



**Special Meeting Agenda
Township of North Dundas**

**October 18, 2021, 3:00 p.m.
636 St. Lawrence St. Winchester, ON**

This Special Meeting of the Corporation of the Township of North Dundas will be broadcast on the Township's [YouTube Channel](#)

	Pages
1. Call Meeting to Order by Resolution	
2. Adoption of Agenda	
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4. Action Requests	
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By-law No. 2021-73.	
7. Adjournment	



ACTION REQUEST

Public Works

To: Mayor and Members of Council

Date of Meeting: October 18, 2021

Subject: Sandy Row Road Budget Amendment

RECOMMENDATION:

THAT Council approve budget amendment #2021-25 to increase the budget for upgrades to Sandy Row Road with the additional amount to be financed in 2022.

BACKGROUND:

Only July 13, 2021, Council approved the award of the engineering design for Sandy Row Road. The design has been completed by CIMA Canada Inc. and the permit application has been submitted to South Nation Conservation.

The budgeted amount for the complete project is \$200,000, including a \$100,000 contribution from Sevida. The original budget estimate anticipated that some of the work would be done by the Township, but there is not sufficient time to complete the work this fall unless we take our crew off of other work like installing signs, ditching and patching.

AL Blair, who was awarded the tender for the gravel for the project, at a cost of \$106,130, can complete the rest of the project which includes grading, ditching and purchase and installation of riprap and gabion baskets. This work would cost an additional \$97,192.40 and can be completed this fall. This would bring the total project cost to \$225,850 with the Township's portion of the HST.

OPTIONS AND DISCUSSION:

- 1. Approve the budget amendment and authorize the complete project in 2021 - recommended.**
- 2. Do not approve the budget amendment and defer the riprap and gabion baskets until 2022 - Not recommended.**
- 3. Delay the entire project until 2022 - not recommended.**

FINANCIAL ANALYSIS:

The 2021 budget includes \$200,000 for this project. To complete the project this year, a budget amendment of \$25,850 is required. This amount will be unfinanced and financed in the 2022 budget.

OTHERS CONSULTED:

Patrol Supervisor

ATTACHMENTS:

Budget amendment #2021-25

Township of North Dundas
Addendum to Budget Resolution - October 18, 2021

Budget Amendment - 2021-25 - Transportation Services

Project	Account No.	2021 Original Budget	Revised Budget	Budget Amend- ment
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Costs

Capital - Roads - Sandy Row	1-5-3101-8002 SANDY	200,000	225,850	25,850
		\$ 200,000	\$ 225,850	\$ 25,850

Financing

Unfinanced Costs - To be financed in 2022	1-4-3101-9999	-	25,850	25,850
		\$ -	\$ 25,850	\$ 25,850



ACTION REQUEST

Public Works

To: Mayor and Members of Council

Date of Meeting: October 18, 2021

Subject: Backhoe Replacement – Budget Amendment

RECOMMENDATION:

THAT Council approves budget amendment #2021-26 to authorize the purchase of a John Deere backhoe at a cost of \$157,800 utilizing proceeds from the insurance claim and general working funds for the deductible of \$10,000.

BACKGROUND:

Our 2008 Case Backhoe was stolen in the summer. Our insurance policy covers replacement of the backhoe. Staff obtained three prices for backhoes that meet our specifications.

JCB (Reis) \$157,000 + HST

John Deere (Brandt Tractor Ltd.) \$155,000 + HST

Case (J.R. Brisson) \$159,119 + HST

OPTIONS AND DISCUSSION:

- 1. Approve the recommendation** - recommended. We need to replace the backhoe before winter as it is used in the loading of salt if the loader is not available.
- 2. Do not approve the recommendation** - not recommended. We will be without a backup piece of equipment for loading salt.

FINANCIAL ANALYSIS:

Our deductible is \$10,000 which will be financed from general working funds. The remainder of the purchase price will be covered by our insurance company.

OTHERS CONSULTED:

Patrol Supervisor

Shop Foreman/Head Mechanic

ATTACHMENTS:

Budget amendment #2021-26

Township of North Dundas
Addendum to Budget Resolution - October 18, 2021

Budget Amendment - 2021-26 - Transportation Services

Project	Account No.	2021 Original Budget	Revised Budget	Budget Amend- ment
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Costs

Purchase of 310SL John Deere Backhoe	1-5-3243-8000	-	157,800	157,800
		\$ -	\$157,800	\$157,800

Financing

Insurance Recoveries	1-4-3000-7950	-	147,800	147,800
Transfer from Reserves - General Working Funds (1-3-2000-8010)	1-4-3243-9000	-	10,000	10,000
		\$ -	\$157,800	\$157,800



ACTION REQUEST

Chief Administrative Officer

To: Mayor and Members of Council

Date of Meeting: October 18, 2021

Subject: COVID-19 Vaccination Policy

RECOMMENDATION:

THAT By-law 2021-71, being a by-law to adopt a COVID-19 Vaccination Policy for the Township of North Dundas be read and passed in Open Council, signed and sealed this 18th day of October, 2021.

BACKGROUND:

On March 11, 2020, the World Health Organization declared COVID-19 a pandemic virus. The first case in the Eastern Ontario Health Unit was reported on March 14, 2020. Globally, within Ontario and in the EOHU service area, variants of the virus have circulated, including the current dominance of the Delta variant with increased transmissibility and disease severity compared with previous COVID-19 virus strains.

