

In the matter of an arbitration

B E T W E E N:

The Corporation of the County of Wellington

(“the Employer”)

and

Canadian Union of Public Employees, Local 973.01

(“the Union”)

and in the matter of policy grievance 06 - 2021

Elaine Newman, Arbitrator

Hearings held by video conference on May 16, 2024.

Appearances:

For the Union: Samson Oort, CUPE National Representative
Leila Paugh, CUPE National Representative
Connie MacDonald, President, Local 973
Margret Wrobel, Chief Steward, Local 973.01

For the Employer: James G. Knight, Counsel
Susan Farrelly, Director of Human Resources
Michele Richardson, Assistant Director of Human Resources
Luisa Artuso, Social Services Administrator

AWARD

Introduction

[1] The Union policy grievance challenges the Employer's COVID – 19 Vaccination Policy HR 13.76, as revised, on the ground that it is ambiguous. This is a mandatory vaccination policy. Several termination grievances were originally referred to arbitration. Many have been resolved through mediation. I remain seized of four termination grievances. The Union asserts that disciplinary action taken pursuant to that policy, including these terminations, must be rescinded.

[2] In two pre-hearing conferences Mr. Knight and Mr. Oort discussed the alternate processes in which these grievances might be heard. Expedited options were considered. The Union ultimately requested that I hear argument on this issue and release an expedited award before the individual grievances are addressed. The Employer consented to this process.

[3] It is easy, in 2024, to minimize the challenges that employers and unions experienced during the pandemic - each trying to do the right thing to protect employees and members of the public in a period of unprecedented upheaval. The events reviewed in this award took place in the early days of the pandemic. As will be seen, each of the parties in this case approached their responsibilities with a shared acknowledgment of the challenges, and with considerable respect for the views of the other on issues of mandatory vaccination, measures necessary to enforce the chosen rules, and the impact of consequences on the individuals involved.

The Evidence

[4] No oral evidence was called in support of the ambiguity argument.

[5] The argument was based on a book of documents provided by the Employer that included all policy revisions as well as correspondence between the Union, Employer and individuals, that demonstrate how the policy was implemented. The book of documents was presented by the Employer on the morning of this hearing, and a two-hour adjournment was granted to permit the Union to read and review the documents.

[6] At hearing I noted that there was no evidence of actual confusion when the policies and their revisions were enacted. I asked the Union if there was any additional evidence on record that pointed to there being confusion about the policy.

[7] The Union argued that its letter of November 8, 2021 said that the policy could be interpreted in different ways. Written when the second version of the policy introduced a change that would have non-compliant employees placed on unpaid leave, the Union urged rapid antigen testing be continued, and that no one would face unpaid leave if they chose not to become fully vaccinated. It argued that the policy itself could be interpreted as requiring only testing for those who refused vaccination, and pointed out that many municipalities within the County were adopting that approach. The letter did not complain that there was confusion about how the County was proceeding and did not state that there was any need for clarification. This was an effort by the Union to influence the County's choice of policy approaches to non-compliance with its vaccine mandate, not to raise a concern about ambiguity. The Employer did not change the policy or its approach to implementation.

[8] For ease of reference, the final version of the policy, as revised March 14, 2022, is annexed as Schedule A to this Award. As the Employer argues, this version includes all elements of the Union's current criticisms.

Elements Not in Dispute

[9] The Employer issued COVID-19 Vaccination Policy HR 13.76 ("the policy") on September 8, 2021 and amended it on October 4 2021, February 11, 2022 and March 14,2022.

[10] The Union's policy grievance is dated October 19, 2021, and alleges that several aspects of the policy violated the collective agreement. Notwithstanding the fact that the ambiguity argument was not raised until two days before this hearing in May of 2024, two and a half years after the policy was implemented and the grievance filed, the Employer consented to the issue being addressed in this process.

[11] Argument included examination of all versions of the policy, including those amended on February 11 and March 14, 2022, notwithstanding the fact that the grievance pre-dated those two versions.

