

COVID-19 VACCINATION STATUS – EMPLOYEES AND VOLUNTEERS

Background

The COVID-19 pandemic continues to put strain on our education and health care system as well as the economy and daily life for Albertans. COVID-19 presents a health risk for staff and students, and it is the responsibility of all school divisions to provide a safe working and learning environment for both staff and students.

Provincial Government and Health Officials have consistently advised that immunization against COVID-19 is the most effective means to prevent the spread of COVID-19, prevent outbreaks and preserve in person learning. The Division recently received a joint letter from the Ministers of Health and Education encouraging a mandatory proof of vaccination or negative test policy be implemented by all School Divisions. As a result of our responsibilities to those we serve and employ, including our students under the age of 12 who are unable to be immunized at this point in time, the Division will require all employees and volunteers to be fully vaccinated against COVID-19, or alternatively, comply with testing requirements as provided in this Administration Procedure. This Administration Procedure does not apply to Division students or parents/guardians thereof unless they are acting in a position of volunteer. The Division recognizes and will act at all times in accordance with its obligations pursuant to the *Education Act*, the *Alberta Human Rights Act*, the *Occupational Health and Safety Act, Regulation and Code* and advice from the Office of the Chief Medical Officer of Health.

DEFINITIONS

A. “Fully Vaccinated” means:

- a. having received two doses of a vaccine considered valid by Health Canada in a two dose COVID-19 vaccine series, or one dose of a vaccine considered valid by Health Canada in a one dose COVID-19 vaccine series; and,
- b. having fourteen days elapsed since the date upon which the person received the second dose of the COVID-19 vaccine considered valid by Health Canada of a two dose series, or one dose of the COVID-19 vaccine considered valid by Health Canada in a one dose vaccine series.

B. “Partially Vaccinated” means:

- a. having received one dose of a vaccine considered valid by Health Canada in a two dose COVID-19 vaccine series; or,

- b. having received the dosage series (typically two doses) but fourteen days have not elapsed since the date upon which the person received the second dose of the COVID-19 vaccine considered valid by Health Canada of a two dose series, or one dose of the COVID-19 vaccine considered valid by Health Canada in a one dose vaccine series.
- C. “Unvaccinated” not being in compliance with either Definition A or B as noted above.
- D. “Employee” means any individual employed by the Elk Island Catholic Separate School Division (the “Division”).
- E. “Practicum Students” means any individual who engages in Division related activities and who has direct contact with Division employees and/or students within the role of:
- a. any kind of educational placement or practicum provided through an agreement between the Division and a post-secondary educational institution (i.e. student teachers, educational assistants, nurses, psychologists, behaviour therapists, speech language pathologists etc.); or,
 - b. any internship, co-op placement or apprenticeship program.

PROCEDURES

1. All Division Employees **must declare** and **submit proof** of their vaccination status to Human Resource Services by October 29th, 2021 as Fully Vaccinated, Partially Vaccinated or Not Vaccinated.
 - 1.1. Employees who are Fully Vaccinated or Partially Vaccinated shall provide proof of current vaccination status by providing Human Resource Services with a copy of their Alberta Health Covid-19 Immunization Record, or a QR code that verifies their COVID-19 vaccine record, as part of their formal attestation of their vaccination status. An Alberta Health Covid-19 Immunization record can be obtained at: <https://myhealth.alberta.ca/myhealthrecords>, or at <https://covidrecords.alberta.ca/home>
 - 1.2. Employees must update their vaccination status with the Division if changes occur.
 - 1.3. Subject to the exemptions set out below, all **new Employees hired** on or after October 20th, 2021 will be **required to be Fully Vaccinated** prior to their first day of work and show proof thereof through the provision of an Alberta Health Covid-19 Immunization Record or a QR code that verifies their COVID-19 vaccine record.
2. As of December 20th, 2021, Employees must have submitted one of the following to Human Resource Services:
 - 2.1. Acceptable proof of vaccination; or
 - 2.2. Acceptable proof of a negative COVID-19 test completed within the previous 72 hours of the commencement of a “workday” or “shift” of the employee.

