



## **Splatsin Workplace Vaccination Policy** **Date updated: November 10, 2021**

### **Purpose**

Splatsin is implementing the SPLATSIN Workplace Vaccination Policy, which requires all eligible employees, elected officials, and contractors to receive a complete series of federally approved COVID-19 vaccination. Supporting you to get fully vaccinated is the best way to help protect you, our government and the SPLATSIN member community from the health risks of COVID-19. SPLATSIN has an inherent responsibility to maintain a safe work environment and implement strong measures to prevent further outbreaks and build confidence in the health and safety of our workplace.

As of September 1, 2021, the fourth wave of COVID-19 has begun in Canada, driven by the “Delta” variant. Most COVID-19 cases, hospitalizations, and fatal outcomes are occurring among unvaccinated or partially vaccinated people. The “Delta” variant is much more contagious than other SARS-CoV2 viruses that have circulated in Canada because it spreads rapidly and increases the risk of hospitalizations.

While vaccination remains an effective way to prevent the spread of COVID-19, it is not a complete substitute for following other recommended preventive practices encouraged by provincial and federal health policy-makers, such as wearing a mask, maintaining physical distance, and performing frequent handwashing as outlined in the Public Service Occupational Health Program. Vaccination will add a layer of protection to the current recommended preventive practices implemented by the BC Ministry of Health, Interior Health (IH), and the First Nations Health Authority (FNHA).

The SPLATSIN Workplace Vaccination Policy was accepted and ratified by SPLATSIN Council at a duly convened SPLATSIN Council meeting on November 10, 2021. The policy may evolve as the pandemic situation changes or legislation and public health advice is altered. The policy is scheduled to be reviewed every six (6) months.

### **Eligibility**

This policy applies to all employees, elected officials, summer students, and volunteers, regardless of their work location, and may be extended to other individuals at SPLATSIN’s determination. This includes individuals that perform their duties virtually, remotely, or onsite at a SPLATSIN office or facility, to carry out a service on behalf of SPLATSIN.

This policy applies to all contracted personnel who require access to a SPLATSIN facility to perform a service. Contractors will be required to demonstrate proof of vaccination per requirements and best practices introduced by the Government of Canada and the Province of British Columbia.



**Timeline:**

Date	Phase of Implementation
Tuesday, November 9, 2021	<ul style="list-style-type: none"> <li>Announcement of the SPLATSIN Workplace Vaccination Policy.</li> </ul>
Tuesday, November 30, 2021	<ul style="list-style-type: none"> <li>If required by the employer, proof of vaccination status is required to be submitted to the employee’s manager or the Senior Executive Advisor.</li> <li>SPLATSIN Workplace Vaccination Policy is fully implemented.</li> <li>Employees who have not obtained their two (2) doses of federally approved COVID-19 vaccination are required to provide a request for accommodation in writing to their manager. This includes any requested accommodation or provisions for individuals who are not currently vaccinated but wish to obtain both doses on time upon reading this policy.</li> </ul>
Thursday, December 16, 2021 1PM	<ul style="list-style-type: none"> <li>Employees who have attested to having received the first dose as of the attestation deadline will have up to 35 days to receive their second dose. The latest date to comply with this requirement is December 16, 2021.</li> </ul>
Friday, December 17, 2021	<ul style="list-style-type: none"> <li>Employees will be placed on administrative leave without pay if:               <ol style="list-style-type: none"> <li>They are unwilling to be vaccinated; or</li> <li>They are unwilling to attest to their vaccination status.</li> </ol> <p>Employees who do not comply will be placed on administrative leave without pay for up to three months (90 days). At the conclusion of the leave, the employee will be terminated if they have not complied with the SPLATSIN Workplace Vaccination Policy.</p> </li> </ul>

**Vaccination Attestation Requirements**

- All employees implicated by the SPLATSIN Workplace Vaccination Policy will be required to disclose their vaccination status to their employer by providing attestation of their vaccination status. Furthermore, if required by the employer, proof of immunization must be provided in a form of a vaccine passport that is recognized provincially and/or federally.
- All new hires on or after the effective date of November 9, 2021, of the SPLATSIN Workplace Vaccination Policy are required to be fully vaccinated as a condition of employment and



attest that they are fully vaccinated before their starting date unless accommodated due to certified medical exemption, religion, or other prohibited grounds under the Canadian Human Rights Act.

3. If you are currently on an approved leave (as defined in the SPLATSIN Human Resources Policy) you will have two weeks (14 days) following your scheduled return date to provide your vaccination attestation to the employer.
4. Submit your vaccine attestation in a sealed envelope and hand-delivered envelope to either the Senior Executive Advisor or the Executive Administrative Assistant on or before 1 PM December 16, 2021.

### **Vaccination Guidelines**

#### **1. Employees who are fully vaccinated:**

SPLATSIN is committed to ensuring that all employees can become fully vaccinated and receive the necessary information and support to follow all public health measures in the workplace. SPLATSIN believes that vaccination remains the best way to protect individuals and our community against COVID-19.

