

# Toronto Transit Commission

## POLICY/INSTRUCTION

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
COVID-19 Mandatory Vaccinations	Human Resources		

### 1.0 RESPONSIBILITY

Chief People Officer

### 2.0 PURPOSE

To take every precaution reasonable in the circumstances for the protection of the health and safety of workers, in accordance with our obligations under the *Occupational Health and Safety Act*, from the hazard of COVID-19. Vaccination is a key element in the protection of employees against the hazard of COVID-19. This Policy is designed to maximize COVID-19 vaccination rates among employees as one of the critical control measures for the hazard of COVID-19. To this end employees and student employees are required to be vaccinated against COVID-19. TTC contractors that regularly attend TTC locations or work from TTC offices are also required to be vaccinated against COVID-19.

Given the continuing spread of COVID-19, including the Delta variant within Ontario, and the potential for other unknown and future variants, the compelling data demonstrating a higher incidence of COVID-19 among the unvaccinated population and the increasing levels of contact between individuals as businesses, services, and activities have reopened, it is important for TTC employees to be fully vaccinated in order to protect themselves against serious illness from COVID-19 as well as to provide indirect protection to others, including colleagues and customers.

Testing is only another screening tool and has its limitations. Mandatory vaccines focus on primary prevention by focusing on eliminating the risk.

### 3.0 DEFINITIONS

*Approved Vaccine:* A COVID-19 vaccine approved by Health Canada and/or the World Health Organization.

*Fully vaccinated:* An employee is considered fully vaccinated 14 days after they have received the second dose of a two dose COVID-19 vaccine series (e.g. AstraZeneca, Pfizer, Moderna) or a single dose of a one dose vaccine series (e.g. Johnson and Johnson) approved by Health Canada and/or the World Health Organization.

For the purposes of interpreting this Policy, “employees” includes co-op placement students, student employees and interns.

### 4.0 APPLICATION

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All employees and contractors must read this Policy and understand the requirements and obligations under it. Any questions regarding the Policy, including its interpretation and/or application, can be directed to the Occupational Health & Employee Wellbeing section of the Human Resources Department (“OHEW”).

#### REQUIREMENTS AND OBLIGATIONS

##### EMPLOYEES

- 5.1 All employees must confirm their vaccination status September 20, 2021. If as of September 20, an employee does not already have two doses, they must get their first dose by September 30, 2021 and have had two doses of an approved vaccine by October 30, 2021. For a single dose vaccine series (e.g. Johnson and Johnson), employees must receive the dose by September 30, 2021.

Employees may request accommodation in accordance with section 6 below.

- 5.2 Employees are required to provide their vaccination status to the TTC in accordance with the established process by September 20, 2021. It is employees' responsibility to ensure that the TTC has up-to-date information regarding their vaccination status at all times.
- 5.3 Employees who do not have the required doses of an approved vaccine by September 20, 2021 are required to complete mandatory education about the benefits of vaccination.
- 5.4 Employees are expected to continue to comply with all applicable health & safety requirements, policies and protocols. This Policy does not, in any way, modify or replace any other health & safety requirements not covered in this Policy (including, but not limited to physical distancing, masking and capacity limits).
- 5.5 Full vaccination is a precondition to employment.

##### MANAGERS

- 5.6 Managers may be required to support compliance with this Policy, including (but not limited to) ensuring employees complete any required education or training about COVID-19, including regarding vaccinations and safety protocols. Where this is the case, managers will be required to uphold confidentiality requirements.

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### CONTRACTORS

- 5.7 Effective October 31, 2021, contractors who work on TTC premises and/or who interact with TTC employees on TTC property must be fully vaccinated against COVID-19 or have an approved accommodation in accordance with the Ontario *Human Rights Code*.
- 5.8 Contractors, or their employer, may be required, as determined by the TTC, to provide a signed declaration to the TTC indicating that they, or their employees that are subject to this Policy, are fully vaccinated, or are being properly accommodated in accordance with the Ontario *Human Rights Code*.

### 6.0 ACCOMMODATION UNDER THE ONTARIO HUMAN RIGHTS CODE

- 6.1 Employees who are unable to receive the COVID-19 vaccine and are not fully vaccinated due to a need related to a protected characteristic under the Ontario *Human Rights Code* may request an accommodation pursuant to the TTC's Accommodation in the Workplace Policy. Accommodation requests will be reviewed by OHEW and/or the Human Rights & Investigations Department. Employees will be required to provide written documentation and additional information as requested (e.g. medical documentation) to support their accommodation requests. The TTC will work with employees who have substantiated their accommodation request to find a reasonable accommodation, to the point of undue hardship.
- 6.2 Employees who remain unvaccinated due to a substantiated human rights code related accommodation request under the TTC's Accommodation in the Workplace Policy may be required to take additional infection and prevention control measures, including providing proof of a negative COVID-19 test, as well as self-isolate if exposed to COVID- 19.

### 7.0 CONFIDENTIALITY

- 7.1 The TTC will maintain vaccination disclosure information, including documentation verifying receipt of an approved vaccine, in accordance with privacy legislation. This information will only be used to the extent necessary for implementation of this Policy, for administering health and safety protocols, and infection and prevention control measures in the workplace.
- 7.2 Employees may also be required to disclose their vaccination status by law or to

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otherwise give effect to this Policy, including, but not limited to, situations where employees are directed to stay home as a result of the daily screening tool in order to comply with the clearance criteria to return to work (e.g. after experiencing symptoms, a COVID-19 exposure, or a travel quarantine exemption).

#### 8.0 ONGOING MONITORING AND ASSESSMENT OF COVID-19 WORKPLACE SAFETY MEASURES

The TTC will continue to closely monitor its COVID-19 risk mitigation strategy and the evolving public health information and context to ensure that it continues to optimally protect the health and safety of employees in the workplace and the public that they serve. To that end, the TTC will continue to assess other available workplace risk mitigation measures, including, for example, requiring proof of a negative COVID-19 test or getting additional doses of a vaccine as recommended by Health Canada and providing proof thereof, etc.

If it is determined that additional precautions are necessary, the TTC may decide to deploy new measures (including at an individual level) to protect employees and the public from COVID-19, and may amend this Policy accordingly and/or communicate the required precautions to impacted employees.

#### 9.0 POLICY COMPLIANCE

Employees are expected to comply with this policy as a condition of employment.

Contractors that do not comply with the Policy may be restricted from TTC property. In addition, contractors and/or their employer may also have their contract with the TTC terminated.

This policy is effective September 7, 2021.

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