



## COVID-19 VACCINATION POLICY - MANDATORY STAFF Approved August 2021

### PURPOSE

At Paul Penna DJDS, (the “**School**”) we are committed to providing and maintaining a safe school environment for all. Consistent with this commitment, the School has established this Mandatory COVID-19 Vaccination Policy (the “**Policy**”). The Policy requires that, in accordance with the terms set forth below, all persons subject to this Policy (as defined in Scope, below) be vaccinated for COVID-19 or obtain an approved accommodation or exemption.

The School has prepared this Policy by considering reliable scientific evidence, government guidance and protocols, its obligations under the Occupational Health and Safety Act (“OHS”) and relevant human rights legislation.

### BACKGROUND

The School has obligations under the OHS to take every precaution reasonable in the circumstances to protect the health and safety of a worker. In light of the effect of Covid-19 and the emergence of variants in Ontario, the School will take its obligations under the OHS very seriously.

Safe and reliable vaccines are an important tool to help stop the spread of Covid-19, build immunity in Ontario and protect our communities. As a school, we have a heightened responsibility to ensure we are doing everything we can to protect our staff, students and their families.

### SCOPE

This Policy applies to the following persons attending at the School: school administrators, full-time and part-time teachers, administrative staff, contract staff, and volunteers. For the purpose of this Policy, any person paid by the School will be referred to as “staff”.

### VACCINATION AND TIMING

Anyone attending at the School must be fully vaccinated to attend on the School premises. A grace period extending to October 15, 2021 will be provided in order to permit individuals time to become fully vaccinated. “Fully vaccinated” includes all doses of a Health Canada approved vaccine including any boosters or further doses that are recommended or mandated by applicable governmental authorities, including any local health unit. It is the responsibility of the individual to ensure there is sufficient time to receive both doses of the vaccine by October 15, 2021 and any further required boosters or doses to remain “fully vaccinated” and in compliance with this Policy thereafter.

After October 15, 2021, subject to relevant accommodations or exemptions, any staff member joining the School must be fully vaccinated prior to their first day of work and must remain



“fully vaccinated” throughout their employment. Volunteers, visitors and others must also remain “fully vaccinated” to attend on School premises.

Staff members who fail to comply with the terms set out in this Policy may be subject to disciplinary action, up to and including termination from their employment. Individuals not employed by the School may be removed from the School premises.

The School will work with staff members to ensure they have time off necessary to be vaccinated. Staff may use their vacation or personal days to be vaccinated, and sick days, vacation or personal days for any absence due to experienced side effects from the vaccine.

### **PROOF OF VACCINE**

Once a staff member has been fully vaccinated, they are required to provide proof of vaccination to the School. This must be provided prior to October 15, 2021, or for new staff members, prior to their first day of employment. Proof can be in the form of a copy of the proof of vaccination given at the time of receiving vaccination, or a letter from a medical doctor, confirming the staff member has been vaccinated. Proof that a staff member remains “fully vaccinated” may be required at the discretion of the School throughout employment.

Any other individual attending the School (e.g. volunteers or visitors) may also be required to show proof of vaccination before being permitted onto the premises.

The School will only collect, use and disclose information regarding all individual staff member’s vaccination status in accordance with its Privacy Policy and all applicable privacy laws. Proof of vaccination will not be retained.

### **EXEMPTIONS**

The School recognizes its responsibilities and duties under provincial legislation, including the Ontario *Human Rights Code* (the “Code”). If a person is unable to be vaccinated, due to a protected ground, as defined by the Code, the School will comply with its duty to accommodate the individual to the point of undue hardship.

The duty to accommodate will be informed by the School’s obligations to protect the health and safety of staff, students and others on the premises.

Due to the serious health threat COVID-19 presents to the public, if a person cannot be vaccinated because of a protected ground under the Code, they must request an accommodation or exemption which falls under one of the following two categories:

1. Medical Condition; or
2. Religious/Creed.



### **Medical Condition Exemption**

A person who is requesting an exemption from this Policy on the basis of a medical condition must provide the School with a letter from a medical doctor, clearly stating the reason why they should be exempted from receiving the vaccine. For staff, this letter must be provided to the School prior to September 9, 2021. If the staff member begins after October 15, 2021, this letter must be provided to the School prior to their first day of employment. This letter may be requested at any other time for any person who is not a staff member.

### **Religious/Creed Exemption**

The Human Rights Tribunal of Ontario defines religion as “the practices, beliefs and observances that are part of a faith or religion. It does not include personal moral, ethical or political views”. Creed is more broadly defined, however, has limitations. The following characteristics are relevant when considering if a belief system is a creed under the *Code*. A creed:

- Is sincerely, freely and deeply held;
- Is integrally linked to a person’s self-definition and spiritual fulfilment;
- Is a particular, comprehensive and overarching system of belief that governs one’s conduct and practices;
- Addresses ultimate questions of human existence, including ideas about life, purpose, death, and the existence or non-existence of a creator and/or a higher or different order of existence;
- Has some “nexus” or connection to an organization or community that professes a shared system of belief.

There is no requirement under the Code to accommodate a refusal to be vaccinated arising from a political belief and/or principles. Political belief, such as the objection to receiving the vaccination on a principled basis, is not a protected ground under the Code.

An individual may apply for an exemption, due to religious belief or creed. The School reserves the right to ask for materials in support of the individual’s religious belief or creed, including a letter of support from a religious leader or community.

### **Process to Receive an Accommodation**

1. The individual who seeks an accommodation, including an exemption, is required to complete a COVID-19 Vaccination Accommodation/Exemption Request Form.
2. The individual must provide the completed Accommodation/Exemption Request Form to the School’s Head of School, with supporting documentation.
3. The Head of School will consult with the school administration and other appropriate school personnel to determine whether the accommodation, including an exemption,



will be granted based on the accommodation process set out below. If additional information is required from the individual, the Head of School will follow up.

4. The Head of School will confirm receipt of the Accommodation/Exemption Request Form. An original copy of the Form will be securely stored at the School.

The accommodation process is a shared responsibility. All parties should cooperatively engage in the process, share information and consider potential accommodation solutions. School staff members who are requesting an accommodation are required to:

- make the accommodation needs known to the best of their ability, preferably in writing, in a timely manner;
- answer reasonable questions or provide information about relevant restrictions or limitations, including information from health care professionals;
- take part in discussions about possible accommodation solutions;
- co-operate with any experts whose assistance is required to manage the accommodation process;
- meet agreed-upon performance standards and requirements, once accommodation is provided; and
- work with school administration on an ongoing basis to manage the accommodation process.

All requests for accommodation will be reviewed by the Medical Advisory Panel in conjunction with the Head of School. Depending on workplace considerations, possible accommodations may include masking, physical distancing, regular testing, work-from-home arrangements, job-protected leave of absence and/or restructured duties and responsibilities.