#### **2. Employees who are partially vaccinated:**

To comply with the SPLATSIN Workplace Vaccination Policy, partially vaccinated employees are required to obtain their second dose of an approved COVID-19 vaccine within 35 days of the policy announcement on November 9, 2021, with December 16, 2021, as the last possible date to comply. Partially vaccinated employees that do not receive their second dose during this time frame will be placed on administrative leave without pay on December 17, 2021, for up to three months (90 days), or face termination at the end of the 90 days. Employees may return to the workplace at any time during the three months if they have obtained full vaccination status and provided proof to the employer.

#### **3. Employees who are unvaccinated:**

If employees are unvaccinated, they can request an approved accommodation. Employees will be required to indicate that they have a legitimate medical exemption and demonstrate whether the exemption is temporary or permanent. The medical exemption should be in writing from a licenced medical doctor or nurse practitioner.



## **Requesting an Accommodation**

If you are unable to be vaccinated due to a legitimate medical exemption, religious beliefs, or any prohibited ground of discrimination as defined under the Canadian Human Rights Act, you may request an approved accommodation from the employer. During the request for accommodation, employees will be required to provide supporting documentation to their reporting manager.

Employees should make the accommodation request and provide supporting documentation to their managers at the earliest opportunity. Prompt requests will enable the managers to make decisions more effectively so that if it is determined that the duty to accommodate does not apply, employees will be able to comply with the Policy on Vaccination.

### Supporting documentation may include:

- Documentation from the employee's medical professional (licensed physician or nurse practitioner) setting out grounds for not receiving or for delaying the COVID-19 vaccine and specifying whether the reason is permanent or time-limited.
- A sworn attestation (signed before a commissioner for taking affidavits) containing detailed information about personal religious beliefs that prohibits full vaccination.
- An attestation of the details regarding one or more of the prohibited grounds of discrimination under the Canadian Human Rights Act that renders the employee unable to be fully vaccinated.

### **Accommodation can vary and will be reviewed on a case-by-case basis.**

### The following are recommended measures to be enforced during approved accommodations:

1. Employees will complete regular mandatory COVID-19 testing.
2. Employees will be required to follow all preventive practices implemented in the workplace through SPLATSIN's organizational requirements and/or other preventative practices as recommended by Public Service Occupational Health.
3. Employees with authorized accommodations will not perform duty travel, unless essential and approved by SPLATSIN's administration.
4. Subject to operational requirements and ability, employees may be able to perform regular duties or responsibilities by working from home supported by a work-from-home agreement.
5. Other case-specific measures are detailed through written communication to an employee and documented in the accommodation decision.

## **Leave**

1. Employees who require time away from work to get vaccinated can use medical leave as defined in the SPLATSIN Human Resources Policy.
2. When an employee experiences a medical side-effect that prevents them from working following a vaccination procedure, the medical leave is to be used to cover absences.
3. When an employee does not have sufficient medical leave, such needs and requests are discussed on a case-by-case basis between the employee and their manager.



4. "Other Leave with Pay", will not be available to employees unwilling to be vaccinated.
5. As an employee working in a federally regulated workplace, you are entitled to up to 4 weeks of job-protected unpaid leave. You can take this leave as many times as necessary if you are in one of the following situations
  - a. Have contracted or might have contracted COVID-19
  - b. Have underlying conditions, are undergoing treatments, or have contracted other sicknesses that, in the opinion of a medical practitioner, nurse practitioner, person in authority, government, or public health authority, would make you more susceptible to COVID-19, or
  - c. Have isolated yourself on the advice of your employer, a medical practitioner, nurse practitioner, person in authority, government, or public health authority for reasons related to COVID-19

### **Non-Compliance**

Any SPLATSIN employee who voluntarily choose not to get vaccinated or haven't disclosed their vaccination status by November 19, 2021, will be required to do the following:

1. Employees will be placed on administrative leave without pay if:
  - a. They are unwilling to be vaccinated; or
  - b. They are unwilling to attest to their vaccination status.
  - c. Employees without vaccination records will be assumed to be unvaccinated.
  - d. Administrative leave without pay will occur for up to three months (or 90 days) or employees will be terminated.

### **Notes on Leave without Pay:**

- a. The policy will be in place for the duration of the COVID-19 pandemic. A date for review of the policy is scheduled to take place every six months. SPLATSIN reserves the right to review and change workplace policies at any time.
- b. Exhausting other leaves (vacation, medical, self-care, personal leave or other leaves defined in the SPLATSIN HR Policy) is not applicable for employees who do not comply with the SPLATSIN Workplace Vaccination Policy.
- c. Individuals placed on administrative leave without pay can choose to comply with the policy, or they will be subject to termination at the end of the three months (or 90 days).
- d. Employees who have attested to having received a first dose of the attestation deadline will have a period of up to 10 weeks after the first dose to receive their second dose. If they do not receive their second dose by this time, they will be placed on administrative leave without pay for up to three months (90 days) at which time their employment will be terminated.
- e. COVID-19 rapid testing is not a substitution for vaccination.



