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# CAPITAL REGIONAL DISTRICT CORPORATE POLICY

Policy Type	Administrative		
Section	Human Resources and Corporate Safety		
Title	<b>COVID-19 VACCINATION POLICY</b>		
Adopted Date	November 2, 2021	Policy Number	ADM99
Last Amended	December 8, 2021		
Policy Owner	Chief Administrative Officer		

## 1. POLICY:

The Capital Regional District (CRD) is committed to keeping employees, members of the public accessing CRD services and facilities, and our communities safe. Vaccines are safe, effective, and prevent the spread communicable diseases, including COVID-19.

The CRD requires employees, contractors and direct service volunteers to be fully vaccinated against COVID-19 as of December 13, 2021, to minimize serious illness and severe outcomes related to the spread of the illness, while minimizing disruption to workplace operations and essential services. This is part of the CRD’s Communicable Disease Prevention Plan.

As the COVID-19 situation evolves, the Policy will be reviewed and amended as necessary, and may be repealed when no longer required to protect our workplace and our community.

## 2. PURPOSE:

The purpose of this policy is to mitigate the risks of COVID-19 to ensure a safe and healthy workplace for CRD employees and members of the public accessing CRD services and facilities. This Policy is intended to maximize vaccination rates among employees and of certain contractors and volunteers, to protect staff, the public, and vulnerable populations CRD serves, and to enable the continued delivery of services to the public.

## 3. SCOPE:

This policy applies to:

- all Employees (“employees”), regardless of workplace or work site location;
- contractors (“contractors”) where the CRD is prime;
- contractors that provide services within CRD facilities or alongside employees; and
- direct service volunteers (“volunteers”) that provide services alongside employees.

This does not apply to Commissioners or Elected Officials while acting in that capacity.

The Provincial Health Officer will determine whether or not the public must be fully vaccinated against COVID-19 or other communicable diseases in order to access certain CRD facilities.

#### **4. DEFINITIONS:**

For the purposes of this Policy, these terms are defined as follows:

“COVID-19” means the SARS-CoV-2 coronavirus, including all variants.

“COVID-19 Vaccine/Vaccination” means a COVID-19 vaccination series authorized by Health Canada.

“Employee(s)” means all CRD employees regardless of workplace or worksite location, including those employees working remotely in any fashion.

“Contractor(s)” means contractors to and for the CRD where the CRD is prime, and contractors to and for the CRD where the contractor provides services within CRD facilities and/or alongside employees.

“Volunteer(s)” mean direct service volunteers that provide services alongside Employees.

“Exemption” means established and valid reason that an Employee, Contractor or Volunteer cannot be Fully Vaccinated related to a protected ground under the *Human Rights Code*, RSBC 1996, c 210.

“Fully Vaccinated” means having obtained the full series of a COVID-19 Vaccine authorized in Canada.

“Proof of Vaccination” means documentation verifying an Employee is Fully Vaccinated by means of the Employee showing their BC Vaccine Card in digital or paper version (if immunized in BC) or other government-approved record (if immunized outside of BC, as provided by that province/territory/country). The Employer may validate authenticity by means of the BC Vaccine Card Verifier.

#### **5. ROLES AND RESPONSIBILITIES**

##### **A. Management**

All levels of management are responsible for the administration of this Policy. Managers are required to:

1. Continue to adhere to COVID-19 health protection measures and safe work procedures and ensure their staff do the same.
2. Comply with the Vaccination Requirements in this Policy.
3. Support Employees to complete any required education or training about COVID-19, including vaccinations and safety protocols.
4. Check vaccination status only by the means outlined in this Policy.

##### **B. Employees, Contractors and Volunteers**

Employees, contractors and volunteers are required to comply with this Policy and the Vaccination Requirements in this Policy.

