

Report to Council

Report Title:	COVID-19 Immunization Disclosure Policy Updated		
Prepared By:	Sonya Watson, Chief Administrative Officer		
Department:	Administration		
Date:	November 9, 2021		
Report Number:	CAO2021-27	File Number:	C11AD, P03
Attachments:	COVID-19 Immunization Disclosure Policy Updated Phil Graham – Update on Rapid Antigen Testing		

Recommendation:

That the Council of the Municipality of Brockton hereby receives Report Number CAO2021-27 - COVID-19 Immunization Disclosure Policy Updated, prepared by Sonya Watson, Chief Administrative Officer and in doing so approves a By-Law coming forward to approve the updated COVID-19 Immunization Disclosure Policy and further rescinding the outdated policy's inclusion from By-Law 2021-080.

Report:

Background:

On September 14, 2021, Brockton Council approved a COVID-19 Immunization Disclosure Policy based on the Chief Medical Officer of Health (CMOH) mandatory requirement that schools and child care programs create an immunization disclosure policy.

On October 28, 2021 the Municipality of Brockton received communication from the Phil Graham, Assistant Deputy Minister Early Years and Child Care Division advising that as of November 10, 2021, non-vaccinated individuals that are subject to testing requirements must now provide verification of negative test results **three** times per week as an added measure to protect from the risk of COVID-19.

Analysis:

Brockton Child Care Centre COVID-19 Immunization Disclosure Policy

The COVID-19 Immunization Disclosure Policy has been updated to reflect the changes mandated by the Ministry of Education Early Years and Child Care Division. The Municipality of Brockton will require verification of negative test result three times per week on Monday, Wednesday and Fridays. Brockton Child Care staff have been informed of the pending changes and are aware of the updated Policy requirements.

Staff are also recommending changing the medical exemption wording to include the word “valid” as part of the medical exemption. This is a minor change to the policy and does not directly impact any current employees, simply added to provide clarification that the exemption must be valid in nature as part of the overall medical exemptions.

Finally, staff are recommending changing the “fully vaccinated” definition. The updated definition is wording used directly from the Province of Ontario and covers vaccinations that may have been received out of Province. This clause to the definition is to advise that in the event of any conflict between this definition and any applicable emergency orders, or directives issued by the Ministry of Education Early Years and Child Care Division, or the Chief Medical Officer of Health (CMOH), the order or directive prevails.

Once approved by Council, this Policy will come into effect immediately and the content/requirements in the policy will be communicated to anyone subject to the policy.

Sustainability Checklist:

What aspect of the Brockton Sustainable Strategic Plan does the content/recommendations in this report help advance?

- Do the recommendations help move the Municipality closer to its Vision? N/A
- Do the recommendations contribute to achieving Cultural Vibrancy? N/A
- Do the recommendations contribute to achieving Economic Prosperity? N/A
- Do the recommendations contribute to Environmental Integrity? N/A
- Do the recommendations contribute to the Social Equity? N/A

Financial Impacts/Source of Funding:

- Do the recommendations represent a sound financial investment from a sustainability perspective? Yes

There is no financial impact for amending or implementing these policies.

Reviewed By:



Trish Serratore, Chief Financial Officer

Respectfully Submitted by:



Sonya Watson, Chief Administrative Officer

COVID-19 Immunization Disclosure Policy

Department:	Brockton Child Care Centre	Policy Number:	P03-1006-22
Section:	Human Resource	Effective Date:	September 14, 2021
Subject:	Covid-19 Immunization Disclosure Policy	Revised Date:	November 9, 2021
Authority:	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 an individual has received:

- The full series of a COVID-19 vaccine authorized by Health Canada, or any combination of such vaccines, or
- 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.

In the event of any conflict between this definition and any applicable emergency orders, or directives issued by the Ministry of Education Early Years and Child Care Division, or the Chief Medical Officer of Health (CMOH), the order or directive prevails.

