

The Corporation of the Township of Huron-Kinloss



BY-LAW

2022 - 52

Being a By-law to Amend the Vaccination Policy for the Township of Huron-Kinloss

WHEREAS The Council for The Corporation of the Township of Huron-Kinloss deems it expedient to establish policies;

AND WHEREAS the Municipal Act S.O. 2001, c 25, Section 5(3), as amended provides that a municipal power, including a municipality's capacity rights, powers and privileges under Section 9, shall be exercised by By-Law;

AND WHEREAS the Council for The Corporation of the Township of Huron-Kinloss passed By-Law No.2022- 17 to adopt a Vaccination Policy and it is now deemed desirable to amend the policy;

NOW THEREFORE the Council of The Corporation of the Township of Huron-Kinloss enacts as follows:

- 1.0 That the Corporation of the Township of Huron-Kinloss Council hereby adopts the amended Vaccination Policy as contained in the attached Schedule "A" to this by-law.
- 2.0 That By-Law No. 2022-17 is hereby repealed.
- 2.0 This By-Law shall come into full force and effect upon final passage.
- 3.0 This By-Law may be cited as the "Vaccination Policy Amendment By-Law".

READ a FIRST and SECOND TIME this 20th day of April 2022

READ a THIRD TIME and FINALLY PASSED this 20th day of April 2022

Mitch Twolan, Mayor

Emily Dance, Clerk



Policy

Section: 6.0 Emergency Management - Pandemic

Policy: COVID-19 Vaccination Policy

By-Law: 2022-52

Date: 20 April 2022

Revision: 1

Coverage:

This policy shall apply to all employees, contractors, volunteers, students, and members of Council of the Township of Huron-Kinloss.

Policy Statement:

The Township of Huron-Kinloss values the health and safety of every individual, and is committed to building, and maintaining, a safe and healthy work environment.

The Township of Huron-Kinloss is committed to taking every precaution reasonable in the circumstances for the protection of the health and safety of its employees from the hazards of COVID-19.

Vaccination is a key element in the protection of employees against the hazard of COVID-19. Vaccination against COVID-19 is one of the best ways to protect workers who work in locations with common areas or where workers can have close contact with other workers or members of the public.

This policy is designed to maximize COVID-19 vaccination rates among employees as one of the critical control measures for the hazard of COVID-19.

BACKGROUND:

On March 11, 2020, the World Health Organization declared COVID-19 a pandemic virus. Globally and within Ontario, variants of the virus have circulated with increased transmissibility and disease severity compared with previous COVID-19 virus strains.

Coronavirus (SARS-CoV-2) is an acute respiratory illness which may be characterized by fever, cough, shortness of breath and several other symptoms. Asymptomatic infection is also possible.

Vaccinations reduce the chance that a person will become severely ill if they contract COVID-19. Workplace control measures reduce the possibility of being exposed to the virus in the workplace. COVID-19 vaccines do not replace workplace controls but can be

of assistance in reducing transmission and severe outcomes. To help prevent the spread of COVID-19, the Township of Huron-Kinloss continues to have a variety of COVID-19 protocols, policies, and procedures in place to address related public health measures during the pandemic.

Regardless of which SARS-CoV-2 variant is predominate in the area, vaccination, in combination with public health and workplace controls, continue to work to reduce disease spread and severe outcomes. Evidence continues to demonstrate that a complete series of Health Canada-approved COVID-19 vaccines provide substantial protection.

Legislative Authority:

This policy is aligned with the employer's general duty under the Occupational Health and Safety Act to take every reasonable precaution to protect its employees and the responsibility to assess the workplace for risks, including that of COVID-19 transmission.

This policy is applied in accordance with the Ontario Human Rights Code, Occupational Health and Safety Act and any other applicable legislation and/or collective agreement.

The employer can reasonably inquire as to the vaccination status of its employees if its employees work in a location with common areas or its employees could have contact with clients, customers, or the public.

Information collected under this policy and procedure follows relevant legislation including but not limited to the Personal Health Information Protection Act and the Ontario Human Rights Code.

Contents:

The purpose of this policy is to outline organizational expectations with regards to COVID-19 vaccination for employees, students, contract, students, temporary or volunteers, and members of Council herein referred to as "employees". Contingent upon vaccine availability and unless medically contraindicated, it is the expectation that all eligible employees are fully vaccinated against COVID-19.

1. The Township of Huron-Kinloss has adopted this policy to increase the protection and safety of our employees by reducing the transmission of COVID-19 within the workplace consistent with our obligations under the *Occupational Health and Safety Act*.

2. New employees will be subject to this policy as a condition of their employment with the Township of Huron-Kinloss.
3. It is important that Employees make an informed decision about whether to receive a COVID-19 vaccine. To ensure that all employees subject to this policy have received adequate education about COVID-19 and COVID-19 vaccines and to protect our workplace from the spread of COVID-19, employees must complete the following on or before a date established by the Chief Administrative Officer:
 - a) Provide proof of full vaccination approved by Health Canada
 - b) Provide written proof of exemption from vaccine – medical or creed/religion
 - c) Complete a vaccine education session and declaration
4. Employees who elect not to provide proof of COVID-19 vaccination may be subject to additional requirements such as regular COVID-19 testing, redeployment, personal and public health protective measures, workplace isolation protocols, leave of absence or termination.
5. Section 4 of this policy shall be based on an assessment by the employer of all factors including but not limited to the work/role of the individual, the type of workplace, local epidemiology and in consideration of the duty to accommodate, as applicable.
6. The Township of Huron-Kinloss encourages Employees to receive the COVID-19 vaccination and will provide the following supports to the extent possible:
 - a) Assist Employees by providing information on COVID-19 vaccination and sites where COVID-19 vaccinations may be received.
 - b) Allow reasonable time off requests if needed for Employees to access vaccination during work hours with no loss of wages (if applicable)
7. All Employees must continue to adhere to the established COVID-19 prevention procedures irrespective of vaccination status. This includes complying with prevention practices, such as daily screening for symptoms, hand hygiene and sanitization of equipment, wearing a mask and other personal protective equipment, and physical distancing.
8. Failure to comply with this policy or by providing false information about vaccination status will be considered misconduct. Non-compliance with this policy could result in discipline action up to and including termination of employment.
9. All information gathered as part of this Vaccination Policy shall be handled confidentially and will be safeguarded for the purposes outlined in the policy.

10. All information, including personal health information, will be treated in compliance with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) and the *Personal Health Information Protection Act, 2004* (PHIPA).
11. The Township of Huron-Kinloss acknowledges that this policy will be applied in accordance with the Ontario *Human Rights Code* and there may be amendments to the policy because of the changing status of the pandemic or legislative requirements. Any changes will be communicated to all employees.
12. There will be a formal review of this policy 90 days after implementation to ensure relevancy and application