

<b>Corporate Human Resources Policy</b>		Content Updated: 2022-01-12
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 fully vaccinated against COVID19 is the best defense against the virus, including the variants.</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 and provide proof of vaccination or a bona fide exemption.
<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 against the COVID-19 virus and requires employees to provide proof of vaccination satisfactory to the employer <b>by May 31, 2022.</b></p> <p>Vaccination requirements are subject to bona fide medical and</p>

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	<p>human rights exceptions. All exemption requests will be reviewed on a case by case basis and are 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>	<p>The following terms referenced in this Policy are defined as:</p> <p>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>For the purposes of this Policy, a Vaccine is defined as a substance used to stimulate the production of antibodies and provide protection from SARS-CoV-2</p> <p>Having received the full series of a COVID-19 vaccine or combination of COVID-19 vaccines as defined by the Ontario Ministry of Health and Long-term Care and the employer.</p> <p>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>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>	
<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 be fully vaccinated against COVID-19 to access a City facility for the purpose of conducting work, unless subject to an approved exemption <b>by May 31, 2022.</b></li> </ul>	



- Employees who have not provided proof that they are fully vaccinated or a valid exemption satisfactory to the employer are required to participate (or continue to participate) in the City’s rapid antigen testing program until **May 31, 2022**.
- Unvaccinated employees, and 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.
- As a condition of employment, new hires are required to provide proof that they are fully vaccinated or provide proof of valid exemption satisfactory to the employer prior to their start date. By signing the conditional offer letter, they acknowledge and agree to comply with any future vaccine policy requirements as an ongoing condition of employment at the City of Hamilton.

**2. Providing Proof of COVID-19 Vaccination Status**

- Employees are required to provide proof of their vaccination series approved by Health Canada and recommended by Ontario Ministry of Health by providing one of the following:
  - Proof of COVID-19 vaccine administration as per the following requirements:
    - a) Proof of all required doses of a COVID-19 vaccine approved by Health Canada and recommended by Ontario Ministry of Health.

**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:
  - 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 connect them with the appropriate resources to develop a reasonable and appropriate accommodation plan including health and safety measures to protect all workers.

**4. Vaccination Status Reporting and Documentation**

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

**5. 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 requirements of the Mandatory COVID-19 Vaccination Verification Policy will result in disciplinary measures, up to and including termination of employment.
- Subject to any valid exemptions, employees failing to provide proof of being fully vaccinated against COVID-19 by May 31, 2022 will be terminated from their employment with the City as of that date.

**6. Access to the Rapid Antigen Test Program**

- In the event that an employee cannot participate in the City’s rapid antigen testing program as a result of the inability of

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	<p>the City to provide rapid test kits, the employee will be placed upon a paid leave of absence until they are able to meet the requirements of the next test date in the program (i.e. the City has made test kits available).</p> <ul style="list-style-type: none"> <li>• Employees are required to return to work at the earliest possible opportunity once testing kits are made available, and the employee can test, on the next applicable testing date.</li> </ul> <p><b>7. Access to COVID-19 Vaccination Clinics</b></p> <ul style="list-style-type: none"> <li>• Reasonable arrangements will be made to allow for staff to attend COVID-19 vaccination clinics during work time.</li> <li>• Employees must have approval from their supervisor in advance before attending a clinic during work time.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p><b>8. Continued Adherence to Public Health Measures</b></p> <ul style="list-style-type: none"> <li>• Fully vaccinated employees are required to practice Public Health measures to control the spread of COVID-19.</li> <li>• Employees must adhere to the City's health and safety protocols while in the workplace, including daily health screening, mandatory masking, physical distancing, hand hygiene, enhanced cleaning and the use of Personal Protective Equipment as required by their position.</li> </ul>	
<b>RESPONSIBILITIES (if applicable)</b>	<p>The following positions and/or departments are responsible for fulfilling the responsibilities detailed in this Policy as follows:</p> <p><b>Management/Supervisors</b></p> <ul style="list-style-type: none"> <li>• Ensure employees attending work are fully vaccinated</li> </ul>	

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against COVID-19

- Ensure employees have submitted proof of their vaccination status or an approved exemption
- 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, or an approved exemption
- Continue to follow health and safety protocols to ensure personal safety and prevent the spread of COVID-19 before and after vaccination
- Remain informed about COVID-19 and COVID-19 vaccination as it relates to your role, personal health and/or professional requirements
- Adhere to any additional mandates or directives or reporting requirements from provincial or federal authorities.
- Identify opportunities to obtain a COVID-19 vaccination through community clinics or from health care professionals
- If additional booster doses of the COVID-19 vaccine are required, ensure subsequent doses are also received
- Employees not fully vaccinated against COVID-19 or who have not yet disclosed their vaccination status prior to May 31, 2022 are required to participate (or continue to participate) in the City’s rapid antigen testing program until May 31, 2022 or such time they meet the requirements of this policy.
- In the event of an interruption to the City’s rapid antigen

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<p>testing program (e.g. due to a lack of supply) and an employee is placed on a paid leave of absence; the employee is expected to return to active duty at the employers determination once testing kits are made available, and the employee can test, on the next applicable testing date.</p> <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>• 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.</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>		
<p><b>COMPLIANCE</b></p>	<p>In accordance with City of Hamilton Human Resources policies, collective agreements and applicable legislation, directives, and policies, any non-compliance with the requirements of the Mandatory COVID-19 Vaccination Verification Policy will result in disciplinary measures, up to and including termination of employment.</p> <p>Subject to any valid exemptions, employees failing to provide proof of being fully vaccinated against COVID-19 by May 31, 2022 will be terminated from their employment with the City as of that date.</p>	
<p><b>HISTORY</b></p>	<p>The following stakeholders were consulted in the creation or revisions made to this Policy:</p> <p>City of Hamilton’s Senior Leadership Team Legal Services Division Human Resources Leadership Team Union Representatives from each of the City’s unions</p>	

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		This policy replaces the former policy named Mandatory COVID-19 Vaccination Verification Policy dated 2021-08-26.
		This policy was approved by Council on January 12, 2022.