

Sunbeam Community & Developmental Services	
Manual: Community Living Manual	Number: CL-ic-078
Issued by: Chief Executive Officer Category: Infection Control	Recent Review Date: July 19, 2022 Date First Issued: September 13, 2021 Last Publication Date: July 19, 2022 Pages: 1 of 10
Policy Name: Covid19 Vaccination Policy	

POLICY LEGEND		F Policy Standards	
A	Preamble	F.1	Mandatory COVID-19 Vaccination
B	Guiding Principle	F.2	Vaccination Deadlines & Requirements
C	Background & Purpose	F.3	Proof of Vaccination & Requirements
D	Scope	F.4	Medical Exemption
E	Definitions	F.5	Human Rights Exemption
		F.6	Other Considerations
		F.7	Infection Prevention & Control Information
		F.8	Consequences of Non-Compliance
		F.9	Confidentiality
		F.10	Anti-Harassment and Anti-Discrimination
This policy is to be applied in conjunction with Sunbeam's Rapid Antigen Testing policy.			

A. Preamble

COVID-19 vaccination makes it substantially less likely you will get COVID-19. Based on what is known about vaccines for other diseases and early data from clinical trials, experts believe that getting a COVID-19 vaccine also helps keep you from getting seriously ill even if you do get COVID-19. Getting vaccinated yourself may also protect people around you, particularly people at increased risk for severe illness from COVID-19.

Excerpt from "Benefits of Getting a COVID-19 Vaccine", Centres for Disease Control and Prevention, April 12, 2021: <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/vaccine-benefits.html>

B. Guiding Principle

COVID-19 vaccinations protect the health and safety of persons supported, employees, contracted service providers, volunteers, students, and other stakeholders from acquiring COVID-19 and/or reduces the likelihood and severity of serious illness if a vaccinated individual is infected with COVID-19. Reducing the risk of COVID-19 infection in those who are vaccinated also ensures that the organization's caregiving workforce does not become dangerously depleted. By encouraging employees to get vaccinated, the likelihood of infections and outbreaks is reduced — which allows for additional easing of restrictions within the organization and more opportunities for persons supported to enjoy activities that support their wellbeing and quality of life.

C. Background & Purpose

Sunbeam Community & Developmental Services ("Sunbeam") is committed to providing a safe environment for our employees, persons served, volunteers, students, contracted service providers and other stakeholders with whom we interact regularly. The purpose of this Vaccination Policy (the "Policy")

This policy is to be applied in conjunction with the organization's Rapid Antigen Testing policy.

is to promote the health and safety of everyone at Sunbeam by reducing the spread of COVID-19 at the Organization to the greatest extent possible.

Vaccinations have been shown to be an effective tool to help reduce the spread of COVID-19, reduce the risk of outbreaks and to prevent serious illness, hospitalization and death. Therefore, Sunbeam is establishing a workplace mandatory vaccination policy to protect staff, the people receiving services and supports, and visitors from COVID-19.

The Ontario COVID-19 Science Advisory Table published a study on June 8, 2021 on “COVID-19 Vaccination for People with Disabilities”. The study shows that “people with disabilities have been disproportionately impacted by the COVID-19 pandemic and are at a higher risk of contracting COVID-19. Several factors increase the risk of contracting COVID-19 for people with disabilities, including in-person care requirements, living in congregate settings including group and long-term care homes, inaccessible public health messaging, and difficulty following some public health measures, among other factors. Furthermore, people with disabilities have higher rates of several chronic health conditions that are associated with COVID-19 outcomes such as hospitalization and death.” Findings from a U.S. study showed that a developmental disability “is the strongest predictor for COVID-19 mortality after age.”

Being fully vaccinated for COVID-19 is essential to protect people with developmental disabilities. The Ministry of Health “COVID-19 Vaccination Recommendations for Special Populations”, version 7.0 September 21, 2021, recommends that a ‘ring vaccination’ approach be taken for people who are immunocompromised (i.e. that people who they regularly come into close contact with complete a full vaccine series).

