



City of
Peterborough

To: Members of the General Committee

From: Richard Freymond
Commissioner of Corporate & Legislative Services

Meeting date: September 22, 2021

Subject: Report CLSHR21-007
City of Peterborough - Workplace Mandatory COVID-19
Vaccination Policy

Purpose

A report to recommend a Workplace Mandatory COVID-19 Vaccination Policy.

Recommendation

That Council approve the recommendation outlined in Report CLSHR21-007 dated September 22, 2021 of the Commissioner of Corporate and Legislative Services as follows:

That the Workplace COVID-19 Mandatory Vaccination Policy as set out in Appendix A to Report CLSHR21-007 dated September 22, 2021, be approved.

Budget and Financial Implications

There will be costs incurred that are of an administrative nature related to staff time to administer the policy as well as for Rapid Antigen Testing for those individuals with an exemption. Staff will also work with the City's SAP consultants to install and configure a Vaccine Portlet in Success Factors (SAP - HR) to facilitate the confidential administration of the mandatory vaccination program. The configuration of the portlet is estimated to cost \$20,000.

Any specific costs related to the implementation of a Visitor Policy will be addressed in a subsequent staff report.

Background

Since COVID-19 first emerged in Ontario at the beginning of 2020, the City of Peterborough has maintained an ongoing commitment to take actions to protect the health and safety of its employees, residents, and visitors, and to comply with Provincial and Federal legislation enacted to respond to the COVID-19 pandemic. In all areas of City operations, steps have been taken to incorporate health and safety precautions including changes in service delivery, modifications to the downtown built environment, efforts that allow for health screening upon entry of City facilities, appropriate personal protective equipment, physical distancing, frequent hand washing and hand sanitizing, frequent sanitization of high touch surfaces and remote work arrangements.

As Provincial regulations and health guidance have changed during the pandemic, efforts have been made to ensure that City practices and procedures are aligned with these changes, to take every precaution to prevent the spread of COVID-19. On August 17, 2021, the Province mandated vaccination policies in high-risk settings such as healthcare, schools, licenced childcare, and long-term care. Further, on September 1, 2021, the Province announced the requirement for Proof of Vaccination Certificates in certain settings as of September 22, 2021, including indoor meeting and event spaces, indoor concerts and sporting events, and facilities used for sport and recreation programs excluding youth recreational sport, to name a few.

On September 9, 2021, Peterborough Public Health issued a media release (attached as Appendix B) to all employers in Peterborough City and County recommending the implementation of vaccination policies for employees, including guidance and rationale.

Some areas of City operations are already mandated to comply with the recent Provincial vaccination regulations such as the City licenced childcare services, the Peterborough Memorial Centre and community arenas, and the Peterborough Sport and Wellness Centre. In addition, City employees such as Transit Operators, Building Inspectors, Public Works, and Emergency Responders who provide services throughout the community will be required to comply with proof of vaccination requirements in settings like Trent University, Fleming College, elementary and secondary schools, and healthcare settings like PRHC, and so on. A mandatory vaccination policy will ensure that all City employees are treated equally and can perform job functions in all settings. It will also assist in ensuring that unvaccinated employees are not placing an undue burden on vaccinated employees to ensure continuity of operations.

In response to the recent Provincial vaccination announcements and the Peterborough Public Health call to action, as well as the evolving health data around the transmissibility of the Delta variant and increasing COVID-19 cases both locally and provincially, it is recommended that the City of Peterborough establish a Workplace Mandatory COVID-19 Vaccination Policy (attached as Appendix A) as a further means of limiting the spread of COVID-19, protecting staff and our community.

