



<b>Corporate Human Resources Policy</b>		Content Updated: 2021-08-20
Health, Safety and Wellness		Supersedes: Pandemic Response Procedure - Staff Vaccination for COVID-19 - COH-P-018
Policy No: HR-66-21		
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<b><i>Mandatory COVID-19 Vaccination Verification Policy</i></b>	
<b>POLICY STATEMENT</b>	<p>The City of Hamilton (the City) has an obligation under Provincial legislation to take all necessary precautions to protect the health and safety of its workforce and is committed to providing excellent service to our community and to building trust and confidence in local government.</p> <p>To help reduce the risk of COVID-19 transmission, this mandatory workplace vaccination verification policy is an important measure that complements other workplace health and safety measures in place including daily health screening, mandatory masking, physical distancing, hand hygiene and enhanced cleaning.</p> <p>This policy is in line with Public Health guidance and supports the direction that vaccines provide a high level of protection against COVID-19 and related variants. Getting both doses of the COVID-19 vaccine is the best defense against the virus, including the Delta variant.</p> <p>The City is demonstrating its commitment to promoting vaccinations to ensure the health and safety of all members of its workforce and the broader City of Hamilton community.</p>
<b>PURPOSE</b>	The purpose of this policy is to outline the City of Hamilton's requirement with regard to COVID-19 vaccination and provide direction to employees on the requirement to receive the COVID-19 vaccination, provide proof of vaccination or a bona fide exemption and conditions for attending work without vaccination.
<b>SCOPE</b>	<p>This policy applies to all employees of the City of Hamilton, including full-time, part-time, permanent, temporary, casual, volunteers; and students. Including members of Council and members of Council appointed committees. New employees will also be subject to this policy as a condition of their employment contract with the City of Hamilton.</p> <p>It requires employees to be fully vaccinated from the COVID-19 virus and complete any subsequent doses and requires employees to provide acceptable proof of vaccination.</p> <p>Vaccination requirements are subject to bona fide medical and</p>

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	<p>human rights exceptions. As well, unique medical and/or religious exemptions will be reviewed on a case by case basis and would be subject to the City's accommodation process.</p> <p>In addition to this policy, some workplace groups may have additional mandates or directives or reporting requirements from provincial or federal authorities.</p>	
<b>DEFINITIONS</b>  <b>COVID-19</b>  <b>Vaccine</b>  <b>Fully Vaccinated</b>  <b>Proof of Vaccination</b>  <b>Proof of Medical Exemption</b>  <b>Educational Program</b>	<p>The following terms referenced in this Policy are defined as:</p> <p><b>COVID-19</b> A virus belonging to a large family called coronavirus which includes the virus that causes the common cold and more severe disease such as Severe Acute Respiratory Syndrome (SARs) and Middle East Respiratory Syndrome (MERS-COV). The virus that causes COVID-19 is a novel coronavirus, named SARS-CoV-2.</p> <p><b>Vaccine</b> For the purposes of this Policy, a Vaccine is defined as a substance used to stimulate the production of antibodies and provide immunity against SARS-CoV-2</p> <p><b>Fully Vaccinated</b> Having received the full series of a COVID-19 vaccine or combination of COVID-19 vaccines approved 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 having received the final dose of the COVID-19 vaccine at least 14 days ago.</p> <p><b>Proof of Vaccination</b> Documentation issued by the Ontario Ministry of Health, other province or territory or international equivalent indicating individual immunization status against the COVID-19 virus.</p> <p><b>Proof of Medical Exemption</b> Written proof of a medical reason, provided by a physician or nurse practitioner in the extended class 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.</p> <p><b>Educational Program</b> An educational program that has been approved by and/or provided by the City of Hamilton and addresses the following learning components:</p> <ul style="list-style-type: none"> <li>• How COVID-19 vaccines work</li> <li>• Vaccine safety related to the development of the COVID-19 vaccines</li> <li>• Benefits of vaccination against COVID-19</li> </ul>	

