



City of  
**Peterborough**

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**To:** Members of the General Committee

**From:** Richard Freymond, Commissioner of Corporate and Legislative Services

**Meeting Date:** July 18, 2022

**Subject:** Amendments to the COVID-19 Workplace Vaccination Policy, Report CLSHR22-011

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## **Purpose**

A report to recommend amendments to the COVID-19 Workplace Vaccination Policy.

## **Recommendation**

That Council approve the recommendation outlined in Report CLSHR22-011 dated July 18, 2022 of the Commissioner of Corporate and Legislative Services as follows:

That the amendments to the COVID-19 Workplace Vaccination Policy as set out in Appendix A to Report CLSHR22-011 dated July 18, 2022, be approved.

## **Budget and Financial Implications**

There are no budget or financial implications to approving this Report.

## **Background**

Council approved a COVID-19 Workplace Vaccination Policy on September 27, 2021.

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. 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.

When this policy was adopted in September 2021, it was intended to be indefinite in nature to address the risks and impacts of the COVID-19 pandemic. COVID-19 continues to circulate worldwide. The sixth wave of the pandemic occurred in the spring of 2022 and there is evidence that a seventh wave is emerging, the extent to which is unknown. With each wave of the pandemic, case levels have fluctuated, and federal, provincial and local health regulations and guidance have been adjusted accordingly. Recently, many of the federal and provincial regulations have been lifted as vaccination rates increased, immunity from infection grew, antivirals became available, and overall case counts and hospitalization rates decreased. Until recently, Peterborough was in a “low” risk phase of the pandemic according to the Peterborough Public Health COVID-19 Risk Index, but has recently been upgraded to “moderate” risk.

The City has monitored government directives and public health guidance throughout the pandemic and efforts have been made to ensure that City practices and procedures are aligned with these changes. To date, the City has upheld the requirements of the COVID-19 Workplace Vaccination Policy.

Now, with the easing of federal and provincial restrictions, questions have been raised about the City policy, specifically, if it is necessary for exempt or unvaccinated staff to wear Personal Protective Equipment (PPE) or perform regular COVID-19 Rapid Antigen Testing (RAT), and if it is necessary for contractors to provide attestation of vaccination before working indoors in City facilities. Accordingly, it is proposed that the COVID-19 Workplace Vaccination Policy requirements be amended to provide flexibility and nimbleness in periods of “low” risk, with the understanding that appropriate requirements may be reinstated if / when the rate of COVID-19 transmission reaches moderate to high risk levels, whichever the case may be:

- i. Lift the requirement for all Contractors to be Fully Vaccinated and to provide an attestation that their staff entering a City Workplace have been Fully Vaccinated.
- ii. Lift the requirement for those who elect not to be vaccinated for reasons other than an Exemption to provide a negative Rapid Antigen Testing result within 24 hours of entering the Workplace, at their own expense and on their own time.
- iii. Lift the requirement for unvaccinated employees to wear required Personal Protective Equipment (PPE).

The COVID-19 Administration Working Group and Emergency Control Group have reviewed the City policy and are recommending that Council delegate authority to the Emergency Control Group to pause these specific requirements of the COVID-19 Workplace Vaccination Policy at times when the community risk level is low and reinstate requirements when risk levels reach moderate to high levels, in accordance with health regulations and guidance. The City has surveyed other municipalities with COVID-19 vaccination policies that include RAT and about 80 percent have

implemented or are considering a pause on testing requirements. It is typical for the City to implement workplace health, safety and emergency procedures from time to time to ensure the wellbeing of its employees.

These procedures are implemented at an operational level to ensure timeliness and fluidity in operations. Council's delegation of authority to the ECG to adapt the COVID-19 Workplace Vaccination Policy requirements in accordance with current health risk levels, is consistent with existing operating protocols. If there is support to pause aspects of the vaccination policy, it will be important for the City to have the ability to move quickly to reinstate measures when public health data suggests it is necessary.

Staff will continue to monitor the COVID-19 situation and provide a subsequent Report and Policy recommendations as necessary.

## Summary

Implementing amendments to the Workplace COVID-19 Vaccination Policy and delegation of authority to the ECG to adapt procedures, as needed, will ensure that City COVID-19 practices and procedures are aligned with provincial and local public health measures to prevent the spread of COVID-19 in the community and assist in ensuring the uninterrupted delivery of services to City residents.

Submitted by,

Richard Freymond  
Commissioner of Corporate & Legislative Services

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### **Attachment:**

Appendix A – Amendments to the COVID-19 Workplace Vaccination Policy

City of  
Peterborough

## COVID-19 Workplace Vaccination Policy

<b>Department:</b>	Corporate and Legislative Services
<b>Division:</b>	Human Resources
<b>Section/Function:</b>	Health and Safety
<b>Approval Level:</b>	Council
<b>Effective Date:</b>	2021-09-27
<b>Revision #1:</b>	<del>NA</del> <u>July 25, 2022</u>

### 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.

## COVID-19 Workplace Vaccination Policy

**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. The Emergency Control Group has delegated authority to pause the attestation requirement at times when community COVID-19 risk is low and to reinstate the measures when risk levels increase to moderate or high levels in accordance with Provincial and local Public Health regulations and guidance.
- ~~e)~~
- 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 (RAT), 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. The Emergency Control Group has delegated authority to pause the RAT and PPE measures at times when community COVID-19 risk is low and to reinstate the measures when risk levels increase to moderate or high levels in accordance with Provincial and local Public Health regulations and guidance.
- ~~b)~~
- 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.

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- 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 (RAT) 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). The Emergency Control Group has delegated authority to pause the RAT and PPE measures at times when community COVID-19 risk is low and to reinstate the measures when risk levels increase to moderate or high levels in accordance with Provincial and local Public Health regulations and guidance.
- 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.

## COVID-19 Workplace Vaccination Policy

### 5.1. Pertinent Resources:

- Add links to educational resources  
[www.peterborough.ca](http://www.peterborough.ca)

### 5.2. Related Policies:

- Policy #####, Health & Safety

### 5.3. Related Procedures:

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

## 6.0 Amendments/Reviews

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

<b>Next Review Date:</b>	
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