



Health & Safety – Covid -19 Vaccination Policy (Critical Incidents) (HR 7.12) (HS 25.1)

Version: 2

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A. Purpose and Background

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 individuals who perform work for or on behalf of York Support Services Network (“YSSN”). Vaccination for COVID-19 has been found to be both safe and effective in preventing COVID-19 transmission, serious illness and hospitalization due to COVID-19.

This Policy has been developed by YSSN as a reasonable and necessary measure to prevent, respond to, and alleviate the outbreak of COVID-19 and the associated risks to the people we support, many of whom are medically fragile and/or may not be able to comply with social distancing and infectious disease transmission prevention protocols, as well as our staff and operations.

This Policy is also adopted to comply with our obligations under the Occupational Health and Safety Act (OHSA) and regulations (including Ontario Regulation 67/93), as well as government mandated vaccination policy requirements and applicable emergency orders.

This policy will be updated from time to time based on Federal and Provincial Public health Guidelines, Ministry of Health (MOH) guidelines, and Ministry of Children, Community and Social Services (MCCSS) guidelines, as well as YSSN’s mandate to provide a safe environment to all staff and persons supported.

B. Scope

YSSN’s **COVID-19 Vaccination Policy** applies to all YSSN employees, contractors who regularly enter YSSN worksites or premises (including third-party staffing agencies), volunteers, students and any person who performs work for YSSN (all collectively referred to herein as “**Staff**”).

However, it will not apply to contractors who do not regularly enter YSSN worksites or premises. This includes instances where YSSN hires a contractor to perform a one-off assignment that does not involve direct support (such as a plumber hired to repair a leaking pipe) or where YSSN retains a service provider to provide remote services (such as remote information technology services).

C. Definitions

“**Candidate**” a person applying to be a Staff (as defined below).

“**Full vaccination**” or “**fully vaccinated**” is defined as meaning that a Staff has met both of the following criteria:

- a) They have received all required doses of a primary series of a COVID-19 vaccine authorized by the World Health Organization (“WHO”) (e.g., two doses of a two-dose vaccine series, or one dose of a single-dose vaccine series); and
- b) At least 14 days have passed since they received their final dose of the COVID-19 vaccine.

Being “**unvaccinated**” or “**not vaccinated**” is defined as not meeting the above criteria. For clarity, a staff who is partially but not fully vaccinated is considered to be unvaccinated or not vaccinated under this policy.

Policy

1. **Mandatory Vaccination for Candidates:** Any person applying to be a Staff (“**Candidates**”) will be mandated to demonstrate having received all required doses of a primary series of a COVID-19 vaccine as a pre-condition for becoming a Staff, subject to legally required accommodation as described in number 5 below.
2. **Vaccination for Existing Staff:** Consistent with government mandated vaccination policy requirements, all existing Staff will be required to:
 - a) provide proof of full vaccination against COVID-19 (as defined above);
or
 - b) provide written proof of a medical reason, provided by a physician or nurse practitioner, that sets out:
 - i. a documented and *bona fide* medical reason for not being fully vaccinated against COVID-19, and
 - ii. the effective time period for the medical reason;

or

 - c) attest to having completed a Covid-19 Education Session approved by YSSN.
3. **Rapid Antigen Testing.** Consistent with government mandated vaccination policy requirements, Staff declining vaccination for any reason will be subject to Rapid Antigen Testing in accordance with our **Rapid Antigen Testing Policy**.
4. **Alternative Precautionary Measures for Unvaccinated Staff:** Unvaccinated Staff will be subject

to alternative precautionary measures including: leaves of absence in the event of an outbreak in their regular work location, restrictions on secondary employment and such other alternative measures as shall be required or determined to be reasonable based on YSSN's assessment of the risk.

5. **Respect for Human Rights:** YSSN will provide accommodation up to the point of undue hardship to any Candidate or Staff who is unable to vaccinate for bona fide and substantiated medical reasons (or other grounds protected under the Ontario Human Rights Code).

D. Procedure(s)

A. CANDIDATES

1. Any offer made to a Candidate will be conditional on proof of having received all required doses of a primary series of a COVID-19 vaccine and commitment to maintaining vaccination in good standing throughout the pandemic and in accordance with Public Health Guidelines (subject to human rights related accommodation up to the point of undue hardship as further discussed in Part C below).
2. A conditionally engaged Candidate will have one (1) week from the date of offer to complete **Schedule "A"** and produce satisfactory proof of being fully vaccinated. In case of a failure to provide appropriate documentation, YSSN will rescind the offer of employment. No Candidate will be permitted to perform work until such requirement is satisfied.

B. EXISTING STAFF

1. **Support for Vaccination.** YSSN expects, strongly encourages, and supports all members of the YSSN community to be fully vaccinated against COVID-19. YSSN supports to Staff for vaccination will include:
 - a. Up to date information from public health regarding vaccination; and
 - b. Staff booking vaccination appointments during work hours without needing to use paid health time.
2. **Disclosure of Vaccination Status.** YSSN requires that all existing Staff provide a completed copy of the form attached to this policy as **Schedule "A"** with supporting documentation confirming one (1) of the following options:
 - a. **Proof of Vaccination:** Confirmation of full vaccination status with documentary proof of full vaccination against COVID-19 as defined by this policy.

