

Canadian Centre for Victims of Torture: Vaccination Policy

Implementation Date: September 24, 2021

POLICY STATEMENT: Canadian Centre for Victims of Torture (CCVT) is dedicated to ensuring the health and safety of all employees, managers, volunteers, students, and any person who performs work for CCVT (all collectively referred to herein as “Staff”), as well as CCVT service users and visitors. The purpose of this policy is to maintain a safe workplace, provide information and encourage vaccination, and to communicate the alternative measures that will be implemented in order to address the risk to and from unvaccinated staff in CCVT workplaces. CCVT adheres to the Occupational Health & Safety Act (OHSA) and to the Ontario Human Rights Code (OHRC).

SCOPE: This Policy applies to all employees, managers, volunteers, students, and any person who performs work for CCVT. It also applies to all visitors.

RATIONALE: The purpose of this Policy is to reduce the risk of exposure to and transmission of COVID-19, a highly infectious and deadly communicable disease, in the workplace by providing occupational protection to our staff and thereby preventing exposure to the service users accessing services. Vaccination for COVID-19 has been found to be both safe and effective in preventing COVID-19.

CCVT aims to inform and provide on-going education to Staff of their immunization options and the potential consequences for non-immunization.

CCVT strongly encourages all Staff to receive the full COVID-19 vaccination.

CCVT will provide up to half a day of paid time off to employees who are scheduled to work on the day their vaccination is scheduled.

For the purposes of this Policy, “Vaccines” and/or “Vaccinations” are those approved and recognized by Health Canada and the Public Health Agency of Canada and have been received in the recommended dosages by these organizations.

This Policy has been developed by CCVT in consultation and with input from CCVT’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 Staff and the service users accessing services.

This Policy is also adopted to comply with our obligations under the *Occupational Health and Safety Act* (OHSA) and regulations to take every reasonable precaution in the circumstances to protect workers and to comply with our obligation under applicable emergency orders.

PROCEDURE:

A. PROSPECTIVE STAFF

1. Any offer made by CCVT to a Prospective Staff (defined as “successful candidates for employment, volunteerism, placements or contracts for services”) will be conditional on acceptance of this

Vaccination Policy and commencement (with proof) of full vaccination for COVID-19 on the date specified by CCVT, and commitment to maintaining full vaccination in good standing throughout the pandemic (subject to human rights related accommodation up to the point of undue hardship).

2. A conditionally engaged Prospective Staff will be required to complete **Appendix "A"** attached below at the time that they accept and sign back a letter of offer (on the date specified by CCVT), failing which the offer will be rescinded and the Prospective Staff will not become a Staff member.
3. No conditionally engaged Prospective Staff will be permitted to perform any work or take part in orientation until the condition above - providing proof of commencement of vaccination or full vaccination on or before the date specified by CCVT - has been satisfied, subject to 4 and 5 below.
4. In the event that vaccination is not possible prior to their start date due to lack of availability in the community, the Prospective Staff must commit to becoming fully vaccinated within two months once vaccination is available to CCVT Staff. Failure to become vaccinated once vaccination is available will result in the termination of the Prospective Staff's engagement with CCVT. In the interim, the Staff Member will be required to provide negative COVID-19 test results on a schedule to be specified.
5. If a Prospective Staff is unable to be vaccinated due to a protected ground under the OHRC, they must advise CCVT and will be subject to CCVT's Accommodation Policy, and documentation will be required as noted in Section E below.

B. EXISTING STAFF

1. **Support for Vaccination.** CCVT strongly encourages and supports all CCVT staff to be fully vaccinated for COVID-19 (subject to human rights related accommodation up to the point of undue hardship as further discussed in Part C below). CCVT's supports for vaccination will include:
 - a. Up to date information from Public Health regarding vaccination; and
 - b. CCVT will provide up to a half day of paid time off to staff who are scheduled to work on the day their vaccination is scheduled.
2. **Disclosure of Vaccination Status.** CCVT requires that all Existing Staff provide the following information to Human Resources (HR):
 - a. Disclosure of vaccination status (and regular updates regarding vaccination status) in the form attached at **Appendix "A"** by October 1, 2021.
 - b. Proof of vaccination for COVID-19, where the person discloses that they have been vaccinated:
 - Fully vaccinated – by October 1, 2021
 - c. If not yet vaccinated, proof of vaccination for COVID-19:
 - 1st vaccination by October 1, 2021;
 - 2nd vaccination within four (4) weeks of the 1st vaccination
 - d. Where accommodation is requested by a person declining vaccination on the basis of a protected ground under the OHRC, confirmation of the reasons for declining vaccination, with substantive proof of same where reasonably necessary within one (1) week of this policy being distributed (October 1, 2021); and

- e. Where declining vaccination for reasons not protected by the OHRC, confirmation of same.
- f. Refusal to provide such information will result in the person being considered “unvaccinated” for reasons that are not protected under the OHRC and being subject to discipline up to and including termination, for refusal to provide information that is reasonably necessary to prevent, alleviate and respond to the outbreak of COVID-19.
- g. Providing false or intentionally misleading information regarding the status of vaccination is grounds for discipline up to and including termination for cause.

3. **Declining Vaccination for Reasons Unrelated to a Protected Ground under the OHSA.** Where an Existing Staff declines COVID-19 vaccination once it is available to them, for reasons unrelated to a protected ground under the OHRC, CCVT will determine whether alternative precautionary measures are required to address the risk of working while unvaccinated. Considerations will include but are not limited to recommendations by Public Health, service agreements or contractual obligations with partnering entities, the type of work performed (whether it is direct support or administration/office work), whether there is an outbreak in the workplace, and the present community risk level (whether the area has a high rate of infection).