It is known that some variants of the SARS-CoV-2 virus are more easily transmitted and/or more likely to cause severe health outcomes. Enhanced control measures are warranted to correspond to the increased risks posed by such variants; vaccination provides a community public health benefit by helping to mitigate the risks of COVID-19 outside of the workplace in communities served by Sunbeam, and in populations that are currently ineligible for vaccination.

The Purpose of this policy is to:

- reduce the risk of contracting COVID-19 or exposure to SARS-cov-2 and thereby protecting the people we support and staff against severe outcomes, including the loss of life.
- ensure full vaccination for all persons working at Sunbeam so that risk of transmission of COVID-19, including variants, is greatly reduced.
- communicate timelines and consequences for staff who do not fulfill the requirements of this Policy.
- To comply with the *Occupational Health and Safety Act* (OHSA) 1990 and any Emergency Order(s) in effect (i.e. O.Reg 121/20);
- adhere to the legal requirement under O. Regs 177/20 and 364/20 to comply with the instructions of the Chief Medical Officer of Health (CMOH) on COVID-19 Vaccination Policy requirements for MCCSS funded agencies, as well as the recommendations of the Ministry of Health and local officers of public health.

D. Scope

This policy is to be applied in conjunction with the organization’s Rapid Antigen Testing policy.

This policy applies to all Sunbeam employees, candidates for employment, volunteers, students, contracted service providers and privately engaged third party caregivers.

Although persons supported, their families and other stakeholders are referenced in this policy, they are not within scope of this policy.

Sunbeam reserves the right to amend, replace, and/or modify this Policy from time to time, at its discretion. Everyone who is subject to this Policy is required to comply with its requirements, terms, and conditions, as applicable, and as amended, modified, or replaced from time to time.

E. Definitions

1. **“Candidate”** a person applying to be a Sunbeam employee/staff.
2. **“Contracted Service Providers”** – all employees, contractors or other representatives of entities which provide goods or services to Sunbeam through an explicit or implied contractual arrangement. This includes, but is not limited to, employees of external staffing agencies.
3. **“External Service Providers”** – service providers not in a contractual arrangement with Sunbeam, not employees of Sunbeam, and not meeting the definition of Privately Engaged Third Party Caregivers, but whose representatives provide essential and/or emergency response services to Sunbeam and its clients. Examples may include but are not limited to: pharmacy providers, oxygen and related services, laboratory services, imaging services, mobility services, and emergency medical / first responders.
4. COVID-19 **“Fully Vaccinated”** status is as defined by the Ontario Ministry of Health, as follows. The most current definition as stated by the Ontario Ministry of Health, will always supersede, and replace the definition provided below in the event that it changes over time.

In Ontario, an individual is considered **fully vaccinated** if they have received:

- The full series of a COVID-19 vaccine authorized by Health Canada, or any combination of such vaccines,
 - 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
 - They received their final dose of the COVID-19 vaccine at least 14 days ago.
5. **“Privately Engaged Third Party Caregiver”** is a person, typically contracted / engaged by a person served or their family member, to provide additional one-on-one supports to the person served at a Sunbeam location.
 6. **“Student”** a person doing a student co-op placement, student work experience placement, or other student / professional practicum placement, or employed through a summer jobs program placement with Sunbeam.

This policy is to be applied in conjunction with the organization’s Rapid Antigen Testing policy.

7. **“Unvaccinated”** or **“not fully vaccinated”** is defined as not meeting the above criteria. For clarity, an individual is considered unvaccinated or not vaccinated who:
 - is not fully vaccinated, or
 - is partially but not fully vaccinated, or
 - has not disclosed their vaccinated status to Sunbeam.
8. **“Vaccine”** means a COVID-19 vaccine approved by the World Health Organization (WHO) and Health Canada.

F. Policy Standards

Sunbeam is committed to protecting staff and visitors from hazards in the workplace, including infectious and vaccine preventable diseases. 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.

1. Mandatory COVID-19 Vaccination

Sunbeam requires everyone identified in the scope of this policy, regardless of the work they perform and their respective workplace, to provide proof of being fully vaccinated for COVID-19. Refer to policy section F.3. (b) and (c) for authorized exemptions.

