

TITLE: COVID-19 VACCINATION PROTOCOL

Date issued: 20 SEPTEMBER 2021

Last revised:

Authorization: Senior Staff:

1.0 OBJECTIVE

To set out the District's mandatory vaccination protocol for employees and other individuals in support of limiting the transmission of COVID 19 within schools and workplaces under the jurisdiction of the OCDSB.

2.0 DEFINITIONS

In this procedure,

- 2.1 **Accommodation** means a legally required adjustment to policies, rules, requirements, practices and/or the physical environment to prevent and remove barriers that prevent people from participating fully in the District because of a protected ground.
- 2.2 **Board** means the Board of Trustees.
- 2.3 **Creed** means a religious or non-religious belief system that influences a person's identity, worldview and way of life. A creed:
- a) is sincerely, freely and deeply held
 - b) is integrally linked to a person's identity, self-definition and fulfillment.
 - c) is a particular and comprehensive, overarching system of belief that governs one's conduct and practices.
 - d) addresses ultimate questions of human existence, including ideas about life, purpose, death, and the existence or non-existence of a Creator and/or a higher or different order of existence.
 - e) has some "nexus" or connection to an organization that professes a shared system of belief.

For purposes of this procedure and the *Ontario Human Rights Code*, creed includes the spiritual beliefs and practices of Indigenous cultures. Personal preferences or singular beliefs do not amount to a creed for the purposes of the *Code*.

- 2.4 **District** means the Ottawa-Carleton District School Board.

- 2.5 **Employee** means all individuals employed by the District, including permanent full-time, part-time, and casual employees.
- 2.6 **Fully vaccinated** means both doses of a two-dose COVID-19 vaccination series approved by Health Canada, or the total number of doses of a COVID-19 vaccine approved by Health Canada, as applicable, and completion of the recommended post-vaccination period (currently 14 days) to build up immunity against the virus.
- 2.7 **Other Individuals** refers to individuals frequently attending an OCDSB school or workplace or engaging in Board related activities or functions who have direct contact with District employees or students, including:
- a) Students on a work placement as part of an educational program (e.g. teacher candidates, apprentices);
 - b) Volunteers;
 - c) Third party contractors;
 - d) Permit holders (during school hours);
 - e) Individuals who provide professional or therapeutic supports or services to students at school; or
 - f) Other members of organizations not related to the Board but who nevertheless work on or are invited onto Board premises or deliver Board services (e.g., daycares, after school programs, student nutrition program employees/volunteers, and tenants).
- 2.8 **Vaccine** means a COVID-19 vaccine approved by Health Canada and includes those currently approved by Health Canada from Moderna, Pfizer-Biotech, AstraZeneca, and Janssen (Johnson & Johnson).
- 2.9 **Workplace** means the site where individuals are customarily employed, and includes all other places which result from employment responsibilities or employment relationships, including OCDSB or committee meetings, locations at work-related social functions, work assignments outside the site, field trips, work-related conferences or training sessions, and work-related travel.

3.0 RESPONSIBILITY

- 3.1 The Director of Education is responsible for:
- a) adhering to all legal obligations, including the *Education Act*, the *Occupational Health and Safety Act* (“OHSA”) and relevant human rights legislation including Ontario’s *Human Rights Code*;
 - b) providing and maintaining a safe working and learning environment for all employees, students and visitors;
 - c) ensuring the District respects and protects the human rights of individuals in the exercise of its responsibilities as an employer and service provider; and

- d) ensuring the District exercises its management rights as an employer in a fair and reasonable manner.
- 3.2 The Superintendent of Human Resources is responsible for:
- a) adhering to pandemic related advice and directions from the Ministry of Education, Ottawa Public Health, the Chief Medical Officer of Health and the Council of Ontario Medical Officers of Health and the Ministry of Labour;
 - b) ensuring COVID-19 rapid antigen test kits are available to all employees who are required to undergo testing, at no charge to them; and
 - c) making a COVID-19 vaccination education program available to all employees.
- 3.3 The Human Resources, Wellness, and Occupational Health and Safety divisions are responsible for:
- a) monitoring employee compliance with the requirements set out under this procedure; and
 - b) considering requests for accommodations that comply with the District's obligations under the *Ontario Human Rights Code*.
- 3.4 Principals and Managers are responsible for:
- a) ensuring all employees and other individuals reporting to them are aware of this procedure; and
 - b) assisting with and supporting the implementation of this procedure, as requested.
- 3.5 All employees and other individuals are responsible for:
- a) completing vaccination attestation, as required;
 - b) submitting accommodation requests, where applicable;
 - c) undergoing COVID 19 self testing, where applicable, and submitting the results;
 - d) completing a COVID-19 vaccination education program, where applicable;
 - e) when they receive a preliminary positive test result,
 - i) informing their principal or manager as soon as possible;
 - ii) seeking confirmation through a lab based PCR test or rapid POC as soon as possible; and
 - iii) isolating until the results of the laboratory test are confirmed; and
 - f) completing the mandatory education program, where applicable.