Staff who fail to submit proof that they have initiated vaccination or submitted a medical exemption by October 1, 2021, will be required to:

- a) complete an educational training module on their own time regarding the benefits and risks associated with taking the COVID-19 vaccine by October 4, 2021
- b) provide a negative COVID-19 test result - either rapid antigen test (RAT) or polymerase chain reaction (PCR) on a schedule to be specified.

A positive result on a RAT is considered a preliminary positive and must be followed up with a laboratory-based PCR test to act as a confirmatory test as soon as possible (ideally within 48 hours). The individual who receives a positive result on the RAT screening will need to isolate until the result of the lab-based PCR test is known.

4. **Alternative Measures.** Alternative measures may include one or a combination of the following:
- Continued mandatory screening and recording of all unvaccinated staff.
 - Continued “full” PPE protocol for all unvaccinated employees regardless of outbreak status or case counts. At this time, use of full PPE is required for all Staff.
 - Reassignment: the staff may not be permitted to work with service users.
 - Temporary remote work.
 - Temporary unpaid leave of absence.
 - If unable to get the vaccination due to vaccine unavailability or for reasons unrelated to a protected ground under the OHRC, unvaccinated staff may be permitted to use any unused vacation, sick or lieu time.

- C. VOLUNTEERS AND STUDENT PLACEMENTS.** If volunteers and student placements do not receive the full COVID-19 vaccine, once it is available to them for reasons unrelated to a protected ground under the OHRC, the volunteer or student may be assigned to tasks that restrict their interactions with service users if such tasks are available. If such tasks are unavailable, unvaccinated volunteers and students will not be scheduled and the placement may be terminated.
- D. VISITORS.** All service users, union representatives, delivery personnel and any other visitors attending at CCVT offices will be required to complete COVID-19 screening and use PPE.
- E. ACCOMMODATION**

Should staff decline the COVID-19 vaccination, once available to them, for reasons related to disability or any other grounds protected by the OHRC, CCVT requires that such person identify to CCVT's HR Department that declining the COVID-19 vaccine was based on a ground protected by the OHRC. CCVT reserves the right to ask for information to substantiate the grounds, further to CCVT's normal workplace accommodation process.

Medical Exemption:

Documentation that will be required: a medical note from a physician or registered nurse practitioner specifying that the staff member has a medical condition (not diagnosis) that prevents them from taking the COVID vaccine, whether this condition is temporary or permanent, and if temporary, how long this condition/prevention may be in place.

Religious Exemption:

Documentation that will be required: letter from a local faith leader, specifying that the staff member is a member of that faith community and the religious belief that contradicts vaccination.

CCVT is committed to human rights accommodation up to the point of undue hardship where a person is unable to vaccinate for human rights protected reasons. Such situations will be assessed on a case-by-case basis.

F. OTHER COVID-19 PROTECTIVE MEASURES

All of CCVT's policies, procedures, and protocols with respect to COVID-19 protective measures continue to apply to all vaccinated and unvaccinated staff, including all procedures outlined in the Return to Work Guidelines.

All staff must continue to comply with CCVT's policies, protocols, and rules with respect to physical distancing, masking, screening, wearing personal protective equipment (PPE) and any other measures intended to reduce the risk of transmission of COVID-19.

All individuals are expected to comply with this COVID-19 policy in accordance with CCVT's Human Resources policies, collective agreements, applicable legislation, and directives.

Non-compliance with the COVID-19 Vaccine Policy in terms of failure to show proof of vaccination, satisfactory medical exemption, or attendance of educational program within the timelines included in this policy, or failure to comply with COVID-19 testing/screening requirements may result in further action, including discipline.

G. PRIVACY

The information collected from Staff (Prospective or Existing) will be collected by the Human Resources Department, stored in separate electronic and physical files with access only by those who are necessary to know, and will be destroyed when no longer necessary – as determined by Public Health, OHSA, and any and all applicable Federal, Provincial, Municipal, and local jurisdictions and health bodies.

Employees are reminded not to question other employees regarding their vaccination status as this information is considered confidential medical information.

H. REVIEW OF POLICY

This Policy will be regularly reviewed and updated to reflect the latest guidance and legislation from the Ontario government, the Federal government, Ministry of Health, the Public Health Agency of Canada, Public Health Ontario, Local Health Units, and any other relevant health bodies.

APPENDIX A

VACCINATION DECLARATION FORM

Note: Staff failing to complete this form will be considered “unvaccinated” for reasons that are not protected under the Ontario Human Rights Code and may be subject to discipline for failure to provide information as required by this policy.

VACCINATION STATUS

Name of Staff (print): _____

- I have received/will receive (as soon as reasonably possible after vaccination becoming available to me) the full COVID-19 vaccination and will supply medical evidence of vaccination by no later than one (1) week after signing this form or immediately upon being vaccinated, whichever comes first.
- I hereby decline COVID-19 vaccination for human rights related reasons and hereby seek accommodation and will provide information substantiating the reasons for declining vaccination that is appropriate given the basis on which I am declining vaccination.

I confirm that I have read the Vaccination Policy and had the opportunity to seek clarification regarding this policy and vaccination prior to completing this form.

Signature _____

Date Signed _____