##### **C. Human Resources and Corporate Safety**

Human Resources and Corporate Safety will:

1. Assist Exempt Managers to conduct assessments and audits into Employees' Proof of Vaccination documentation.

2. Receive and review Accommodation Requests for completeness and will work with the Employee and their medical provider (if applicable) to collect the relevant information and determine suitable workplace accommodation options.
3. Continue to support measures to provide a safe work environment for all Employees in accordance with WorkSafeBC legislation, regulations and the Provincial Health Office.
4. Review, amend and repeal this Policy as required.

## **5. PROCEDURE:**

### **A. Vaccination Requirements**

1. Effective December 13, 2021, all Employees, Volunteers, and Contractors where the CRD is prime must be Fully Vaccinated and provide Proof of Vaccination to the CRD.
2. Regular Employees who fail to be Fully Vaccinated, without approved Exemption, and/or fail to provide Proof of Vaccination by December 13, 2021 will be provided the option to either (a) be tested regularly for COVID-19, or (b) be placed on leave of absence, equivalent to the duration of time for the Employee to become Fully Vaccinated for up of twelve (12) weeks, during which time the Employee will return to work once Fully Vaccinated.

It is the responsibility of the Employee to advise the CRD when they are Fully Vaccinated, and to provide appropriate Proof of Vaccination. If at the end of that twelve (12) week period the Employee continues to choose not to be Fully Vaccinated, the Employer will review the circumstances further at that time.

#### **a. Alternative A: Testing:**

- i. Testing will utilize approved tests for COVID-19, as outlined by the Province of BC, BCCDC and/or Health Canada, and will be administered by the CRD for CRD purposes at no cost to the Employee at this time.
- ii. Testing will be conducted twice per week, and will be conducted on personal time. Testing will be established by the CRD at regular intervals and established locations, and will occur prior to the commencement of the work-day except where such is deemed by the Employer as not being operationally feasible. The frequency and location of the testing may be amended by the CRD as required. Employees and the Employer may be required to amend start and end times to meet testing requirements.
- iii. Work may be performed following confirmation of a negative test result and for the duration of time until the next scheduled test.
- iv. Work will not be performed in the event that a test comes back positive, at which time the Employee will consult with the Health Authority for any additional testing requirements. Unworked time following a positive test and while awaiting direction and test results from the Health Authority will be treated as sick time.
- v. Work will not be performed in the event that a scheduled testing time is missed, and until the next scheduled testing time. Unworked time following a missed scheduled test will be taken from accrued/banked vacation or TOIL, or be unpaid.
- vi. It is understood that the Employer may be required to report testing results, based on the requirements established by health agencies.

**b. Alternative B: Leave of Absence:**

- i. The leave of absence will be unpaid, unless the Employee has accrued/banked vacation time or TOIL and the Employee elects to use that time consecutively. Employees who wish to use available accrued/banked vacation time or TOIL Employee must advise the CRD prior to commencement of the leave of absence.
  - ii. The CRD will neither be responsible for any costs associated with the unpaid leave of absence for the failure to be Fully Vaccinated except where otherwise specifically provided by Collective Agreement, CRD Board Bylaw, or legislation.
  - iii. While on leave of absence, the Employee will not transact any CRD business or provide any CRD services in the workplace, at home, or in any other location. Except where otherwise accessing a CRD facility on private business, Employees on leave of absence will not be permitted access to any CRD premises.
3. Auxiliary Employees, without approved Exemption, will be eligible for work shifts once confirmation of Fully Vaccinated status is provided. Where staffing is deemed necessary for a critical operation to be maintained, and where that critical operation may otherwise be discontinued for lack of staffing, the Employer may consider testing of Auxiliary Employees in such circumstances.
4. Contractors and volunteers who fail to be Fully Vaccinated, without approved Exemption, and provide Proof of Vaccination by December 13, 2021, will not provide services to or for the CRD while not Fully Vaccinated. The CRD reserves the right to ensure that services provided by the contractor/volunteer continue, and as such proof of vaccination after December 13, 2021 does not necessary guarantee reinstatement to those services previously provided.
5. Employees, contractors and volunteers hired as of December 13, 2021 must be Fully Vaccinated and provide Proof of Vaccination prior to their start date with the CRD. Except where otherwise required under protective grounds, no employee, contractor or volunteer will be permitted to commence work with the CRD as of December 13, 2021 if they are not Fully Vaccinated.
6. The CRD will comply with the *Human Rights Code*, RSBC 1996, c 210. Employees who can establish that they cannot be Fully Vaccinated for a valid reason related to a protected ground under the *Human Rights Code*, RSBC 1996, c 210 may request an Exemption from the requirement to be Fully Vaccinated by:
  - a. **For non-medical Exemptions:** completing and submitting the CRD's COVID-19 Vaccination Policy Non-Medical Accommodation Request Form ([here](#)) for non-medical Exemptions; or
  - b. **For medical Exemptions:** applying through the submission of medically verified documentation, as governed by the guidelines set out by the Medical Officer of Health and the BC College of Physicians and Surgeons, through the CRD Disability Management Program c/o Human Resources and Corporate Safety.

