

## TITLE

**IMMUNIZATION OF WORKERS FOR COVID-19**

## SCOPE

Provincial

## DOCUMENT #

1189

## APPROVAL AUTHORITY

Alberta Health Services President and Chief Executive Officer

## INITIAL EFFECTIVE DATE

September 14, 2021

## SPONSOR

Workplace Health and Safety

## REVISION EFFECTIVE DATE

October 22, 2021

## PARENT DOCUMENT TITLE, TYPE, AND NUMBER

Not applicable

## SCHEDULED REVIEW DATE

April 22, 2022

**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 its 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 our 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 every six (6) months, 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 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 Effective November 30, 2021, all workers must be **fully immunized** against COVID-19.
- 1.2 A worker on an approved Leave of Absence must be fully immunized prior to returning to work.
- 1.3 A worker hired after November 30, 2021 must be fully immunized prior to commencing work.

### 2. Proof of Immunization Records

- 2.1 No later than November 15, 2021, 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, Covenant Health, and applicable contracted service providers, 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* (Rule 3.3.4), as applicable.

### 4. Non-Compliance

- 4.1 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.
- 4.2 In all other cases not outlined in Section 4.1 above, except where a workplace accommodation or exception (for medical or midwifery staff) applies, 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

**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 staffs, 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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