[12] The Union has accepted and does not challenge the foundational factual findings and conclusions made in my own award in the matter of The Corporation of the City of North Bay and Canadian Union of Public Employees, Local 122-1 (2023) CanLII 83430 (ON LA). There is no challenge regarding the danger or rampant transmissibility of the coronavirus disease or to the benefit of vaccination in reducing transmission. The Union agreed that no scientific or epidemiologic

evidence was required in this case. The foundational conclusions generally acknowledged by labour relations arbitrators, such as those expressed in North Bay, stand as fact for the purposes of this argument.

[13] In the North Bay matter, I concluded that discipline, including termination, is a reasonable policy response to failure to comply with a mandatory vaccination policy, subject to consideration of unique circumstances raised in individual grievances. The Union's position here is that the consequence of vaccination refusal was not clearly stated in this policy, and for that reason the terminations based on vaccination refusal cannot be upheld.

[14] The Union's argument based on ambiguity is its only challenge to the policy. In other words, the Union's position has changed since the filing of the grievance and the parties have now agreed that if the ambiguity argument fails, and the policy is upheld, hearing will proceed on the four individual grievances of which I remain seized. The Union will raise no additional challenge to the policy itself.

The Union's Argument

[15] The Union argues that the policy is unclear and ambiguous in many respects (which will be addressed in detail.) Essentially, it argues that the policy is unclear because in no version does it clearly say (subject to medical or other Human Rights exceptions) "all employees must be fully vaccinated". The Union also argues that the policy does not say "failure of any employee to become vaccinated may result in termination".

[16] The Union relies on Re Lumber & Sawmill Workers' Union, Local 2537, and KVP Co. Ltd. (1965) CanLII 1009 (ON LA), in asserting that the Employer's unilateral introduction of a policy is subject to the requirement that it be clear, unambiguous, and brought to the attention of the employees before the Employer can act on it.

[17] Because it is unclear, the Union says the policy must fail and terminations implemented under the policy must be rescinded. This is so even though there is no evidence that the policy was not brought to the attention of the employees, and no evidence that the Union or any individual employee failed to understand that they were required to become fully vaccinated or risk termination.

[18] These are the Union's criticisms of the policy. Policy excerpts and paraphrasing are printed in bold.

[19] The policy, as revised on October 4, 2021 says in its first paragraph **“A key element to help ensuring this protection [from the hazard of COVID – 19] is by putting in place a programme requiring that employees and volunteers are fully immunized against COVID – 19 or regularly tested for COVID – 19”**.

[20] The Union says that the policy is unclear because it does not say who is to be tested, or when.

[21] The policy says in the final sentence of the POLICY STATEMENT Section, **“This policy aims to achieve full vaccination amongst County employees and volunteers in alignment with provincial directives and subject to limited exceptions in accordance with the Human Rights Code (Ontario).**

[22] The Union says the Policy is unclear because stating an “aim” to achieve is not the same as actually intending to achieve it”. A clear policy would have said this goal “will be achieved”.

[23] The policy says, in the SCOPE section that **“All new and re-hired County of Wellington employees... are required to be fully vaccinated ... as a condition of being hired or re-hired.”**

[24] The Union says the policy is clearer in respect of newly hired or re-hired employees than it is in respect of existing employees. This situation might have been clarified when the policy was revised to address new hires, but that was not done.

[25] **The Policy provides for support for existing employees to become vaccinated in the section on SUPPORT FOR VACCINATIONS.**

[26] The Union complains that nothing in this section addresses the consequences of failure to vaccinate.

[27] In the policy section on RESPONSIBILITIES, **the policy lists the expectations of employees. It says that employees must follow all health and safety policies and protocols and declare their COVID-19 vaccination status and meet the requirements outlined in the policy.**

[28] The Union says that this section of the policy does not say that employees must provide proof that they have been fully vaccinated in order to maintain their employment.