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	<ul style="list-style-type: none"> <li>• Risks of not being vaccinated against COVID-19</li> <li>• Possible side effects of COVID-19 vaccination</li> </ul>	
<b>TERMS &amp; CONDITIONS</b>	<p>The following apply to this Policy:</p> <p><b>1. Mandatory COVID-19 Vaccinations</b></p> <ul style="list-style-type: none"> <li>• All City of Hamilton employees are required to receive both doses of the COVID-19 vaccine and any subsequent recommended boosters to access a City facility for the purpose of conducting work, unless it is medically contraindicated or they have completed the vaccination education and/or declared in writing that they do not want to be vaccinated.</li> <li>• Unvaccinated employees who have provided a valid exemption, will only be allowed into a City facility for the purposes of working if they submit to regular antigen testing for COVID-19 and demonstrate a negative result, at intervals to be determined by the employer.</li> </ul> <p><b>2. Providing Proof of COVID-19 Vaccination Status</b></p> <ul style="list-style-type: none"> <li>• Employees are required to provide proof of their vaccination series approved by Health Canada or the World Health Organization by proving one of the following:           <ol style="list-style-type: none"> <li>1. Proof of COVID-19 vaccine administration as per the following requirements:               <ol style="list-style-type: none"> <li>a. If the individual has only received the first dose of a two-dose COVID-19 vaccination series approved by Health Canada, proof that the first dose was administered and, as soon as reasonably possible, proof of administration of the second dose; or</li> <li>b. Proof of all required doses of a COVID-19 vaccine approved by Health Canada.</li> </ol> </li> </ol> </li> <li>• Without proof of vaccination or an approved exemption, staff will not be permitted to attend a City of Hamilton facility.</li> </ul>	

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### 3. Providing Proof of An Approved Exemption

- The City will comply with its human rights obligations and accommodate employees who are legally entitled to accommodation.
- Exemptions will be made for grounds protected by the Ontario Human Rights Code which includes confirmed medical reasons. Human Resources will assist with accommodation questions, concerns and requests.
- Employees are required to provide proof of their medical exemption by providing one of the following:
  1. Written proof of a medical reason, provided by either a physician or nurse practitioner in the extended class that sets out:
    - a. That the person cannot be vaccinated against COVID-19 and;
    - b. The effective time period for the medical reason (i.e., permanent or time- limited).
- The City will work with those who receive an exemption to ensure they are connected with the appropriate resources to develop a reasonable and appropriate accommodation plan and that the City can put in place appropriate alternative health and safety measures.

### 4. Mandatory COVID-19 Vaccination Education

- In order to ensure that all employees subject to this policy are adequately educated about COVID-19 and the COVID-19 vaccines, unvaccinated workers are to complete a mandatory COVID-19 vaccination education course that has been approved by the City of Hamilton on the risks of being unvaccinated in the workplace and submit proof they have completed the educational program.
- Employees who have not been vaccinated or who do not disclose their vaccination status will be required to attend mandatory education on the benefits of COVID-19



vaccination. These unvaccinated individuals will then need to provide proof of their vaccination status or declare in writing that they will not be vaccinated.

**5. Vaccination status Reporting and Documentation**

- Vaccination status information will be collected and protected in accordance with privacy legislation.

**6. COVID-19 Rapid Antigen Testing**

- Employees who wish to access a City facility who do not provide proof that they are fully vaccinated will be required to submit to ongoing testing and provide proof of negative COVID-19 tests.

**7. Non-compliance with the Mandatory COVID-19 Vaccination Verification Policy**

- In accordance with City of Hamilton Human Resources policies, collective agreements and applicable legislation, directives, and policies, any non-compliance with the Mandatory COVID-19 Vaccination Verification Policy will result in a meeting with the employee, including their Union representative if applicable. Non-compliance is subject to possible discipline.