2. Vaccination Deadlines & Requirements

CANDIDATES

Sunbeam requires that all Candidates provide proof of full vaccination for Covid-19 as a pre-condition of employment. Candidates with a medical or other protected human rights exemption for vaccination will be required to provide evidence to substantiate such restrictions, and as requested by Sunbeam. Sunbeam will accommodate to the extent possible without causing undue hardship to Sunbeam.

EXISTING STAFF

For all Sunbeam staff employed as of November 12, 2021, who are eligible to receive a COVID-19 vaccine, it is mandatory that they be fully vaccinated by February 16, 2022, unless there is a bona fide medical or other protected human rights reason.

In order to meet the February 16, 2022 timeline, non-fully vaccinated staff will need to have received both of their doses of an mRNA COVID-19 vaccine by February 2, 2022 in order to be considered fully vaccinated.

First Dose: For staff who have yet to receive any COVID-19 vaccination, the following applies:

1. *By January 4, 2022, the first dose of a COVID-19 vaccine must have been received by the employee;*
2. *By January 10, 2022, proof of the first dose must be received by Human Resources from the employee AND communication to their supervisor of their scheduled date for the second dose;*
3. *By February 2, 2022, the second dose of a COVID-19 vaccine has been received by the employee;*

This policy is to be applied in conjunction with the organization's Rapid Antigen Testing policy.

4. By February 8, 2022, proof of second dose must be received by Human Resources from the employee.

Second Dose: For staff that have received the first COVID-19 Vaccination, but not the second yet, the following applies:

5. By January 10, 2022, proof of the first dose must be received by Human Resources from the employee AND communication to their supervisor of their scheduled date for the second dose;
6. By February 2, 2022, the second dose of a COVID-19 vaccine has been received by the employee;
7. By February 8, 2022, proof of second dose must be received by Human Resources from the employee.

For staff who may be on a leave of absence unrelated to this policy as of February 16, 2022, the employee must provide to Human Resources proof of being fully vaccinated prior to any resumption of duties.

VOLUNTEERS

As of November 12, 2021, Sunbeam requires that all volunteers or potential new volunteers provide proof of full vaccination for Covid-19 as a mandatory condition of eligibility to participate in Sunbeam's volunteer program.

STUDENTS

As of November 12, 2021, existing students will be held to the same timelines, terms and conditions as outlined in the aforementioned "Existing staff" policy section above.

Students being considered for new work experience / placement at Sunbeam will be held to the same timelines, terms and conditions as outlined in the aforementioned "Candidates" policy section above.

CONTRACTED SERVICE PROVIDERS

As of November 12, 2021, all representatives of contracted service providers who provide services for Sunbeam persons served and/or at any Sunbeam location must be fully vaccinated. Sunbeam's contractual agreement with contracted service providers must state this policy requirement as a mandatory condition of service.

All contracted service providers must also follow the organization's stated pandemic precautions and protocols when providing service, including but not limited to prescribed use of PPE and following of physical distancing measures as feasible.

EXTERNAL SERVICE PROVIDERS

As of January 10, 2022, all representatives of external service provider that are providing essential services to Sunbeam and/or its clients must provide a signed attestation statement to Sunbeam confirming their fully vaccinated status. In the case of an emergency response only (such as ambulance, fire), if the attestation requirement cannot be met, representatives must still follow the organization's stated pandemic precautions and protocols when providing service, including but not limited to prescribed use of PPE and following of physical distancing measures as feasible.

This policy is to be applied in conjunction with the organization's Rapid Antigen Testing policy.

PRIVATELY ENGAGED THIRD PARTY CAREGIVERS

All Privately Engaged Third Party Caregivers who provide services for Sunbeam persons served must be fully vaccinated, to be confirmed through the provision of a signed attestation statement to Sunbeam. Such attestation must be received by Sunbeam no later than February 16, 2022.

OTHERS, NOT IN SCOPE

Sunbeam encourages all Persons Served to be fully vaccinated and will work together with persons served and their families / substitute decision makers / advocates to help with informed decision making and to facilitate vaccinations as requested.

Sunbeam also encourages Families / Advocates of all Persons Served, especially those family members / advocates who may occasionally visit the Sunbeam group home or program location, or who may otherwise have direct in person contact with the Person Served, to be fully vaccinated.

