

TITLE

IMMUNIZATION OF WORKERS FOR COVID-19

SCOPE

Provincial

DOCUMENT

1189

APPROVAL AUTHORITY

Alberta Health Services President and Chief Executive Officer

INITIAL EFFECTIVE DATE

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SPONSOR

Workplace Health and Safety

REVISION EFFECTIVE DATE

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PARENT DOCUMENT TITLE, TYPE, AND NUMBER

Not applicable

SCHEDULED REVIEW DATE

March 31, 2023

NOTE: The first appearance of terms in bold in the body of this document (except titles) are defined terms – please refer to the Definitions section.

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OBJECTIVES

- To set out **worker** immunization requirements for COVID-19 to protect the health and safety of workers, patients, and the communities that Alberta Health Services (AHS) serves.

PRINCIPLES

AHS is committed to protecting the health and safety of workers, patients, visitors, and others accessing AHS sites. Immunization against COVID-19 is the most effective means to prevent the spread of COVID-19, to prevent outbreaks in AHS facilities, to preserve workforce capacity to support the health care system, and to protect workers, patients, visitors, and others accessing AHS sites. Immunization against COVID-19 also supports the AHS Values of Compassion, Accountability, Respect, Excellence, and Safety.

This Policy is in addition to other AHS policy documents supporting worker and patient safety during the COVID-19 pandemic including, but not limited to, the AHS *Use of Masks During COVID-19 Directive*, *Attending Work with COVID-19 Symptoms, Positive Test, or Close Contact Directive*, and the *Fit for Work Screening (COVID-19) Protocol*.

This Policy shall be reviewed regularly, and at least prior to March 31, 2023, to ensure alignment with public health measures and regulations, and to confirm it adequately covers the health and safety risks that it addresses.

APPLICABILITY

Compliance with this document is required by Alberta Health Services, Alberta Precision Laboratories, Carewest, CapitalCare, and Covenant Health employees, members of the medical and midwifery staffs, students, volunteers, and other persons acting on their behalf. Compliance requirements for other contracted service providers, such as, but not limited to, continuing care,

will be communicated directly to the contracted service providers. This document does not apply to physicians with community appointments.

ELEMENTS

1. Immunization Requirements

- 1.1 All workers hired/appointed on or before November 30, 2021 must be **fully immunized** against COVID-19 and provide accurate proof of such immunization in accordance with Section 2 of this Policy.
 - a) A worker is not required to comply with Section 1.1 of this Policy if they were not fully immunized as of December 13, 2021 and they were a worker on or before November 30, 2021.
 - (i) A student is not required to comply with Section 1.1 of this Policy if they were in a placement, or were scheduled to be in a placement which was cancelled or paused due to their immunization status, on or before November 30, 2021 and continue to be in the same educational program.
- 1.2 A worker hired/appointed after November 30, 2021 must be fully immunized against COVID-19 at the time of hire/appointment.

2. Proof of Immunization Records

- 2.1 Workers shall disclose accurate proof of their immunization status to:
 - a) AHS or an AHS subsidiary, if the worker is an AHS employee, medical staff, midwifery staff, or volunteer;
 - b) Covenant Health, if the worker is a Covenant Health employee, medical staff, or volunteer;
 - c) their educational institution, if the worker is a student or instructor; or
 - d) their employer, if the worker is a contracted service provider.
- 2.2 Proof of immunization is being collected to protect the health and safety of workers, patients, and other persons accessing AHS sites and to preserve AHS' workforce capacity to support the health care system.
- 2.3 Proof of immunization records collected under this Policy shall be securely and confidentially retained, accessed, and used as necessary to determine fit for work status of workers, to manage and administer employment and other working relationships with workers, to address accommodation requests, and to comply with all applicable laws, such as the *Occupational Health and Safety Act* (Alberta) and *Regional Health Authorities Act* (Alberta).

- 2.4 Proof of immunization records are collected under the authority of Section 33(c) of the *Freedom of Information and Protection of Privacy Act* (Alberta) and shall be used, accessed, and disclosed in accordance with the legislation and the AHS *Collection, Access, Use, and Disclosure of Information Policy*.

