


Procedure Title: Mandatory Vaccination			Procedure Number HUR 130-030
Reference Occupational Health & Safety Act Ontario Human Rights Code PIPEDA	Date Originated (m/d/y) August 31, 2021	Date Revised (m/d/y) October 25, 2021	Pages 7
Approval: Chief Administrative Officer 		Point of Contact Director, Human Resources	

Procedure Objective

The City of Pickering (the “City”) is committed to providing a safe work environment for all employees, volunteers, students, elected officials and visitors. In order to continue complying with our obligations as required by the *Occupational Health and Safety Act (“OHSA”)*, the City is implementing this Mandatory Vaccination Procedure (the “Procedure”) as a reasonable precaution to reduce the likelihood of transmission of COVID-19 in the workplace.

Application

This procedure applies to all employees, volunteers, and students.

New employees must be fully vaccinated against COVID-19 prior to commencing their work.

Index

- 01 Definitions
- 02 Responsibilities
- 03 Procedure
- 04 Continued Precautions
- 05 Violation of the Procedure
- 06 Retention and Disclosure of Information
- 07 Ongoing Review

01 Definitions

- 01.01 **Accommodation** - A change or modification to the job or workplace so the work is within the employee's ability to perform their job safely.
- 01.02 **COVID-19 Vaccine** – A vaccine approved by Health Canada for use in Canada in relation to COVID-19.
- 01.03 **Employee** – For the purpose of this Policy, this term shall be used to refer to employees, volunteers, and students.
- 01.04 **Partially Vaccinated** – Refers to an individual who has only received some of the recommended doses of a vaccine recommended or required to produce an immune response to COVID-19.
- 01.05 **Proof of Vaccination** – A vaccine inoculation receipt issued by the government, or another form of proof satisfactory to the City. Vaccination receipts issued by the Ontario government can be accessed at: <https://covid19.ontariohealth.ca/app-identity?viewId=MUMMGB3H5KTY>.
- 01.06 **Vaccinated** – Refers to an individual who has received all recommended doses of a vaccine recommended or required to produce an immune response to COVID-19.

02 Responsibilities

- 02.01 Chief Administrative Officer to:
- Approve this Procedure and any amendments thereafter.
 - Support the implementation of this Procedure.
- 02.02 Directors to:
- Support the application of this Procedure as it relates to accommodations.
 - Undertake appropriate corrective or disciplinary action including making recommendations to terminate those who fail to comply with this Procedure.
 - Provide a listing of all volunteers to Human Resources.
- 02.03 Supervisors to:
- Assist with the identification of positions that can and cannot be accommodated based on a bona fide occupational qualification or requirement for the position.
 - Support the application of this Procedure.

- Act as a resource to staff for guidance on this Procedure.
- Offer guidance and educational resources to employees who are vaccine hesitant.
- Undertake appropriate corrective or disciplinary action including making recommendations to terminate those who fail to comply with this Procedure.

02.04 Human Resources to:

- Administer the Procedure in accordance with applicable legislation.
- Collect, store, track and disclose vaccination status information where permitted in this Procedure.
- Review all requests for accommodations and coordinate workplace accommodations.
- Develop and implement vaccine awareness training.

02.05 Employees to:

- Comply with this Procedure.
- Comply with all applicable legal obligations in doing so, including with respect to public health measures such as physical distancing, wearing a mask, and staying home if they are sick.

03 Procedure

- 03.01 Effective November 1, 2021, all employees to be able to work at the City must be fully vaccinated against COVID-19. This Procedure is a health and safety requirement to protect all employees and to assist in avoiding disruptive absences from work. Accommodation may be granted for employees who cannot achieve this requirement due a protected ground under the Ontario Human Rights Code (“the Code”).
- 03.02 On or before November 1, 2021, all employees must disclose their vaccination status in writing and provide Proof of Vaccination for all doses of a COVID-19 Vaccine to the Human Resources Assistant via the hr@pickering.ca email, or in person.
- 03.03 If an employee is unable to become vaccinated because they possess a characteristic that is protected by the Code which prevents them from being able to receive any COVID-19 Vaccine, the employee must do the following as soon as possible and no later than September 20, 2021:

- Fill out the form attached as “Appendix 1” and submit it to the Human Resources Assistant via hr@pickering.ca.
- Provide evidence satisfactory to the City that the employee cannot receive any COVID-19 Vaccine because of a characteristic that is protected by the *Code*.