[29] In the section entitled **PROCEDURE - PROOF OF VACCINATION STATUS** the policy says **that employees must disclose their vaccination status.**

[30] The Union complains that this section does not specify what is to occur when an employee has been denied exemption from the policy on medical or human rights grounds.

[31] In the section entitled **MEDICAL EXEMPTION FOR COVID-19 VACCINATION**, the policy speaks to circumstances in which employees have advanced a need for accommodation on medical grounds.

[32] The Union complains that the section does not address requests for accommodation based on other grounds addressed in the Human Rights Code.

[33] In the section entitled **CONSEQUENCES OF NON-COMPLIANCE WITH POLICY**, the policy states that **“Employees who fail to comply with this policy may be subject to disciplinary action, up to and including dismissal.**

[34] The Union argues, in what is the essential point of its position, that although it is clear that new hires must be fully vaccinated, there is no such obligation stated for existing employees. The responsibility of existing employees is only that of disclosing their vaccination status. If they have done that, they are in compliance with their responsibilities and expectations. This is the foundation of the Union argument that the policy is ambiguous.

[35] The Union has traced the evolution of the policy through its revisions and argues that although it revised a number of elements it never clarified this problem.

[36] Importantly, the Union also argues that although the policy refers to potential dismissal in its section on consequences, it has not clearly stated that failure to become fully vaccinated will result in termination. The policy, in its section on **PROCEDURE - PROOF OF VACCINATION STATUS** only says that **those who fail to disclose their vaccination status will be subject to discipline, up to and including dismissal.**

[37] The Union argues that the policy, in its entirety, remains unclear about the consequences of making the decision not to become fully vaccinated.

[38] The policy, in the same section on **PROCEDURE – PROOF OF VACCINATION STATUS**, states that **“Any employee who has not been vaccinated and who does not have a verified and approved medical exemption, has been placed on unpaid leave, and will remain on unpaid leave until they comply with the policy or they are dismissed or otherwise leave employment”.**

[39] The Union argues that there is no statement or explanation of what employees have to do in order to avoid termination. Again, although there is clarity for new hires, there is no clarity for existing employees. There is clarity for employees who fail to disclose their vaccination status. But there is no clarity on what happens to people who refuse to become vaccinated, who are unsuccessful at claiming exemptions or accommodation, and no clarity for those on unpaid leave. The policy does not say when or why they would eventually be terminated. There is no clarity on what they had to do to avoid termination.

The Employer's Argument

[40] The Employer asserts that the policy, and each of its revisions is clear and unambiguous in intent and method. Using the "carrot and stick" approach it encouraged and supported vaccination, included a provision for paid time off work to obtain vaccinations and address side effects, and included clear consequences for failure to comply.

[41] The Employer could not lawfully order its employees to become vaccinated. It took every reasonable step to encourage vaccination, and to protect co-workers and the public from infection by removing those not in compliance to unpaid leave. Ultimately, it added the potential for dismissal from employment as a disciplinary consequence for non-compliance, and made that potential clear in its section on CONSEQUENCES OF NON-COMPLIANCE WITH POLICY.

[42] The Employer argues that the correspondence included in the record reflects that implementation of the policy was undertaken in a supportive way with individuals who declined vaccination, asserted medical grounds for accommodation, or sought exemption on religious grounds. There is no evidence of an actual lack of understanding on the part of the Union, or any individual.

[43] In any event, a retrospective review of the policy's structure and language may demonstrate that perfection in drafting may not have been accomplished. But that is not the determinative question. There was no lack of clarity on either the face of the policy, or in its implementation, that left anyone in doubt as to their obligation to either become fully vaccinated, or advance an appropriate claim for medical exemption from vaccination or seek accommodation under the Human Rights Code.

ANALYSIS AND DECISION

[44] I accept the Employer's submission that the appropriate test is not what a critical retrospective parsing of the policy reflects, or how the policy might have been more perfectly structured or worded. The test, in my view, is whether the policy clearly communicated to employees what their obligations were, and what would happen if they, knowing the consequences, chose not to comply. The point is that it would be unfair to discipline any employee, and in particular, to terminate their employment, if that employee made the choice to avoid vaccination without completely understanding that the decision put their job at risk.

