

SCOPE:

This Policy applies to all employees, contractors, volunteers, students and any person who performs work for Community Living Windsor (the “Agency”) (all collectively referred to herein as employees).

RATIONALE:

The purpose of this Policy is to reduce the risk of exposure to and transmission of COVID-19, a highly infectious and deadly communicable disease, in the workplace by providing occupational protection to our employees and other team members, thereby preventing exposure to the people accessing services. Vaccination for COVID-19 has been found to be both safe and effective in preventing COVID-19.

This Policy has been developed by the Agency in consultation with the Agency’s Joint Health and Safety Committee as a reasonable and necessary measure to prevent, respond to, and alleviate the outbreak of COVID-19 and the associated risk to the people accessing services, many of whom are medically fragile and/or may not be able to comply with social distancing and infectious disease transmission prevention protocols.

This Policy is also adopted to comply with our obligations under the Occupational Health and Safety Act (OHS) and regulations (including Ontario Regulation 67/93) to take every reasonable precaution in the circumstances to protect a worker and to comply with our obligation under applicable emergency orders (O. Regs. 121/20 and 177/20).

POLICY STATEMENT:

Community Living Windsor recognizes the importance of immunization of employees to prevent, alleviate and respond to the outbreak of COVID-19 and to reduce the risk of serious infection and transmission of infection to co-workers, people we support and families.

It is mandatory that all staff are fully vaccinated unless it is for a bona fide medical reason, or a protected Human Rights related reason.

Employees will be required to provide written proof of a medical reason, provided by a physician or 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. The Ministry of Health has set out standards for medical exemptions from Covid-19 vaccination.

To be considered immunized, all vaccinated employees must provide proof of full vaccination against COVID-19 to Human Resources. Documentation of vaccine status will be kept in employee files. Any falsification of documentation will be grounds for termination.

Approved by: CLW Board of Directors	Date: September 9, 2021

PROCEDURE:

Definitions

Fully Vaccinated: For the purposes of case/contact/outbreak management, an individual is defined as fully immunized 14 days 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 listed for emergency use by the World Health Organization or approved by Health Canada.

Medical Exemption: written proof of a medical reason, provided by a physician or 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. **Note: there are very few medical exemptions to the COVID-19 vaccination.**

Proof of vaccination: Covid-19 Ministry of Health Vaccine receipt.

A. PROSPECTIVE EMPLOYEES

1. Any offer made by the Agency to a Prospective employee (defined as “successful candidates for employment, voluntarism, placements or contracts for services”) will be conditional on proof of vaccination for COVID-19 and commitment to maintaining vaccination in good standing throughout the pandemic (subject to human rights related accommodation up to the point of undue hardship as further discussed in Part C below).
2. A conditionally engaged prospective employee will have one (1) week from the date of offer to complete Appendix “A” attached and produce satisfactory proof of COVID-19 vaccination, failing which the offer will be rescinded and the prospective employee will not become an employee.
3. An unvaccinated prospective employee should be able to obtain access to vaccination relatively quickly in the community. If prospective employee is having difficulty, the Agency will support the prospective employee as reasonably necessary to secure access to vaccination.
4. No conditionally engaged prospective employee will be permitted to perform any work or take part in orientation until the condition above has been satisfied.

B. EXISTING STAFF

It is important for Community Living Windsor to protect both employees and people supported under the Occupational Health and Safety Act. Effective September 27, 2021 all employees who work for Community Living Windsor must be fully vaccinated or have their first dose of the Covid-19 vaccination unless it is for a medical reason, or a protected Human Rights related reason.

Any employee who fails to provide proof of first dose of the Covid-19 vaccination by September 27, 2021 will be placed on an unpaid leave of absence. All employees must be fully vaccinated by October 31, 2021. Failure to be fully vaccinated by October 31, 2021 will result in being put off on an unpaid leave and/or termination for cause.

1. Disclosure of Vaccination Status

The Agency requires that all existing employees provide the following information:

- a. Disclosure of vaccination status (and regular updates regarding vaccination status);
- b. Proof of vaccination for COVID-19, where the person discloses that they have been vaccinated; Where accommodation is requested by a person declining vaccination, confirmation of the reasons for declining vaccination, with proof of same where reasonably necessary.

Refusal to provide such information will result in the person being considered “unvaccinated” for

reasons that are not protected under the Human Rights Code and being subject to discipline for refusal to provide such information and cooperate in this important health and safety process and provide information that is reasonably necessary to prevent, alleviate and respond to the outbreak of COVID-19.

C. ACCOMMODATION

Should an employee decline the COVID-19 vaccination, once available to them, for reasons related to disability, creed or any other grounds protected by the Human Rights Code, the Agency reserves the right to ask for information to substantiate the grounds, further to the Agency's normal workplace accommodation process.

The Agency is committed to human rights accommodation up to the point of undue hardship where a person is unable to vaccinate for human rights protected reasons.

Such situations will be assessed on a case-by-case basis.

Any employee being accommodated will be required to undergo regular Rapid Antigen Screening up to three (3) times weekly.

E. OTHER COVID-19 PROTECTIVE MEASURES

All of the Agency's policies and protocols with respect to COVID-19 protective measures continue to apply to all employees.

All employees must continue to comply with the Agency's policies, protocols and rules with respect to physical distancing, masking, screening, personal protective equipment and any other measures intended to reduce the risk of transmission of COVID-19. These protocols are located online on the Community Living Windsor website.

Failure to comply and cooperate with this policy and the measures implemented under this policy may be grounds for discipline up to and including termination for cause.

F. REVIEW OF POLICY

These procedures and where necessary the policy will be regularly reviewed and updated. to reflect the latest scientific research, guidance and legislation from the Ontario government, the federal government, Ministry of Health, the Public Health Agency of Canada, Public Health Ontario, Local Health Units and any other relevant health bodies.

Approved by: Executive Director	Date: May 6, 2021
Revision: September 9, 2021	

Reference:

- Public Health Agency of Canada, “COVID-19 signs, symptoms and severity of disease: A clinician guide” (18 September 2020): <https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/guidance-documents/signs-symptoms-severity.html>.
- National Advisory Committee on Immunization, “Recommendations on the use of COVID-19 vaccines” (12 January 2021): <https://www.canada.ca/en/public-health/services/immunization/national-advisory-committee-on-immunization-naci/recommendations-use-covid-19-vaccines.html>. (“NACI Recommendations”)
- Government of Ontario – Vaccines for Ontario webpage - https://covid-19.ontario.ca/covid-19-vaccines-ontario?gclid=CjwKCAjwqliFBhAHEiwANg9szifTK3-JkibgLne5vx9V66TsVy28kfsryvT6QIE-Is9HqRHXrrRn7BoClesQAvD_BwE&gclidsrc=aw.ds#covid-19-immunization-program
- Government of Canada – Vaccines for Covid-19 Website - <https://www.canada.ca/en/public-health/services/diseases/coronavirus-disease-covid-19/vaccines.html>
- World Health Organization – Covid-19 Vaccines Website - <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/covid-19-vaccines>
- Windsor Essex Health Unit - WEVax - Vaccine Appointment Booking and Eligibility - <https://www.wechu.org/cv/clinic>