In the event that a person served and/or their visiting family members / advocates are not fully vaccinated, or their vaccinated status is unknown to Sunbeam, this will be a consideration in Sunbeam's site-specific risk assessment and may impact the level of site-specific safety precautions in effect.

3. Proof of Vaccination & Requirements

Everyone subject to this Policy must provide to Human Resources, in writing (unless otherwise specified):

- a) Confirmation of their vaccination status (fully vaccinated , or unvaccinated / not fully vaccinated),

OR

- b) Written proof of a medical reason provided by a physician or nurse practitioner that sets out:
 - (i) that you cannot or should not be vaccinated against COVID 19 for medical reasons; and
 - (ii) the effective time period for the medical reason (i.e., permanent or time limited), where applicable.

OR

- c) Written proof for a reason (other than medical reason per (b) above) that is protected under the Ontario Human Rights Code for not being vaccinated against COVID-19.

Everyone subject to this policy and who is unvaccinated / not fully vaccinated supported by (c) above, is required to successfully complete an **Annual Education Session** provided by Sunbeam about the benefits of COVID-19 vaccination prior to declining vaccination for any reason other than a medical reason. The approved session will, at minimum address:

- i. How COVID-19 vaccines work,
- ii. Vaccine safety related to the development of the COVID-19 vaccines,
- iii. The benefits of vaccination against COVID-19,

This policy is to be applied in conjunction with the organization's Rapid Antigen Testing policy.

- iv. Risks of not being vaccinated against COVID-19, and
- v. Possible side effects of COVID-19 vaccination.

Sunbeam also reserves the right to impose additional work-related measures for legitimate health and safety reasons upon those who are subject to this policy and who are unvaccinated / not fully vaccinated (as per both (b) and (c) above) against COVID-19.

Such measures may also include being subject to more stringent health and safety requirements, such as wearing additional PPE, rapid antigen testing or higher frequency of rapid antigen testing, modified duties, reallocation of work assignments or an unpaid leave of absence, subject to the Ontario *Human Rights Code* (the “Code”) depending upon individual circumstances.

Employees who fail to provide proof of being fully vaccinated, or who fail to submit a request for accommodation per policy section F.3. (b) and / or (c) will be treated as unvaccinated for the purposes of this policy.

4. Medical Exemption

Employees who are medically contraindicated from receiving COVID-19 vaccines must provide written proof of a medical reason. Supporting documents must be provided by either a physician or nurse practitioner.

NOTE: There are very few medical exemptions to the COVID-19 vaccination. A current list of medical exemptions at the date of this policy update can be found in the Ministry of Health Medical Exemptions to COVID-19 Vaccination Version 1.0, September 14, 2021. At all times, the most recently released, publicly available version of this list of medical exemptions as provided by the Ministry of Health will be applied in the context of this policy. Exemptions will require a Sunbeam approved sign off letter from treating medical practitioner. Sunbeam reserves the right to confirm the validity of any medical note.

Sunbeam will accommodate all staff who have provided approved medical documentation to the extent possible without undue hardship. Such staff may be required to undergo surveillance testing, rapid antigen testing, education and must continue to wear Personal Protective Equipment (PPE) beyond such times than those that are fully vaccinated, and/or will be excluded from work in specific settings, particularly but not exclusively during a COVID-19 related outbreak or as per Local Public Health recommendations.

5. Human Rights Exemption

Should an employee decline the COVID-19 vaccination for protected grounds under the Ontario Human Rights Code, Sunbeam will accommodate to the extent possible without undue hardship. Such staff will be required to provide additional documentation to substantiate the grounds beyond Sunbeam's normal workplace accommodation process. In addition, staff will be required to undergo surveillance testing, rapid antigen testing, education and must continue to wear PPE beyond such times than those that are

This policy is to be applied in conjunction with the organization's Rapid Antigen Testing policy.

fully vaccinated, and/or will be excluded from work in specific setting, particularly during a COVID-19 related outbreak or as per Local Public Health recommendations.

6. Other Considerations

In the event that an unvaccinated staff's presence in the workplace poses a risk, an assessment of the nature of work being performed by the staff, and the risk to the work environment will be conducted. The outcome may include placing the employee on unpaid leave of absence until COVID-19 no longer poses a significant public health risk, or the risk in the work environment is considered minimal. Employees required to take unpaid leave of absence because of the above may choose to utilize their existing banked time, excluding sick leave.