Regardless of which SARS-CoV-2 variant is predominating in an area, vaccination, in combination with public health and individual measures, continue to work to reduce disease spread and severe outcomes. In particular, evidence continues to demonstrate that a complete two-dose series of Health Canada-approved COVID-19 vaccines provides substantial protection. Based on current data only a fraction of fully vaccinated people become infected, with the majority of recent cases and hospitalizations occurring in unvaccinated or partially vaccinated people. The symptoms of vaccinated individuals are also showing to be less serious than symptoms of those who are not or only partially vaccinated.

The Province of Ontario made proof of vaccination a condition to enter some public settings effective September 22, 2021, including municipal halls and arenas.

"The Eastern Ontario Health Unit (EOHU) strongly recommends that all local employers institute and ensure compliance with a workplace COVID-19 vaccination policy to protect staff and customers/clients from COVID-19, preventing the spread in workplaces and the community."

The EOHU stresses that "employers have an obligation to maintain a safe work environment for their workers. To help reduce the risk of COVID-19 transmission, employers should implement a workplace vaccination policy, along with other public health measures such as COVID-19 screening, physical distancing, masking, and hand hygiene."

Employers are legally required under the Occupational Health and Safety Act, to “take every precaution reasonable in the circumstances for the protection of a worker”. This includes protecting workers from hazards posed by infectious diseases. It is also important to ensure that members of the public who access municipal facilities are safe.

As a result of the reasons above, many employers are instituting mandatory vaccination policies. For example:

- The Federal Government just announced that federal employees will be required to be vaccinated. This requirement applies regardless of whether the employee is working remotely or working on-site.
- Vaccination policies are being implemented in other high-risk settings such as post-secondary institutions, and retirement homes.
- Winchester District Memorial Hospital has instituted a mandatory vaccination policy for staff and suppliers.
- Many Ontario municipalities have or will be implementing a vaccination policy for staff.
- SDG CAOs have been working together to propose a similar policy to SDG County and all lower tier SDG municipalities.
- The Township of South Glengarry and SDG County adopted mandatory vaccination policies

At the October 12th Council meeting I provided Council with a draft vaccination policy. That policy is attached for Council’s consideration. It is very similar to what is being considered in other SDG municipalities. The policy requires all employees (full-time, part-time, casual, seasonal and volunteer firefighters), Township Council, volunteers, student placements and any other persons deemed reasonable in the circumstances, be fully vaccinated, unless exempted for medical or disability reasons and accommodated under the *Human Rights Code*.

On October 12th, prior to the Council meeting, I received additional legal comments regarding the draft policy including the information that some municipalities are adopting a policy that includes an option for unvaccinated, existing workers. This option can require unvaccinated workers to complete regular rapid testing at intervals determined by the employer and to comply with additional PPE and physical distancing requirements. The City of Cornwall’s Vaccination Policy is this type of policy and requires antigen testing by unvaccinated workers at a minimum of three (3) times a week. Unvaccinated workers are required to always wear PPE equipment of both a mask and a face shield.

DISCUSSION and OPTIONS:

I have attached a second draft vaccination policy for Council’s consideration that incorporates the requirement for unvaccinated workers to be tested three times weekly and wear additional PPE.

In both versions of the policy, workers will be required to provide written proof of vaccination status no later than October 25th, 2021. Workers who are unvaccinated as of October 25th

will be required to complete a mandatory COVID-19 vaccination education program by October 29th. We will be using the [COVID-19 Vaccination: Making an Informed Decision](#) education course that was developed by the Eastern Ontario Health Unit (EOHU) and available on their website.

Option #1: Mandatory Vaccination

Workers who:

- do not have a legitimate exemption from vaccination and an approved accommodation plan with the Township;
 - have not submitted proof of full or 1st dose vaccination status by November 1st, 2021; or
 - have not received their second dose of vaccine by November 30th, 2021;
- are considered to be in non-compliance with the policy and shall not be permitted to enter the workplace for any reason.

Option #2: Vaccination or testing and additional PPE and COVID protocol

Effective November 1st, workers who:

- have not submitted proof of full vaccination or agreed to regular antigen testing; or
- do not disclose the test results of rapid antigen testing as required
- are considered to be in non-compliance with the policy and shall not be permitted to enter the workplace for any reason.

Such workers may elect to request vacation leave, other accrued entitlements, or a leave of absence without pay. Employees who refuse to be vaccinated as required by this Policy, for reasons other than legitimate grounds under the *Human Rights Code*, will not be accommodated and will not have the ability to work from home.

	Mandatory Vaccination Policy	Testing or PPE & Add'l Protocol
Nov. 1 - Dec 14 Unvaccinated testing	Provided by Twp at no cost	Provided by Twp at no cost
Nov. 30	2 nd shot or cannot enter workplace	Testing provided by Twp at no cost
December 15 th onward	Testing for those with accommodations at their cost	Testing for anyone unvaccinated at their cost
Entry to workplace after December 14th	Must be vaccinated or have a medical/disability exemption	Vaccination or twice weekly negative rapid tests at employee's expense
New hires after October 25th	Fully vaccinated or valid legal exemption	Fully vaccinated or valid legal exemption
Health & Safety protection of workers	More workers will likely be vaccinated, therefore higher protection for all employees	Increased number of unvaccinated workers, therefore increased risk. Twice weekly testing will mitigate some of the risk.
Risk - Employees	No option for unvaccinated employees, so may have employees who are unvaccinated and do not report to work	Provides an option for unvaccinated employees that allows them to report to work
Risk - litigation	Unions are challenging this type of policy, but court decisions will not be known for some time	Less likely to be challenged