4.0 PROCEDURES

- 4.1 The procedures outlined below are subject to change at any time in order to address public health conditions and respond to Ministry guidance in a timely and effective fashion.

Application and Scope

- 4.2 This procedure applies to:
- a) all District employees, including daily and long term occasional teachers and casual workers;
 - b) school board trustees; and
 - c) other individuals as defined in Section 2.7 of this procedure.
- 4.3 Notwithstanding the above, the following may be exempted from some or all of the requirements of these procedures:
- a) employees who work exclusively remotely, whose work does not require them to attend District premises or involve any in-person interactions with students or staff; and
 - b) employees who are on an approved leave of absence during which they are not attending any work sites.
- 4.4 Management reserves the right to exercise discretion with regard to the application of this procedure, taking into consideration the health and safety of staff and students and operational requirements.

Vaccination Requirement

- 4.5 By November 15, 2021, all employees must be fully vaccinated as a condition of employment, unless approved for an exemption based on a protected ground in the *Ontario Human Rights Code* (“the Code”), or otherwise exempted from the requirements of this procedure.
- 4.6 Not later than September 30, 2021, all employees must have received their first dose of a two-dose vaccine, and be fully vaccinated as soon as medically allowable thereafter, subject only to availability of the vaccine.
- 4.7 By no later than November 1, 2021, and subject to any required accommodations or exemptions, other individuals subject to this procedure must be fully vaccinated as a condition of attending an OCDSB worksite and provide satisfactory proof thereof.

Mandatory Vaccination Attestation

- 4.8 By September 7, 2021, or as soon thereafter as they are requested to do so, all employees must complete an attestation disclosing their vaccination status (Appendix A: [COVID 19 Vaccination Attestation Form](#)).
- 4.9 Subject to relevant accommodations or exemptions, any new employees joining the District after the effective date of this procedure must complete an attestation confirming they are fully vaccinated prior to their first day of work and provide satisfactory proof thereof.
- 4.10 All other individuals must disclose their vaccination status by completing the attestation provided for this purpose, by September 7, 2021, or as soon after as they are requested to do so (Appendix B: [COVID-19 Attestation Form - External/Non-Employee](#)).

COVID 19 Regular Testing

- 4.11 Employees and other individuals covered by this procedure who for any reason are not fully vaccinated and who are not otherwise exempted, are required to submit to COVID-19 self testing, outside of working hours, at least twice a week.
- 4.12 Employees and other Individuals who attend OCDSB workplaces or who are in direct contact with students or employees on an irregular or infrequent basis may request to be excused from the requirement to conduct twice weekly testing (Appendix C: [COVID-19 - Request for Exemption from Testing](#)). In these cases, the individual will, at a minimum, be required to complete a rapid antigen test and provide a negative test result (Appendix D: [COVID-19 Rapid Test Result](#)), prior to interacting directly in person with students or staff. Similarly, individuals who can establish that they will no longer be having frequent or regular contact with students or staff, may request a change in the frequency of testing, or a temporary suspension of the requirement.
- 4.13 The frequency of testing may be changed at the direction of the Ministry of Education, Chief Medical Officer of Health, or at the discretion of the District, in consultation with Ottawa Public Health.
- 4.14 COVID-19 rapid antigen test kits will be made available to all employees who are required to undergo testing, at no charge to them.
- 4.15 Employees and other individuals required to undergo testing will be expected to report their test results by completing and submitting the on-line attestation form developed for this purpose. Only individuals who test negative should proceed to enter into OCDSB workplaces or participate in any work-related activities.
- 4.16 Any employee who receives a preliminary positive test result must:
- b) inform their principal or manager as soon as possible;
 - c) seek confirmation through a lab based PCR test or rapid POC as soon as possible; and
 - d) isolate until the results of the laboratory test are confirmed.