The Policy statement:

- Applies to all active City employees, elected officials, volunteers, placement students, and staff of contractors and consultants acting on behalf of the City and performing work in City facilities and buildings.
- Directs that all individuals covered by the policy must be fully vaccinated against COVID-19 and provide proof of vaccination, unless a substantiated bona fide medical exemption, has been granted.
- Specifies that contractors and consultants acting on behalf of the City and performing work in City facilities and buildings will be required to provide an attestation that their staff entering City indoor facilities have been fully vaccinated.
- Provides that reasonable accommodations will be made to an individual who is unable to be fully vaccinated and has a bona fide medical exemption. In doing so, the policy states that the City reserves the right to take any necessary and appropriate steps, including imposing alternative COVID-19 prevention measures including regular Rapid Antigen Testing, the use of Personal Protective Equipment and other protective measures, to ensure that the individual does not pose a direct threat to the health or safety of others in the workplace.
- Employees who fail to meet the requirements of the policy may request a leave of absence in accordance with the Leave of Absence procedure. An unauthorized leave of absence will be subject to disciplinary action in accordance with the City's Progressive Discipline Procedure
- Is indefinite in nature to address the risks and impacts of the COVID-19 pandemic, noting the duration of the pandemic is unknown.

It is staffs' understanding that the Peterborough Police Services Board will be considering a similar mandatory vaccination policy for all members of the Peterborough Police Service.

Visitor Policy

To date, the Province has mandated that certain services, and by extension certain City facilities, may only be entered by patrons who are fully vaccinated. Examples include the Peterborough Sport and Wellness Centre and City Arenas.

To further protect the health and safety of City employees, some preliminary discussions have taken place at the staff level regarding the development of a Mandatory COVID-19 Vaccination Policy for Visitors at other indoor city facilities. Such a policy would demonstrate the City's leadership and commitment to help protect the healthcare system and the economic wellbeing of the community by supporting efforts to limit the spread of COVID-19. Recently COVID-19 cases have risen and could rise

further with the return to schools and the growing number of people returning to workplaces. The Province has stated that they will continue to monitor case rates and evaluate safety, and if necessary, expand the proof of vaccination certificate to other settings.

To give Council a sense of what the thought process has been to date, staff are envisioning a policy that would:

- Extend the mandate similar to what the Province has done to other certain City services.
- Require all individuals who are accessing indoor City services to be vaccinated or provide a substantiated bona fide medical exemption.
- Likely involve self-screening and signage, but also require some level of active enforcement.
- Specify that individuals who are not vaccinated or provide a substantiated bona fide medical exemption, would be offered alternate service delivery options for many services.
- Be indefinite in nature to address the risks and impacts of the COVID-19 pandemic, noting the duration of the pandemic is unknown.

Staff will continue to monitor the situation and provide a subsequent Report and Policy as necessary.

Summary

Implementing a workplace mandatory COVID-19 vaccination policy will act as a further means of preventing the spread of COVID-19 in the community and assist in ensuring the uninterrupted delivery of services to City residents.

Submitted by,

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Commissioner of Corporate & Legislative Services

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Appendix A - Workplace Mandatory COVID-19 Vaccination Policy
Appendix B - Peterborough Public Health Media Release



COVID-19 Workplace Vaccination Policy

Department:	Corporate and Legislative Services
Division:	Human Resources
Section/Function:	Health and Safety
Approval Level:	Council
Effective Date:	2021-09-27
Revision #:	NA

1.0 Purpose

- 1.1. The City of Peterborough ("City") is committed to promoting and maintaining a work environment that is free from health and safety hazards. This mandatory policy is a key part of the City's overall strategy and commitment to maintaining a safe and healthy workplace in light of the COVID-19 pandemic and the risk of COVID-19 transmission
- 1.2. In accordance with the **Occupational Health and Safety Act**, COVID-19 is an Infectious Disease and as such presents a health and safety hazard. All employers must take every precaution reasonable in the circumstances for the protection of workers including protection against Infectious Diseases.
- 1.3. The purpose of this policy is to outline the City of Peterborough's requirement with regard to the COVID-19 vaccination.
- 1.4. The City recognizes that community partners and other stakeholders who use City facilities or host events within City facilities may request that City employees comply with specific requirements. The City will commit to complying with reasonable requests in the spirit of the purpose of this Policy provided that the requests do not contradict or lessen the measures outlined in this Policy.
- 1.5. This policy is designed for use together with, and not as a substitute for, other COVID-19 prevention measures, including the City of Peterborough's Health and Safety Policy and associated COVID-19 protocols.
- 1.6. The policy is indefinite in nature to address the risks and impacts of the COVID-19 pandemic, the duration of which is unknown. The City continues to monitor and review government directives and Public Health guidance and reserves the right to alter this Policy.