- 1. Approve the mandatory vaccination policy.**
- 2. Approve the vaccination policy with a testing and PPE option - recommended.**
- 3. Do not approve a vaccination policy - not recommended.**

FINANCIAL ANALYSIS:

N/A

OTHERS CONSULTED:

SDG CAOs
Department Heads
Legal Counsel

ATTACHMENTS:

Draft Policy 91-2021 Option 1: COVID-19 Vaccination Policy
Draft Policy 91-2021 Option 2: COVID-19 Vaccination Policy with Testing & PPE
By-law No. 2021-71

THE CORPORATION OF THE TOWNSHIP OF NORTH DUNDAS

BY- LAW NO. 2021-71

Being a By-law to adopt a COVID-19 Vaccination Policy for the Corporation of the Township of North Dundas.

WHEREAS the Municipal Act 2001, c.25 S 5 (1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the Municipal Act 2001, c. 25 S 5 (3) provides that the powers of every council are to be exercised by by-law;

AND WHEREAS the Eastern Ontario Health Unit strongly recommends all employers to implement an employee vaccination policy to protect their workforce and to ensure the continuity of operations;

AND WHEREAS the Council of the Township of North Dundas is desirous of adopting a COVID-19 Vaccination Policy for the Corporation of the Township of North Dundas.

NOW THEREFORE The Council of the Corporation of the Township of North Dundas enacts as follows:

- 1.0 THAT the Township of North Dundas COVID-19 Vaccination Policy, attached hereto as Appendix A and forming part of this By-law, be adopted.
- 2.0 THAT this By-law shall come into force and take effect on the date of its final passing.

READ and passed in Open Council, signed and sealed this 18th day of October, 2021.

MAYOR

CLERK

POLICY MANUAL	Policy No. 91 -2021
Township of North Dundas	Effective Date: October 18, 2021
Subject: – COVID-19 Vaccination Policy	DRAFT

Policy Statement

The Township of North Dundas (the “**Township**”) is committed to taking every precaution reasonable in the circumstances for the protection of the health and safety of workers from the hazards of COVID-19. This mandatory workplace vaccination verification policy is an important measure that complements other workplace health and safety measures in place in accordance with applicable governing legislation.

This policy may be amended as new public health directives and/or provincial or federal government legislation, regulations and/or orders are formalized. Any such directives, legislation, regulations, or orders shall take precedence until such time as this policy may be amended to conform to the new requirements.

At the time this policy is being implemented, the province of Ontario is experiencing the fourth wave of the COVID-19 pandemic, driven by variants that are more transmissible and that cause more serious health issues. The province has also introduced a “vaccine passport” in recognition of the efficacy of vaccination. This policy is being implemented to ensure that all workers, including employees, volunteers, Township Council and students, take appropriate steps, including immunization and regular testing, to minimize the risk of infection and to reduce the risk of transmission to others.

Purpose

The purpose of this policy is to mandate that all employees (full-time, part-time, casual, seasonal), Township Council, volunteer firefighters, volunteers, student placements and any other persons deemed reasonable in the circumstances (all of which are referred to hereinafter as “**workers**”), be fully vaccinated, as defined by the Ministry of Health, with an approved Health Canada or World Health Organization COVID-19 vaccine (or approved series of vaccines), and any subsequent recommended boosters as required, unless exempted as set out in this policy and accommodated under the *Human Rights Code*.

Scope

This policy applies to all existing Township workers and is a condition of employment/engagement/appointment for all future hires/engagements/appointments while this policy

is in effect. It requires workers to be fully vaccinated from the COVID-19 virus, to receive any subsequent boosters, and requires workers to provide acceptable proof of vaccination or exemption status.

Policy

The Township has a duty to ensure a safe workplace for workers and a safe environment for residents and other third parties using or accessing Township facilities and services. The Township takes this responsibility seriously and is taking every reasonable measure to keep its workers, as well as its residents, safe. The COVID-19 vaccine is the most effective way to reduce morbidity and mortality associated with this disease, as well as contain the spread of this highly transmissible virus to others. This COVID-19 vaccination policy and its implementation is intended to protect the Township's workers and residents, all of whom are interacting within the organization.

Proof of Vaccination

All workers are required to provide proof of vaccination status no later than October 25th, 2021, in the form of a Ministry of Health email vaccine proof or a copy of a vaccine receipt from the Ministry of Health. Individuals with an Ontario photo health card can log into the provincial portal to download or print an electronic COVID-19 vaccine receipt (PDF) for each dose received at <https://covid19.ontariohealth.ca>.

This proof must be submitted to the CAO or his/her designate. Workers who fail to provide proof of their vaccination status by October 25th, 2021 will be considered unvaccinated for the purposes of this Policy and be subject to the actions set out in this Policy.

Workers who are not fully vaccinated but provide written proof of having received a first dose of vaccine as of November 1st, 2021 must receive a second dose of vaccine by November 30th, 2021 and provide proof of full vaccination status by no later than December 14th, 2021.

Accommodation

The Township will comply with its obligations under human rights legislation to participate in accommodation discussions with individuals who advise of a substantiated, valid legal exemption under the Ontario *Human Rights Code* to receiving the COVID-19 vaccination. Workers must advise the Township of such an exemption by no later than October 25th, 2021. The Township reserves the right to request additional information or documents as required.