03.04 The City will comply with its obligations pursuant to the *Code*, including its obligation to engage in the accommodation process. In requesting accommodation, employees have a legal duty to co-operate with the City. Please be advised that accommodation measures are case-specific and unique to each employee’s circumstances. Employees are not guaranteed any particular form of accommodation.

03.05 Employees who have been granted accommodations are required to update the City as soon as possible in the event their status and/or need for accommodation changes.

03.06 Employees who elect not to be vaccinated and do not possess a *Code* protected characteristic will be required to attend Vaccine Education Training so they can make an informed decision. Employees who fail to participate in this training may be subject to discipline.

04 Continued Precautions

Regardless of vaccination status, all employees must continue to follow all COVID-19 safety protocols currently in place, including but not limited to participating in screening measures; wearing a mask and appropriate PPE while performing their duties; and maintaining a physical distance of at least six (6) feet.

05 Violation of the Procedure

05.01 Failure to provide proof and/or comply with the provisions of this policy, will be dealt with on a case by case basis and may result in disciplinary action, up to and including termination of employment.

05.02 By November 1, 2021, any employee who has not provided Proof of Vaccination for all doses of a COVID-19 Vaccine, and who is not exempt from this Procedure for reasons related to human rights, shall be placed on a leave of absence without pay for an amount of time to be determined by the City. The circumstances of the employee will be reconsidered if the employee provides proof of full vaccination (defined as 2 doses of a 2 dose series +14 days or 1 dose of a 1 dose series + 14 days).

06 Retention and Disclosure of Information

All information regarding vaccination or accommodations provided by employees shall be maintained by the City in accordance with privacy legislation. Such information shall be used as necessary to enforce this Procedure, administer safety protocols, implement infection control measures, cooperate with public health authorities, and comply with the law.

07 Ongoing Review

Guidelines and recommendations from the provincial and federal governments, and Public Health Officials, regarding COVID-19 and vaccines are changing rapidly. The City reserves the right to modify or revoke this Procedure at any time, in its sole discretion, to adapt to changing circumstances and business needs, consistent with its commitment to maintaining a safe workplace.

Appendices

Appendix 1 Request for Accommodation

Mandatory Vaccination Procedure – Request for Accommodation

Employee Name	
Position(s)	
Name of Immediate Non-Union Supervisor	
Phone number/email address	

- I require an accommodation based on the following protected ground(s) in the *Ontario Human Rights Code*:
- Disability Creed/Religion
 Other (please specify):
- My status as identified above is:
- Permanent Temporary until: Click or tap to enter a date.
 Uncertain at this time

Please provide a detailed explanation of why the above characteristic prohibits you from receiving any COVID-19 Vaccine:

Please attach evidence to support your request for accommodation. Acceptable forms of evidence include:

- Certificate or letter from your treating physician.
- Letter from a senior religious or creed-based authority (i.e. Priest, Rabbi, etc.) confirming that you are a member of that religion or creed and that such religion or creed prohibits you from receiving any COVID-19 Vaccination.

By providing such documentation, you consent to the City of Pickering:

- contacting the author or signatory, or their office, for the purpose of validating the information, and
- sharing any personal information necessary for the purpose of such validation.

A Human Resources representative will contact you once your information has been reviewed to advise of next steps.

By my signature below, I, _____, confirm that I have filled out this form honestly and that my status as noted herein is accurate. I confirm that I will update the City of Pickering in the event my status changes. I understand that if I provide false information, I may be subject to discipline up to and including termination of employment.

Signature

Date