

# **COVID-19 Vaccine Policy Support Package for Employers**

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A guide to supporting vaccination and vaccine policies in the workplace

WINDSOR-ESSEX COUNTY

**HEALTH UNIT**

Current as of March 23, 2022

Version 3

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Revision 1: (page 4) Added link to Ministry of Health “Sample Statement of Medical Exemption”.

Adapted with Permission from Chatham-Kent Public Health

**DISCLAIMER:** The information provided in this document does not contain legal advice and should not be relied on or treated as legal advice. Employers should seek their own legal advice to address their specific workplace circumstances.

# Strategies to Increase Vaccine Uptake

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Employers play an important role when it comes to increasing vaccine uptake among employees and can implement the following:

- Sharing reliable and factual information about COVID-19 vaccines.
- Sharing information about where to get a COVID-19 vaccination.
- Accommodating time off for staff to receive their COVID-19 vaccine and when possible, offer paid time off for recovery for employees that experience side effects after vaccination.
- Encouraging new staff to get their vaccine as part of the orientation to your workplace.
- Creating a workplace culture that supports and encourages COVID-19 vaccination.

Local Resources:

- [COVID-19 Vaccine Clinics](#)
- [COVID-19 Vaccine FAQ](#)
- [Transportation and Childcare Supports for Vaccine Clinics](#)

## Paid Leave for Vaccination

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Ontario workers may be eligible to receive three days of paid sick leave under provincial legislation. The pay is based on worker's regular wages up to \$200 per day. Workers may take time off work to get a vaccine or if experiencing a side effect from vaccination. Employers can submit claims to the Workplace Safety and Insurance Board (WSIB) to get reimbursed for paying their employees the Ontario COVID-19 Worker Income Protection Benefit. Currently, the program is retroactive to April 19, 2021 and will continue to July 31, 2022.

Provincial Resource:

- [Ontario COVID-19 Worker Income Protection Benefit](#)

# Establishing a Vaccination Policy for your Workplace

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Employers are responsible for maintaining safe working environments for their workers. To help reduce the risk of COVID-19 transmission, employers are encouraged to implement a vaccination policy to help protect workers and the public. Your workplace policy should be in writing and adhere to the Occupational Health and Safety Act, the Ontario Human Rights Code, and privacy laws.

## Key Components of a Vaccination Policy

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### 1) Identify the Scope and Purpose

- a. Explain the purpose of the policy including the risks of COVID-19. Vaccination against COVID-19 is one of the best ways to protect workers who work in a location with common areas and/or where workers can have contact with other workers, customers/patrons or the public.
- b. Explain who the policy applies to. Will the policy apply to all workers (i.e., not just employees but also contractors, including staff from third party agencies, volunteers, students, etc.) Is there a separate policy for customers/patrons?
- c. Decide on your workplace's definition of what it means to be "fully vaccinated". For example, the provincial definition of a fully vaccinated individual can be found [here](#). However, there are currently 3<sup>rd</sup> and 4<sup>th</sup> doses available as "boosters" that can be included in a policy definition.
- d. Explain that the policy may change as the status of the pandemic changes and/or legislation or public health advice changes.

### 2) List Action Steps Workers Must Take

When determined by the employer to be reasonably necessary to prevent the spread of COVID-19 in the workplace or in the community while performing their work, workplace policies should require workers to provide proof of vaccination, with vaccines approved by Health Canada or the World Health Organization. The policy should specify accepted methods of proof of vaccination. For example, submitting a copy of the receipt provided online or at the vaccination clinic or requiring QR codes. Alternatively, workers who do not provide proof of vaccination may need to, for example:

- Indicate that they have a medical exemption, including if the reasons are temporary or permanent. The policy should specify whether medical exemptions must be submitted as a QR code, or if a letter written by a licensed doctor or nurse practitioner will be accepted. Any submitted medical exemption does not need to include the reason for the exemption.
- Complete a vaccination education course, with a signed declaration stating that they have reviewed and understood the content. Education provided should include:
  - How the COVID-19 vaccines work;
  - Vaccine safety related to the development of the COVID-19 vaccines;
  - The benefits of vaccination against COVID-19;

- Risks of not being vaccinated against COVID-19; and,
- Possible side effects of COVID-19 vaccination.

### 3) Set Deadlines for When the Actions Must Be Taken

Specify a reasonable date when workers must demonstrate compliance with various elements of the workplace policy. A sufficient amount of time should be provided for employees to become fully vaccinated and/or receive appropriate exemption documentation, from the release of the policy to the mandatory date for compliance.

### 4) List Available Supports for Vaccination

Demonstrate your commitment to supporting workers to get vaccinated. Ways to support workers to get vaccinated include:

- Providing vaccine information from credible sources or translated resources.
- Supporting vaccine champions to initiate conversations with their peers.
- Providing paid leave to get vaccinated.
- Reminding workers that they are entitled to up to three paid sick days, if they have side effects from the vaccine.
- Providing transportation support to get vaccinated.
- Sharing information about [upcoming vaccination clinics](#) and [accessibility supports](#).