In the event of a request for accommodation, sufficient proof of the ground (disability and/or creed) and the connection between the ground and the inability to be vaccinated must be provided.

Where the ground is medical/disability, a note must be provided by either a Physician or Nurse Practitioner that sets out:

- The name and contact information of the Physician or Nurse Practitioner
- The logo or letterhead identifying the Physician or Nurse Practitioner
- confirmation that the person has a disability (but not the nature of the disability or the diagnosis)
- confirmation that the person cannot be vaccinated against COVID-19 due to the disability; and
- the effective time period for which the disability will prevent vaccination.

Where the ground is creed, the person must identify the creed, confirm that they are an adherent of that creed, and explain how their belief system prohibits being vaccinated against COVID-19. Further information may also be required.

Where the medical exemption is time limited, Human Resources will follow up with the worker following the medical exemption's expiry to determine the worker's exemption or vaccination status.

The Township has identified disability and creed but will also consider other grounds claimed under the *Human Rights Code* upon request from the affected worker and the provision of evidence appropriate in the circumstances.

It is incumbent on the worker to participate in discussions about a reasonable accommodation plan and provide information as may be required.

Non-Compliance & Restrictions

Workers who:

- do not have an exemption under this policy from vaccination and an approved accommodation plan with the Township;
- have not submitted proof of full or 1st dose vaccination status by November 1st, 2021; or
- have not been fully vaccinated against COVID-19 by the applicable date specified herein;

are considered to be in non-compliance with this policy and shall not be permitted to enter the workplace for any reason as of November 1st, 2021 or as soon as they become non-compliant (if later than November 1st, 2021). Such workers may elect to request vacation leave, other accrued entitlements, or a leave of absence without pay. Employees who refuse to be vaccinated as required by this Policy, for reasons other than legitimate grounds under the *Human Rights Code*, will not be accommodated and will not have the ability to work from home.

New Hires

All offers of employment/engagement/appointment after October 25th, 2021 will be conditional on the individual providing proof of the following:

- full vaccination status; or
- a substantiated, valid legal exemption under the Ontario *Human Rights Code* to receiving the COVID-19 vaccination.

Failure to do so will result in offer becoming void due to the condition not being met and the individual being unable to become employed/engaged/appointed with the Township.

Antigen Testing

Beginning November 1st, 2021, workers who have received a first vaccine dose, but are not fully vaccinated, and those who are being accommodated under the *Human Rights Code* must complete regular Antigen Testing, at a frequency of not less than 2x/week (or such other frequency as the Township may deem appropriate), and provide verification of the negative test result to the CAO or his/her designate. A test must be taken with a negative result on the day of the worker's first attendance at the workplace in a week (Monday to Sunday). A second test must be taken, with a negative result, on the later of: (a) the third day after the first attendance; or (b) the day of the worker's next attendance at the workplace. In the case of firefighters, who may receive a fire call at any time, tests must be taken, with a negative result, on each Monday and Thursday. Unvaccinated individuals will confirm participation in this process as well as verification of negative test results, via self-attestation. Upon completion of the testing, the worker will need to disclose the test result to the CAO or designate. This Antigen Testing process will continue until the worker provides proof of full vaccination and 14 days have elapsed from the worker's final vaccination dose. If a worker is not being accommodated under the *Human Rights Code*, they will become non-compliant with this policy if they have not received their second dose by November 30th, 2021; the measures set out under Non-Compliance & Restrictions will then apply and antigen testing will cease.

Antigen Testing kits, and applicable instructions, will be available for pickup at the Township Office for testing that is to be performed from November 1st to December 14th, 2021. It is the responsibility of the worker to ensure that they have a rapid antigen testing kit, and to confirm status when required.

For testing that is required after December 14th, the cost of the test and arrangements to get tested shall be solely the responsibility of the employee and the cost will not be eligible for reimbursement.

The worker will need to have the test completed prior to regular hours of work and be ready to start work with the proper documentation. There will be no compensation provided to the individual for the time required to complete this regular testing. The individual can determine when and where to self-administer the testing at their discretion provided it meets the frequency requirements set by the Township.

Mandatory COVID-19 Vaccination Education

To ensure that all workers subject to this policy are adequately educated about COVID-19 and the COVID-19 vaccines, any unvaccinated workers (including those with a valid medical exemption and those who do not disclose their vaccination status by October 25th, 2021), must complete a mandatory COVID-19 vaccination education program that has been approved by the Township on the risks of being unvaccinated in the workplace, by October 29th, 2021.

Employee Support

High vaccination rates against COVID-19 are effective in reducing the spread of COVID-19. The Township supports workers in becoming fully vaccinated against COVID-19 by providing:

- paid sick leave for all regular full-time employees for COVID-19-related absences as per Township policies;
- where operationally feasible, reasonable arrangements to allow for employees to attend COVID-19 vaccination clinics during work time; and
- allotted work hours to complete education sessions on how COVID-19 vaccines work and their benefits, vaccine safety, the risks of not being vaccinated and the possible side effects of the vaccine

Continued compliance with health and safety control

All workers must continue to use personal protective equipment and abide by the Township's health and safety protocols whether they have been vaccinated against COVID-19 or not. This includes complying with infection prevention and control practices, such as handwashing and sanitizing, wearing a mask, and informing management if they experience any symptoms related to COVID-19. Unvaccinated individuals may be required to adhere to additional safety precautions.