[45] Having considered the Employer's policy, the three revisions to that policy and the arguments meticulously asserted by the Union, I conclude that the policy was clear and unambiguous. Employees knew that they had to become fully vaccinated, unless there were grounds for exemption. They knew what would happen if they did not comply.

[46] Further, having considered the correspondence from the Union in response to the policy's revision in October 2021, and the correspondence that provides examples of the policy's subsequent implementation, I conclude that there was no confusion or lack of clarity on the part of the Union or any individual employee.

[47] These are the features of the policy itself that support this finding:

[48] The policy makes it clear in its opening paragraph that the goal is protection of employees, volunteers, members of the public and others. The way to secure that protection, a "key element" to help ensure that protection was a programme "requiring that employees and volunteers are fully immunized against COVID - 19 or regularly tested for COVID - 19".

[49] The policy explains under what circumstances testing would be required. It was intended as a safety check while employees were becoming fully vaccinated, not, as the Union urged in its letter of November 8, 2021, as an alternative to full vaccination.

[50] If there is any lack of clarity in that paragraph, the second paragraph states that the policy "aims to achieve full vaccination amongst County employees and volunteers in alignment with provincial directives and subject to limitations in accordance with the Human Rights Code (Ontario)." I do not agree with the Union's concern over the use of the term "aims". The paragraph stated the Employer's goals.

[51] In its SCOPE section, the policy makes clear that the aim of achieving full vaccination amongst employees applies to all County of Wellington employees.

[52] These opening sections of the policy, on my reading, explain the problem, the intention and the method. Protection from the hazard of COVID – 19 would be sought by requiring all employees to become fully vaccinated. Limited exceptions in accordance with the Human Rights Code would apply.

[53] The Union argument relies upon the section entitled PROCEDURE – PROOF OF VACCINATION STATUS to argue that the only obligation on existing employees was to report their vaccination status. If an employee declined to be vaccinated and reported that they had not been vaccinated, that would amount to compliance.

[54] I do not accept that this was either the intent or the effect of the PROCEDURE section of the policy. Disclosure of vaccination status was the method through which the Employer chose to monitor compliance. Read in the context of the entire policy, this section does not, in my view, create an obligation on existing employees that begins and ends with disclosure. They were still, all, required to obtain full vaccination.

[55] The Union has focused on the clarity around new hires to draw a comparison between the policy's treatment of two different groups of employees. As the Employer explains, the circumstances of new hires were indeed different from that of existing employees. The former "did not even get in the door" of employment without proof of full vaccination. A condition of employment was imposed on them that was not imposed on existing employees. New hires were required to get boosters in order to prove that they were fully vaccinated, while existing employees were only required to prove two initial doses. But the difference does not, in my reading of the policy, mean that the obligations on existing employees was any less clear than that of the new hires.

[56] It is true that not every section of the policy addresses the circumstances of employees who were advancing medical exemptions or other accommodation claims under the Human Rights Code. That would have been unnecessary and repetitive. There is no lack of clarity regarding the Employer's intent to respect such claims and requests. (The question of whether or not the Employer did so is a question to be deferred to individual grievance presentation).

[57] Is there a lack of clarity regarding the potential consequence of any employee's failure or refusal to comply with the requirement to become fully vaccinated? In my view, the section on

CONSEQUENCES OF NON-COMPLIANCE WITH POLICY is simple, clear and unambiguous. It could not be any clearer.

[58] In summary, I am not satisfied that the Union has established that this policy is unclear. Through this policy the Employer was successful in communicating to the Union and to its employees that full vaccination was required, and that full vaccination was required of all.

[59] The evidence in this case fails to provide any support for the assertion that there was a failure to communicate the requirement. There is no factual foundation upon which to conclude that the Union or any individual employee was unclear about their obligation.

