

Policy: Contractor COVID-19 Vaccination Verification and Testing	Section: 1 – 35	Issued: November 5, 2021
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Effective as of December 1, 2021.

Purpose

The health and safety of municipal employees is a top priority. The Municipality of Chatham-Kent is committed to taking every precaution reasonable in the circumstances for the protection of the health and safety of workers from the hazard of COVID-19.

To help reduce the risk of COVID-19 transmission, this vaccination policy is an important measure that complements Chatham-Kent's COVID-19 Safety Plan outlining other workplace health and safety measures in place following Public Health guidance including:

- Workplace screening
- Physical distancing and barriers, including remote work
- Source control masking
- Frequent cleaning and sanitization
- Personal protective equipment

The Municipality of Chatham-Kent may modify this policy at any time to adapt to changing government and Public Health guidelines, current conditions, restrictions, and best practices as part of the commitment and strategy to maintain a safe and healthy workplace.

Scope

This policy applies to all Municipality of Chatham-Kent Contractors and their Employees (other than those exempted below).

Definitions

For the purpose of this policy, the following definitions apply.

COVID-19

COVID-19 is a virus belonging to a large family called coronavirus, which includes the virus that causes the common cold and more severe disease such as Severe Acute Respiratory Syndrome (SARs) and Middle East Respiratory Syndrome (MERS-COV). The virus that causes COVID-19 is a novel coronavirus named SARS-CoV-2.

Contractor

Contractor is any person, group, company or organization that provides goods or services to, or on behalf of, the Municipality of Chatham-Kent, but excludes employees of the Municipality of Chatham-Kent.

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Employee

For the purpose of this policy, the reference to Employee will include all Contractor employees (full-time, part-time, permanent, temporary, casual, and students), as well as volunteers and sub-contractors and all employees of sub-contractors.

Fully Vaccinated

Related to COVID-19, Fully Vaccinated refers to an individual having received:

- the full series of a COVID-19 vaccine authorized by Health Canada, or any combination of such vaccines, or
- one or two doses of a COVID-19 vaccine not authorized by Health Canada, followed by one dose of a COVID-19 mRNA vaccine authorized by Health Canada, or
- three doses of a COVID-19 vaccine not authorized by Health Canada; and
- they received their final dose of the COVID-19 vaccine at least 14 days ago.

This definition will change as needed to reflect the current Ministry of Health definition.

Partially Vaccinated

Related to COVID-19, Partially Vaccinated refers to having received the first dose in a multi-dose COVID-19 Vaccine series.

Proof of Vaccination

Proof of Vaccination refers to documentation issued by the Ontario Ministry of Health, other province or territory or international equivalent indicating individual immunization status against the COVID-19 virus. All Ontarians can print or download their vaccination receipt from <https://covid19.ontariohealth.ca/> or receive assistance from the Provincial Vaccine Contact Centre at 1-833-943-3900.

Protected Ground

Protected Ground means a lawful reason, including a documented medical reason, for not being fully vaccinated against COVID-19.

Test

Related to COVID-19, Test means a Health Canada approved antigen test, which detects protein fragments specific to the Coronavirus.

Vaccine

Related to COVID-19, Vaccine is defined as an approved substance used to stimulate the

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production of antibodies and provide immunity against SARS-CoV-2.

Procedures

- 1.0** All Chatham-Kent Contractors are required to ensure that each of their Employees who may enter a municipal building, be an occupant in the same vehicle as a municipal employee, or may otherwise be in regular close contact with municipal employees is:

 - a) Fully Vaccinated against COVID-19;
 - b) If unvaccinated or Partially Vaccinated, has submitted a negative COVID-19 Test completed within 72 hours before the start of their shift.
- 2.0** Section 1.0 shall not apply to Employees of Contractors who will enter a municipal building or will otherwise be in close contact with municipal employees for a temporary or short duration on an irregular basis, such as Contractors performing courier, pickup, or delivery services. Such Employees will nonetheless be required to physically distance, wear masks indoors, and comply with all other applicable Public Health and Provincial regulations and guidelines.
- 3.0** These obligations are in addition to all other applicable polices, regulations, and guidelines and any person who will access a Municipality of Chatham-Kent workplace shall continue to adhere to all guidelines in other COVID-19 Safety Plans.
- 4.0** Where a higher level of safety obligation in relation to these matters is placed on a Contractor under its own polices, other applicable policies, or other applicable laws, those stricter obligations shall apply.

