

### **700.3.3 Workplace Health and Safety: Hazard Control Substitute and Casual Personnel COVID-19 Vaccine Status Procedure**

- Despite the numerous past, present and ongoing COVID-19 risk mitigation and health and safety measures in place, both in our Division and within our communities, the COVID-19 pandemic continues to put strain on our education and health care system as well as the entire community. COVID-19 presents a health risk for students, staff and substitute and casual personnel. It is the responsibility of all school divisions to provide a safe working and learning environment for students, staff and all those who enter Division facilities.
- 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 temporary substitute and casual personnel to be fully vaccinated against COVID-19, or alternatively, comply with testing requirements as provided in this Procedure.
- 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. Have 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. “Substitute or Casual Personnel” means any individual listed on the official substitute and casual personnel lists for Lethbridge School Division (the “Division”).

### PROCEDURES

1. All Division substitute and casual personnel **must declare** their vaccination status as Fully Vaccinated, Partially Vaccinated or Not Vaccinated by October 29, 2021. The declaration must be on the form provided by the Division.
  - a. Substitute and casual personnel will be asked to provide proof of vaccination status by the Division by providing a copy of their Alberta Health COVID-19 Immunization Record, or QR code that verifies their COVID-19 vaccine record. This is in addition to the formal declaration of their vaccination status.
  - b. Substitute and casual personnel must update their vaccination status with the Division if changes occur.
  - c. Subject to the exemptions set out below, all **new** substitute and casual personnel added to the substitute and casual lists on or after October 29, 2021 will be **required to be Fully Vaccinated** prior to their first day of service 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.
  - d. Where applicable, equivalent proof of vaccination documents from another Canadian Province or Territory or the Canadian Armed Forces will be accepted.
2. Substitute and casual personnel must present one of the following to the Human Resource department beginning November 8, 2021:
  - a. Declaration of full vaccination (note, the division will be requiring proof of vaccination at a future date); or
  - b. Acceptable proof of a negative COVID-19 test completed within the previous 72 hours of the commencement of a “workday” or “shift” of the substitute or casual.
    - i. Proof of a negative COVID-19 test 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. If available, substitute and casual personnel may choose to use the rapid antigen tests provided by Alberta Health Services, per the usage and reporting process outlined by the Division.
    - ii. **Self-produced documentation of a negative result is not sufficient evidence.**

- iii. If test results come back positive, substitute and casual personnel are not permitted to be present in any Division facilities until cleared to return per Alberta Health Services guidelines.
3. Any substitute or casual personnel that do not comply with either proof of full vaccination or acceptable proof of a negative COVID-19 test pursuant to Sections 1 and 2 (a) or (b) above, is considered non-compliant and will not be permitted to attend any Division property and will be removed from the official substitute and casual list for the Division.
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

5. The Division recognizes its responsibilities and duties pursuant to the *Alberta Human Rights Act*. If substitute or casual personnel are 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.
6. Any substitute or casual personnel seeking a Human Rights (ie. medical or religious) exemption from compliance with this Procedure should notify Human Resources as soon as possible. Human Resources will advise any substitute or casual personnel inquiring on applying for an exemption the required information to do so. All substitute or casual personnel considering applying for an exemption should understand that this Procedure is purposely designed to provide an alternative for substitute or casual personnel not able or wishing to be fully vaccinated, to remain compliant with this Procedure by providing the required regular COVID-19 negative test result. As a result, it is anticipated in most cases that substitute or casual personnel 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 Procedure.

### NON-COMPLIANCE

7. Any failure to comply with this Procedure by substitute or casual personnel, 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, will be removed from the substitute and casual lists for Lethbridge School Division permanently.

### CONTINUED COMPLIANCE WITH ALL HEALTH AND SAFETY PRECAUTIONS

8. All substitute and casual personnel 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**

9. The Division will only collect, use and disclose any personal information regarding any individual subject to this Procedure in accordance with the *Freedom of Information and Protection of Privacy Act* (“*FOIP*”).
10. 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*.

#### **PREVENTION OF HARASSMENT, BULLYING OR DISCRIMINATION**

11. Harassment, bullying or discrimination of any type against individuals based on their vaccination status, compliance with this Procedure or any other reason will not be tolerated.

#### **ADMINISTRATIVE PROCEDURE REVIEW**

12. Pursuant to the current background and context set out at the beginning of this Procedure, this 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 Procedure will be periodically reviewed and updated/amended as deemed necessary.