### 5) Provisions for Unvaccinated Workers

Your policy should list alternative options for workers who decline to get vaccinated for reasons protected by Ontario's Human Rights Code, including those unable to complete their vaccination series for medical reasons. The appropriate response(s) may depend on the type of work, the type of workplace and consideration of the duty to accommodate (if applicable). Some options to consider include:

- a. Use of additional PPE, worker relocation and modified work or reassignments.
- b. In the event of a COVID-19 outbreak, unvaccinated and partially vaccinated workers (who have only received one dose of a two-dose COVID-19 vaccine series) should not be permitted to work in the outbreak area. Workers without vaccination records should be assumed to be unvaccinated.
- c. If reassignment is not possible, consider other options including whether unvaccinated workers should receive paid or unpaid leave or use vacation days until it is safe for them to return to the workplace.

## 6) Non-Compliance

Outline the potential consequences for workers who do not fulfill the requirements of the policy by the designated date.

## 7) Privacy Considerations

The policy should specify how individual vaccination status of employees will be used by employers to mitigate the health-related risks of COVID-19. Information about workers' vaccination information must be protected in accordance with applicable privacy legislation. Knowing your workers' vaccination status may be important to help you take appropriate action quickly, in the event of COVID-19 cases in your workplace, to protect workers, their families, customers/patrons, and the general public. This may include sharing that information with public health officials. When collecting information about a worker's vaccination status:

- Identify ways to safeguard workers' personal health information.
- Limit information collected to what is reasonably necessary
- Keep worker vaccination information separate from their personnel file.
- Ensure personal health/vaccination information is kept in a secure manner and only used when required.

## 8) Staff Contact

Identify who staff at your organization should contact with questions about the policy to request accommodation, or for more information about how to comply with the policy. The policy should also indicate the person to whom workers should provide proof of vaccination.

## 9) Continued Adherence to COVID-19 Prevention Measures

Vaccination does not replace the need for continued adherence to established COVID-19 public health measures. Employers must continue to implement all COVID-19 prevention measures for their sector outlined in provincial guidelines and by the WECHU.

### Resources:

- [COVID-19 and Ontario's Human Rights Code – Questions and Answers](#)
- [COVID-19 vaccines and workplace health and safety](#)
- [After Your COVID-19 Vaccine](#)
- [COVID-19 Screening Tool for Businesses and Organizations \(Screening Workers\)](#)
- Sample vaccination policy and procedure are in Appendix A and B.

# APPENDIX A

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## Sample COVID-19 Vaccination Policy

[POLICY TITLE] (e.g., COVID-19 VACCINATION POLICY)

### PURPOSE

To ensure that [Organization's Name] employees are adequately immunized against COVID-19 to minimize their risk of infection and to reduce the risk of transmission to others.

### POLICY STATEMENT

[Organization's Name] is committed to protecting employees and others from hazards in the workplace, including infectious and vaccine preventable diseases, and to maintaining a protected workforce.

Under the Occupational Health and Safety Act and through the Internal Responsibility System, all workplace parties have a duty to keep the workplace safe, this includes taking every reasonable precaution in the circumstances to protect the worker (OHS, Section 25(2)(h)).

### APPLICATION (statement of whom the policy applies)

[All who are required to follow the policy (e.g., All employees, including students, volunteers, and new hires)] as a condition of employment to ensure fitness to safely perform work, minimize and prevent absenteeism due to vaccine preventable diseases, reduce the risk of transmission to co-workers and [add applicable parties. E.g. Clients, customers]. This includes anyone who is eligible to receive a COVID-19 Vaccine according to the [Windsor-Essex County Health Unit's](#) website.

This includes mandatory reporting, initial and ongoing assessment/monitoring, and documentation of immunization. Subject to accommodation needs are referred to in the [Organization's COVID19 Vaccination Procedure title]. Any employees refusing to comply with the requirements under this policy will be subject to disciplinary action, up to and including termination from employment.

[Organization's Name] recognizes its duty to accommodate employees who are unable to receive a vaccine(s), for reasons related to a disability or creed (religious beliefs) as relevant Ontario Human Rights Code protected grounds, to the point of undue hardship. Employees who are unable to receive vaccines or tests for medical reasons or any relevant Ontario Human Rights Code protected ground, will be required to complete and submit the applicable documentation, [Insert the appropriate Organizational action].

Where feasible, [Organization's Name] will implement measures for those who are unable to receive a vaccine for an Ontario Human Rights Code protected reason to enable them to continue their employment (e.g., re-assignment, remote work, personal protective equipment (PPE), applicable leave, as applicable).

