

Recommendations for Workplace COVID-19 Vaccination Policies: Information for Employers

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The Medical Officer of Health for the Simcoe Muskoka District Health Unit (SMDHU) recommends all local employers institute and ensure compliance with a workplace COVID-19 vaccination policy, in order to promote and encourage vaccination to protect workers and the public from COVID-19. Employers have an obligation to maintain a safe work environment for their workers. They may also consider the need to maintain continuity of their operations. To help reduce the risk of COVID-19 transmission, a workplace vaccination policy is an important measure employers should implement, along with other public health measures such as COVID-19 screening, physical distancing, masking, hand hygiene, and good ventilation. As COVID-19 may continue to wax and wane for the foreseeable future, such policies will remain relevant and can be updated as the situation evolves.

The nature of the workplace policy should be in accordance with the workplace risk of transmission and severe illness. At a minimum, all workplace policies should promote and enable COVID-19 vaccination. Workplaces at higher risk should consider additional requirements as outlined in this guidance.

APPLICABLE LEGISLATION

The workplace policy should adhere to the [Occupational Health and Safety Act](#), the [Ontario Human Rights Code](#) and applicable [privacy laws](#).

The information provided in this SMDHU resource is for general information purposes. It does not contain legal advice and should not be relied on or treated as legal advice. Those persons, businesses or organizations for whom these recommendations are intended are encouraged to seek their own legal advice with respect to their own specific workplaces and circumstances.

WORKPLACE RISK OF TRANSMISSION AND SEVERE ILLNESS

Assess your workplace risk of transmission and severe illness by considering the following:

- What is known from public health officials about the current and likely future risk of COVID-19 (e.g., COVID-19 transmission and severity in Canada and internationally, and future forecasts)?
 - As of March 2022, COVID-19 transmission in Simcoe Muskoka remains high, though shows a continued downward trajectory. Most evidence indicates that infection with the Omicron variant causes less severe disease compared to Delta; however, Omicron infections can still be severe, in particular in older age groups and especially older people with other health conditions. The future trajectory of COVID-19 is uncertain, but there is potential for new variants of concern and increased COVID-19 activity in the fall-winter months.
- Does your workforce have a high vaccination rate (i.e., over 90% vaccinated with all currently eligible doses), if already known?
- Can workers keep at least two metres apart while performing their work?
- Are workers required to be in close contact with other workers or patrons, and if so for how long and how often?
- When workers cannot maintain physical distancing, a face covering shall be used by persons in an indoor workplace environment. In addition, does your workplace have appropriate personal protective equipment (PPE) to protect workers?
- Does your workplace employ good HVAC practices in ensuring systems are in good working condition and regularly inspected? For improved ventilation, increase air-exchange settings on the HVAC system, using the highest efficiency filters that are compatible with the HVAC system(s), and arranging furniture away from air vents and high airflow areas are all good practices to consider.
- Do you have workers who may be at risk for severe illness from COVID-19, or do your workers work closely with patrons at risk for severe illness? Some people may have reduced immunity due to age, pre-existing health conditions or medical treatments.

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- Is your workplace able to offer alternative work, such as remote work, for people who require accommodation due to risk of severe illness or vaccine exemptions?

The outcome of your workplace risk assessment should help determine the specific nature of your workplace policy in order to adequately protect workers and patrons.

KEY COMPONENTS IN A COVID-19 VACCINATION POLICY

1. IDENTIFY THE SCOPE AND PURPOSE.

- Explain the purpose of the policy including the risks of COVID-19. Vaccination against COVID-19 is one of the best ways to protect workers from infection and severe illness, when current vaccination guidance is followed. As of March 2022, a primary series of COVID-19 vaccination followed by a booster dose is strongly recommended for optimal protection.
- Explain who the policy applies to. It is recommended that the policy apply to all employees, staff, contractors, volunteers and students (from hereon termed 'workers'), as relevant.
- Have a clear communication plan to inform workers about the policy.

2. DETERMINE YOUR APPROACH TO PROMOTING AND ENABLING VACCINATION

All workplaces should demonstrate their commitment to supporting workers to get vaccinated, and should create policies to enable this, including:

- Letting workers know [where they can get vaccinated](#) (pharmacies, primary care, or the health unit).
- Providing vaccine information from credible sources or translated resources, such as [SMDHU](#).
- Supporting vaccine champions to initiate conversations with their peers.
- Providing paid leave or transportation for workers to get vaccinated during paid work time.
- Reminding workers that they are entitled to up to [three paid sick days](#), if they have side effects from the vaccine.
- See SMDHU's tips for employers to increase [COVID-19 Vaccine Confidence in the Simcoe Muskoka Workforce](#).

3. ADDITIONAL REQUIREMENTS IN HIGHER RISK WORKPLACES

If your assessment of your workplace's risk of COVID-19 transmission and/or severe illness is high, it may be appropriate to consider additional requirements.

