

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, an infectious communicable disease, 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.

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 public health advice/recommendations.

The three conditions that are covered in the Directive apply to Staff and Essential Visitors who:

- Intend to be or have been vaccinated
- Cannot be vaccinated due to substantiated medical or religious grounds
- Choose not to be vaccinated for other reasons

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.

Based on this, CLTO strongly encourages all Staff and Essential Visitors, as well as families and individuals served, to receive the COVID-19 vaccination.

This Directive is in addition to all other policies and procedures that are in place for infection prevention and pandemic response for CLTO Staff and Essential Visitors. It will be updated regularly to reflect any changes in the degree of risk and any advice or recommendations from public health authorities.

Effective Date

This Directive is effective immediately, with due regard for the availability of COVID-19 vaccines.

Scope

The responsibilities set out in this Directive apply to all Staff and Essential Visitors (excluding families) who interact with individuals supported and/or their environment.

Responsibilities for Individuals Served are included in a separate Directive.

Definitions

All CLTO employees, contractors, 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).

General Principles

A. Expectation of Vaccination

1. CLTO expects and supports all **Staff** and Essential Visitors to be vaccinated for COVID-19, and provide evidence of vaccination 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.
 - 1.1. During the recruitment process, **Prospective Staff** will be informed that any person applying to be a Staff will be required to show proof of vaccination against COVID-19 as a condition for hire/placement. During the hiring process, a Prospective Staff will be provided with a conditional offer requiring proof of vaccination for COVID-19. Prior to their employment start date a Prospective Staff will be expected to produce satisfactory proof of COVID-19 vaccination unless extenuating circumstances.
 - 1.2. **Existing Staff** will be required to be vaccinated. It is expected that Existing Staff will provide evidence of vaccination against COVID-19.
 - 1.3. **Essential Visitors** will be required to be vaccinated. Essential Visitors will be informed as part of scheduling their visit that they will be required to provide CLTO with proof of vaccination prior to entry to a CLTO residence or other CLTO premise.
 - 1.4. Any costs associated with proof of immunization are the responsibility of the Staff or Essential Visitor.

B. Accommodation

2. 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, Staff and Essential Visitor who is unable to be vaccinated for substantiated medical or religious reasons.

- 2.1. To determine whether accommodation is required and/or possible without undue hardship, CLTO will use the Principles and **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 and the risk associated with transmission of COVID-19.
- 2.2. The determination of the probability and severity of harm will be made in consultation with Occupational Health and Safety, and based on the 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.
- 2.3. For medical documentation that substantiates a need for medical accommodation, CLTO will reimburse staff for up to \$20. Reimbursement will only be provided for submitted notes substantiated and approved by CLTO. A valid receipt/proof of payment must be submitted for reimbursement.
- 2.4. 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.

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 COVID-19 vaccination. If this is not possible, a determination will be made as to their employment which may include withdrawal of offer of employment. The following will be taken into consideration:
 - 1.1. Proof of vaccination is not possible due to the lack of availability of the vaccine at the time of an offer, or start date does not allow for vaccination prior, and proof will be provided at the earliest possible date; or,
 - 1.2. Documentation to substantiate a medical or religious reason for not being vaccinated is provided for consideration for accommodation.
2. 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 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.
3. Where accommodation is not possible without undue hardship, the offer of employment/placement will be rescinded.

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

1. Upon issue of this Directive, and with due regard for availability of the COVID-19 vaccine, Existing Staff will be expected to provide proof of vaccination to the CLTO Occupational Health nurse or designate.
2. 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 who plan to decline vaccination for medical or religious reasons must submit substantiated proof to the Occupational Health nurse or designate within two weeks after the date this Directive is issued.
3. Where accommodation is requested, an assessment will be conducted based on the information provided, and in consultation with Occupational Health and Safety. Through use of the **Risk Assessment Framework**, the reason for non-vaccination, the nature of work being performed and the risk to the work environment will be considered.
4. CLTO will assess whether accommodation can be granted without undue hardship to the organization. A determination for accommodation will be made which may include placing the Staff on an unpaid leave of absence for the duration of the pandemic or until such time that COVID-19 no longer poses a significant public health risk.

C. Proof of Immunization and/or Consideration for Accommodation - Essential Visitors

1. When scheduling an appointment/visit with an Essential Visitor, the CLTO Supervisor/Manager will alert the Essential Visitor of the requirement to provide proof of being vaccinated for COVID-19 prior to entry at any CLTO premise. This proof will ideally be confirmed as part of scheduling the visit. Proof will be requested as part of on-site screening.
2. For any Essential Visitor who is unable to provide proof of being 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 reason for non-vaccination, the nature of work being performed and the risk to the work environment will be considered.

A determination will be made, which may include restricting the essential visitor access to a CLTO premise for the duration of the pandemic or until such time that COVID-19 no longer poses a significant public health risk.

VACCINATION OPPORTUNITIES AND REIMBURSEMENT

CLTO will strive to provide on-site opportunities for vaccination.

1. On site vaccinations: Staff are expected to work collaboratively with their supervisor/manager to schedule appropriate time to receive the vaccination(s).

2. Off-site vaccinations:
 - 2.1 during a scheduled shift the expectation is for the staff and supervisor/manager to work collaboratively to ensure this occurs.
 - 2.2 when not working, with proof of vaccination, staff will be compensated with lieu time as approved in advance by the supervisor.

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
COVID-19 Privacy and Confidentiality for Staff Directive
Essential Visitors Directive
Guidelines for Essential Visitors
Community Living Toronto's Code of Ethics