

London Transit
Proof of COVID-19 Vaccination Policy

Since the onset of the pandemic, the health and safety of all employees and customers has been London Transit's top priority in accordance with employer obligations under the Occupational Health and Safety Act. The COVID-19 Safety Plan is updated as health guidance has evolved, and all efforts have been made to ensure that London Transit practices and procedures are aligned with these changes, taking every precaution to prevent the spread of COVID-19.

Vaccination is a key element in the protection of employees against the hazard of COVID-19. This policy is designed to maximize COVID-19 vaccination rates among LTC employees as a control measure that will reduce the transmission of COVID-19 in the workplace and protect employees against serious illness.

Given the widespread circulation of the Delta variant in our community, the Middlesex-London Medical Officer of Health has strongly recommended all employers and business operators to ensure that employees and on-site contractors/consultants are fully vaccinated if eligible. As such London Transit is implementing an Administrative Proof of COVID-19 Vaccination Policy.

1. Scope

The purpose of the Proof of COVID-19 Vaccination Policy is to reduce the risk of COVID-19 in the workplace and to provide a safe environment for employees and customers. As such, London Transit requires all employees, contractors and consultants to comply with one of the following:

- iii. Provide proof of full vaccination against COVID-19; or
- iv. Provide proof of a medical reason from a licensed physician as to why they cannot be vaccinated against COVID-19 and undertake regular testing as required by London Transit, and consistent with recognized medical exemptions as set out by the Ontario College of Physicians and Surgeons; or
- v. Provide a proof of a non-medical reason protected by the Ontario Human Rights Code for not being fully vaccinated against COVID-19 and undertake regular testing as required by London Transit.

The Policy is indefinite in nature to address the risks and impacts of the COVID-19 pandemic, noting the duration of the pandemic is unknown. The Policy will be reviewed on a regular basis and amended as required as new information, data, and public health guidance regarding the COVID-19 pandemic evolves.

2. Legislative Framework

- Occupational Health and Safety Act, R.S.O. 1990, c.0.1
- Human Rights Code, R.S.O. 1990 c. H. 19 ("Ontario Human Rights Code")
- Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990 c. M.56 ("MFIPPA")

3. Application

This policy applies to all employees of the London Transit Commission, as well as contractors and consultants working in any London Transit Facility, on any London Transit buses, or on behalf of London Transit.

- *Fully vaccinated* means having received the full series of a COVID-19 vaccine or a combination of COVID-19 vaccines approved by Health Canada; and having received the final dose of the COVID-19 vaccine at least 14 days ago.
- *Proof* means written documentation that substantiates a claim at the sole discretion of London Transit. London Transit reserves the right to request additional proof where necessary.
- *Proof of vaccination against COVID-19* means the COVID-19 vaccination receipt issued by the Ontario Ministry of Health confirming the person is fully vaccinated. If a person received their vaccinations from a jurisdiction outside of the Province of Ontario, other documentation may be accepted
- *Vaccinate* means to be "fully vaccinated".

4. Policy

Employees

All LTC employees shall comply with one of the following:

- a) Confirm their vaccination status by October 8, 2021; or
- b) Where a person does not provide proof of full vaccination against COVID-19, but instead provides a proof of a medical reason from a licensed physician as to why they cannot be vaccinated against COVID-19 or proof of non-medical reason protected by the Ontario Human Rights Code for not being vaccinated against COVID-19 by October 8, 2021, the person shall:

- i. Submit to testing for COVID-19, with timing and intervals to be determined by London Transit and in consultation with public health; and
 - ii. Provide verification of the negative test result in a manner that enables London Transit to confirm the result at its discretion; or
- c) Where a person has not yet received both doses of the COVID-19 vaccine, the person shall:
- i. Undertake to receive both doses of the vaccine at the recommended interval, with the first dose no later than October 8, 2021 and the second dose no later than November 5, 2021; and
 - ii. Provide proof of full vaccination against COVID-19 by November 12, 2021

Inactive employees who are on a leave of absence are not required to comply with Section 4 (a to c) so long as they remain on a leave of absence. Employees must comply with 4 (a to c) within three (3) days of returning from leave.

For employees a finding of noncompliance will result in corrective and/or disciplinary action.

Contractors and Consultants

Effective November 12, 2021, contractors and/or consultants who work on LTC premises and/or who interact with LTC employees on LTC property must be fully vaccinated against COVID-19 or have an approved accommodation in accordance with the Ontario Human Rights Code.

Contractors/Consultants, or their employer may be required, as determined by the LTC, to provide a signed declaration to the LTC indicating that they, or their employees that are subject to the policy, are fully vaccinated, or are being properly accommodated in accordance with the Ontario Human Rights Code.

Contractors/Consultants that do not comply with these requirements will be restricted from LTC property and/or working on behalf of LTC. In addition, contracts may be terminated.

5. Collection of Information and Privacy Considerations

- All information gathered as part of the Proof of COVID-19 Vaccination Policy will be handled by a dedicated team and only for the purposes outlined in the policy.
- All information, including personal health information, will be treated in compliance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

6. Accommodations

Employees requiring any further Ontario Human Rights Code accommodations under this policy may request accommodations by advising their manager and/or Human Resources. The London Transit Commission is committed to fulfilling its obligations under the Ontario Human Rights Code.