

# The Corporation of the Municipality of Brockton



## By-Law 2021-121

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### Being a By-Law to Adopt a COVID-19 Immunization Disclosure Policy for the Brockton Child Care Centre

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**Whereas** The Council for The Corporation of the Municipality of Brockton deems it expedient to establish policies;

**And Whereas** the *Municipal Act 2001, S.O. 2001, c 25, Section 5(3)*, as amended provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law;

**And Whereas** the Municipality of Brockton is currently affected by the COVID-19 pandemic, and wishes to adopt a policy outlining the Municipality of Brockton's expectations with regards to COVID-19 immunization disclosure at the Brockton Child Care Centre;

**Now Therefore** the Council of The Corporation of the Municipality of Brockton enacts as follows:

- 1.0 That the Corporation of the Municipality of Brockton Council hereby adopts a COVID-19 Immunization Disclosure Policy as contained in the attached Schedule "A" to this By-Law.
- 2.0 This By-Law shall come into full force and effect upon final passage.
- 3.0 This By-Law may be cited as the "Adopt COVID-19 Immunization Disclosure Policy By-Law".

**Read, Enacted, Signed and Sealed this 14th day of September, 2021.**

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Mayor – Chris Peabody

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Clerk – Fiona Hamilton

**COVID-19 Immunization Disclosure Policy**

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| <b>Department:</b> | Brockton Child Care Centre              | <b>Policy Number:</b>  | P03-1006-22        |
| <b>Section:</b>    | Human Resource                          | <b>Effective Date:</b> | September 14, 2021 |
| <b>Subject:</b>    | Covid-19 Immunization Disclosure Policy | <b>Revised Date:</b>   | N/A                |
| <b>Authority:</b>  | By-Law 2021-121                         |                        |                    |

**1. Purpose**

The purpose of this policy is to outline the Municipality of Brockton expectations with regards to COVID-19 immunization disclosure.

Contingent upon vaccine availability, all eligible individuals, are strongly encouraged to receive a COVID-19 vaccine, unless there is a medical reason to not receive a vaccine.

**2. Background**

The Municipality of Brockton recognizes the importance of immunization of individuals regularly interacting and providing services to children due to the nature of their work and potential for exposure in the community. This COVID-19 Immunization Disclosure Policy aims to protect the child care program's population including children, staff, volunteers, students on educational placements and any person providing child care or other services to a child in care.

COVID-19 is an acute respiratory illness caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2). It may be characterized by fever, cough, shortness of breath, and several other symptoms. Asymptomatic infection is also possible. The risk of severe disease increases with age but is not limited to the elderly and is elevated in those with underlying medical conditions.

**3. Definition**

"Fully vaccinated" means having received all of the doses required for a COVID-19 vaccine(s) approved by the World Health Organization (e.g., two doses of a two-dose vaccine, or one dose of a single-dose vaccine); and having received the final vaccine dose at least 14 days ago.

**4. Application of the Policy**

The COVID-19 Immunization Disclosure Policy will apply to the following groups of individuals specifically at the Brockton Child Care Centre, except where the individual works remotely and the individual's work does not involve in-person interactions:

- Employees of the Brockton Child Care Centre;
- Volunteers at the Brockton Child Care Centre;
- Students on an educational placement at the Brockton Child Care Centre;
- Any licensee who regularly interacts with children, staff or providers at the Brockton Child Care Centre;
- Any person who provides child care or other services to a child who receives child care (e.g., special needs resourcing consultant)

**5. COVID-19 Immunization Disclosure Policy**

The Chief Medical Officer of Health has directed the Municipality of Brockton who operates a licenced child care program at the Brockton Child Care Centre to develop, implement and ensure compliance with a COVID-19 immunization disclosure policy. All individuals covered by this policy must provide one of the following:

1. Proof of being fully vaccinated against COVID-19. The only acceptable proof of vaccination is the receipt provided by the Ministry of Health to the person who was vaccinated.
2. Written proof of a medical reason, provided by either a physician or nurse practitioner that sets out:
  - a. that the person cannot be vaccinated against COVID-19 due to a medical contraindication with the COVID-19 vaccine; and
  - b. the effective time period for the medical reason (i.e., permanent or time limited).
    1. if an individual is unable to receive their vaccine for a medical reason but that reason is valid for a limited time, the Brockton Child Care Centre will follow-up with the individual once that time period has expired and ensure the individual provides proof of vaccination or proof that the individual has completed the educational session approved by the Municipality of Brockton.
3. Proof that the individual has completed an educational session approved by and/or provided the Municipality of Brockton. The educational session addresses all of the following learning components:
  - how COVID-19 vaccines work;
  - vaccine safety related to the development of the COVID-19 vaccines;
  - benefits of vaccination against COVID-19;
  - risks of not being vaccinated against COVID-19; and
  - possible side effects of COVID-19 vaccination.

**6. Supports for Vaccination**

The Municipality of Brockton will provide the following supports for people subject to this policy to receive a vaccination:

- Provide employees with information on location and scheduling of local vaccination clinics.
- Where possible feasible, support employees attending a vaccination clinic and/or their health care provider to be vaccinated.
- Access to Employee Family Assistance Program.
- All employees of the Municipality of Brockton shall receive two (2) hours of compensating time off (lieu time) to support continued employee wellness during the pandemic and those who choose to receive the COVID-19 vaccination. This lieu time must be used no later than December 31, 2021 and will require Supervisor approval. All employees will receive this benefit whether or not they chose vaccination.

**7. Testing Requirements**

Individuals subject to the policy who are not fully vaccinated must regularly complete an antigen point of care testing for COVID-19 and demonstrate a negative result, twice per week on Monday and Thursday mornings before the start of their shift or as directed by the Ministry of Education; and may be required to provide written verification of the negative test result on acceptable documentation that the Municipality of Brockton deems acceptable to the Brockton Child Care Centre Supervisor (or designate) and the individual must enable the Supervisor (or designate) to confirm the results at their discretion.

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If an individual tests positive with the antigen COVID-19 testing the individual must isolate (e.g., not come to work) and submit to a laboratory-based PCR test to confirm the results as soon as possible (ideally within 48 hours). The Municipality of Brockton may report the positive test to the Grey Bruce Health Unit in accordance with the Health Protection and Promotion Act. The individual will follow all public health measures regarding a positive antigen test and will not be permitted to return to work until the individual has been cleared by the Grey Bruce Health Unit or by a Medical Practitioner.

The antigen point of care testing for COVID-19 is for asymptomatic individuals only. Individuals that cannot pass the daily self-screening including experiencing symptoms of COVID-19 or who have had close contact with someone who has tested positive should continue to visit their local assessment centres for testing.

#### **8. Confidentiality Statement**

As per s. 77 of O. Reg 137/15 made under the Child Care and Early Years Act, 2014, the Brockton Child Care Centre is required to report such statistical information to the Ministry of Education as may be required. No identifying information will be provided to the ministry in relation to this policy; all statistical information will be provided in aggregate form.

#### **9. Consequences for Failing to Adhere to Policy**

If an employee does not comply with the terms of this policy, they may be subject to disciplinary action, including possible termination of employment in accordance with the Employee Discipline Policy (H00-0610-12).

#### **10. Policy Changes**

The Municipality of Brockton has the ability to amend, change or rescind this policy at any time following Council approval and individuals will agree to the changes without notice.