

COVID-19 Vaccination Policy

I. Purpose

Alpha College of Business and Technology has an obligation to provide a safe work and study environment for all staff and students. As the province begins to open more fully, the Ontario government has begun to require vaccination to access certain settings and participate in certain activities. Post-secondary institutions are also required by the Ontario Chief Medical Officer of Health to provide institutional vaccination policies. Therefore, Alpha College is implementing the following policy to establish vaccination requirements for all stakeholders and prevent the transmission of COVID-19 in our community.

II. Scope

This policy applies to all employees, students, contractors, and visitors to the Alpha College campus.

III. Definitions

Accepted vaccine:

A COVID-19 vaccine that has been authorized by Health Canada. These include: Oxford-AstraZeneca/COVISHIELD, Janssen (Johnson & Johnson), Moderna, and Pfizer-BioNTech-Comirnaty.

Fully vaccinated:

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.¹

Partially vaccinated:

¹ <https://www.ontario.ca/laws/regulation/200364>

An individual who only partially satisfies the conditions above, i.e. has only received one dose of a two dose accepted vaccine series.

Non-vaccinated:

An individual who does not satisfy any of the conditions above, i.e. has not received any doses of an accepted vaccine.

Proof of vaccination:

An official receipt verifying that an individual is fully vaccinated.

IV. Policy Statement

1. As of November 1, 2021 all Alpha College employees, students, contractors, and visitors who need to physically access the campus are required to be fully vaccinated.
2. Non-vaccinated and partially vaccinated individuals will be accommodated by alternative/remote working arrangements up to 14 days after their second scheduled dose.
3. Individuals who need to physically access the campus must provide proof of vaccination. This information will be collected and stored in compliance with the *Personal Health Information Protection Act (PHIPA)*.
4. Any attempt to falsify proof of vaccination will result in disciplinary action up to and including termination or expulsion.
5. In accordance with the *Ontario Human Rights Code*, Alpha College will recognize exemptions only for medical or religious reasons. Please see section VI for more detailed information.
6. Alpha College will require vaccine-exempt individuals to provide negative antigen tests as an alternative. Alpha College is not obligated to provide or bear the cost of these tests.

V. Rights and Obligations of Employers and Employees

Alpha College has an obligation to provide a safe working environment as legislated under the *Occupational Health and Safety Act (OHSA)*.

Alpha College also has an obligation to abide by the instructions of the Ontario Chief Medical Officer of Health who has directed post-secondary institutions to provide a vaccination policy and report anonymous data regarding employee's vaccination status.

As part of these obligations, employers have the right to ask employees to provide proof of vaccination. Employees must disclose their vaccination status to employers, but are not obligated to disclose to other employees due to privacy considerations. Employers must collect

and store this information in a manner compliant with the *Provincial Health Information Protection Act (PHIPA)*.

Employees may have questions regarding disclosure of vaccination status and obligation to comply with vaccination policies under the *Ontario Human Rights Code* (the *Code*). A useful summary of the rights and obligations of both employers and employees with regard to disclosure of vaccination status and compliance with vaccination policies is provided by the Ontario Human Rights Commission (OHRC) in *COVID-19 and Ontario's Human Rights Code - Questions and Answers*. The following is an excerpt from section 4 of this document (see footnote for link to the full text):

- Receiving a COVID-19 vaccine is voluntary.
- At the same time, governments across Canada are examining and beginning to set conditions where proof of vaccination may be required to take part in some activities.
- Requiring proof of vaccination to ensure fitness to safely perform work, or protect people receiving services or living in congregate housing, may be permissible under the *Code* if the requirement is made in good faith and is reasonably necessary for reasons related to health and safety.
- The *Code* grounds of disability and/or creed may be engaged when employers, housing or other service providers impose medical testing or treatment requirements, including proof of vaccination.
- Under the *Code*, organizations have a duty to accommodate people who may be unable to receive a COVID-19 vaccine, for reasons related to disability or creed, unless it would amount to undue hardship based on cost or health and safety.
- The right to be free from discrimination can be limited under the *Code*, where, for example, broader health and safety risks are serious, like in a pandemic, and would amount to undue hardship. The OHRC and relevant human rights laws like the *Code* recognize the importance of balancing people's right to non-discrimination and civil liberties with public health and safety, including the need to address evidence-based risks and treatment associated with COVID-19.
- Everyone involved should be flexible in exploring whether accommodation is possible, including alternative ways a person might continue to safely work, receive a service or live in congregate housing without being vaccinated.
- Organizations should make clear the reasons why proof of vaccination is needed in the circumstances.
- Organizations should only request and share medical information, including proof of vaccination, in a way that intrudes as little as possible on a person's privacy, and does not go beyond what is necessary to ensure *bona fide* fitness to safely perform work, or protect people receiving services or living in congregate housing, and accommodate any individual needs.
- No one should experience harassment or other discriminatory treatment based on a *Code* ground because they are unable to receive a vaccine.