- 2.2.1. Proof of a negative COVID-19 consists of a report demonstrating a negative result of a Health Canada approved rapid antigen, rapid PCR or lab-based PCR test—the report must clearly state the type of test, time of sample collection, clear indication of a negative result and laboratory or pharmacy that completed the test, if applicable.
 - 2.2.2. The cost of the test and the time required to complete a test will be the sole responsibility of the employee.
 - 2.2.3. Testing should normally occur on Sunday and Wednesday to provide the employee the opportunity to work Monday through Wednesday based on a negative result of the Sunday test, and Thursday and Friday based on a negative test result from the Wednesday test.
 - 2.2.4. If an employee test results come back positive, they are required to book themselves as absent (AHS COVID Staff Protocols) and request a substitute if required in SRB/Atrieve.
 - 2.2.5. In the event that an Employee tests positive in response to a mandatory COVID-19 Rapid Antigen Screening test, the Employee must:
 - a) submit to mandatory COVID-19 PCR testing as soon as possible but no more than 48 hours following confirmation of the results of the Rapid Antigen Screening test, and as directed by the Division;
 - b) inform the Division through Human Resource Services;
 - c) isolate until the results of the COVID-19 PCR test are confirmed; and,
 - d) comply with current isolation/quarantine requirements from Alberta Health Services prior to a return to work.
 - 2.2.6. For any staff who tested positive for COVID-19, the requirement for acceptable proof of a negative COVID-19 test with 72 hours prior to a workday may be suspended for a period in compliance with Alberta Health Services Protocols.
 - 2.2.7. **Self-produced documentation of a negative result is not sufficient evidence to support entry into a facility within Elk Island Catholic Schools.**
3. Any employee that does not comply with either proof of full vaccination or acceptable proof of a negative COVID-19 test pursuant to Sections 2.1 or 2.2 above, is considered non-compliant. The Division will review each non-compliant circumstance in its own context and circumstances, and at its discretion will determine available options including but not limited to:
 - 3.1. Leave of Absence without pay and benefits.

- 3.2. Reassignment or modification of duties that would involve no or minimum in-person contact with students and colleagues, understanding that the Division's ability to consider such alternative arrangements is likely very limited in most cases; and
- 3.3. Conclusion of employment.

DISCLOSURE AND TESTING REQUIREMENTS - NON-EMPLOYEES (VOLUNTEERS AND PRACTICUM STUDENTS)

1. Unless a Division student, parent or guardian is acting in the capacity of a volunteer, Division students, parents and guardians are not subject to this Administrative Procedure.
2. As of December 20th, 2021, any volunteer for a Division activity who will have direct contact with employees and/or Division students must be fully vaccinated. If not fully vaccinated, the Volunteer must provide proof of a negative COVID-19 rapid antigen screening test or PCR test completed no more than 72 hours prior to the time the Volunteer will have contact, in their volunteer capacity, with employees and/or Division students. Proof of full vaccination or in the alternative a negative COVID-19 test, will be required/permitted in the same form and pursuant to the same rules as applicable to employees of the Division outlined in procedures 1 and 2 above.
3. As of December 20, 2021, Practicum Students must provide proof of vaccination to their educational institution, who in turn shall provide a declaration of compliance to the Division which indicates that the Practicum Student:
 - 3.1. is Fully Vaccinated, or,
 - 3.2. has provided proof of a negative COVID-19 Rapid Antigen Screen test or PCR test completed no more than 72 hours prior to the time the Practicum Student is attending at a Division property, and/or having direct contact with Division employees and/or students.
4. Costs of all testing shall be paid by the individual required to produce the test results. For further clarity, the Division shall not be responsible in any way for the costs of testing.

