

Primer for Mandatory COVID-19 Vaccination Policies

Vaccines are a safe and effective way to protect individuals from COVID-19. Vaccines are an important tool to help stop the spread of the virus, reduce the risk of outbreaks, and protect against serious illness. Vaccination is the single most effective public health measure to reduce the spread of COVID-19.

Promoting vaccine uptake through mandatory vaccination policies can help to establish safe and supportive environments for staff and patrons. The Middlesex-London Health Unit strongly recommends that all employers and business operators require all employees, contractors, or visitors who are involved in any in-person activity to be fully vaccinated against COVID-19, with the rare exception of those individuals who cannot be vaccinated due to permitted exemptions (medical and other protected grounds under the *Ontario Human Rights Code*).

This primer provides guidance on steps that can be taken to establish a mandatory COVID-19 vaccination policy and provides examples of relevant policies and procedures.

- [APPENDIX A – Sample COVID-19 Vaccination Policy](#)
- [APPENDIX B – Sample COVID-19 Vaccination Procedure](#)

Applicable Legislation

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

The information provided in this primer 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, organizations, and circumstances.

Key components of a mandatory COVID-19 vaccination policy

1. Identify the scope and purpose
 - Explain the purpose of the policy including the risks of COVID-19 and to whom the policy applies (e.g., employees, contractors, students, volunteers and/or customers/patrons)
 - Highlight the benefits of having a high COVID-19 vaccination rate in the workplace, including reduced risk of infection and outbreak, reduced absenteeism, and enhanced staff and customer confidence in returning to the business.
2. List action steps employees must take
 - Workplace policies should require workers to provide one of the following:
 - I. Proof of full vaccination:
 - [Fully vaccinated means](#) 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,
 - The final dose was received at least 14 days ago.
 - Methods of providing such proof could include a vaccination receipt (printed or electronic – i.e. from [the Government of Ontario's website](#)), or a government-led proof-of-vaccination system;
- II. Written proof of a medical reason ([APPENDIX C – Sample COVID-19 Vaccination Medical Exemption Form](#)), 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.
 - III. A signed written request for a COVID-19 Vaccine Exemption due to a Relevant Human Rights Protected Ground, including a description of the need for protection and accommodation ([APPENDIX D – Request for COVID-19 Vaccine Exemption due to a Relevant Human Rights Protected Ground](#)).
3. Set deadlines for individuals to complete these steps
 - Specify a reasonable date for individuals to demonstrate compliance with the policy.
 - For example, all staff are required to be fully vaccinated with a COVID-19 vaccine series by October 30, 2021. Staff must receive one dose of COVID-19 vaccine by September 30, 2021, and their second dose of COVID-19 vaccine by October 30, 2021.
 4. List available supports for vaccination
 - Provide information about COVID-19 vaccines from credible sources such as the [Ministry of Health](#) and the [Middlesex-London Health Unit](#).
 - Provide the link to the MLHU website about [where to get vaccinated](#) in the Middlesex-London region.
 - Where possible, provide paid leave and/or transportation to staff to get vaccinated.
 - Offer flexible hours or paid sick days if staff have side effects after getting vaccinated.
 5. Establish provisions for unvaccinated individuals
 - Alternative options should be available for individuals not yet eligible to receive the COVID-19 vaccine (e.g., those under age 12) and individuals who decline the vaccine for medical exemptions and/or reasons protected by *Ontario Human Rights Code*.

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- Options may include staff reassignment, relocation, modified work, or use of additional personal protective equipment. Rapid testing protocols can also be considered ([APPENDIX E – Sample COVID-19 Rapid Antigen Testing Procedure](#)). It is important to note that these protocols are not preventive and are not a replacement for immunization and should be used only in instances where vaccination is not possible.
 - If relocation or reassignment is not possible, consider if unvaccinated workers may use vacation or unpaid leave until some later time when it is safe for them to return to the workplace.
6. Establish consequences for non-compliance
- Outline consequences for staff and patrons who do not fulfil the requirements of the policy.
 - Staff who do not comply with the policy may be subject to discipline, up to and including dismissal.
7. Address 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.
 - 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, their families, and the general public.
 - When collecting, sharing, storing and disposing of information about a worker’s vaccination status, identify ways to safeguard workers’ personal health information:
 - I. Limit information collected to the worker’s name and date of vaccination for each dose.
 - II. Keep worker vaccination information separate from their personnel file.
 - III. Individuals should be instructed to use the least intrusive mechanism to disclose vaccination status. Limit information collected to what is necessary.
 - IV. Ensure personal health/vaccination information is stored securely and protected in accordance with privacy legislation. It should only be used when required.
8. Designate staff contact
- Identify who staff should contact for questions about the policy and to whom individuals should disclose proof of vaccination.
9. Continued compliance with all COVID-19 prevention measures
- Individuals must continue to comply with [COVID-19 prevention measures](#) as outlined by the Ontario government and Middlesex-London Health Unit, including screening, wearing a mask or face covering, physical distancing, hand hygiene, and monitoring for symptoms of COVID-19.