- Also, workers have rights and employers have obligations for workers' health and safety under the *Occupational Health and Safety Act*.²

VI. Exemptions

The *Code* recognizes an individual's right to seek exemption on the following grounds:

Disability/Medical conditions:

An employee or student seeking exemption on this basis must provide a written document, completed and supplied by a physician or registered nurse in the extended class, that sets out: (i) a documented medical reason for not being fully vaccinated against COVID-19, and (ii) the effective time-period for the medical reason.³

Religion/creed:

An employee or student seeking exemption on this basis must provide written documentation by a recognized religious authority or clergy member explaining why COVID-19 vaccination conflicts with the creed of that particular community. Although the *Code* does not define "creed", the OHRC does set out guidelines for determining the applicability of "creed" as a basis for preventing discrimination:

- Sincerely, freely and deeply held
- Integrally linked to a person's identity, self-definition and fulfilment
- Part of a particular and comprehensive, overarching system of belief that governs one's conduct and practices
- Addressing ultimate questions of human existence, including ideas about life, purpose, death, and the existence or non-existence of a Creator and/or a higher or different order of existence
- Connected in some way to an organization or community that professes a shared system of belief⁴

In other words, not all beliefs, i.e. political beliefs or opposition to vaccination generally, constitute a creed and are not grounds for an exemption on this basis.

Individuals seeking an exemption on the basis of religion or creed must provide proof of completing an educational session approved by Alpha College about the benefits of COVID-19 vaccination prior to declining vaccination for any reason other than a medical reason. The approved session must, at minimum address:

²http://www.ohrc.on.ca/en/news_centre/covid-19-and-ontario%E2%80%99s-human-rights-code-%E2%80%93-93-questions-and-answers

³ <https://www.ontario.ca/laws/regulation/200364>

⁴ <http://www.ohrc.on.ca/en/policy-preventing-discrimination-based-creed>

- 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;
- iv. risks of not being vaccinated against COVID-19; and
- v. possible side effects of COVID-19 vaccination.

Any individual that does not provide proof of vaccination and instead provides an exemption on either medical or religious grounds will be required to:

- a) submit to regular antigen point of care testing for COVID-19 and demonstrate a negative result, at intervals to be determined by Alpha College, which must be at minimum once every seven days.
- b) provide verification of the negative test result in a manner determined by Alpha College that enables Alpha College to confirm the result at its discretion.⁵

Alpha College is not obligated to provide or bear the costs of these alternatives to vaccination.

VII. Contact Information

Employees who have further questions regarding this policy can direct them to management@slc-alpha.ca.

Students who have further questions regarding this policy can direct them to frontdesk@slc-alpha.ca.

VII. Supporting Documents

[O. Reg. 364/20: RULES FOR AREAS AT STEP 3 AND AT THE ROADMAP EXIT STEP](#)

[Occupational Health and Safety Act \(OHSA\)](#)

[Ontario Human Rights Code](#)

[Personal Health Information and Protection Act \(PHIPA\)](#)

[COVID-19 Vaccines and Workplace Health and Safety](#)

[COVID-19 Vaccines for Ontario](#)

[Ontario Human Rights Commission: COVID-19 and Ontario's Human Rights Code - Questions and Answers](#)

⁵ Instructions issued by the Office of the Chief Medical Officer of Health to post-secondary institutions. Effective date, October 12, 2021.

[Ontario Human Rights Commission: Policy on preventing discrimination based on creed](#)
[City of Toronto: COVID-19 Vaccine Information for Employers](#)