

COVID-19 IMMUNIZATION DIRECTIVE – STAFF AND ESSENTIAL VISITORS

Purpose

The purpose of this Directive is to reduce the risk of exposure to and transmission of COVID-19 in the workplace by providing occupational protection to all staff and thereby preventing exposure to the people we support. Vaccination for COVID-19 is both safe and effective in preventing COVID-19.

Community Living Toronto (CLTO) expects all Staff including Students, Volunteers, Third-Party Contractors and other Essential Visitors to be fully vaccinated against COVID-19.

This Directive has been developed in consultation with CLTO's Joint Health and Safety Committee as a reasonable and necessary measure to prevent, respond to, and alleviate the outbreak of COVID-19 and the associated risk to the people we support, many of whom are medically fragile and/or cannot comply with social distancing and infectious disease transmission prevention protocols.

This Directive also reflects our obligations under the *Occupational Health and Safety Act* (OHSA) to take every reasonable precaution in the circumstances to protect a worker and to comply with our obligation under applicable emergency orders (O. Reg. 177/20 and O. Reg. 121/20) and current Public Health advice/recommendations.

This Directive is based on the significant risk factors for COVID-19 infection that are present in CLTO workplaces given the nature of support and as described in Ontario's Response Framework including close contact, closed spaces, crowded places, forceful exhalation, and prolonged exposure, with the most serious risk factor being close contact.

This Directive will be updated regularly to reflect any changes in the degree of risk and any advice or recommendations from public health authorities.

Scope

The responsibilities set out in this Directive apply to all Staff, Students, Volunteers, Third-Party Contractors and Essential Visitors (excluding families) who:

- intend to be or have been vaccinated;
- cannot be vaccinated due to substantiated medical or religious reasons protected by the Ontario Human Rights Code; or
- choose not to be vaccinated for other reasons.

Responsibilities for Individuals Served are included in a separate Directive.

Effective Date

This Directive and Staff COVID-19 Vaccination Declaration Form is effective September 7, 2021.

Definitions

All CLTO staff (full-time, part-time, relief and/or on contract), Volunteers, Students, and any person who performs work for CLTO are all collectively referred to herein as **“Staff”**. This includes a Staff who is currently employed by CLTO or has, at the time this Directive comes into effect, already accepted a position with CLTO (**Existing Staff**); and any person applying to be a Staff (i.e., a **“Prospective Staff”**).

Essential Visitors includes third-party contractors, healthcare providers, and other visitors with a specific purpose for individuals served or their environment (e.g., cleaning, maintenance). This does not include family for purposes of this Directive.

Third-party contractors people or businesses who have been hired as part of a service agreement with CLTO to provide a specific service for (e.g., cleaning, maintenance, agency staff).

Fully Vaccinated great than or equal to 14 days after receiving the second dose of a two-dose COVID-19 vaccine series or the first dose of a one-dose COVID-19 vaccine series that is listed for emergency use by the World Health Organization or approved by Health Canada. Proof of vaccination is required.

Previously Positive confirmed case of COVID-19 where the initial positive result was ≤ 90 days ago AND they have been cleared from the initial infection. Requires confirmation from Public Health.

General Principles

A. Expectation of Vaccination

- CLTO expects all **Staff, Students, Volunteers, Third-Party Contractors and other Essential Visitors** to be fully vaccinated against COVID-19 as per Ministry of Health standards. This is necessary given the extreme risk associated with COVID-19 and is designed to keep all Staff and the people we support safe and healthy.
- During the recruitment process, Prospective Staff will be informed that anyone applying to be a Staff will be asked to show proof of full vaccination against COVID-19 as a condition for hire/placement. Prospective staff will not be permitted to begin work until a copy of their Ministry of Health vaccination record has been submitted to Occupational Health and Safety.
- Existing Staff must submit a copy of their Ministry of Health vaccination record to Occupational Health and Safety including the dates of vaccination (dose 1 and dose 2, where applicable) against COVID-19. Existing Staff are encouraged to download a copy of their Ministry of Health COVID-19 vaccination record if they are unable to locate the original. In the case of vaccination obtained outside of Ontario, or equivalent satisfactory documentation should include the date, location, type of vaccine administered and name of authorized administrator/agency. The link to download the vaccination record is <https://covid19.ontariohealth.ca>

- As part of Screening, Third-party Contractors and Essential Visitors will be asked to attest to being fully vaccinated prior to entry to a CLTO residence or other CLTO premise.
- CLTO contracts with Staffing Agencies that provide personal support employment services and CLTO Memorandum of Understanding with other third-party contractors outline the requirement that only staff that are fully vaccinated are permitted to provide service to CLTO.
- Any costs associated with proof of immunization are the responsibility of the Staff/Essential Visitor.