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10. Ensure open and transparent communication

- Have a clear communication plan for staff and patrons to introduce the policy.
- Establish continuous dialogue with staff and patrons to provide education as necessary, and to manage understanding and expectations related to the mandatory vaccine policy and COVID-19 prevention measures.

APPENDIX A – Sample COVID-19 Vaccination Policy

[POLICY TITLE] (e.g., COVID-19 VACCINATION POLICY)

PURPOSE

To ensure that *[Organization's Name]* employees are adequately immunized to minimize their risk of infection and to reduce the risk of transmission to others.

POLICY STATEMENT

[Organization's Name] is committed to protecting employees and others from hazards in the workplace, including infectious and vaccine preventable diseases and to maintaining a protected workforce.

Under the *Occupational Health and Safety Act* and through the Internal Responsibility System, all workplace parties have a duty to keep the workplace safe; this includes taking every reasonable precaution in the circumstances to protect the worker (OHSA, Section 25(2)(h)).

APPLICATION (statement of whom the policy applies)

[All who are required to follow the policy (e.g., All employees, including students, volunteers, and new hires)] as a condition of employment to ensure fitness to safely perform work, minimize and prevent absenteeism due to vaccine preventable diseases, reduce the risk of transmission to co-workers and *[add applicable parties. E.g. Clients, customers]*. This includes anyone who is eligible to receive a COVID-19 Vaccine according to the [Middlesex-London Health Unit's website](#).

This includes mandatory reporting, initial and ongoing assessment/monitoring, and documentation of immunization. Subject to accommodation needs are referred to in the *[Organization's COVID-19 Vaccination Procedure title]*. Any employees refusing to comply with the requirements under this policy will be subject to disciplinary action, up to and including termination from employment.

[Organization's Name] recognizes its duty to accommodate employees who are unable to receive a vaccine(s), for reasons related to a disability or creed (religious beliefs) as relevant *Ontario Human Rights Code* protected grounds, to the point of undue hardship. Employees who are unable to receive vaccines or tests for medical reasons or any relevant *Ontario Human Rights Code* protected ground, will be required to complete and submit the applicable documentation, *[Insert the appropriate Organizational action. (e.g., MLHU employees must sign a document (See [APPENDIX C](#) and [APPENDIX D](#)), and/or follow applicable safety measures (refer to [APPENDIX B – Sample COVID-19 Vaccination Procedure](#))]*.

Where feasible, *[Organization's Name]* will implement measures for those who are unable to receive a vaccine for an *Ontario Human Rights Code* protected reason to enable them to continue their employment (e.g., re-assignment, remote work, personal protective equipment (PPE), applicable leave, as applicable).

[All who are required to follow the policy (e.g., All employees, including students, volunteers, and new hires)], regardless of the work they perform, are required to receive the COVID-19 vaccine and any related boosters. Employees who are unvaccinated for COVID-19 (i.e. those who received an

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exemption ([APPENDIX C](#) & [APPENDIX D](#)) or whose vaccine status information is incomplete) will be required to participate in a rapid COVID-19 testing protocol (See [APPENDIX E](#)). Personal and/or philosophical objections to the COVID-19 vaccine will not be accepted for granting an exemption from receiving the COVID-19 vaccine or any related boosters.

PROOF OF VACCINATION

[Organization's Name] requires proof of vaccination from *[All who are required to follow the policy (e.g., All employees, including students, volunteers, and new hires)]*. Proof is the documentation of completed vaccination series approved by Health Canada or as [outlined by the Ontario Government](#). For employees requiring proof of vaccination, please refer to the Ontario Ministry of Health's website to retain this: <https://covid19.ontariohealth.ca/>.

All employees' COVID-19 immunization information will be protected with appropriate safeguards and will only be used or disclosed for the purposes outlined in this policy.