Responsibilities

Employer is responsible for:

- Ensuring proper application of this policy
- Ensuring information and resources promoting the importance of being vaccinated and following current health and safety protocols to prevent the spread of COVID-19 are provided to employees
- Ensuring employee vaccination status information is collected, maintained and disclosed in accordance with this policy and privacy legislation
- Ensuring that employees who are not fully vaccinated have provided required medical proof of exemption or have completed the mandatory COVID-19 educational course

- Ensuring follow-up with employees who have provided a medical exemption that is time limited
- Accommodating employees who are legally entitled to accommodation with the employer's obligation to comply with exemptions protected by the *Ontario Human Rights Code*

Directors/Supervisors are responsible for:

- Reviewing and managing accommodation requests, in consultation with Human Resources
- Ensuring that for new hires the condition requiring vaccination or exemption is satisfied prior to the individual working for the Township
- In outbreak situations, ensuring that non-vaccinated employees are not assigned work in situations where transmission is likely
- Providing employees and students with access to information about COVID-19 health and safety protocols and COVID-19 vaccines
- Ensuring employees are following health and safety protocols including being vaccinated against COVID-19

CAO or designate is responsible for:

- Collecting and maintaining vaccination status information
- Ensuring COVID-19 education course is available to employees
- Providing guidance and support to managers and supervisors to assist with developing and managing employee accommodation plans
- Ensuring all future hires are aware of and meet the requirements of this policy

Workers are responsible for:

- Providing proof of COVID-19 vaccination status
- Providing proof of legitimate exemption if they are not fully vaccinated
- Completing the mandatory COVID-19 educational course if proof of vaccination was not provided
- Advising their director or supervisor of the need for accommodation and providing supporting documentation or information as may be required
- Educating themselves about COVID-19 and COVID-19 vaccinations
- Continuing to follow health and safety protocols to prevent the spread of COVID-19 before and after vaccination
- Maintaining their vaccination status including obtaining boosters as they are required and providing proof of full vaccination in accordance with this policy

Privacy and Confidentiality

All information pertaining to vaccination status and any request for accommodation will be treated as confidential by the Township. All collection, use and disclosure of such information will be limited to the purposes of this policy, including implementation and compliance, and as otherwise required by law. The information will be kept in a secure location and will be destroyed when it is no longer needed.

Monitoring and Compliance

Any breaches of this Policy, including dishonesty regarding vaccination status or test results will result in disciplinary action up to and including termination of employment.

Authority and Related Policies

Ontario *Human Rights Code*, Health and Safety Policy

Definitions

Antigen Testing:

Antigen based tests detect specific proteins on the surface of the virus. These are often called rapid tests, as they typically provide results in less than an hour.

COVID-19:

COVID-19 is an acute respiratory illness caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) virus. It can be characterized by fever, cough, shortness of breath and a number of other symptoms.

Workers:

Individuals who perform work for/with the Township. For the purpose of this policy, this shall include: employees (full-time, part-time, casual, contract seasonal, volunteer firefighters), Township Council, volunteers, and student placements.

Full Vaccination:

Individuals will be deemed to have been fully vaccinated if they have received the full series of a COVID-19 vaccine or combination of COVID-19 vaccines approved by Health Canada (e.g. two doses of a two-dose vaccine series, or one dose of a single-dose vaccine series); and 14 days have elapsed from the final dose.

Ontario Human Rights Code:

The Ontario *Human Rights Code* prohibits differential treatment with respect to employment on the basis of certain enumerated grounds, including disability and creed (commonly referred to as “religion”), and requires accommodation to the point of undue hardship.

Contact

For more information on this policy, please contact the Chief Administrative Officer.

Resources:

COVID-19

- Government of Canada – <https://www.canada.ca/en/public-health/services/diseases/coronavirus-disease-covid-19.html>
- Public Health Ontario – <https://www.publichealthontario.ca/en/diseases-and-conditions/infectious-diseases/respiratory-diseases/novel-coronavirus>
- World Health Organization – https://www.who.int/health-topics/coronavirus#tab=tab_1
- Centers for Disease Control and Prevention – <https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19.html>
- Government of Ontario - https://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/directives/vaccination_policy_in_health_settings.pdf

Immunization

- Government of Canada’s *Canadian Immunization Guide* – <https://www.canada.ca/en/public-health/services/canadian-immunization-guide.html>
- Government of Canada’s *National Advisory Committee on Immunization (Statements & Publications)* – <https://www.canada.ca/en/public-health/services/immunization/national-advisory-committee-on-immunization-naci.html>
- Government of Canada’s *Vaccine Safety in Canada* – <https://www.canada.ca/content/dam/phac-aspc/documents/services/publications/healthy-living/immunization-vaccine/vaccine-safety-poster-eng.pdf>

- Government of Canada's *Approved COVID-19 Vaccines* –
<https://www.canada.ca/en/health-canada/services/drugs-health-products/covid19-industry/drugs-vaccines-treatments/vaccines.html>
- Ottawa Public Health's *COVID-19 Vaccination in Ottawa* –
<https://www.ottawapublichealth.ca/en/public-health-topics/covid-19-vaccine.aspx>

POLICY MANUAL	Policy No. 91 -2021
Township of North Dundas	Effective Date: October 18, 2021
Subject: – COVID-19 Vaccination Policy with Testing Alternative	DRAFT

Policy Statement

The Township of North Dundas (the “**Township**”) is committed to taking every precaution reasonable in the circumstances for the protection of the health and safety of workers from the transmission of COVID-19. This mandatory workplace vaccination verification policy is an important measure that complements other workplace health and safety measures in place in accordance with applicable governing legislation.

