’ means the test that detects protein fragments specific to the Coronavirus that can be done at home and has a quick turnaround time for results. Rapid Antigen Testing should be used for screening and should not be used to diagnose COVID-19 infection.

5. The Policy

5.1 All persons to whom the policy applies shall comply with one of the following:

- a. Provide proof of full vaccination against COVID-19 by September 29, 2021; or
- b. Provide a written attestation of a medical reason(s) or *Ontario Human Rights Code* reason(s) for not being vaccinated against COVID-19 by September 29, 2021, and effective December 21, 2021, be required to work in collaboration with People Services to develop a COVID-19 Plan that will include adherence to additional health and safety measures (e.g., remote working, on-going COVID-19 Rapid Antigen Testing, reassignment, and unpaid leave of absence); or,
- c. Where a person has not received any dose of the COVID-19 vaccine or has received one dose and has not yet received their second dose, the person shall receive their first dose of the COVID-19 vaccination series by September 29, 2021 and provide proof of full vaccination against COVID-19 by November 1, 2021.

5.2 Regardless of vaccination status, all active employees, staff of contractors and consultants acting on behalf of the Corporation and performing work in City facilities and/or buildings, volunteers, interns, and students on placements shall:

- a. Complete daily active screening for COVID-19 symptoms;
- b. Be tested for COVID-19 where persons fail active screening (provincial COVID-19 self-assessment or City of London COVID-19 self-assessment) and be restricted from entering the workplace; and,
- c. Provide verification in a manner that enables the City of London to confirm their ability to return to work prior to attending the workplace in accordance with City of London COVID-19 Procedures and Guidelines.

5.3 Inactive employees who are on a leave of absence are not required to comply with s. 5.1 so long as they remain on a leave of absence. Employees must comply with this policy prior to returning to work.

5.4 Active employees, staff of contractors and consultants acting on behalf of the Corporation and performing work in City facilities and/or buildings, volunteers, interns, and students on placements are required to comply with this policy. A finding of non-compliance by an employee will result in immediate removal from active duties. The employee will be subject to corrective and/or disciplinary action that may include education or training; warning; suspension or leave without pay; or termination of employment.

5.5 Any employees, staff of contractors and consultants acting on behalf of the Corporation and performing work in City facilities and/or buildings, volunteers, interns, and students on placement hired following September 29, 2021, must comply with this policy prior to the first day they begin work.

5.6 All employees, staff of contractors and consultants acting on behalf of the Corporation and performing work in City facilities and/or buildings, volunteers, interns and students on placements must continue to adhere to all policies, procedures and directions related to COVID-19. These include, but are not limited to, personal protective equipment, physical distancing of at least two (2) metres where possible, frequent hand washing and hand sanitizing, frequent cleaning of high touch areas, active COVID-19 screening.

6. Collection of Information and Privacy Considerations

All information gathered as part of the Mandatory Proof of COVID-19 Vaccination Administrative Policy will be handled by a dedicated team for the purposes outlined in the policy.

All information, including personal health information, will be treated in compliance with the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

7. Accommodations

Employees requiring any Ontario Human Rights Code accommodations under this policy may request accommodations by advising their manager and/or People Services' Return to Work and Attendance Support Services. The City of London is committed to fulfilling its obligations under the Ontario Human Rights Code.

8. Policy Implementation

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

Details regarding the implementation of this policy are outlined in the Mandatory Proof of COVID-19 Vaccination Administrative Procedure.