[60] The Employer has not argued any procedural objection to the Union raising the ambiguity argument so late in the process, and I do not rely on that procedural issue in reaching these conclusions. However, I do find it telling and important that until two days before this hearing, neither the Union nor any individual employee said they were confused about their obligations or the consequences. I can only conclude that the obligation to become vaccinated was entirely clear.

[61] Was there clarity about what would happen to employees who declined to be vaccinated, or who were unsuccessful in their claims for exemption, and were placed on unpaid leave? It is clear that there was. The policy stated that employees on unpaid leave would continue in that status, until they complied, were dismissed or otherwise left employment.

[62] It is my conclusion that the policy was not ambiguous or unclear. As this is the only ground upon which the Union challenges the policy, the policy grievance must be dismissed. It is so ordered.

DATED at Toronto this 21st day of May, 2024.

A handwritten signature in blue ink, appearing to read "Elaine Newman". The signature is fluid and cursive, with a large initial "E" and "N".

Elaine Newman,
Arbitrator

Policy Statement 13.76

The Corporation of the County of Wellington is committed to providing a safe working environment and taking every precaution reasonable in the circumstances for the protection of our employees, volunteers, contractors, elected officials and members of the public, from the hazard of COVID-19. A key element to help ensure this protection is by putting in place a programme requiring that employees and volunteers are fully immunized against COVID-19 or regularly tested for COVID-19. The County of Wellington has a legal duty under the Occupational Health and Safety Act (OHSA), to take reasonable precautions to protect workplace health and safety, including hazards posed by infectious disease such as COVID-19 and associated variants.

The County of Wellington considers vaccinations to be fundamental to the protection of individuals and the community, and to be consistent with the best available public health advice for prevention of the spread of COVID-19 and variants. This policy recognizes that those who are unvaccinated or not fully vaccinated pose a significantly increased risk of becoming seriously ill from COVID-19 and also of spreading the virus to others, with significant impact on human health and service continuity. This policy aims to achieve full vaccination amongst County employees and volunteers in alignment with provincial directives and subject to limited exceptions in accordance with the Human Rights Code (Ontario).

Purpose

The purpose of the COVID-19 Vaccination Policy is to provide guidelines pertaining to the expectations and requirements the County has of employees, volunteers and students working on an unpaid placement or internship, with respect to COVID-19 and vaccinations.

Scope

This policy applies to all County of Wellington employees, volunteers and students working on an unpaid placement or internship.

Individuals working in certain Divisions may have obligations in addition to this policy under Division-specific policies regarding COVID-19 vaccination or under regulations, legislation or guidelines applicable to them. If the requirement under this policy reflects a higher requirement than any directive stipulates for a specific Division, this policy will govern. All new or rehired County of Wellington employees, including returning Seasonal and Student employees, are required to be fully vaccinated against COVID-19 as a condition of being hired or rehired by the County of Wellington.

Contractors are subject to a separate COVID-19 vaccination policy with Treasury that is in alignment with this policy.

The County of Wellington also reserves the right to amend this policy as the County determines to be appropriate or required.

Definitions

Fully Immunized

For the purposes of case/contact/outbreak management, an individual is defined as fully immunized once 14 days has passed after receiving their second dose of a two-dose COVID-19 vaccine series or their first dose of a one-dose COVID-19 vaccine series that is approved by Health Canada.

Vaccines approved by Health Canada are as follows:

- Pfizer-Biontech COVID-19 vaccine
- Moderna COVID-19 vaccine
- Janssen (Johnson and Johnson) COVID-19 vaccine
- AstraZeneca/COVISHIELD COVID-19 vaccine

Support for Vaccinations

The County of Wellington supports employees in obtaining their COVID-19 vaccination.

With the permission of their immediate supervisor, County employees may be released on work time to be vaccinated while on-duty, without loss of compensation, and mileage will be paid in accordance with the County's Mileage and Business Travel Policy HR #11.0. If an employee cannot work because of vaccine-related side effects, paid time is available and provisions are outlined in HR Policy #4.5 Short-term Disability and Medical Responsibility Leave Policy in the Addendum due to the COVID-19 Pandemic.