**8. Access to COVID-19 Vaccination Clinics**

- Reasonable arrangements will be made to allow for staff to attend COVID-19 vaccination clinics during work time.
- Employees must have approval from their supervisor in advance before attending a clinic during work time.
- All efforts should be made to allow the employee to use time at the beginning or end of their shift day or to extend lunch and break times as operationally feasible with work schedules to attend vaccination clinics.
- Where employees are unable to attend a vaccination clinic during their regularly scheduled work hours, the City will compensate staff for a period of 30 minutes outside of work time to receive a vaccination subject to any limitations under a collective agreement or policy.

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**9. Continued Adherence to Public Health Measures**

- All employees are required to practice Public Health measures to control the spread of COVID-19 regardless of their vaccination status.
- Employees must adhere to the City’s health and safety protocols at all times while in the workplace, including handwashing, physical distancing where possible, and the use of Personal Protective Equipment as required by their position.

**RESPONSIBILITIES (if applicable)**


The following positions and/or departments are responsible for fulfilling the responsibilities detailed in this Policy as follows:


**Management/Supervisors**

- Ensure employees attending work are fully vaccinated against COVID-19
- Ensure employees have submitted proof of their vaccination status or an approved exemption
- Support on-site rapid antigen testing
- Follow and comply with any federal or provincial mandates or directives regarding the vaccination of staff
- Continue to enforce workplace precautions that limit the spread of COVID-19 virus
- Ensure that employees are aware of the importance of getting vaccinated against COVID-19
- Provide staff with access to information on COVID-19, health and safety precautions, and on the efficacy of the COVID-19 vaccine
- Provide staff with information on location and scheduling of vaccination clinics when available
- Where feasible, support time from regular duties for staff to attend vaccination clinics in accordance with relevant collective agreement language and/or Corporate Policy

**Employees**

- Submit proof of vaccination status, rapid test results or an approved exemption
- 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

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	<ul style="list-style-type: none"> <li>• Continue to follow health and safety protocols to ensure personal safety and prevent the spread of COVID-19 before and after vaccination</li> <li>• Remain informed about COVID-19 and COVID-19 vaccination as it relates to your role, personal health and/or professional requirements</li> <li>• Adhere to any additional mandates or directives or reporting requirements from provincial or federal authorities.</li> <li>• Identify opportunities to obtain a COVID-19 vaccination through community clinics or from health care professionals</li> <li>• If additional booster doses of the COVID-19 vaccine are required, ensure subsequent doses are also received</li> </ul> <p><b>Human Resources</b></p> <ul style="list-style-type: none"> <li>• Assist management with any labour relations and health and safety issues arising from application of this policy including liaising directly with Union leadership.</li> <li>• Create procedure for collecting and storing documentation on employee vaccination status.</li> <li>• Secure supplies and create a procedure for Rapid Antigen Testing of unvaccinated employees.</li> </ul> <p><b>Human Rights</b></p> <ul style="list-style-type: none"> <li>• Assist management with accommodation questions, concerns and requests.</li> </ul> <p><b>Occupational Health Nurse</b></p> <ul style="list-style-type: none"> <li>• Provide information and guidance to leaders and employees on COVID-19 vaccination and Rapid Antigen Testing as requested</li> <li>• Ensure that any records of COVID-19 vaccination held by the City are stored and used in compliance with privacy legislation and corporate policies</li> </ul>	
<b>COMPLIANCE</b>	In accordance with City of Hamilton Human Resources policies, collective agreements and applicable legislation, directives, and policies, any non-compliance with the Mandatory COVID-19 Vaccination Policy will result in a meeting with the person, along with a Union representative if applicable. Non-compliance is subject to possible discipline	

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	The following related documents are referenced in this Policy:	
<b>HISTORY</b>	<p>The following stakeholders were consulted in the creation or revisions made to this Policy:</p> <p>Human Resources Leadership Team          City of Hamilton’s Senior Leadership Team</p> <p>This policy replaces the former procedure named Pandemic Response Procedure - Staff Vaccination for COVID-19 (COH-P-018) dated January 2021</p> <p>This policy was approved by Council on 2021-08-26</p>	