

Kingston Health Sciences Centre

ADMINISTRATIVE POLICY MANUAL

Subject: COVID-19 Staff and Affiliate Vaccination

Number: 02-199

Prepared by: Occupational Health, Safety & Wellness

Page: 1 of 9

Issued by: President and Chief Executive Officer

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Policy Statement

As a tertiary and acute health care organization caring for vulnerable and medically complex patients, KHSC has a moral and professional responsibility to take all necessary measures to ensure the safety of our patients. We also have a legislative duty to take every reasonable precaution for the protection of our workers under the *Occupational Health & Safety Act*.

COVID-19 vaccination is a critical strategy to reduce the introduction and transmission of COVID-19 within our environment and risk of illness in our patients, staff, and affiliates. With the current prevalence of the Delta variant and its increased transmissibility compared to previous SARS-CoV-2 variants of concern, it has become imperative for KHSC to implement a **mandatory staff and affiliate vaccination policy**.

KHSC requires all staff (employees and physicians/credentialed staff), and affiliates (learners, volunteers, researchers, and contractors and service providers) to comply with this policy which outlines the specific expectations and processes to be followed in relation to COVID-19 vaccination status. This policy also incorporates legislative requirements that come into effective September 7, 2021 under [Directive #6](#).

For unvaccinated staff or affiliates who wish to obtain more information about the COVID-19 vaccine, an educational module for employees is available through the KHSC e-learning system (Knowledge Now) or can be accessed here: <https://elearning.kingstonhsc.ca/COVID-19VaccineEducation/>. As well, should individuals have questions about the vaccine they are encouraged to speak with their primary care physician and/or a KHSC Occupational Health Nurse.

This policy is not withstanding the wide authority that the Medical Officer of Health has under the Health Protection and Promotion Act (1990).

Scope:

This policy applies to all KHSC staff and affiliates (learners, volunteers, researchers, and contractors and service providers) and is not intended to conflict with any relevant collective agreement and/or employment agreement.

Definitions:

Affiliates- all non-employee and non-physician/non-credentialed staff including, but not limited to, learners, contractors and service providers, vendors, researchers, and volunteers (including Board members, patient advisors and other volunteers)

Contractors and Service Providers: includes third parties that KHSC has an established contract with, or otherwise engages or retains, who provide goods and/or services, as well as any outside personnel or business entity working on site at KHSC excluding those who are on site for less than 15 minutes AND are

Kingston Health Sciences Centre

ADMINISTRATIVE POLICY MANUAL

Subject: COVID-19 Staff and Affiliate Vaccination

Number: 02-199

Prepared by: Occupational Health, Safety & Wellness

Page: 2 of 9

Issued by: President and Chief Executive Officer

Original Issue: 2021.06

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not entering a clinical/patient care area.

COVID-19: an acute respiratory illness in humans caused by the severe acute respiratory syndrome Coronavirus-2 (SARS-CoV-2) virus that is capable of producing severe symptoms and in some cases death, especially in older people and those with underlying medical conditions. Asymptomatic infection and subsequent transmission can occur. It is primarily transmitted person-to-person through respiratory droplets. It was originally identified in 2019 and became pandemic in 2020

COVID-19 Outbreak: defined as two or more nosocomial-acquired, COVID-19 cases occurring within 48 hours on a specific unit. The declaration of the outbreak will be made by the KHSC Infection Prevention & Control Service in consultation with KFL&A Public Health.

Full vaccination: means you completed your final dose of the COVID-19 vaccine series at least 14 days ago with a vaccine, or combination thereof, that is approved in the province of Ontario as per [COVID-19 Fully Vaccinated Status in Ontario](#). For details on acceptable vaccines and number of doses required for those vaccinated outside of Ontario/Canada, see [COVID-19 Guidance for Individuals Vaccinated outside of Ontario](#).

KHSC Sites- includes the two hospitals as well as all other sites, buildings, and affiliated sites that are owned, leased, or occupied by KHSC staff, and includes KHSC patient/client homes where staff are providing care, and KHSC owned and leased vehicles.

Medical Contraindication: a valid medical reason preventing COVID-19 vaccination on a temporary or permanent basis, but excludes those who have a personal preference not to be vaccinated. Medical contraindications to COVID-19 vaccination are rare.

Partial Vaccination: you have received part but not all of the COVID-19 vaccination series (e.g. only 1 dose of a 2-dose series has been administered) OR you have received the full series (e.g. both doses of a 2-dose series) but 14 days have not elapsed since completion of the vaccine series.

Rapid Antigen Test- is a rapid, qualitative detection test for SARS-CoV-2 (COVID-19) virus. A nasal or nasopharyngeal swab is collected from individuals and test results are typically available in as early as 15 minutes.