B. Accommodation

- CLTO will comply with the Ontario Human Rights Code (OHRC) and provide accommodation up to the point of undue hardship to the organization to any Prospective Staff, Existing Staff and Essential Visitor who is unable to be vaccinated for substantiated medical or religious reasons.
 - To determine whether accommodation is required and/or possible without undue hardship, CLTO will use the **Risk Assessment Framework** adapted from the Public Services Health and Safety Association's *General Infectious Disease Risk Assessment and Management Tool*. The Framework will be used to consider the nature of an individual's work, the location/environment where work is performed, and the current community risk associated with transmission of COVID-19.
 - The determination of the probability and severity of harm will be made in consultation with Occupational Health and Safety and based on information provided. The accommodation provided will be dependent on both internal and external factors that will be considered in the assessment of the accommodation request.
 - CLTO will reimburse staff up to \$20 for documentation that substantiates a need for medical accommodation. Reimbursement will be provided only for medical documentation that has been substantiated and approved by CLTO. A valid receipt/proof of payment must be submitted for reimbursement.
 - Due to the seriousness of COVID-19 and its impact on the health and safety of CLTO work environments and the people we support, accommodation may not be possible in all circumstances.
- Existing staff who fail to submit proof of full vaccination will be considered not fully vaccinated.
- Any staff who is not fully vaccinated must complete the **Staff COVID-19 Vaccination Declaration Form** and return to Occupational Health and Safety with the required supporting documentation on or before (October 1, 2021). Email completed form to ochealthnurse@cltoronto.ca
- Failure to complete the **Staff COVID-19 Vaccination Declaration Form** will result in the staff to be

considered “unvaccinated” and subject to enhanced screening and additional precautionary measures including, but not limited to:

- wearing enhanced PPE (facial protection) at all times;
 - be subject to Rapid Antigen Testing beginning October 1, 2021 at the latest and show proof of a negative COVID-19 test result at a minimum two times per week dependent on shift/visitation schedule;
 - prohibited from providing direct support to a person who is symptomatic and probable or confirmed to have COVID-19 until their isolation period is complete;
 - prevented from working in a location that is experiencing an outbreak and/or placed on an unpaid leave, until the outbreak is declared over by Public Health.
- Unvaccinated staff may be restricted from working in high-risk environments, and/or limited to working in one location or cluster within CLTO and one employer within the Developmental Services Sector or any other sector for the duration of a Pandemic.
 - In all circumstances, accommodation will be considered up to and including undue hardship, in which case the staff could be placed on an unpaid leave of absence for the duration of a pandemic.

High-risk environments include situations in which there is:

- A risk of exposure to other unvaccinated people and/or people who are positive with COVID-19;
- Close prolonged contact, areas with poor ventilation, and/or inability to maintain physical distance;
- Any area currently experiencing an outbreak.

Procedures

A. Proof of Immunization and/or Consideration for Accommodation - Prospective Staff

1. Prior to their employment start date a Prospective Staff will be expected to produce satisfactory proof of being fully vaccinated against COVID-19. If this is not possible, a determination will be made as to their employment which may include withdrawal of the offer. The following will be taken into consideration:
 - 1.1. Proof of vaccination is not possible, or start date does not allow for vaccination prior, and proof will be provided subsequently; or
 - 1.2. Documentation to substantiate a medical or religious reason for not being vaccinated is provided for consideration for accommodation.
2. Confirmation by the Prospective Staff that they are fully vaccinated and proof uploaded to the CLTO Vaccination tracker upon hire and prior to working within a CLTO setting.
3. An assessment will be conducted in consultation with Occupational Health and Safety using the **Risk Assessment Framework**, which will take into consideration the reason the Prospective Staff is unable

to show proof of full vaccination, the nature of work to be performed, and the risk to the work environment. Based on this, CLTO will consider whether an accommodation is possible.