2.0 Application

- 2.1 This Policy applies to all active City employees, elected officials, volunteers, placement students, and staff of contractors and consultants acting on behalf of the Corporation and performing work in City facilities and buildings.
- 2.2 This policy applies to Employees who are working remotely, as they must be able to attend the Workplace as required.

3.0 Definitions/Acronyms

City - The Corporation of the City of Peterborough, its elected officials, advisory committees, agencies, boards, and commissions excluding Peterborough Police Service, Peterborough and Kawartha's Economic Development and Peterborough Housing Corporation.

Contractor – staff of contractors and consultants acting on behalf of the Corporation and performing work in a City Workplace.

COVID-19 - 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.

Educational Program - An educational program that has been approved by and/or provided by the City and addresses the following learning components:

- How COVID-19 vaccines work
- Vaccine safety related to the development of the COVID-19 vaccines
- Benefits of vaccination against COVID-19
- Risks of not being vaccinated against COVID-19
- Possible side effects of COVID-19 vaccination

Employee - refers to paid staff of the City.

Fully Vaccinated - Having received the full series of a COVID-19 vaccine or combination of COVID-19 vaccines approved by the Public Health Agency of Canada (P.H.A.C.) including any subsequent vaccinations or boosters that are recommended when they become available and having received the final dose of the COVID-19 vaccine at least 14 days prior or as defined by P.H.A.C.

Individual – An Employee, Contractor, elected official, volunteer, or unpaid co-op or placement student.

Infectious Disease- Infectious diseases are caused by pathogenic microorganisms, such as bacteria, viruses, parasites, or fungi. These diseases can spread from the environment or from one person to another resulting in illness.

Exemption - Unvaccinated employees must provide written proof of a medical reason from a physician or nurse practitioner that includes whether the reason is permanent or time-limited.

Public Health – A government organization which provides a combination of programs, services, and policies that protect and promote the health of all people. The local Public Health Unit is under the direction of a Medical Officer of Health.

Rapid Antigen Testing - A rapid diagnostic test suitable for point-of-care testing that directly detects the presence or absence of an antigen. It is commonly used for the detection of SARS-CoV-2, the virus that causes COVID-19.

Proof of Vaccination - Documentation issued by the Ontario Ministry of Health, other province or territory or international equivalent indicating individual immunization status against the COVID-19 virus.

Workplace – an indoor City operated or owned facility, building or vehicle.

4.0 Policy Statements

4.1 Mandatory Vaccinations and Proof of Vaccination:

- a) The City requires that all Individuals and Contractors covered by this policy be Fully Vaccinated against COVID-19. This is consistent with Public Health's guidance to help prevent the infection and spread of COVID-19, and as an integral part of its public health and safety measures.
- b) The City requires that all Individuals covered by this policy provide Proof of Vaccination, unless an Exemption has been granted. Proof of Vaccination will be collected in accordance with the **Municipal Freedom of Information and Protection of Privacy Act** and the City's Health Information Procedure.
- c) For the initial implementation of this policy, Proof of Vaccination must be provided by October 15, 2021 for first dose vaccinations and by November 12, 2021 for second dose vaccinations. Deadlines for subsequent vaccinations or boosters will be established by the employer at that time to allow individuals a grace period to become Fully Vaccinated.

