IMMUNIZATION OR TESTING OF WORKERS FOR COVID-19

OBJECTIVES

- To set out worker immunization and testing 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, 2022, 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 and Testing Requirements

1.1 All workers hired on or before November 30, 2021 must:

a) be fully immunized against COVID-19 and provide accurate proof of such immunization in accordance with Section 2 of this Policy;

b) comply with the testing requirements set out in Section 4 of this Policy (for workers who are not contracted service providers); or

c) comply with the testing requirements set out in Section 5 of this Policy (for workers who are contracted service providers).

1.2 A worker hired after November 30, 2021 must be fully immunized against COVID-19 prior to commencing work.

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. Testing for Workers who are not Fully Immunized (Excluding Contracted Service Providers)

4.1 Section 4.3 of this Policy does not apply to a worker hired after November 30, 2021 or contracted service providers or their staff.

4.2 COVID-19 testing is being offered 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 system.

4.3 Workers who are not fully immunized will be required to undergo regular rapid antigen testing. The following conditions apply:

a) the worker must be tested using a Health Canada-approved COVID-19 test;
b) the test must be conducted at an existing private testing location (e.g., a pharmacy, mobile testing clinic). Publicly-funded COVID-19 testing (e.g., through AHS) and at-home COVID-19 testing shall not be accepted;

c) the worker must have a negative test completed no more than 48 hours prior to the start of their shift;

d) the cost of the tests are at the worker’s expense, unless an approved workplace accommodation or exception (for medical or midwifery staff) applies;

e) the testing must be completed on the worker's own time;

f) the worker must retain proof (i.e., paper or electronic report) of a test result and show that proof to their leader (or designate) before the start of their next scheduled shift and if asked during their shift;

(i) If the worker tests positive for COVID-19, the worker must follow applicable Chief Medical Officer of Health Orders, the AHS Attending Work with COVID-19 Symptoms, Positive Test, or Close Contact Directive, and other applicable AHS or Alberta Health policies, orders, and directives.

g) workers who refuse to be tested or fail to comply with these conditions shall be considered non-compliant with this Policy and subject to Section 6 of this Policy.

4.4 Workers who are not fully immunized and who have tested positive for COVID-19 are not required to undergo testing for a period of 21 days from the date they first exhibited core COVID-19 symptoms, or the date they became a confirmed case of COVID-19 if asymptomatic, provided that:

a) the worker retains proof they were a positive case of COVID-19 and is prepared to provide proof to their manager, upon request;

b) the worker has completed the applicable work restrictions as required Attending Work with COVID-19 Symptoms, Positive Test, or Close Contact Directive; and

c) the worker is asymptomatic.

4.5 Workers who are working remotely from home must meet the testing requirements outlined in Section 4.3 above when working, or called to work, at an AHS setting or when they will be in direct contact with an AHS worker or patient.

5. Testing for Contracted Service Providers’ Staff who are not Fully Immunized

5.1 Section 5 of the Policy does not apply to medical and midwifery staff.
5.2 Contracted service providers will be required to have all staff who are not fully immunized and providing goods or services to AHS undergo regular rapid antigen testing in accordance with the following conditions:

a) contracted service providers and any staff must be tested using a Health Canada-approved COVID-19 test;

b) the test must be conducted at an existing private testing location (e.g., a pharmacy). Publicly-funded COVID-19 testing (e.g., through AHS) and at-home COVID-19 testing shall not be accepted;

c) contracted service providers and staff must have a negative test completed no more than 48 hours prior to the start of their shift;

d) AHS will not be responsible for any costs associated with the testing;

e) the testing must be completed on an individual’s own time;

f) contracted service providers and staff implementing the testing option must retain proof (paper or electronic) of a test result, maintain that proof on their person, and be prepared to show the same to any AHS representative upon request;

(i) If the contracted service provider or staff tests positive for COVID-19, they must follow applicable Chief Medical Officer of Health Orders, the AHS Attending Work with COVID-19 Symptoms, Positive Test, or Close Contact Directive, and other applicable AHS or Alberta Health policies, orders, and directives.

g) contracted service providers who refuse to provide individuals who are fully immunized or who fail to provide staff tested in accordance with the foregoing conditions, shall be considered non-compliant with this Policy and subject to Section 6 of this Policy.

5.3 Contracted service providers and staff who have tested positive for COVID-19 are not required to undergo testing for a period of 21 days from the date they first exhibited core COVID-19 symptoms, or the date they became a confirmed case of COVID-19 if asymptomatic, provided that:

a) they retain proof they were a positive case of COVID-19 and are prepared to provide proof to an AHS representative, upon request;

b) they have completed the applicable work restrictions as required Attending Work with COVID-19 Symptoms, Positive Test, or Close Contact Directive; and

c) they are asymptomatic.
6. Non-Compliance

6.1 A worker hired 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 refused to be tested or have not complied with the testing requirements set out in Section 4 of this Policy (for workers who are not contracted service providers) or Section 5 of this Policy (for workers who are contracted service providers).

6.2 A worker hired 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.

6.3 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.

6.4 In all other cases not outlined in Section 6.3 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, 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)