4. Where accommodation is not possible, without undue hardship to the organization, the offer of employment/placement will be rescinded.

B. Proof of Immunization and/or Consideration for Accommodation - Existing Staff

1. CLTO will provide accommodation to the point of undue hardship, to Existing Staff who are unable to be vaccinated for medical or religious reasons. Existing Staff not fully vaccinated for any reason will be asked to complete and submit the **Staff COVID-19 Vaccination Declaration Form** and provide, where requested, substantiated proof to Occupational Health and Safety or designate by October 1, 2021. Email completed form to ochealthnurse@cltoronto.ca
2. Where accommodation is requested, an assessment will be conducted by Occupational Health and Safety based on the information provided. Through use of the **Risk Assessment Framework**, the reason for non-vaccination, the nature of work being performed, the risk to the work environment, and the current risk of community transmission of COVID-19 will be considered.

C. Proof of Immunization and/or Consideration for Accommodation - Essential Visitors (excluding family)

1. As part of scheduling an appointment or visit, the Essential Visitor will be reminded that as part of screening they will be asked if they have been fully vaccinated prior to entry to a CLTO residence or other CLTO premise.
2. For any Essential Visitor who identifies that they have not been fully vaccinated, either as part of visit scheduling or at the point of on-site screening, the site Supervisor along with Occupational Health and Safety will assess whether accommodation is required and/or possible. Through use of the **Risk Assessment Framework**, the nature of work being performed, the risk to the work environment and any other relevant factors will be considered.

Accommodation for non-vaccinated Existing Staff and Essential Visitors will include the following:

1. Request for Accommodation begins with the Prospective Staff and Existing Staff completing the **Staff COVID-19 Vaccination Declaration Form** and submitting the completed form with any required substantiated proof documentation to Occupational Health and Safety no later than October 1, 2021. Email completed form to ochealthnurse@cltoronto.ca
2. Existing Staff and Essential Visitors who are not confirmed to be fully vaccinated will be subject to enhanced screening and additional precautionary measures including, but not limited to, wearing enhanced PPE (facial protection) at all times, submit a negative COVID-19 Rapid Antigen Test (at a minimum two times per week dependent on shift/visitation schedule), prohibited from providing direct support to a person who is probable or confirmed positive with COVID-19 until their isolation

period is complete or work in a location that is experiencing an outbreak until the outbreak is declared over by Public Health.

VACCINATION OPPORTUNITIES AND REIMBURSEMENT

1. CLTO staff who are able to schedule an appointment to be vaccinated during a scheduled shift are expected to work collaboratively with their supervisor/manager to schedule appropriate time to receive the vaccination(s).
2. All staff can use available sick leave credits for reasons related to COVID-19 as follows:
 - 2.1. The **Ontario COVID-19 Worker Income Protection Benefit**, an amendment to the Employment Standards Act (ESA) was put in place to provide employees with access to up to 3 days of paid sick leave for reasons related to COVID-19 between April 19 and December 31, 2021. Part-Time, Relief and Contract employees can use this benefit for COVID related purposes including attending a vaccine appointment.
 - 2.2. CLTO full time employees are to use sick days from their sick bank accrual.

REPORTING AND RECORD KEEPING

All records about COVID-19 vaccinations and accommodations for CLTO Staff (Existing and Prospective) will only be collected, used, or disclosed as may be necessary for legitimate operational purposes or as directed or requested by governmental authorities. All records will be kept in a secure manner consistent with CLTO's privacy policies and practices.

Related Documentation

06-27-01 Privacy of Information

06-27-02 Privacy of Staff Information

09-01-01 Code of Conduct

Risk Assessment Framework

Staff COVID-19 Vaccination Declaration Form

Guidelines for Visitors and Pre-Screening Questions

Ontario makes COVID-19 vaccination policy mandatory for high risk settings – news release

<https://www.ontario.ca/document/your-guide-employment-standards-act-0/infectious-disease-emergency-leave>

<https://news.ontario.ca/en/release/1000750/ontario-makes-covid-19-vaccination-policies-mandatory-for-high-risk-settings>