Exemptions will only be granted based on the Duty to Accommodate under the *Human Rights Code*, RSBC 1996, c 210 and personal preference is not an appropriate reason to request an Exemption. Duty to Accommodate will require the Employee to regularly confirm proof of health, in the manner required by the CRD.

7. There may be mandatory vaccination requirements for Employees that arise as a result of our staff working in third party facilities, where vaccination is required by the organization who manages the facility. In this case, Employees will be required to comply with the vaccination policies of that organization, in addition to this policy.

**B. Proof of Vaccination and Related Documentation**

1. Beginning November 15, 2021, Employees must confirm the fact that they are Fully Vaccinated by providing Proof of Vaccination documentation to their designated Exempt Manager and through to the Human Resources and Corporate Safety Department. Confirmation will be done by reviewing Vaccine Cards as provided by the Province of BC for those who received vaccinations in BC, or the means of proof of any other Province or related for those who received vaccinations outside of BC.
2. Beginning immediately upon adoption of this policy, contractors and volunteers will be required to provide Proof of Vaccination by attesting compliance effective December 13, 2021, and to the Exempt Manager signatory to the contract. Attestations will be retained in Human Resources and Corporate Safety.
3. Proof of Vaccination status information collected under the Policy will be securely and confidentially retained, accessed, and used only as required to administer the Policy including: assessing compliance with the Policy; determining the correctness and completeness of employee vaccination status declaration; to address accommodation requests under the *Human Rights Code*, RSBC 1996, c 210; and to comply with all applicable laws, such as the *Occupational Health and Safety Act*.
4. Proof of Vaccination status results are collected under the authority of the *Freedom of Information and Protection of Privacy Act* and will be collected, used, stored and destroyed in accordance with this legislation and relevant CRD policies.
5. Providing illegitimate or doctored Proof of Vaccination information may subject to correct action up to and including termination of employment.

**6. GENERAL:**

**A. Respectful Workplace**

Disrespectful behaviour, bullying and harassment or discrimination directed towards an individual based on their vaccination status before, as of, or after December 13, 2021 will not be tolerated. The implementation and direct application of this Policy and its terms and conditions is not deemed disrespectful behaviour, bullying and harassment or discrimination.

**B. Consequences of Non-Compliance**

Consequences of non-compliance to this Policy will result in a review of employment status and may include disciplinary action, up to and including termination of employment.

**7. AMENDMENT(S):**

<b>Adoption Date</b>	<b>Description:</b>
November 2, 2021	Adoption and implementation

**8. REVIEW(S):**

<b>Review Date</b>	<b>Description:</b>
December 8, 2021	Amendment of effective date for current employees. Amendment of Procedure inclusive of testing.
May 2, 2022*	*Reviewed and amended as necessary, and at least every six (6) months; may be repealed when no longer required to protect our workplace and our community

**9. RELATED POLICY, PROCEDURE OR GUIDELINE:**

Including but not limited to:

- CRD Communicable Disease [Plan](#)
- Respectful Workplace [Policy](#)
- Corrective Discipline [Policy](#)
- Disability Management [Policy](#)
- Non-Medical Accommodation Request [Form](#)