- d) The City requires all new Employees, as a condition of employment, to provide Proof of Vaccination that they are Fully Vaccinated prior to their first day of employment.
- e) The City requires all Contractors to be Fully Vaccinated. An attestation that their staff entering a City Workplace have been Fully Vaccinated will be required as proof of vaccination.
- f) If the City identifies that an Employee has submitted a Vaccination Record that is fraudulent or altered in any way, the employee may be subject to disciplinary action, up to and including termination from employment.

4.2 Exemptions

- a) The City will provide reasonable accommodations to an Individual who is unable to be Fully Vaccinated due to an Exemption.
- b) The City will require the Individual to take alternative COVID-19 prevention measures including regular Rapid Antigen Testing, the use of Personal Protective Equipment (PPE) and other protective measures to protect the Individual and to ensure that the Individual does not pose any threat to the health or safety of others in the workplace.
- c) The City will require proof of the medical or other grounds proposed by an Individual claiming they have an Exemption.
- d) The City will make a determination about requested accommodations considering various factors and based on an individualized assessment in each situation.

4.3 Unvaccinated Individuals

a) Employees and Elected Officials

- Individuals will be required to complete an Educational Program approved by the City by October 15, 2021.
- Any alterations to work requirements will be solely at the City's discretion, if deemed feasible, and will vary by position. Alterations may range from unpaid leave of absence to regular Rapid Antigen testing, as noted below. Some City positions are required to be Fully Vaccinated as they work with vulnerable populations or as a result of requests by other organizations. In these situations, alterations will not be available.
- City Employees and Elected Officials, who elect not to be vaccinated for reasons other than an Exemption and who do not perform positions where Fully

Vaccinated is deemed to be a job requirement, will be subject at regular intervals to provide a negative Rapid Antigen Testing result (and/or any other required testing) within 24 hours of entering the Workplace, at their own expense and on their own time. Additional Health and Safety prevention measures in the workplace will be required including the use of Personal Protective Equipment (PPE).

- Employees who fail to meet the requirements of this policy may request a leave of absence in accordance with the Leave of Absence procedure. An unauthorized leave of absence, including those due to operational issues, will be subject to disciplinary action in accordance with the City's Progressive Discipline Procedure.

b) Volunteers, Placement Students and Contractors

- Volunteers, placement students and Contractors who elect not to be vaccinated for reasons other than an Exemption will not be permitted to enter a Workplace.

4.4 Vaccination Appointments for City Employees

- a) Employees are encouraged to schedule their vaccination appointment outside of work hours, wherever possible. When an Employee is required to attend a vaccination appointment during scheduled work hours, the Employee will be paid for a reasonable amount of time to attend.

4.5 The City will continue to monitor and review government directives and Public Health guidance and reserves the right to alter this Policy.

5.0 Appendix, Related Documents & Links

Note: All references refer to the current version, as may be amended from time to time.

5.1. Pertinent Resources:

- Add links to educational resources
www.peterborough.ca

5.2. Related Policies:

- Policy #####, Health & Safety

5.3. Related Procedures:

- Health Information Procedure
- General Accommodation Procedure #####-P##, Name of Procedure



COVID-19 Workplace Vaccination Policy

- Return to Work/Employment Accommodation Procedure ####-P##, Name of Procedure

6.0 Amendments/Reviews

Date (yyyy-mm-dd)	Section # Amended	Comments

Next Review Date:	
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MEDIA RELEASE

FOR IMMEDIATE RELEASE

Thursday, September 9, 2021, Peterborough

Workplace Vaccine Policies Strongly Recommended by Peterborough Public Health

Online Toolkit Launched by PPH to Help Local Workplaces Develop Their Own Policies and Request On-site Vaccination Clinics

In an effort to save lives, reduce illness, and keep the economy strong, Peterborough Public Health (PPH) is [formally recommending](#) that all workplaces in the City and County of Peterborough develop (or enhance) their workplace policies to require all employees to get fully vaccinated against COVID-19, unless otherwise medically exempt.