Staff- includes all employees (including those that are full-time, part-time, casual, and temporary) and physicians and credentialed staff (e.g., dentist, midwife, extended nursing class, departmental/research assistant, clinical observer).

Vaccination: The act of introducing a **vaccine** into the body to produce immunity to a specific disease. Vaccination is a simple, safe, and effective way of protecting people against harmful

Kingston Health Sciences Centre

ADMINISTRATIVE POLICY MANUAL

Subject: COVID-19 Staff and Affiliate Vaccination

Number: 02-199

Prepared by: Occupational Health, Safety & Wellness

Page: 3 of 9

Issued by: President and Chief Executive Officer

Original Issue: 2021.06

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infections & diseases before they come into contact with them. It uses your body's natural defenses to build resistance to specific infections.

Policy

Existing Staff

1. All existing employees, physicians and credentialed staff must be fully vaccinated in accordance with the following dates, unless they have a medical contraindication, or an exemption based on a protected ground in the *Ontario Human Rights Code*:
 - Receive dose #1 of the vaccine no later than September 21, 2021, and
 - Receive dose #2 of the vaccine no later than October 22, 2021
2. For those without proof of full vaccination on file with Occupational Health, Safety and Wellness (OHSW), they must promptly:
 - a) provide proof of their vaccination to Occupational Health, Safety & Wellness in person or by sending an email to KHSCoccupationalhealthsafety@kingstonhsc.ca as follows:
 - after receiving the first dose of a two-dose COVID-19 vaccination series, as soon as reasonably possible, but no later than September 28, 2021; and
 - after receiving the second dose of a two-dose series, as soon as reasonably possible, but no later than October 29, 2021.
 - OR**
 - b) Where vaccination is medically contraindicated, provide supporting documentation from your treating physician, or registered nurse in the extended class, that sets out the documented medical reason for the contraindication and the effective time period for the medical reason (i.e., permanent or time- limited). Proof of medical exemption must be submitted to Occupational Health, Safety & Wellness (OHSW) in person or email to: KHSCoccupationalhealthsafety@kingstonhsc.ca, no later than September 21, 2021.
 - OR**
 - c) Where vaccination is prohibited based on a protected ground under the *Ontario Human Rights Code*, provide proof, acceptable to KHSC, that refusing vaccination is based on the protected ground. For employees and volunteers, submit proof to the Vice President and CHRO, and for physicians

Kingston Health Sciences Centre

ADMINISTRATIVE POLICY MANUAL

Subject: COVID-19 Staff and Affiliate Vaccination

Number: 02-199

Prepared by: Occupational Health, Safety & Wellness

Page: 4 of 9

Issued by: President and Chief Executive Officer

Original Issue: 2021.06

Revised: 2021.10

and credentialed staff submit to the Chief, Medical & Academic Affairs, no later than September 21, 2021

3. If an individual has received the COVID-19 vaccine in Ontario, the only acceptable proof of vaccination is the receipt provided by the Ministry of Health via COVax. For those who have been vaccinated outside of Ontario, the individual should contact the local Public Health Unit to have their vaccines entered into COVax and proof of vaccination must align to the requirements set by the province of Ontario. See [COVID-19 Fully Vaccinated Status in Ontario](#) and [COVID-19 Guidance for Individuals Vaccinated outside of Ontario](#). Proof shall include your name, date of birth, date of vaccination, vaccine name, lot number, and name of the health care practitioner administering the vaccine.
 - o An individual who received their vaccination in Ontario can download their COVID-19 vaccine receipt here: <https://covid19.ontariohealth.ca/>
4. All staff who do not have documentation of full vaccination on their Occupational Health record by September 7, 2021 (including those who with approved exemptions), must submit to regular rapid antigen testing for COVID-19, at a frequency determined by KHSC. These staff must also submit proof of a negative test, as per the established KHSC process and frequency, for statistical reporting to the Ministry of Health. This testing is a requirement for all KHSC staff who are not fully vaccinated under [Directive #6](#) in Ontario.
 - a. Rapid antigen tests are only to be used for staff without symptoms (asymptomatic). Symptomatic staff must report to OHSW; testing for symptomatic staff must be laboratory-based PCR testing.
 - b. Those who receive a positive test result must not report to work and must promptly contact Occupational Health, Safety & Wellness.
 - c. Rapid antigen tests must not be provided to others or sold to others for any purpose. KHSC reserves the right to audit the use of rapid antigen kits; should staff be found to be providing or selling the test kits to others, they will be subject to disciplinary action up to and including termination of employment or suspension/revocation of privileges
 - d. Staff who refuse to comply with this testing requirement will not be permitted to work and will be placed on an unpaid administrative leave for a maximum of 2 weeks to reconsider their willingness to meet this requirement. Continued failure to comply with this policy will be subject to disciplinary action up to and including termination of employment or suspension/revocation of privileges.
 - e. Frequency of swabbing can change based on COVID-19 prevalence or legislation.