Exemptions and Accommodations

- 4.17 The District recognizes its responsibilities and duties under the Ontario *Human Rights Code* (*the "Code"*). If an employee is unable to be vaccinated due to a disability or creed based reason, as defined by *the Code*, the District will consider requests for exemptions and reasonable accommodations to the point of undue hardship.
- 4.18 The duty to accommodate must be balanced against the District's obligations to protect the health and safety of employees and students. The duty to accommodate can be limited if it would significantly compromise health and safety amounting to undue hardship – such as during a pandemic.
- 4.19 Employees and other individuals who indicate they are unable to be vaccinated due to a protected ground defined by *the Code* will be required to submit documentation

satisfactory to the District that clearly outlines how the protected ground prevents them from receiving the vaccine.

- 4.20 Such documentation must be submitted to the appropriate staff within Human Resources by the later of,
- a) September 30, 2021;
 - b) within 10 days of requesting the accommodation; or
 - c) for new employees, prior to their first day of employment.
- 4.21 Pending approval of the request for accommodation and exemption from the requirement for mandatory vaccination, employees and other individuals requesting the exemption will be required to undergo regular testing as outlined above.

Medical/Disability Accommodation

- 4.22 An employee who is requesting an accommodation or exemption on the basis of a medical condition must provide the Wellness Division with Appendix E: [Statement of Medical Exemption - COVID 19 Immunization](#) completed by a licenced physician or registered nurse practitioner, clearly stating the reason the individual should be exempted from the requirement to receive a vaccine and the duration of such exemption. Specific diagnosis or disclosure of actual medical condition is not required, except under exceptional circumstances, or where necessary in order to provide the accommodation being requested. The District reserves the right to seek further medical documentation.
- 4.23 Upon the expiry of any medical exemption, the employee must, within 10 calendar days of the expiry date submit an attestation confirming initial vaccination together with proof of vaccination and, in the case of two dose vaccines, within 45 calendar days of the expiry date, submit an attestation confirming they are fully vaccinated, together with proof of full vaccination.
- 4.24 If the request for medical exemption is denied, the employee must, within 10 calendar days, submit an attestation confirming initial vaccination together with proof of vaccination and, in the case of two dose vaccines, within 45 calendar days, submit an attestation confirming they are fully vaccinated, together with proof of full vaccination.
- 4.25 Other individuals seeking an exemption or accommodation should discuss their request with their own employer or sponsoring organization and/or notify the relevant OCDSB manager/supervisor as early as possible so that the request can be appropriately reviewed and assessed. Individuals exempt from the requirement to be fully vaccinated and those whose exemption requests are pending, must continue undertaking regular COVID-19 testing.

Religious/ Creed Accommodation

- 4.26 An employee may apply for an accommodation or exemption, due to religious belief or creed in accordance with the OCDSB [Procedure PR 667 HR Religious or Creed-based Accommodations for Employees](#) using Appendix F: Statement of Religious/Creed Exemption - COVID 19 Immunization. Requests should be submitted in writing to Human Resources. Information provided to support the request for exemption may be

disclosed to the appropriate staff for purposes of evaluating the request and determining reasonable accommodation.

- 4.27 In the case of other individuals, requests for accommodations or exemptions due to a religious/creed based exemption should be submitted through their relevant OCDSB contacts.

Data Collection, Reporting, and Protection of Privacy

- 4.28 In accordance with the *Municipal Freedom of Information, Protection Of Privacy Act*, Ministry of Education, Ottawa Public Health direction, and applicable privacy laws, the District will:
- a) only collect, use, and disclose information regarding an employee's vaccination status; and
 - b) keep the proof of vaccination or other evidence collected pursuant to this protocol confidential and store it in a secure location providing access and disclosure only as necessary.
- 4.29 The District will establish privacy and security practices to protect the privacy of those individuals who are participating in twice weekly testing so that proof of negative results can be provided to an identified person(s) in the District.
- 4.30 Information provided by individuals covered under this procedure may be audited to ensure the accuracy of the information provided.
- 4.31 The District will provide the following non-identifying information as required by the Ministry of Education:
- a) total number of employees and other individuals to which this protocol applies;
 - b) total number of employees and other individuals and percentages who have attested to/and provided proof of being fully vaccinated against COVID 19;
 - c) total number of individuals and percentage of individuals who have attested to being fully vaccinated without supporting documentation;
 - d) total number of individuals who provided a documented medical exemption for not being fully vaccinated against COVID 19;
 - e) total number of individuals who completed an educational program about the benefits of COVID 19 vaccination; and
 - f) total number of individuals who have not yet submitted the attestation.
- 4.32 The District will post on its website aggregated, depersonalized District level data on a monthly basis, or as otherwise directed by the Ministry.