Continued Compliance with all Health and Safety Precautions

Unless a legislated or regulatory exemption applies, all County of Wellington employees are expected and required to continue to comply with applicable health and safety measures to reduce the hazard of COVID-19, including but not limited to compliance with established workplace access controls (e.g. screening), wearing a mask or face covering, using provided Personal Protective Equipment (PPE), maintaining appropriate physical distancing and self-monitoring of potential COVID-19 symptoms when at work or otherwise engaged in County business. The applicable Health and Safety measures are outlined in HR Policy #13.75 COVID-19 Protocol Policy.

Responsibilities

All levels of management are responsible for the administration of this Policy.

Managers are expected to:

- lead by example;
- declare their COVID-19 Vaccination status and meet the requirements outlined in this policy;
- ensure employees declare their COVID-19 Vaccination Status, as outlined in this policy; and
- ensure employees complete any required education or training about COVID-19, including regarding vaccinations and safety protocols.
- monitor compliance with the Rapid Antigen Testing protocol.

Employees are expected to:

- follow all health and safety policies and protocols;
- declare their COVID-19 Vaccination status and meet the requirements outlined in this policy; and
- complete any required education or training about COVID-19, including regarding vaccinations and safety protocols.
- complete the Rapid Antigen testing protocol, as required.

All County employees are required to create and foster a work environment free from harassment and disrespectful behaviour, as outlined in HR Policy #17.0 Respectful Workplace and Anti-Harassment.

Procedure

Proof of Vaccination Status

The County of Wellington requires all employees to disclose their COVID-19 vaccination status through a confidential Vaccine Declaration Form link on The Well. *Wellington Terrace employees are to continue providing this disclosure and documentation through the existing process.

For those employees who have been vaccinated, we require this proof of vaccination to be submitted through the Vaccination Declaration form link on The Well. The only acceptable proof of vaccination is the receipt or other documentation provided by the Ministry of Health/Public Health, or equivalent out-of-province health body to the person who was vaccinated. For Divisions with volunteers or students working on an unpaid placement/internship, the respective Division is responsible for obtaining this information from these individuals.

Employees were required to disclose their vaccination status to the County of Wellington in accordance with the established process by no later than Wednesday, September 22, 2021. Any employee who has not done so to date must do so immediately and may be subject to discipline for ongoing failure to comply, up to and including dismissal. Any employee who has not been vaccinated, and who does not have a verified and approved medical exemption, has been placed on unpaid leave, and will remain on such leave until they comply with the policy or they are dismissed or otherwise leave employment. Subject to availability of tests, employees must participate in regular Rapid Antigen Testing if the employee has a verified and approved exemption from receiving the vaccination, subject to limited exceptions in accordance with the Human Rights Code (Ontario), provided that all necessary documentation is submitted and kept updated to substantiate the exemption. Testing will be conducted at interval frequency/location/s and/or by means, as determined appropriate by the County of Wellington. Other accommodation measures may be taken if tests are not readily available.

The County of Wellington otherwise reserves the right to require Rapid Antigen Testing of any employee at any time.

The COVID-19 booster dose will be required if mandated by the Ministry of Long-term Care, or other Ministry as applicable to the County of Wellington, or by Wellington-Dufferin-Guelph Public Health. The County of Wellington will maintain vaccination disclosure information, including documentation verifying receipt of a vaccination series approved by Health Canada or the World Health Organization, in accordance with privacy principles and any applicable legislation. This information will be retained by HR - Health and Safety, and 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.

Employees also may be required to disclose their vaccination status by law or to otherwise give effect to this policy, including, but not limited to, situations where employees are directed to stay home as a result of the daily screening tool in order to comply with the clearance criteria to return to work (e.g. after experiencing symptoms, a COVID-19 exposure, or a travel quarantine exemption).