[All who are required to follow the policy (e.g., All employees, including students, volunteers, and new hires)], regardless of the work they perform, are required to receive the COVID-19 vaccine (including

boosters, as they become eligible). Employees who are unvaccinated for COVID-19 (i.e. those who submitted a completed exemption form or whose vaccine status information is incomplete) may be required to follow additional procedures.. Personal and/or philosophical objections to the COVID-19 vaccine will not be accepted for granting an exemption from receiving the COVID-19 vaccine or any related boosters.

### **PROOF OF VACCINATION**

[Organization’s Name] requires proof of vaccination from [All who are required to follow the policy (e.g., All employees, including students, volunteers, and new hires)]. Proof of vaccination is the documentation of completed vaccination series approved by Health Canada or the World Health Organization. Guidance for employees requiring proof of vaccination, please refer to the Ontario Ministry of Health’s website <https://covid19.ontariohealth.ca>.

All employees’ COVID-19 immunization information will be protected with appropriate safeguards and will only be used or disclosed for the purposes outlined in this policy.

Employees must disclose their vaccination status to [Organization’s Name] by [reasonable date for individuals to prove their status or get their vaccine (e.g., all staff are required to be fully vaccinated with a COVID-19 vaccine series by October 30, 2021. Staff must receive one dose of COVID-19 vaccine by September 30, 2021, and their second dose of COVID-19 vaccine by October 30, 2021.)]

### **GUIDANCE DOCUMENTS AND RESOURCES**

[Public Health Agency of Canada – Canadian Immunization Guide \(2018\)](#)



# APPENDIX B

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## Sample COVID-19 Vaccination Procedure

[PROCEDURE TITLE] (e.g., COVID-19 VACCINATION PROCEDURE)

### 1. Immunization Status

- 1.1. [Include the specific process for obtaining employee immunization receipts. Include how often these records will be reviewed and by whom, if necessary.]
- 1.2. [Include the process for how new hires will be required to submit their immunization status prior to their start date]
- 1.3. Where required immunization is declined, [Organization Designate (e.g., Occupational Health and Safety (OHS))] will discuss with the employee the potential health and safety risks associated with being unvaccinated.
  - a. If the individual is unable to receive the COVID-19 immunization based on a medical reason, they will be required to have a health care provider complete the Medical Exemption to Decline the COVID-19 Vaccine and submit it to the [Organization Designate].
  - b. If the individual is unable to receive COVID-19 immunization based on a relevant protected ground under the Ontario Human Rights Code, they will be required to complete a Self-Attestation of Relevant Human Rights Protected Ground to Decline the COVID-19 Vaccine.
- 1.4. In the event of a vaccine or communicable preventable disease outbreak that impacts [Organization's Name] employees, dependent on their role and risk of exposure:
  - a. [All who are required to follow the policy (e.g., All employees, including students, volunteers, and new hires)] who have not reported their immunization status or have submitted a completed exemption form will be offered immunization, provided with the applicable personal protective equipment, re-assigned and/or offered remote work (where possible); enrolled in a rapid testing program (where applicable), or placed on an applicable leave.
- 1.5. When the COVID-19 immunization is received, the employee must notify [Organization Designate] of the completion of indicated immunizations by providing a copy of the immunization record (e.g. receipts and/or QR code) to ensure accurate records.
- 1.6. [Organization Designate] documents all immunizations [where the records will be stored, electronic and paper].
- 1.7. Employees who do not provide proof of immunization, or those who have submitted the applicable exemption forms will be considered unvaccinated.

1.8. [Organization Designate] will track and report on overall employee immunization rates. Individual immunization status will not be shared beyond what is required for compliance monitoring and ensuring the health and safety of [Organization's Name].

1.9. Unvaccinated employees who do not submit acceptable exemption documentation will [insert what will happen if Employees are exempt and do not get vaccinated (e.g., disciplinary action, termination of employment)].

## **2. Monitoring and Follow-Up to Ensure Up-to-Date Immunization and Testing**

2.1. Employees who submit an exemption form because they did not receive the COVID-19 vaccine can decide to receive the vaccine at any time. The employee can contact [Organization Designate] for assistance and/or to send the immunization record.

2.2. [Insert any other documentation that may need to be added/stored in an employee's file related to the mandatory COVID-19 vaccine]

## **3. Follow-Up Regarding Outstanding Requirements**

3.1. [Organization Designate] will [Specify how (e.g., by email, phone, meeting)] a reminder to employees who have not provided required COVID-19 immunization documentation [Add in a timeline from the first contact/request].

3.2. [Include what to do if the employee does not provide proof]

3.3. If the employee has not provided required immunization documentation by the date specified in the second [specify how (e.g., by email, phone)] reminder, [Organization Designate] will notify the appropriate leader to ensure a meeting is arranged as soon as possible.

3.4. Continued non-compliance will be addressed by the leader with the support of HR in accordance with [Organization's related discipline policy]



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