Confirmation of Compliance

- 5.0** All Chatham-Kent Contractors whose Employees may enter a municipal building, be an occupant in the same vehicle as a municipal employee, or may otherwise be in regular close contact with municipal employees at any time during the performance of the contract shall submit an attestation form (Schedule A) at the commencement of its contract with the Municipality and again anytime thereafter as may be requested by the Municipality of Chatham-Kent.
- 6.0** Where the Municipality determines, in its sole discretion, that a Contractor's Employees are consistently entering municipal buildings, or riding in a vehicle with municipal employees, coming into regular close contact with municipal employees, or as otherwise may be necessary for the protection of health and safety the Municipality may require the Contractor to provide Proof of Vaccination of Employees that will be performing work for the Municipality. Such proof is in addition to the attestation form (Schedule A).

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Process for Unvaccinated Employees with Exemption due to Protected Ground

7.0 If a Contractor’s Unvaccinated Employees cannot obtain a vaccination due to a Protected Ground, this matter shall be reviewed on a case-by-case basis between the Contractor and Municipality to determine how and whether the Contractor’s services can be delivered in a manner that protects the health and safety of municipal employees.

Non-Compliance

8.0 Any noncompliance or refusal to comply with this policy by a Contractor will be addressed by the Municipality on a case-by-case basis and may result in remedial steps being taken by the Municipality, including but not limited to, a restriction on the manner of work provided by the Contractor, an adjustment of the work assigned to a Contractor, and/or termination of the applicable contract.

Intersecting Chatham-Kent Policies

Related policies, guidelines and plans include:

- COVID-19 Safety Plan
- Respectful Workplace Policy and Program

Please review these policies in conjunction with this one.

Privacy and Confidentiality

Information relating to a Vaccination and/or reasons for not receiving a Vaccine will remain confidential for the purposes of ensuring the safety of Chatham-Kent’s employees, contractors, and community, and in the event of a COVID-19 outbreak. This information will only be used to the extent necessary for implementation of this policy, for administering health and safety protocols, and infection and prevention control measures in the workplace.

The Municipality will maintain the personal information collected in confidence to the degree possible and subject to any disclosure requirements by law and the principles of procedural fairness.

The information collected for the purpose of this policy is obtained under the authority of the Municipal Freedom of Information Protection of Privacy Act (MFIPPA) and the Personal Information Protection and Electronic Documents Act (PIPEDA) and will be used exclusively by the Municipality of Chatham-Kent.

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Schedule A – Attestation Document

The Municipality of Chatham-Kent (the “Municipality”) requires each of its Contractors to complete this Attestation Document as part of the Municipality’s Contractor COVID-19 Vaccination Verification and Testing Policy (the “Policy”), for its Employees who:

- a) may enter a municipal building; or
- b) may be an occupant in the same vehicle as an employee of the Municipality;
or
- c) are otherwise expected to be in regular close contact with an employee or employees of the Municipality.

I hereby attest that my company’s Employees for which this Policy applies shall either be Fully Vaccinated against COVID-19 or submit a negative COVID-19 Test completed within 72 hours before entering a municipal building or occupying the same vehicle as an employee of the Municipality.

I acknowledge that collection of this information by the Municipality is for the purposes of administering the Municipality’s Policy, is in compliance with the Municipal Freedom of Information and Protection of Privacy Act and that this information will not be otherwise shared, rented, sold or released to any third party.

This Attestation Statement is made by _____ **of**
Print Representative’s Name

_____, **dated this** _____ **day of**
Print Company Name

_____, **20**_____.

Contractor Signature: _____

Email Address: _____