3. Workplace Accommodation

- 3.1 Any AHS employee who is unable to be immunized due to a medical reason, or for another protected ground under the *Alberta Human Rights Act*, will be reasonably accommodated, up to the point of undue hardship, in accordance with the AHS *Workplace Accommodation Policy*.
- 3.2 Employees of AHS subsidiaries or Covenant Health, who are unable to be immunized due to a medical reason, or for another protected ground under the *Alberta Human Rights Act*, will be reasonably accommodated, up to the point of undue hardship, in accordance with their applicable workplace accommodation policies.
- 3.3 Any current AHS employee requesting workplace accommodation shall make a request for the accommodation as soon as reasonably possible, and no later than October 16, 2021, and provide required information in accordance with the AHS *Workplace Accommodation Policy* (or the appropriate accommodation policy of an AHS subsidiary or Covenant Health, if applicable).
- 3.4 Any current AHS member of the medical or midwifery staff who is not an employee of AHS, an AHS subsidiary, or Covenant Health, and who is unable to be immunized due to a medical reason, may request an exception as soon as reasonably possible and no later than October 16, 2021. A request for an exception shall be made on the *Medical or Midwifery Staff Request for Exception COVID-19 Mandatory Immunization for Workers* form and shall be submitted as directed on the form. The lack of immunization may affect the safe exercise of their Clinical Privileges as described in the *Medical Staff Bylaws and Rules* (Rule 3.4.4.2), or may directly impact their ability to practice and patient safety as described in the *Midwifery Staff Bylaws and Rules*, as applicable.

4. Non-Compliance

- 4.1 A worker hired/appointed on or before November 30, 2021 is considered to be in non-compliance with this Policy if they are:
- a) not fully immunized, or have not provided accurate proof of their immunization in accordance with Section 2 of this Policy; and
 - b) have not been exempted as per Section 1.1(a) of this Policy.
- 4.2 A worker hired/appointed after November 30, 2021 is considered to be in non-compliance with this Policy if they are not fully immunized or have not provided accurate proof of their immunization in accordance with Section 2 of this Policy.

- 4.3 With respect to students, instructors, and applicable contracted service providers, failure to comply with this Policy shall result in AHS reviewing the applicable contract or other relevant circumstances and initiating further discussions with the applicable educational institution or contracted service provider and, in this respect, AHS reserves all rights it has at law, equity, or pursuant to any applicable agreement to address such non-compliance.
- 4.4 In all other cases not outlined in Section 4.3 above failure to comply with this Policy shall result in:
- a) a meeting being held with the worker to discuss their concerns with vaccination against COVID-19 and provide educational materials on the COVID-19 vaccines; and
 - b) if the worker remains non-compliant with this Policy, the worker being placed on an unpaid leave of absence for the period of time required to become fully immunized or, in the case of medical or midwifery staff, Immediate Action being taken as set out in Part 6 of the *Medical Staff Bylaws* or *Midwifery Staff Bylaws*.

DEFINITIONS

AHS setting means any environment where treatment/procedures and other health services are delivered by, on behalf of, or in conjunction with, Alberta Health Services. This includes but is not necessarily restricted to all land, facilities, affiliated sites, mobile equipment and vehicles owned, leased, or rented, and AHS corporate offices for the purpose of conducting AHS business. It does not include working remotely from home.

Contracted service provider means any vendor providing goods or services to AHS including, without limitation, a continuing care provider or addiction and mental health provider, but explicitly does not include any member of either the medical or midwifery staff, or a corporation who employs or contracts any member of either the medical or midwifery staff.

Fully immunized means a worker:

- a) who has received two doses of a vaccine considered valid by Alberta Health in a two-dose COVID-19 vaccine series or one dose of a vaccine considered valid by Alberta Health in a one-dose COVID-19 vaccine series; and
- b) for whom fourteen days have elapsed since the date on which the person received the second dose of the COVID-19 vaccine considered valid by Alberta Health of a two-dose series or one dose of the COVID-19 vaccine considered valid by Alberta Health in a one-dose vaccine series.

Worker means AHS, its subsidiaries and Covenant Health employees, members of the medical and midwifery staff (or a corporation who employs or contracts any member of either the medical or midwifery staff), students and instructors, volunteers, and applicable contracted service providers (including anyone providing services for AHS on behalf of an applicable contracted service provider).

REFERENCES

- Alberta Health Services Governance Documents:
 - *Attending Work with COVID-19 Symptoms, Positive Test, or Close Contact Directive* (#1188)
 - *Collection, Access, Use, and Disclosure of Information Policy* (#1112)
 - *Fit for Work Screening (COVID-19) Protocol* (#1184-01)
 - *Medical Staff Bylaws and Rules*
 - *Midwifery Staff Bylaws and Rules*
 - *Use of Masks During COVID-19 Directive* (#HCS-267)
 - *Workplace Accommodation Policy* (#1156)
- Alberta Health Services Forms:
 - *Employee Request for Accommodation Form* (#19566)
 - *Got My COVID-19 Immunization Form*
 - *Medical or Midwifery Staff Request for Exception COVID-19 Mandatory Immunization for Workers Form*
- Alberta Health Services Resources:
 - AHS Immunization Information Insite Page
 - AHS Values
- Non-Alberta Health Services Documents:
 - *Alberta Human Rights Act*
 - *Freedom of Information and Protection of Privacy Act* (Alberta)
 - *Occupational Health and Safety Act* (Alberta)
 - *Regional Health Authorities Act* (Alberta)

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