Employees must disclose their vaccination status to *[Organization's Name]* by *[reasonable date for individuals to prove their status or get their vaccine (e.g., all staff are required to be fully vaccinated with a COVID-19 vaccine series by October 30, 2021. Staff must receive one dose of COVID-19 vaccine by September 30, 2021, and their second dose of COVID-19 vaccine by October 30, 2021.)]*

KEY GUIDANCE DOCUMENTS AND RESOURCES

[Public Health Agency of Canada – Canadian Immunization Guide \(2018\)](#)

This policy template has been developed by using the MLHU's Employee Immunization Policy and Toronto Public Health's COVID-19 Vaccination Policy

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APPENDIX B – Sample COVID-19 Vaccination Procedure

[PROCEDURE TITLE] (e.g., COVID-19 VACCINATION PROCEDURE)

1. Immunization Status

- 1.1. *[Include the specific process for obtaining employee immunization receipts. Include how often these records will be reviewed and by whom, if necessary.]*
- 1.2. *[Include the process for how new hires will be required to submit their immunization status prior to their start date]*
- 1.3. Where required immunization is declined, *[Organization Designate (e.g., Occupational Health and Safety (OHS))]* will discuss with the employee the potential health and safety risks associated with being unvaccinated.
 - a. If the individual is unable to receive the COVID-19 immunization based on a medical reason, they will be required to have a health care provider complete the Medical Exemption to Decline the COVID-19 Vaccine Form ([APPENDIX C](#)) and submit the form to the *[Organization Designate]*.
 - b. If the individual is unable to receive COVID-19 immunization based on a relevant protected ground under the *Ontario Human Rights Code*, they will be required to request a COVID-19 Vaccine Exemption due to a Relevant Human Rights Protected Ground ([APPENDIX D](#)).
- 1.4. In the event of a vaccine or communicable preventable disease outbreak that impacts *[Organization's Name]* employees, dependent on their role and risk of exposure:
 - a. *[All who are required to follow the policy (e.g., All employees, including students, volunteers, and new hires)]* who have not reported their immunization status or have submitted a completed exemption form will be offered immunization, provided with the applicable personal protective equipment, re-assigned and/or offered remote work (where possible); enrolled in a rapid testing program (See [APPENDIX E](#)) (where applicable), or placed on an applicable leave.
- 1.5. When the COVID-19 immunization is received, the employee must notify *[Organization Designate]* of the completion of indicated immunizations by providing a copy of the record report to ensure accurate records.
- 1.6. *[Organization Designate]* documents all immunizations *[where the records will be stored, electronic and paper]*.
- 1.7. Employees who do not provide proof of immunization, or those who do not have an applicable exemption ([APPENDIX C](#) & [APPENDIX D](#)) will be considered unvaccinated.

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- 1.8. *[Organization Designate]* will track and report on overall employee immunization rates. Individual immunization status will not be shared beyond what is required for compliance monitoring and ensuring the health and safety of *[Organization's Name]*.
- 1.9. Unvaccinated employees will *[insert what will happen if Employees are exempt and do not get vaccinated (e.g., disciplinary action, termination of employment)]*

2. Monitoring and Follow-Up to Ensure Up-to-Date Immunization and Testing

- 2.1. Employees who signed an exemption form ([APPENDIX C](#) & [APPENDIX D](#)) because they did not receive the COVID-19 vaccine can decide to receive the vaccine at any time. The employee can contact *[Organization Designate]* for assistance and/or to send the immunization record.
- 2.2. *[Insert any other documentation that may need to be added/stored in an employee's file related to the mandatory COVID-19 vaccine]*

3. Follow-Up Regarding Outstanding Requirements

- 3.1. *[Organization Designate]* will *[Specify how (e.g., by email, phone, meeting)]* a reminder to employees who have not provided required COVID-19 immunization documentation *[Add in a timeline from the first contact/request (e.g., MLHU specifies within two weeks of initial request of vaccination proof)]*.
- 3.2. *[Include what to do if the employee does not provide proof after 3.1. (e.g., MLHU sends a second reminder email with the employee's manager cc'd)]*
- 3.3. If the employee has not provided required immunization documentation by the date specified in the second email reminder, *[Organization Designate]* will notify the appropriate leader to ensure a meeting is arranged as soon as possible.
- 3.4. Continued non-compliance will be addressed by the leader with the support of HR in accordance with *[Organization's related discipline policy]*

APPENDIX C – Sample COVID-19 Vaccination Medical Exemption Form

MEDICAL EXEMPTION TO DECLINE THE COVID-19 VACCINE

_____ has a medical exemption for the COVID-19 Vaccine in
Printed Name of Employee

relation to a condition indicated below.

The following conditions are the only absolute medical exemptions from the COVID-19 vaccine:

1. **Documented anaphylaxis** to a previous dose of COVID-19 vaccine or documented anaphylaxis to one of the vaccine components in authorized, available COVID-19 vaccines:

Vaccine product	Potential allergen included in the vaccine or its container
Pfizer-BioNTech COVID-19 vaccine	Polyethylene glycol (PEG)
Moderna COVID-19 vaccine	PEG Tromethamine (trometamol or Tris)
AstraZeneca COVID-19 vaccine	Polysorbate 80

Ref: see [NACI's Recommendations on the use of COVID-19 vaccines](#), Table 4 for complete details

These recommendations are in accordance with the guidance expressed by the National Advisory Committee on Immunizations (NACI) as of July 2, 2021 on non-medicinal ingredients of authorized, available COVID-19 vaccines that have been associated with allergic reactions in other products.