The highest risk workplaces are those that serve clients at risk for severe disease, including health care settings and congregate living settings (long term care homes, retirement homes, group homes, shelters, etc.); in these settings, additional requirements (listed below) are strongly recommended.

A. LIST ACTION STEPS WORKERS MUST TAKE

Workplace policies may require workers to provide one of the following:

- Proof of vaccination:
 - The provincial definition of ['fully vaccinated'](#) remains as a primary series of a COVID-19 vaccine or combination of COVID-19 vaccines (e.g., two doses of a two-dose vaccine series, or one dose of a single-dose vaccine series); and having received the final dose of the COVID-19 vaccine at least 14 days ago.

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- However, the strongest protection against infection/transmission and severe illness is through vaccination with all currently eligible doses. As of March 2022, this is a primary series plus a booster dose for the general population aged 12 and up. Employers are encouraged to update workplace vaccination policies accordingly.
- Methods of providing such proof may include a vaccination receipt (printed or electronic – i.e., from [the Government of Ontario's website](#))¹
- Written proof of a medical exemption, provided by a licensed physician or nurse practitioner that sets out a documented medical reason for not being fully vaccinated against COVID-19, and the effective time-period for the medical reason. This can be also demonstrated through the [Government of Ontario's proof of vaccination system](#).
- A signed written declaration from a person who is not able to obtain a COVID-19 vaccine for a reason related to a protected ground under the Ontario Human Rights Code, including a description of the need for protection and accommodation.
 - Depending on the workplace risk of transmission and severe illness, it may be reasonable to accept a declaration on broader grounds.

B. SET DEADLINES FOR WHEN ACTIONS MUST BE TAKEN

Specify a reasonable date when workers must demonstrate compliance with the workplace policy. Take into account current recommended timelines for [vaccination following COVID-19 infection](#). As for March 2022, this is 8 weeks following infection if prior to dose 2, and three months following infection if prior to booster dose.

C. PROVISIONS FOR UNVACCINATED WORKERS

For workers who are unable to complete their vaccination series for medical reasons or decline to get vaccinated for other reasons accepted under your policy, your policy may either:

- List alternative options in which a worker might continue to safely work without being vaccinated, OR
- Indicate your intention to consider reasonable accommodation on a case-by-case basis and, if required, grant such accommodation unless it would amount to undue hardship based on cost or health and safety.

Alternative options or accommodation should reflect your workplace risk of transmission and severe illness. Some options to consider include:

- Use of additional PPE, worker relocation, and modified work or reassignments.
- If relocation or reassignment is not possible, consider if unvaccinated workers may use vacation or unpaid leave during periods of elevated COVID-19 activity, until some later time when it is safe for them to return to the workplace.

The policy should make clear that no person should experience harassment or discriminatory treatment based on a Code-protected ground because they are unable to be vaccinated.

D. NON-COMPLIANCE

Outline the potential consequences for workers who do not fulfill the requirements of the policy. This may entail case by case consideration, consistent with the Occupational Health and Safety Act and the Ontario Human Rights Code.

¹ <https://covid-19.ontario.ca/covid-19-vaccine-booking-support#vaccination-receipts>

Individuals with a green photo health card can download or print an electronic COVID-19 vaccine receipt through the provincial portal, or by calling the Provincial Vaccine Booking Line. Individuals who have a red and white health care or who do not have a health card can contact the Provincial Vaccine Booking Line at 1-833-943-3900 for a call centre agent to email them a copy of their first and second dose receipts.

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E. PRIVACY CONSIDERATIONS

The policy should protect a worker's privacy as much as possible and specify how individual vaccination status of workers will be used, shared and disposed of by employers to mitigate the health-related risks of COVID-19.

Information about workers' vaccination information must be protected in accordance with applicable privacy legislation. Knowing your workers' vaccination status may be important to help you take appropriate action quickly, in the event of COVID-19 cases in your workplace, to protect workers and clients.

When collecting, sharing, storing and disposing of information about a worker's vaccination status:

- Identify ways to safeguard workers' personal health information.
- Limit information collected to the worker's name and date of vaccination for each dose.
- Keep worker vaccination information separate from their personnel file.
- Ensure personal health/vaccination information is kept in a secure manner and only used when required.

F. STAFF CONTACT

- Identify who at your organization staff should contact if they have questions about the policy, to request accommodation, or for more information on how to comply with the policy. The policy should also indicate the person to whom workers should provide proof of vaccination.

Resources

- Simcoe Muskoka District Health Unit's COVID-19 [Vaccine Information for Employers site](#)
- Ontario Chief Medical Officer of Health's [Directive 6](#) and [Resource Guide](#) for certain health care settings
- [COVID-19 and Ontario's Human right Code – Questions and Answers](#) (Ontario Human Rights Commission)
- [COVID-19 vaccines and workplace health and safety](#) (Government of Ontario)

Please contact the Simcoe Muskoka District Health Unit's Health Connection line if you have any questions at 1-877-721-7520, Monday to Friday from 8:30 a.m. to 4:30 p.m.

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