Note, you should have received a vaccination receipt in person or by email upon vaccination. If you do not have a copy, retrieve it online at <https://covid19.ontariohealth.ca/> and send it to HR via encrypted email
 - b. **Medical Exemption:** Written proof provided by a physician or nurse practitioner in the form attached to this policy as **Schedule "B"** that sets:
 - i. A documented medical reason for not being fully vaccinated against COVID-19,

and

- ii. the effective time period for the medical reason;

OR

- c. **Education Session:** Confirmation that the staff is unvaccinated as defined by this policy for non-medical reasons and attest to having completed an educational session approved by YSSN. See page 5 for educational training link.

This form must be provided to HR admin by encrypted email.

Existing Staff who fail to comply with the foregoing requirements by September 23, 2021 or thereafter cease to comply with these requirements will be deemed to have failed to comply with Ministry mandated policy requirement and may be subject to progressive or immediate discipline up to and including termination for just cause. Staff who become fully vaccinated after they provide the above declaration and who provide documentary proof of full vaccination against COVID-19 as defined by this policy shall thereafter be treated as fully vaccinated under this policy.

- 3. **Rapid Antigen Testing:** Effective September 23, 2021, unvaccinated Staff are required by government mandated restrictions to participate in rapid antigen testing twice per week in accordance with our **Rapid Antigen Testing Policy**. Subject to the duty to accommodate, unvaccinated Staff who refuse to cooperate with rapid antigen testing will be placed on an unpaid leave of absence pending compliance with government mandated rapid testing requirements, and may result in progressive or immediate discipline up to and including termination for just cause.
- 4. **Alternative Precautionary Measures for Unvaccinated Staff:** In addition to rapid antigen testing, unvaccinated Staff will be subject to alternative precautionary measures which will include:
 - a. Unpaid leave of absence during any period of outbreak (or suspected outbreak) in the Staff's regular work location, provided that affected employees may use their accrued sick, vacation or lieu entitlements during this period to offset any financial impact and subject to accommodation for bona fide human rights related restrictions where possible without undue hardship; and
 - b. Additional alternative precautionary measures as determined based on YSSN's legal obligations or assessment of the risk, which measures may include but not be limited to:
 - i. location transfers;
 - ii. changes or restrictions in work assignments or opportunities;
 - iii. enhanced hygiene, screening or PPE;
 - iv. leaves of absence without pay (as a last resort), but with the opportunity to use accrued paid time off entitlements if any; and/or
 - v. any such other measures as may be required or deemed appropriate based on current Public Health information and the risks identified.

These measures are in addition to any and all other policies and procedures that are in place for infection prevention and pandemic response for YSSN Staff. YSSN reserves the right to determine

and modify the measures applicable to any particular staff where reasonably necessary based on the particular risks involved in any specific case.

C. ACCOMMODATION

1. Staff who decline vaccination for bona fide human rights related reasons and require accommodation must submit Schedule “A” and a request for accommodation with any supporting documents by September 23, 2021 (or immediately if new human rights related restriction becomes apparent after that date). Unvaccinated Staff who fail to request accommodation and provide the foregoing documentation will be considered unvaccinated for non-human rights related reasons. Staff requesting religious accommodation under this policy shall also be asked to provide written confirmation of their need for accommodation from their religious or spiritual leader.
2. YSSN will assess based on the information provided whether accommodation is required and/or possible without undue hardship. Where required by law, YSSN will provide accommodation to the point of undue hardship.
3. Due to the serious health and safety issues at play, accommodation short of undue hardship may not be possible in all circumstances. Each situation will be assessed on a case-to-case basis depending on the needs of the work location, job role of the staff, COVID situation, Public Health guidelines etc.

D. REPORTING AND RECORD KEEPING

Information about vaccination status will be collected by YSSN as such information is reasonably necessary to assess risk to People Supported and Staff as well as to ensure compliance with relevant government mandated vaccination policy requirements. Vaccination records will be maintained documenting COVID-19 vaccinations and unvaccinated status in a secure manner and will only be collected, used, or disclosed as may be necessary for legitimate operational purposes or as directed or requested by governmental authorities.

E. CONSEQUENCES OF NON-COMPLIANCE

Failure to adhere to the requirements of this policy may result in progressive or immediate discipline up to and including termination for just cause.

F. REVIEW

This policy will be reviewed on a regular basis upon receipt of new and relevant information.

E. References

[SCHEDULE A - Vaccination Declaration Form - Copy](#)
[SCHEDULE B - Vaccination Medical Exemption Form](#)

COVID-19 Vaccine Education Online Learning Module

Note: video training must be viewed outside the YSSN network

Acknowledgement and Agreement

By clicking read on this policy, I acknowledge that I have read and understand the Reducing transmission of COVID-19 in the Workplace Policy of York Support Service Network. I agree to adhere to this policy and will ensure that employees working under my direction adhere to this policy. I understand that if I violate the rules set forth by this policy, I may face disciplinary action up to and including termination of employment.