2. **Individuals with a history of myocarditis and/or pericarditis** should discuss the risks and benefits of receiving an mRNA vaccine or, alternately, the risks and benefits of receiving a viral vector vaccine (AstraZeneca) with their treating physician and/or primary care provider.
3. Very rare cases of **capillary leak syndrome (CLS)** have been reported following vaccination with viral vector vaccines (AstraZeneca COVID-19 Vaccine). Patients who have previously experienced episodes of CLS should not be vaccinated with AstraZeneca COVID-19 Vaccine or COVISHIELD but may receive an mRNA vaccine (Pfizer or Moderna).
4. **Individuals with a history of combined thrombosis and thrombocytopenia** should receive an mRNA vaccine. A combination of thrombosis and thrombocytopenia, in some cases accompanied by bleeding, has been observed very rarely following vaccination with the AstraZeneca COVID-19 Vaccine. Where an allergy precludes administration of an mRNA vaccine, individuals with a history of combined thrombosis and thrombocytopenia may discuss the risks and benefits of a viral vector vaccine (AstraZeneca) with their treating physician and/or primary care provider.

Physician Signature: _____ Date: _____

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APPENDIX D – Sample Form for Request of COVID-19 Vaccine Exemption Due to Relevant Human Rights Protected Grounds

REQUEST OF COVID-19 VACCINE EXEMPTION DUE TO RELEVANT HUMAN RIGHTS PROTECTED GROUND

This form is NOT considered proof of COVID-19 vaccine exemption.

I _____, am requesting an exemption from receiving the COVID-19 vaccine, on the basis of religious belief (Creed) or disability as a relevant human rights protected ground.

I acknowledge that the COVID-19 vaccine is required in my current position with [Organization’s Name].

Please provide the description of the need for protection and accommodation under the [Ontario Human Rights Code](#):

In choosing to decline a mandatory vaccine, I understand I am assuming the risks associated with not receiving the required COVID-19 vaccine, which may include:

- Acquiring an infection;
- Transmitting an infection;
- Experiencing complications from an infection; and/or
- Having to undergo medical treatment/follow-up after an infection exposure.

Employees will be required to provide additional information/supporting documentation as required by [Insert Organization Name]. Submission of this form does not guarantee that an exemption will be provided.

This form is NOT considered proof of COVID-19 vaccine exemption.

Signature: _____ Date: _____

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APPENDIX E – Sample COVID-19 Rapid Antigen Testing Procedure

Rapid Antigen Testing (COVID-19) Procedure

1. During times where the Middlesex-London Health Unit (MLHU) determines that COVID-19 community incidence rates amongst those who are unvaccinated is high and/or there is an outbreak that impacts *[Organization's Name]* employees, unvaccinated staff, who work in for *[Organization's Name]*, will be required to participate in a COVID-19 Rapid Testing program.
 - 1.1. COVID-19 community incidence rates/outbreaks amongst those who are unvaccinated are monitored regularly by MLHU. MLHU can provide guidance to *[Organization's Name]* on when rapid testing is advised for unvaccinated individuals. Employees required to participate in the Rapid Testing Program will be notified by *[Organization's Name]* *[Organization Designate (E.g., Occupational Health and Safety (OHS))]* via e-mail.
 - 1.2. Employees who are considered unvaccinated are those who:
 - a. submitted a completed applicable exemption form; or
 - b. whose vaccination information status is incomplete.
 - 1.3. Self-tests are available for pick up *[details to be arranged by Organization]*.
 - 1.4. The self-test must be completed 24-hours prior to coming onsite for work. For employees who work five consecutive days, 3 tests will be required on alternating days, within those five days.
 - 1.5. All test results must be reported to *[Organization Designate]*. Employees participating in this program will also have to attest when they complete their active screening that they have completed a rapid test with a negative result in the last 24 hours, or other such reporting as they are directed to complete. Documentation will be kept in the *[where employee immunization records are stored]*.
 - 1.6. Employees who test positive on the rapid test must notify *[Organization Designate]* and seek PCR (polymerase chain reaction) testing at an assessment centre within 24 hours of a positive test or self-isolate for 10 days if testing is refused. Public health guidelines for self-isolation shall be followed.
 - 1.7. If symptomatic, the employee shall not complete at home rapid testing and shall seek PCR testing at an assessment centre within 24 hours.
 - 1.8. Rapid tests provided by *[Organization Designate]* are for the exclusive use of the employee and are to be used only for routine asymptomatic screening under this Procedure.
2. Failure to comply with *[name of Organization's COVID-19 vaccination policy]* and its associated appendices may result in discipline up to and including termination of employment in accordance with *[name of Organization's progressive discipline policy]*.

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