Kingston Health Sciences Centre

ADMINISTRATIVE POLICY MANUAL

Subject: COVID-19 Staff and Affiliate Vaccination

Number: 02-199

Prepared by: Occupational Health, Safety & Wellness

Page: 5 of 9

Issued by: President and Chief Executive Officer

Original Issue: 2021.06

Revised: 2021.10

New Hires and New Appointments

5. Newly hired and appointment staff must provide proof of full COVID-19 vaccination as a condition of employment or appointment, the only exception being where there is a verified medical contraindication, or exemption based on a protected ground under the Ontario Human Rights Code, precluding vaccination.
6. Those with contraindications or exemptions from vaccination (See #2b and #2c above), will be required to participate in regular COVID-19 antigen testing at a frequency determined by KHSC. Frequency of swabbing can change based on COVID-19 prevalence and legislation.
7. KHSC reserves the right to rescind an individual's offer of employment or appointment should that individual fail to comply with the mandatory condition of full vaccination. The individual shall not have any claim, past or future, complaint, or cause of action against KHSC as a result of this rescission.
8. Documentation of vaccination for new hires and new appointments shall be provided as follows:
 - a. New employees shall provide proof of full vaccination to KHSC's Occupational Health Department as part of their pre-placement and prior to their employment start date.
 - b. New volunteers shall provide their proof of full vaccination to Volunteer Services
 - c. New Board Members shall provide proof of full vaccination to the Board office
 - d. New Patient Advisors shall provide proof of full vaccination to the PFCC Lead's Office
 - e. New credentialed staff (e.g., physicians, dentists, midwives, extended nursing class, departmental/research assistants, clinical observers) shall provide proof of full vaccination to the Medical Affairs office as a condition of appointment
 - f. New research staff will provide their proof of full vaccination to the office of the Vice President, Research

Volunteers

9. All Volunteers must be fully vaccinated in order to enter a KHSC site, unless there exists a medical contraindication or exemption based on a protected ground under the *Human Rights Code*. Where such a contraindication or exemption exists, the volunteer must submit to the required rapid antigen testing at a frequency determined by KHSC. Frequency of swabbing can change based on COVID-19 prevalence and legislation.
10. Volunteers are to provide their proof of full vaccination to the Volunteer Services Department.
11. Current Board Members are to provide proof of full vaccination to OHSW
12. Current Patient Advisors are to provide proof of full vaccination to OHSW.

Kingston Health Sciences Centre

ADMINISTRATIVE POLICY MANUAL

Subject: COVID-19 Staff and Affiliate Vaccination

Number: 02-199

Prepared by: Occupational Health, Safety & Wellness

Page: 6 of 9

Issued by: President and Chief Executive Officer

Original Issue: 2021.06

Revised: 2021.10

Learners

13. All Learners must be fully vaccinated in order to enter a KHSC site, unless there exists a medical contraindication or exemption based on a protected ground under the *Human Rights Code*.
14. Learners are to provide their proof of full vaccination to their educational institution, who will provide KHSC with written attestation that their students have been fully vaccinated. It will be submitted to their contact person at KHSC via Medial Affairs or Professional Practice Office
15. Where a medical contraindication or exemption exists, as verified by the educational institution, an unvaccinated learner will be managed by their educational institution in accordance with their own policy, which must meet the minimum requirements of KHSC's policy and any relevant legislation (e.g., rapid antigen testing)
16. KHSC reserves the right to request proof of compliance with this policy, including but not limited to, proof of vaccination or medical exemption, at any time.

Contractors and Service Providers

17. KHSC requires all contractors and service providers to be fully vaccinated in order to enter a KHSC site or interact with KHSC patients, or KSHC personnel in the context of their employment.
18. It is the expectation that the contractor or service provider will require evidence of full vaccination from their staff, and then provide written attestation to KHSC that all of their staff coming to a KHSC site or interacting with KHSC patients, or KHSC personnel are fully vaccinated.
19. Where a verified medical contraindication or exemption exists for the staff of a contractor or service provider that is verified by the contractor or service provider, the staff will be managed by their employer (i.e. the contractor or service provider) in accordance with their policy, which must meet the minimum requirements of KHSC's policy and any relevant legislation (e.g. rapid antigen testing)
20. Any contractor or service provide failing to comply will be barred from entry on a temporary or permanent basis.
21. KHSC reserves the right to request proof of vaccination upon entry onto a KHSC site.