To support this effort, PPH launched a [workplace toolkit](#) today available at www.peterboroughpublichealth.ca. This online toolkit provides guidance on developing a workplace vaccination policy. It notes that workplace policies should explain its purpose, specific actions workers must take including providing proof of vaccination status or a medical exemption, and timelines. To access the toolkit directly, visit <https://www.peterboroughpublichealth.ca/novel-coronavirus-covid-19/covid-19-workplace-vaccination/>.

“The safer the public feels about attending your business, the more likely they will be to attend your business,” Dr. Salvaterra, Medical Officer of Health said today to local employers. “Supporting your employees to get vaccinated is one way to both protect people *and* make them feel safer, and it is the best way to prevent outbreaks in workplace settings. I am strongly encouraging all workplaces to use these resources to develop a COVID-19 vaccine policy that will protect not just their workplace, but the community as a whole.”

Dr. Salvaterra noted that provincial labour laws require employers to use every reasonable precaution to protect the health and wellbeing of their employees. This includes workplace hazards posed by infectious diseases. Peterborough Public Health strongly recommend that workplace vaccination policies require at a minimum:

- Workers to provide proof of their vaccination series approved by Health Canada or the World Health Organization. (All residents who have been vaccinated in Ontario, or who have provided proof of their vaccination to their local public health unit, are able to access proof of their vaccination through the [provincial vaccination system](#).)
- Unvaccinated employees to provide written proof of a medical reason from a physician or nurse practitioner that includes whether the reason is permanent or time-limited
- Unvaccinated workers to complete a vaccination education course on the risks of being unvaccinated in the workplace

Appendix B

- Employers should also identify how workers' vaccination status information will be collected and protected in accordance with privacy legislation and explain the level of risk posed by COVID-19 in each unique workplace setting.
- Additional workplace precautions recommended to help reduce virus spread include:
- [COVID-19 testing \(Available at no cost to businesses through the Peterborough Chamber\)](#)
- Strict adherence to physical distancing and other [public health measures](#)
- Wearing [personal protective equipment](#) as needed/required
- Ensuring that appropriate [ventilation](#) is in place

The online resources launched today will also allow businesses in the area served by Peterborough Public Health to apply to host an on-site vaccination clinic. Peterborough Public Health will follow-up with applicants to discuss eligibility for an onsite clinic.

“We applaud the workplaces and organizations that have already shown leadership in protecting their workplace with vaccine policies,” said Julie Ingram, Manager of Environmental Health. “If you are attending an event or visiting a business, please contact the organization directly to learn what their vaccine policies are; the number of places requiring patrons to be vaccinated before allowing admission is growing every day.”

COVID-19 case counts continue rise at an alarming rate, with provincial daily cases topping 800 on September 3. In a [report](#) published by Public Health Ontario, the rate of COVID-19 cases in unvaccinated individuals is consistently higher from December 14, 2020 to August 21, 2021, compared to fully vaccinated individuals. The highly-transmissible Delta variant, which remains prevalent in the Peterborough area, has had a devastating effect on other jurisdictions, prompting the government to [pause the provincial plan](#) to exit the Roadmap, leaving Ontario in Step 3 for the foreseeable future.

Locally, workplace outbreaks continue to occur, where staff who have not been vaccinated acquire COVID-19 and spread it to others who are unvaccinated. Workplaces with a high number of unvaccinated staff risk having to shut down in the event of an outbreak. Fully vaccinated staff however will only have to self-monitor, not self-isolate in the event of an exposure; self-isolation of staff could result in staffing shortages.

“The vaccine to protect against COVID-19 is safe and effective, and in combination with other public health measures, it remains our best chance to end this pandemic,” stated Dr. Salvaterra. “COVID-19 vaccines help save lives, reduce illness, and ensure that businesses remain open; we’ve come too far and sacrificed too much to allow this fourth wave to send us into another lockdown.”

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For further information, please contact:

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