Education Program

- 4.33 Individuals who are not fully vaccinated, with the exception of individuals who have requested a medical condition/disability exemption under *the Code*, must complete and

provide proof of completion of a mandatory education program, as directed by the District as soon as possible, but no later than two weeks after being advised of the requirement to do so by the District. The education program will be completed outside of work hours at no cost to the Board.

- 4.34 Rapid antigen testing and/or completion of the education program will not be sufficient to relieve employees and other individuals covered by this procedure from the requirement to be fully vaccinated, subject to the exemptions provided in accordance with this protocol for herein.

Compliance

- 4.35 Employees who do not submit a completed attestation or who choose not to disclose their vaccination status will be deemed not to be not fully vaccinated for the purposes of administering this protocol.
- 4.36 Employees will be considered non-compliant with the requirements of this protocol in the event they:
- a) refuse to submit the completed vaccination attestation;
 - b) refuse to cooperate with regard to required COVID 19 testing;
 - c) refuse to complete the mandatory COVID 19 vaccination education program;
 - d) provide any false, misleading, or otherwise dishonest information or documentation in relation to this protocol; or
 - e) otherwise fail to comply with any COVID-19 related health or safety precaution requirements put in place by the District, whether or not expressly set out in this protocol.
- 4.37 Employees who are non-compliant may be subject to a range of administrative or progressive disciplinary actions up to and including termination from their employment.
- 4.38 Employees who are not partially or fully vaccinated within the timelines required and without a documented and approved exemption based on a medical/disability or other protected ground, may be subject to administrative changes to their work or assignment, including leave without pay, until such time as they provide proof they have become fully vaccinated, or until the requirement to be fully vaccinated is no longer mandated and/or this protocol has been rescinded.
- 4.39 Employees covered by this procedure who are found to have submitted fraudulent proof of vaccination or fraudulent proof test results will be subject to discipline up to and including termination based on the terms of their collective agreement.
- 4.40 Other individuals covered by this procedure who are found to have submitted fraudulent proof of vaccination or fraudulent proof of test results may receive a notice of trespass preventing their access onto Board property.

Review and Implementation

- 4.41 The District will consult community-based Indigenous health care providers with respect to the implementation of this procedure as it relates to individuals from Indigenous communities. The District will also consult with other specifically identified populations with a history of underservice in healthcare and lower rates of vaccination as identified by Ottawa Public Health.
- 4.42 This procedure will be reviewed as necessary to ensure that the measures described herein are reflective of the COVID 19 pandemic conditions and reflect the most up to date evidence and public health guidance, including advice from Ottawa Public Health, the Chief Medical Officer of Health, and the Ministry of Education.

5.0 APPENDICES

Appendix A: [Covid 19 Vaccination Attestation Form](#)

Appendix B: [COVID-19 Attestation Form - External/Non-Employee](#)

Appendix C: [COVID-19 - Request for Exemption from Testing](#)

Appendix D: [COVID-19-Rapid-Test-Result](#)

Appendix E: [Statement of Medical Exemption - COVID 19 Immunization](#)

Appendix F: Statement of Religious/Creed Exemption - COVID 19 Immunization

6.0 RESOURCES

Reopening Ontario (A Flexible Response to COVID-19) Act, 2020

Ontario Regulation 364/20, Rules for Areas at Step 3 and at the Roadmap Exit Step

Instructions Issued by the Office of the Chief Medical Officer of Health, issued September 7, 2021

Statement of Religious/Creed Exemption – COVID 19 Immunization

Section 1: Employee Information	
Employee Name:	
Employee ID (EIN):	Telephone No:
Employee Home Address:	Work Location:
I, _____, hereby attest that the information contained in this form is accurate and true.	
Please enter your name:	Date:

Section 2: Declaration of Employee
The OCDSB requires that all staff be vaccinated against COVID-19 by September 30, 2021, unless they have a valid exemption. In order to request a valid exemption for non-medical reasons, employees must complete this Statement of Creed/Religion form and have a leader of the Creed/Religion, if applicable, complete Sections 3. The employee must submit the entire completed form by email to creedbasedaccommodation@ocdsb.ca

Please explain below, or by way of an attached letter, why your religion/creed precludes you from being vaccinated against COVID-19.

Section 3: Declaration of Creed/Religious Leader
Name:
Date:
Telephone Number:

(Declaration continued on page 2)

Please describe the creed/religion, and the specific belief(s) that preclude the employee from being vaccinated against COVID-19.

PLEASE RETURN THE COMPLETED FORM BY EMAIL TO creedbasedaccommodation@ocdsb.ca