This policy may be amended as new public health directives and/or provincial or federal government legislation, regulations and/or orders are formalized. Any such directives, legislation, regulations, or orders shall take precedence until such time as this policy may be amended to conform to the new requirements.

At the time this policy is being implemented, the province of Ontario is experiencing the fourth wave of the COVID-19 pandemic, driven by variants that are more transmissible and that cause more serious health issues. The province has also introduced a “vaccine passport” in recognition of the efficacy of vaccination. This policy is being implemented to ensure that all workers, including employees, volunteers, Township Council and students, take appropriate steps, including immunization and regular testing, to minimize the risk of infection and to reduce the risk of transmission to others.

Purpose

The purpose of this policy is to mandate that all employees (full-time, part-time, casual, seasonal), Township Council, volunteer firefighters, volunteers, student placements and any other persons deemed reasonable in the circumstances (all of which are referred to hereinafter as “**workers**”), be fully vaccinated, as defined by the Ministry of Health, with an approved Health Canada or World Health Organization COVID-19 vaccine (or approved series of vaccines), and any subsequent recommended boosters as required, unless exempted as set out in this policy and/or accommodated under the *Human Rights Code*.

Scope

This policy applies to all existing Township workers . It requires workers to be fully vaccinated from the COVID-19 virus, to receive any subsequent boosters, and requires workers to provide acceptable proof of vaccination or exemption status.

Policy

The Township has a duty to ensure a safe workplace for workers and a safe environment for residents and other third parties using or accessing Township facilities and services. The Township takes this responsibility seriously and is taking every reasonable measure to keep its workers, as well as its residents, safe. The COVID-19 vaccine is the most effective way to reduce morbidity and mortality associated with this disease, as well as contain the spread of this highly transmissible virus to others. This COVID-19 vaccination policy and its implementation is intended to protect the Township's workers and residents, all of whom are interacting within the organization.

In accordance with provincial legislation and the Eastern Ontario Health Unit's recommendation, the Township has concluded that all workers will require full vaccinations as set out under this policy as follows:

Vaccination and Proof of Vaccination

All workers are required to provide proof of vaccination status no later than October 25th, 2021, in the form of a Ministry of Health email vaccine proof or a copy of a vaccine receipt from the Ministry of Health. Individuals with an Ontario photo health card can log into the provincial portal to download or print an electronic COVID-19 vaccine receipt (PDF) for each dose received at <https://covid19.ontariohealth.ca>.

This proof must be submitted to the CAO or his/her designate. Workers who fail to provide proof of their vaccination status by October 25th, 2021 will be considered unvaccinated for the purposes of this Policy and be subject to the actions set out in this Policy.

Effective November 1st and until December 14th, 2021 any worker who is not fully vaccinated must complete regular rapid antigen point of care testing for COVID-19, at a minimum of two (2) times a week, or such shorter period as directed by the Township, and provide verification of the negative result to their Supervisor and the CAO or designate upon completion of each test.

From November 1st to and including December 14th, the Township will make antigen testing kits available as required, to those workers who are not fully vaccinated.

Non-Vaccinated and Mandatory Testing Requirements

Effective December 15th, 2021, those employees who choose to remain unvaccinated must complete regular rapid antigen point of care testing for COVID-19, at a minimum of

two (2) times a week, or such shorter period as directed by the Township. Upon completion of testing, the employee will need to disclose and provide verification of the negative test result to their Supervisor and the CAO or his/her designate.

The cost of the test and arrangements to get tested shall be solely the responsibility of the employee and the cost will not be eligible for reimbursement.

Testing is currently available at Shoppers Drug Mart locations, Seaway Valley Pharmacy in Winchester and the Long Sault Pharmacy.

Employees who refuse to be vaccinated as per this Policy will not have the ability to work from home as an accommodation to this Policy.

Unvaccinated employees and employees who are not fully vaccinated are required to wear personal protective equipment of both a mask and a face shield at all times while performing their duties, and will not be permitted to remove their mask to eat in an area with any other employee.

Employees must have tests complete prior to regular hours of work and be ready to start work with the proper documentation.

Employees not ready to begin their shift with proper documentation are subject to possible discipline.

Medical Exemptions and Accommodation Requests

The Township will comply with its obligations under human rights legislation to participate in accommodation discussions with individuals who advise of a substantiated, valid legal exemption under the Ontario *Human Rights Code* to receiving the COVID-19 vaccination. Workers must advise the Township of such an exemption by no later than October 25th, 2021. The Township reserves the right to request additional information or documents as required.

In the event of a request for accommodation, sufficient proof of the ground (disability and/or creed) and the connection between the ground and the inability to be vaccinated must be provided.

Where the ground is medical/disability, a note must be provided by either a Physician or Nurse Practitioner that sets out:

- The name and contact information of the Physician or Nurse Practitioner
- The logo or letterhead identifying the Physician or Nurse Practitioner
- confirmation that the person has a disability (but not the nature of the disability or the diagnosis)
- confirmation that the person cannot be vaccinated against COVID-19 due to the disability; and
- the effective time period for which the disability will prevent vaccination.

Where the ground is creed, the person must identify the creed, confirm that they are an adherent of that creed, and explain how their belief system prohibits being vaccinated against COVID-19. Further information may also be required.