## Our Commitment to Privacy

Splatsin follows British Columbia's Personal Information Protection Act that sets out the rules for how organizations collect, use and disclose personal information. We are committed to being accountable for how we collect, use, and disclose personal information, as well as following the rules and procedures per this policy.

## How to Become Vaccinated?

1. Click on the link - <https://www2.gov.bc.ca/gov/content/covid-19/vaccine/plan#register>
2. Once the window opens, click on the "Get Vaccinated" blue window
3. You can register using the following option –
  - a. Register online (fastest method)

To register online, you must provide:

- i. First and last name
- ii. Date of birth
- iii. Postal code
- iv. Personal Health Number
- v. An email address that gets checked regularly or a phone number that can receive text messages

Find your Personal Health Number on the back of your B.C. Drivers License, BC Services Card or CareCard.

- b. Register by phone by calling 1-833-838-2323
- c. Register at a Service BC office or at the Splatsin Health Center.

## Frequently Asked Questions:

1. Can my employer ask me for my vaccination status?

**Yes**, the federal government's vaccination policy states that employees and contractors are responsible for disclosing their vaccination status as required.

Mandatory vaccination policies have previously been implemented by other employers. In those cases, the collection and disclosure of vaccination status were permitted by arbitrators as the only means of enforcing the policy.

2. Can my employer require me to be vaccinated?

**No**, the employer cannot physically force you to get a vaccine against their will. However, according to the limited case law available, grievors must live with the consequences of refusing to get vaccinated.



Additionally, employers have an obligation to keep workplaces safe and, in the context of a global pandemic, the federal government requires that employees be vaccinated.

3. Do I need to be vaccinated if I am working remotely?

**Yes**, the federal government's vaccination policy applies to all employees of SPLATSIN. This includes employees who are working remotely because, according to the federal government, all employees may have to attend scheduled meetings or events, access sensitive information, or address urgent operational requirements.

4. Can I choose daily COVID-19 testing instead of getting vaccinated?

**No**, the policy clearly states that testing is not a substitute for vaccination.

5. How do I declare my vaccination status?

To submit your vaccine attestation

6. Will a COVID-19 booster shot be mandatory?

The Public Health Agency of Canada has not yet cleared booster doses, so they are not currently mandatory. If booster doses are approved and required in the future, we will update members accordingly.

7. Can I exhaust my vacation leave before I go on administrative leave without pay?

**No**, there is nothing in the policy that allows managers to approve various paid leaves to avoid vaccination or extend the deadline to be vaccinated.

8. Can I apply for Employment Insurance (EI) or find additional employment?

An employee cannot receive EI payments when on leave without pay as Employment and Social Development Canada's eligibility requirements consider it to be the same as "if you voluntarily left your job without just cause."

Regarding additional or secondary employment, the employer has no right to limit an employee's activity if they respect the rules and policies concerning conflicts of interest that would limit the type of outside work an employee may perform.



Have Questions?

Have additional queries or require clarification? Please feel free to reach out to:

1. Reporting Manager
2. Senior Executive Advisor

### **Acknowledgement & Agreement**

I acknowledge that I have read and understood the SPLATSIN Workplace Vaccination Policy and that I have had the opportunity to clarify questions that I have regarding this policy:

Employee Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Date of Acknowledgement:

Manager Name: \_\_\_\_\_

Manager Signature: \_\_\_\_\_

*Date of Acknowledgement:*



## DECLARATION OF COMPLIANCE WITH SPLATSIN VACCINE REQUIREMENTS

Under the 'Splatsin Workplace Vaccination Policy – November 10, 2021' ALL Employees, Elected Officials and Contractors must have their two federally approved COVID-19 vaccinations by or before 1 PM December 16, 2021. Failure to return this document by 1PM as of December 16, 2021, this will result in you being placed upon unpaid administrative leave for a period of three (3) months.

**NAME:** \_\_\_\_\_

**DEPARTMENT:** \_\_\_\_\_

**STATUS:**

- Employee  
 Contractor  
 Other: \_\_\_\_\_

**ACCOMMODATION REQUEST:**

(as defined in the Splatsin Workplace documents)  
Vaccination Policy)

- Medical (with supporting documents)  
 Religious Beliefs (with supporting documents)  
 Prohibited grounds of discrimination as defined under the Canadian Human Rights Act.

### ATTESTATION

By affixing my signature to this document, I declare that the information is true and accurate knowing that should this the information I provided be knowingly false then I will be terminated from my position within the Splatsin organization immediately.

\_\_\_\_\_

Signature of Employee

\_\_\_\_\_

Date