All new or rehired employees must provide the required proof of vaccination to Human Resources prior to commencing their employment, engagement, assignment, or placement. This policy shall form one of the conditions of employment, which new employees accept as part of an offer of employment into such positions. Furthermore, all new or rehired employees shall sign an agreement indicating that they agree to have vaccination for COVID-19 as recommended by Wellington- Dufferin-Guelph Public Health and/or reasonably required by the County of Wellington in accordance with prevailing public health advice. In accordance with this policy, if a new or rehired employee is unable or unwilling to meet these conditions, they cannot commence or continue

employment. If they are unwilling to meet COVID-19 vaccination requirements in the future, they will be deemed to have resigned or will be terminated from employment for cause. If the employee has a medical reason for not being vaccinated now or in the future, the County will provide this individual with a letter to take to their attending physician upon request; each case will be considered on its own facts, in accordance with any applicable legal obligations under the Human Rights Code.

For Divisions with volunteers or students working on an unpaid placement/internship, the respective Division is responsible for obtaining this information from these individuals, prior to commencing their engagement, assignment, or placement.

Individuals can download copies of their vaccination documentation at this link: covid19.ontariohealth.ca. Please refer to Appendix 1: How to Download and submit your Vaccination Documentation. If the individual has a red and white health card or no health card, call 1-833-943-3900.

Medical Exemption for COVID-19 Vaccination

If an employee has a medical reason for not being vaccinated now or in the future, it is the employee's responsibility to contact the Health, Safety and Wellness Coordinator to provide a letter to take to their attending physician; each case will be considered on its own facts, in accordance with any applicable legal obligations under the Human Rights Code. The County will require written proof of a medical reason that sets out at least the following:

- i. that the person cannot be vaccinated against COVID-19; and
- ii. the general nature of the medical reason why the person cannot be vaccinated and confirmation that this is a genuine medical condition and not simply the patient's preference or self-evaluation; and
- iii. the effective time period for the medical reason (i.e., permanent or time-limited).

This medical information received is to be submitted to and retained by the Health, Safety and Wellness Coordinator in a confidential file.

The County will work with the employee to determine whether and how an employee may be accommodated, as required, in accordance with the Human Rights Code (Ontario). Without limitation, such measures may include changes to work assignments, work location, as well as regular Rapid Antigen Testing.

Ongoing Monitoring and Assessment of COVID-19 Workplace Safety Measures

The County of Wellington will continue to closely monitor its COVID-19 risk mitigation strategy and the evolving public health information and context, to ensure that it continues to optimally protect the health and safety of employees in the workplace, volunteers, contractors, students working on an unpaid placement or internship, elected officials and the public that they serve. To that end, and in consultation with Wellington-Dufferin-Guelph Public Health (WDGPH) and occupational health and safety resources, the County will continue to assess other available workplace risk mitigation measures.

If it is determined that additional precautions are necessary, the County of Wellington may decide to deploy new measures (including at an individual level) to protect employees, volunteers, contractors, students working on an unpaid placement or internship, and elected officials and the public from COVID-19, and may amend this policy accordingly and/or communicate the required precautions to impacted employees.

Consequences of Non-Compliance with Policy

Employees who fail to comply with this policy may be subject to disciplinary action, up to and including dismissal.

Training

All employees to whom this policy applies will have this policy shared with them on, or as soon as possible following, the effective Date of this policy. All new hires will have the policy shared with them on their first day of employment, or prior to commencement of first day of employment, where possible. Employees will be required to acknowledge that they have read and understood the policy. Any questions about this policy can be directed to vaccine@wellington.ca

Attachment

Appendix 1: How to Download and Submit your Vaccination Documentation

References

[Myths and Facts about the COVID-19 Vaccines | WDG Public Health](#)
[Drop-in COVID-19 vaccine clinics | WDG Public Health](#)
[WDG Public Health - eBooking \(inputhealth.com\)](#)
[Human Rights Code \(Ontario\)](#)
[Occupational Health and Safety Act \(Ontario\)](#)