EXEMPTIONS

1. The Division recognizes its responsibilities and duties pursuant to the *Alberta Human Rights Act*. If an Employee is unable to be vaccinated due to a protected ground as defined by the *Act*, the Division will consider requests for exemption and reasonable accommodation to the point of undue hardship.
2. Any employee seeking a Human Rights (i.e. medical, religious) exemption from compliance with this Administrative Procedure should notify Human Resource Services as soon as possible. Human Resource Services will advise any employee inquiring on

applying for an exemption the required information to do so. All employees considering applying for an exemption should understand that this Administrative Procedure is purposely designed to provide an alternative for employees not able or wishing to be fully vaccinated, to remain compliant with this Administrative Procedure by providing the required regular COVID-19 negative test result. As a result, it is anticipated in most cases that employees that have a proven legitimate Human Rights exemption to vaccination will be reasonably accommodated by participating in the regular COVID-19 testing procedures outlined above in this Administrative Procedure.

NON-COMPLIANCE

1. Any employee choosing not to disclose, for risk management and workplace safety purposes, will be assumed to be “Unvaccinated” and the regular submission of negative test results will be required.
2. Any failure to comply with this Administrative Procedure by an Employee, including the refusal to disclose vaccination status and/or the provision of proof of vaccination status, compliance with applicable testing requirements, or the provision of false or misleading information in any regard, may result in administrative or disciplinary action up to and including termination of employment.
3. Any volunteers or practicum students to which this Administrative Procedure is applicable, who fail to comply with any part of this Administrative Procedure, including being found to have falsified vaccination or test results, will be considered to be in non-compliance with this Administrative Procedure and must immediately leave Division property and cease performance of all duties as a volunteer or practicum student interacting with the Division’s staff or students. With respect to any Practicum Students, any event of non-compliance may result in reporting the event of non-compliance to the appropriate post-secondary institution.

SUPPORT FOR VACCINATION

1. If operationally feasible and with the permission of their immediate supervisor, employees may be released on work time to be vaccinated on-duty without any loss of compensation or the requirement to use sick leave banks to a maximum of three (3) hours for each dose.

CONTINUED COMPLIANCE WITH ALL HEALTH AND SAFETY PRECAUTIONS

1. All employees are expected and required to continue to comply with all applicable health and safety measures to reduce the hazard of COVID-19, including but not limited to compliance with screening protocols, wearing a mask or face covering, using provided PPE, maintaining appropriate physical distancing and self-monitoring for potential COVID-19 symptoms daily prior to attending the workplace.

PROTECTION OF PRIVACY

1. The Division will only collect, use and disclose any personal information regarding any individual subject to this Administrative Procedure in accordance with the *Freedom of Information and Protection of Privacy Act* (“FOIP”).
2. Information regarding any individual’s vaccination status, including but not limited to any individual’s Alberta Health COVID-19 Immunization Record has been collected pursuant to Section 33(c) of FOIP, will be kept confidential, stored in a secure location, and access and disclosure limited to that permissible by FOIP.
3. Information disclosed by a volunteer or practicum student pursuant to this Administrative Procedure will be held by the Division for the minimum amount of time necessary to confirm their compliance with this procedure.

PREVENTION OF HARASSMENT, BULLYING OR DISCRIMINATION

1. Harassment, bullying or discrimination of any type against individuals based on their vaccination status, compliance with this Administrative Procedure or any other reason will not be tolerated. Employees experiencing harassment, bullying or discrimination are encouraged to refer to Administrative Procedure 170 – Harassment that outlines processes for follow up.

ADMINISTRATIVE PROCEDURE REVIEW

1. Pursuant to the current background and context set out at the beginning of this Administrative Procedure, this Administrative Procedure is considered temporary due to the evolving and dynamic nature of this public health matter, and ongoing direction, recommendations and advice from public health officials and the Alberta Education. As a result, this Administrative Procedure will be periodically reviewed (at least every 6 months) and updated/amended as deemed necessary.