7. Infection Prevention & Control Information

Sunbeam is committed to continuously provide employees and stakeholders up-to-date resources and educational information on vaccination and other COVID-19 related information.

8. Consequences of Non-Compliance

Failure to comply with this Policy will result in consequences, which for employees may include progressive discipline, up to and including termination with cause. For others within the scope of this policy, failure to comply will result in termination of services engagement, volunteering, or student placement.

Employees must disclose their vaccination status, comply with education and rapid testing requirements and provide proof of vaccination by the vaccination. Failure to do so in a timely manner in accordance with the timelines identified above will result in the employee being considered as unvaccinated / not fully vaccinated for the purpose of this policy.

Staff who do not submit proof of first dose by January 10, 2022 will be placed on an unpaid suspension until they are fully vaccinated and may be subject to further discipline up to and including termination for just cause.

Staff who do not submit proof of second dose by February 8, 2022, will be placed on an unpaid suspension until they are fully vaccinated, and may be subject to further discipline up to and including termination for just cause.

Providing false, misleading and fraudulent records and information will also be subject to discipline up to and including termination for just cause.

9. Confidentiality

This policy is to be applied in conjunction with the organization's Rapid Antigen Testing policy.

Information relating to an individual's proof of vaccination, the reason(s) for not receiving a COVID-19 vaccination and/or information relating to accommodations (collectively, the "Personal Information") in compliance with applicable privacy legislation will remain in their confidential Human Resources file for the purposes of ensuring the health and safety of all parties mentioned in this policy, and local communities.

Test results will be kept in a confidential electronic file by Sunbeam.

The personal information that must be disclosed under this Policy, as set out above, is required so that Sunbeam can make informed decisions with respect to the health and safety measures that may need to be implemented from time-to-time, and so that it can ensure compliance with any applicable legislation, regulations, guidelines, and/or public health guidance that may differentiate between vaccinated and unvaccinated individuals.

In accordance with Sunbeam's Privacy and Confidentiality Policy, individuals' personal health information will be kept confidential to the greatest extent possible, and shall not be disclosed to anyone else, unless absolutely necessary to implement health and safety requirements, as determined by Sunbeam in its discretion, to administer this Policy, for essential operational reasons, or as required by law.

Sunbeam is required to disclose Statistical information to MCCSS (Ministry of Children, Community and Social Services) including, but not limited to:

- i. the number of Employees and Persons Served that provided proof of being fully vaccinated against COVID-19;
- ii. the number of Employees and Persons Served that provided a documented medical reason or other protected reason for not being fully vaccinated against COVID-19;
- iii. the number of Employees and Persons Served that completed the aforementioned Annual Educational Session about the benefits of COVID-19 vaccination; and
- iv. the total number of Employees and Persons Served to whom these instructions apply.

Sunbeam will only disclose aggregate data to the Ministry and/or Province. There will be no identifying information provided to the Ministry.

In the case of Outbreak Management, for contact tracing under the direction of Public Health, Sunbeam will be required to disclose to Public Health the vaccination status of employees with close contact of any positive COVID-19 case and results of rapid antigen testing where applicable.

10. Anti-Harassment and Anti-Discrimination

Sunbeam will not tolerate anyone treating any other individual disrespectfully or unprofessionally because they have or have not been vaccinated. Everyone subject to this Policy is required to treat others with dignity and respect, regardless of their vaccination status, as required by Sunbeam's Workplace Violence and Harassment Policy and the Code of Conduct policies. Further, in accordance with Sunbeam's Code of Conduct, discrimination against those who cannot be vaccinated for protected human rights reasons is strictly prohibited.

This policy is to be applied in conjunction with the organization's Rapid Antigen Testing policy.

Although those who are subject to this Policy are free to disclose their vaccination status to one another, they must not ask one another if they have been vaccinated. Only Human Resources is permitted to ask others at Sunbeam about their vaccination status.

Sunbeam recognizes its obligations under the Ontario Human Rights Code to the point of undue hardship.

This policy is to be applied in conjunction with the organization's Rapid Antigen Testing policy.