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;

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- 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 **valid** 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 **valid** medical contraindication with the COVID-19 vaccine; and
 - b. the effective time period for the **valid** medical reason (i.e., permanent or time limited).
 1. if an individual is unable to receive their vaccine for a **valid** 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 Vaccination¹

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, **three times per week on Monday**,

Wednesday and Friday 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.

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.

TO: Child Care Licensees

FROM: Phil Graham, Assistant Deputy Minister
Early Years and Child Care Division

DATE: October 28, 2021

SUBJECT: **Update on Rapid Antigen Testing**

Thank you for your continued work in the implementation of the mandatory immunization disclosure policy announced by the Chief Medical Officer of Health (CMOH) on August 17, 2021. This memo provides an update on rapid antigen testing for licensed child care.

As you are aware, instructions issued by the CMOH required all child care programs to have a COVID-19 vaccination disclosure policy in place and fully implemented by September 27, 2021, that requires individuals to provide proof of:

1. Full vaccination against COVID-19; or,
2. A documented medical exemption; or,
3. Participation in an educational session on the benefits of COVID-19 immunization.

Individuals subject to the policy who do not show proof of vaccination must undergo rapid antigen testing on a regular basis (Please note, testing is optional for licensed child care operating on-reserve).

As of November 10, 2021, individuals subject to testing requirements **must now provide verification of negative test results three times per week** as an added measure to protect from the risk of COVID-19. We ask that you share this requirement with all affected staff immediately.

For individuals who are covered by the licensee's immunization disclosure policy but are less frequently in direct contact with children and/or staff, frequent testing may not be possible or reasonable (e.g. supply staff). In these cases, the individual must complete a rapid antigen test as part of screening and demonstrate a negative test result prior to entering the premises.

As a reminder, child care programs are required to have a verification and reporting system in place per the Letter of Instructions. Licensees accessing rapid antigen tests through a local chamber of commerce must report information to their local chamber.

Licensees that pick up their rapid antigen tests at a school or have them directly delivered must report information to the Ministry of Health through their Health Data Collection Service or by using the Thrive Health App.

For child care programs that would like to use the Thrive Health app, please register your program via the CDL registration [link](#). As part of the onboarding and set-up process, once registered CDL will provide a link to attend a kick-off webinar in the language you registered in. Please connect with CDL directly if you have any questions.

Ontario will agree to indemnify licensees to the extent that liability is incurred under the indemnity provisions¹ in the letters of agreement entered into by the licensee with CDL RSC and Thrive Health Inc.

For information on how licensees may secure an indemnification from Ontario related to the use of the Thrive Health, please contact Licensed Child Care Helpdesk at childcare_ontario@ontario.ca.

Those child care programs receiving rapid antigen tests through direct delivery or through the school board that do not use Thrive will receive a Welcome Package from the Ministry of Health and then be onboarded to the Health Data Collection Service, to submit their data directly to the Ministry of Health.

Access to Rapid Antigen Tests

To support rapid antigen screening for unvaccinated staff, the ministry recently requested information from licensees on their rapid test needs to inform future orders. Licensees who did not respond or indicated that they did not require tests will not be in receipt of tests from the ministry and will need to secure tests through an alternate method should they need tests.

To ensure expedient access to rapid antigen tests, the ministry is also in the process of reviewing the delivery approach assigned to licensees. Further information regarding your program's delivery method and next shipment will be provided to you shortly.

The Ministry of Education is committed to ensuring that children and staff have the best protection against COVID-19. As outlined in the ministry's guidance, child care licensees are responsible for ensuring their compliance with the instructions issued by the CMOH. Child care programs are also required to determine appropriate next steps in circumstances where individuals are not complying with vaccine disclosure policies, in accordance with their respective human resource policies and legal obligations.

¹ Section 5(f) of the Agreement with CDL RSC and section 7.3 of the Agreement with Thrive Health Inc.

Thank you for your efforts to comply with these requirements and your on-going efforts to keep children, staff, providers and our communities safe.

Sincerely,

Phil Graham

c. Children Services Managers, Consolidated Municipal Service Managers and District Social Services Administration Boards