Where the medical exemption is time limited, Human Resources will follow up with the worker following the medical exemption's expiry to determine the worker's exemption or vaccination status.

The Township has identified disability and creed but will also consider other grounds claimed under the *Human Rights Code* upon request from the affected worker and the provision of evidence appropriate in the circumstances.

It is incumbent on the worker to participate in discussions about a reasonable accommodation plan and provide information as may be required.

Those employees that are to be accommodated must complete regular rapid antigen point of care testing for COVID-19, at a minimum of two(2) times a week, or such shorter period as directed by the Township and as set out in this Policy.

Non-Compliance & Restrictions

Effective November 1st, workers who;

- have not submitted proof of full vaccination or agreed to regular antigen testing; or
- do not disclose the test results of rapid antigen testing as required herein

are considered to be in non-compliance with this policy and shall not be permitted to enter the workplace for any reason. Such workers may elect to request vacation leave, other accrued entitlements, or a leave of absence without pay. Employees who refuse to be vaccinated as required by this Policy, for reasons other than legitimate grounds under the *Human Rights Code*, will not be accommodated and will not have the ability to work from home.

New Hires

All offers of employment/engagement/appointment after October 25th, 2021 will be conditional on the individual providing proof of the following:

- full vaccination status; or
- a substantiated, valid legal exemption under the Ontario *Human Rights Code* to receiving the COVID-19 vaccination.

Failure to do so will result in offer becoming void due to the condition not being met and the individual being unable to become employed/engaged/appointed with the Township.

Antigen Testing

Beginning November 1st, 2021, any worker who is not fully vaccinated, including those who are being accommodated under the *Human Rights Code* must complete regular Antigen Testing, at a frequency of not less than two (2) times/week (or such other frequency as the Township may deem appropriate), and provide verification of the negative test result to the CAO or his/her designate. A test must be taken with a negative result on the day of the worker's first attendance at the workplace in a week (Monday to Sunday). A second test must be taken, with a negative result, on the later of: (a) the third day after the first attendance; or (b) the day of the worker's next attendance at the workplace. In the case of firefighters, who may receive a fire call at any time, tests must be taken, with a negative result, on each Monday, and Thursday. Upon completion of the testing, the worker will need to disclose the test result to the CAO or designate. This Antigen Testing process will continue until the worker provides proof of full vaccination and 14 days have elapsed from the worker's final vaccination dose.

Mandatory COVID-19 Vaccination Education

To ensure that all workers subject to this policy are adequately educated about COVID-19 and the COVID-19 vaccines, any unvaccinated workers (including those with a valid medical exemption and those who do not disclose their vaccination status by October 25th, 2021), must complete a mandatory COVID-19 vaccination education program that has been approved by the Township on the risks of being unvaccinated in the workplace. This program is to be completed by October 29th, 2021.

Employee Support

High vaccination rates against COVID-19 are effective in reducing the spread of COVID-19. The Township supports workers in becoming fully vaccinated against COVID-19 by providing:

- paid sick leave for all regular full-time employees that can be used for COVID-19-related absences as per Township policies;
- where operationally feasible, reasonable arrangements to allow for employees to attend COVID-19 vaccination clinics during work time; and
- allotted work hours to complete education sessions on how COVID-19 vaccines work and their benefits, vaccine safety, the risks of not being vaccinated and the possible side effects of the vaccine

Continued compliance with health and safety control

All workers must continue to use personal protective equipment and abide by the Township's health and safety protocols whether they have been vaccinated against COVID-19 or not. This includes complying with infection prevention and control practices, such as handwashing and sanitizing, wearing a mask, completing daily screening prior to

entering the workplace, maintaining a distance of at least two meters from others while at work whenever possible, even when a face mask is worn and informing management if they experience any symptoms related to COVID-19. Unvaccinated individuals may be required to adhere to additional safety precautions.

Responsibilities

Employer is responsible for:

- Ensuring proper application of this policy
- Ensuring information and resources promoting the importance of being vaccinated and following current health and safety protocols to prevent the spread of COVID-19 are provided to employees
- Ensuring employee vaccination status information is collected, maintained and disclosed in accordance with this policy and privacy legislation
- Ensuring that employees who are not fully vaccinated have provided required medical proof of exemption and/or have completed the mandatory COVID-19 educational course
- Ensuring that employees who are not fully vaccinated have provided antigen testing as required prior to entering the workplace
- Ensuring follow-up with employees who have provided a medical exemption that is time limited
- Accommodating employees who are legally entitled to accommodation with the employer's obligation to comply with exemptions protected by the *Ontario Human Rights Code*

Directors/Supervisors are responsible for:

- Reviewing and managing accommodation requests, in consultation with Human Resources
- Ensuring that for new hires the condition requiring vaccination or exemption is satisfied prior to the individual working for the Township
- In outbreak situations, ensuring that non-vaccinated employees are not assigned work in situations where transmission is likely
- Providing employees and students with access to information about COVID-19 health and safety protocols and COVID-19 vaccines
- Ensuring employees are following health and safety protocols including being vaccinated against COVID-19

CAO or designate is responsible for:

- Collecting and maintaining vaccination status information
- Ensuring COVID-19 education course is available to employees
- Providing guidance and support to managers and supervisors to assist with developing and managing employee accommodation plans

- Ensuring all future hires are aware of and meet the requirements of this policy

Workers are responsible for:

- Providing proof of COVID-19 vaccination status
- Providing proof of legitimate exemption if they are not fully vaccinated
- Completing the mandatory COVID-19 educational course if proof of vaccination was not provided
- Advising their director or supervisor of the need for accommodation and providing supporting documentation or information as may be required
- Educating themselves about COVID-19 and COVID-19 vaccinations
- Completing antigen testing and providing results as required in this Policy
- Continuing to follow health and safety protocols to prevent the spread of COVID-19 before and after vaccination
- Maintaining their vaccination status including obtaining boosters as they are required and providing proof of full vaccination in accordance with this policy

Privacy and Confidentiality

All information pertaining to vaccination status and any request for accommodation will be treated as confidential by the Township. All collection, use and disclosure of such information will be limited to the purposes of this policy, including implementation and compliance, and as otherwise required by law. The information will be kept in a secure location and will be destroyed when it is no longer needed.

Monitoring and Compliance

Any breaches of this Policy, including dishonesty regarding vaccination status or test results will result in disciplinary action up to and including termination of employment.

Authority and Related Policies

Ontario Human Rights Code, Health and Safety Policy

Definitions

Antigen Testing:

Antigen based tests detect specific proteins on the surface of the virus. These are often called rapid tests, as they typically provide results in less than an hour.

COVID-19:

COVID-19 is an acute respiratory illness caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) virus. It can be characterized by fever, cough, shortness of breath and a number of other symptoms.

Workers:

Individuals who perform work for/with the Township. For the purpose of this policy, this shall include: employees (full-time, part-time, casual, contract seasonal, volunteer firefighters), Township Council, volunteers, and student placements.

Full Vaccination:

Individuals will be deemed to have been fully vaccinated if they have received the full series of a COVID-19 vaccine or combination of COVID-19 vaccines approved by Health Canada (e.g. two doses of a two-dose vaccine series, or one dose of a single-dose vaccine series); and 14 days have elapsed from the final dose.

Ontario *Human Rights Code*:

The Ontario *Human Rights Code* prohibits differential treatment with respect to employment on the basis of certain enumerated grounds, including disability and creed (commonly referred to as “religion”), and requires accommodation to the point of undue hardship.

Contact

For more information on this policy, please contact the Chief Administrative Officer.

Resources:

COVID-19

- Government of Canada – <https://www.canada.ca/en/public-health/services/diseases/coronavirus-disease-covid-19.html>
- Public Health Ontario – <https://www.publichealthontario.ca/en/diseases-and-conditions/infectious-diseases/respiratory-diseases/novel-coronavirus>
- World Health Organization – https://www.who.int/health-topics/coronavirus#tab=tab_1
- Centers for Disease Control and Prevention – <https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19.html>

- Government of Ontario -
https://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/directives/vaccination_policy_in_health_settings.pdf
- ***Immunization***
- Government of Canada's *Canadian Immunization Guide* –
<https://www.canada.ca/en/public-health/services/canadian-immunization-guide.html>
- Government of Canada's *National Advisory Committee on Immunization (Statements & Publications)* – <https://www.canada.ca/en/public-health/services/immunization/national-advisory-committee-on-immunization-naci.html>
- Government of Canada's *Vaccine Safety in Canada* –
<https://www.canada.ca/content/dam/phac-aspc/documents/services/publications/healthy-living/immunization-vaccine/vaccine-safety-poster-eng.pdf>
- Government of Canada's *Approved COVID-19 Vaccines* –
<https://www.canada.ca/en/health-canada/services/drugs-health-products/covid19-industry/drugs-vaccines-treatments/vaccines.html>
- Ottawa Public Health's *COVID-19 Vaccination in Ottawa* –
<https://www.ottawapublichealth.ca/en/public-health-topics/covid-19-vaccine.aspx>

THE CORPORATION OF THE TOWNSHIP OF NORTH DUNDAS

BY-LAW No. 2021-73

Being a By-law of the Corporation of the Township of North Dundas to adopt, confirm and ratify matters dealt with by resolution.

WHEREAS the *Municipal Act, 2001*, as amended, provides that the powers of the Corporation of the Township of North Dundas, shall be exercised by By-law.

AND WHEREAS in many cases, action which is taken or authorized to be taken by the Township of North Dundas does not lend itself to the passage of an individual By-law;

NOW THEREFORE the Council of the Township of North Dundas enacts as follows:

- 1.0** That the actions of the Township of North Dundas at the Special Meeting held on October 18th , 2021 in respect of each motion, resolution and other action taken by the Township of North Dundas at its meeting are, except where the prior approval of the Local Planning Appeal Tribunal or other authority is required by law, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this By-law.
- 2.0** That where no individual By-law has been or is passed with respect to the taking of any action authorized in or by the above-mentioned minutes or with respect to the exercise of any powers by the Township of North Dundas in the above-mentioned minutes, then this By-law shall be deemed for all purposes to be the By-law required for approving and authorizing and taking of any action authorized therein and thereby or required for the exercise of any powers therein by the Township of North Dundas.
- 3.0** That the Mayor and Members of Council of the Township of North Dundas are hereby authorized and directed to do all things necessary to give effect to the said action of the Township of North Dundas to obtain approvals where required and except as otherwise provided, the Mayor, or in the absence of the Mayor the alternate Head of Council, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Deputy Clerk, are hereby directed to execute all documents necessary on behalf of the Township of North Dundas.

READ and passed in Open Council, signed and sealed this 18th day of October, 2021.

MAYOR

CLERK