Note- EMS, Firefighters and Police Officers will be permitted to enter without delay and without question in the course of carrying out their duties. They will continue to be guided by their own workplace policies, including adherence to any required screening, testing, vaccinations, and use of personal protective equipment.”

Kingston Health Sciences Centre

ADMINISTRATIVE POLICY MANUAL

Subject: COVID-19 Staff and Affiliate Vaccination

Number: 02-199

Prepared by: Occupational Health, Safety & Wellness

Page: 7 of 9

Issued by: President and Chief Executive Officer

Original Issue: 2021.06

Revised: 2021.10

Restrictions

22. Those who are not fully vaccinated may be subject to restrictions that do not apply to vaccinated personnel. Such restrictions can include, but are not limited to, the following:
- a) Additional personal protective equipment (PPE) requirements
 - b) Work isolation including restricted access to break rooms where masks are removed for eating/drinking and multiple staff and affiliates are present
 - c) For unvaccinated staff- In the event of a COVID-19 outbreak prior to November 5, 2021, the staff member *may* not be permitted to work in the outbreak area. Where this is the case, and there is no medical contraindication on record or an approved exemption under the Human Rights Code, unvaccinated workers will be excluded from work without pay, where reassignment is not possible.
 - d) In the event a staff member has a high-risk exposure to a positive COVID-19 person in the workplace:
 - i. fully vaccinated staff will be able to continue working without interruption, subject to surveillance/testing, and other controls;
 - ii. partially vaccinated and unvaccinated staff, prior to November 5, 2021, will be excluded from work, subject to surveillance/testing, and placed on an unpaid LOA where reassignment is not possible, unless a verified medical contraindication or approved exemption under the Human Rights Code is on file.

** Note- the above may be adjusted where critical staffing needs require a worker to be in the workplace, or where there are restrictions as a result of changes in provincial/public health contact guidelines.*

Staff Compliance & Reporting

23. Staff Vaccination status will be tracked and recorded by Occupational Health, Safety & Wellness (OHSW). Vaccination status will be shared, as needed, for the sole purpose of ensuring compliance with this policy and for outbreak and workforce management.
24. Where a staff member has no record of full vaccination on file with Occupational Health, Safety & Wellness, their name will be provided to Protection Services for flagging of their ID badge. This will be used to monitor compliance with required COVID-19 testing from present up to November 5, 2021
25. Where a staff member is non-compliant with COVID-19 rapid antigen testing requirements, or has not complied with submission of their proof of vaccination, (or documentation of medical contraindication or exemption under the *Human Rights Code* where these exist) by the identified dates (Sept 21, 2021 for first dose and October 22, 2021 for second dose) the following actions will be taken:
- a. For employees- the manager and Employee and Labour Relations will be notified, and the employee will be placed on an unpaid leave of absence for up to

Kingston Health Sciences Centre

ADMINISTRATIVE POLICY MANUAL

Subject: COVID-19 Staff and Affiliate Vaccination

Number: 02-199

Prepared by: Occupational Health, Safety & Wellness

Page: 8 of 9

Issued by: President and Chief Executive Officer

Original Issue: 2021.06

Revised: 2021.10

two weeks. Where the employee continues to be non-compliant with the requirement, such employee may be subject to discipline up to including termination.

- b. For physicians- the Director, Medical & Academic Affairs will be notified. Privileges will be temporarily suspended for up to two weeks. Continued non-compliance may result in permanent suspension/revocation of privileges.
26. For medical residents who have rotations in other organizations, confirmation of vaccinations status will be provided by OHSW to the Chief, Medical & Academic Affairs.
27. Where proof of vaccination or medical exemption is not submitted to OHSW, or exemption under the Human Rights Code is not submitted and approved by the Vice President and CHRO, or the Chief, Medical & Academic Affairs, it will be assumed the staff member is unvaccinated.
28. Failure by staff to adhere to any components of this policy may result in disciplinary action, up to and including termination. Failure by physicians or credentialed staff to adhere to any components of this policy may result in suspension/revocation of privileges.
29. Pursuant to the Chief Medical Officer of Health's Directive #6 and request for information, KHSC will be required to report statistical information to the Ministry of Health. No identifying information will be provided, and all statistical information will be in aggregate form.

References

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Kingston Health Sciences Centre

ADMINISTRATIVE POLICY MANUAL

Subject: COVID-19 Staff and Affiliate Vaccination

Number: 02-199

Prepared by: Occupational Health, Safety & Wellness

Page: 9 of 9

Issued by: President and Chief Executive Officer

Original Issue: 2021.06

Revised: 2021.10

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Authorizing Signature:

Dr. David Pichora
President and Chief Executive Officer