



ADMINISTRATIVE STANDARD NO. AS-016

COVID-19 Vaccination

AUTHORITY FOR STANDARD: Chief Administrative Officer

FIRST ISSUED: October 2021

The City of Winnipeg (the “City”), as a public employer and service provider during the COVID-19 pandemic, has ongoing obligations to provide a safe environment for its employees, contractors, and members of the public. The City is implementing a vaccine requirement for all City employees and contractors identified in Designated Positions.

A. PURPOSE

The purpose of this Administrative Standard is to provide direction to City employees and leaders on how positions identified for required vaccination should be managed in the workplace. This Administrative Standard applies to all City employees and contractors identified in Designated Positions as defined below.

B. ONGOING REVIEW AND UPDATES

The COVID-19 pandemic has demonstrated the need for employers to remain flexible in the creation and application of safety measures and workplace standards as this pandemic continues to evolve. This Administrative Standard will be modified as frequently as necessary with consideration of new and developing evidence and information about COVID-19.

C. ROLES AND RESPONSIBILITIES

Employees: Will comply with this Administrative Standard. Will provide information needed to prove their COVID-19 vaccination status or to support an accommodation or exemption request.

Managers: Will ensure that this Administrative Standard is provided to employees. Will work with employees and Human Resource (“HR”) Services to understand any requests for accommodation or exemption.

Director: Will consider any accommodations or exemptions in cooperation with HR Services.

Human Resource Services: Will receive and review any requests for human rights accommodations or other exemptions with the employee. Will support management in

reviewing and making decisions about requests for accommodations and exemptions. Will respond to employees with answers and other support.

Chief Administrative Officer: Will direct the public service, make decisions related to requirements of the workforce, and will review and revise this Administrative Standard as required.

D. PROFESSIONAL COLLEGE MEMBERSHIP

Employees must ensure they continue to comply with all requirements from their professional college including licensing requirements. If you have any questions, please speak with your Human Resources department or professional college.

E. PROCEDURES

PROOF OF VACCINATION STATUS:

As of November 15, 2021, City employees and contractors identified as working in Designated Positions are required to have shown proof they are Fully Vaccinated or approved for an accommodation (on the basis of a protected characteristic in *The Human Rights Code* of Manitoba) or exemption (unrelated to protected characteristics in *The Human Rights Code*).

Employees and contractors can prove they are Fully Vaccinated by showing Human Resource Staff:

- Government of Manitoba issued QR code regarding COVID-19 vaccination and photo identification; or
- alternative documentation, which will be assessed by the City on a case-by-case basis.

Employees and contractors who are transferred or temporarily assigned to work a Designated Position are also subject to the terms of this Administrative Standard.

REQUEST FOR ACCOMMODATION OR EXEMPTION FROM COVID-19 VACCINATION:

The City will consider employee and contractor requests, on a case-by-case basis, to be accommodated or exempt from the requirement to be Fully Vaccinated. Forms to request accommodations or exemptions are appended at **Appendix "A"** and must be submitted to the City for consideration as soon as possible and no later than November 1, 2021.

Employees will be required to participate in education regarding the risks and benefits of COVID-19 vaccination by November 15, 2021 if they did not show proof of vaccination by November 1, 2021 and they:

- did not submit an accommodation or exemption request by November 1, 2021; or
- submitted an accommodation or exemption request by November 1, 2021, and were assessed as needing to participate in education.

If you are approved by the Government of Manitoba to be exempt from COVID-19 vaccination, then you must notify and provide proof to the City that you were granted this exemption.

ALTERNATIVE MEASURES:

Employees and contractors who have been granted an accommodation or exemption from the requirement to be Fully Vaccinated will instead be required to follow reasonable alternative measures, which may include (“Alternative Measures”):

- testing for COVID-19 at regular intervals;
- education regarding risks and benefits of COVID-19 vaccination;
- use of additional personal protective equipment;
- transfer into a different position;
- other reasonable alternatives provided by the City; and/or
- placement on leave without pay.

NEW EMPLOYMENT POSTINGS AND CONTRACTS:

New postings and contracts for Designated Positions must indicate the condition to be Fully Vaccinated, subject to accommodations regarding characteristics protected by the *Human Rights Code* of Manitoba. Other exemptions may be permitted as listed in the postings or contracts.

NON-COMPLIANCE:

As of November 15, 2021, employees will be required to follow Alternative Measures, as determined by the City, if they did not:

- show proof of being Fully Vaccinated; or
- obtain an approval for accommodation and/or exemption.

F. REFERENCES AND RELATED LINKS

- CityNet sections regarding COVID-19
- Ask the Experts Video Series: COVID-19 Vaccine Questions on CityNet
- #ProtectMB Q&As, online at <https://protectmb.ca/qa/>
- Health Canada – Vaccines and immunization, online at <https://www.canada.ca/en/public-health/services/immunization-vaccines.html>
- *The Human Rights Code*, CCSM c H175, online at [hweb2.gov.mb.ca/laws/statutes/ccsm/h175e.php](http://web2.gov.mb.ca/laws/statutes/ccsm/h175e.php)
- *The Personal Health Information Act*, CCSM c P33.5, online at <https://web2.gov.mb.ca/laws/statutes/ccsm/p033-5e.php>

G. KEY CONTACTS

- Chief Administrative Officer
- Legal Services
- Labour Relations
- Human Resource Services
- Corporate Access and Privacy Officer
- Communications

H. DEFINITIONS

For the purposes of this Administrative Standard the City uses the following definitions:

“Accepted Vaccine” means a COVID-19 vaccine that has been approved for use by Health Canada;

“Designated Position” means a City position, excluding positions with the Winnipeg Police Services, that: (i) has Ongoing Contact with Vulnerable Populations; or (ii) works in Higher-Risk Settings with direct, Ongoing Contact with the public;

“Fully Vaccinated” means a person received both doses (or any combination approved by Health Canada) of a two-dose Accepted Vaccine, or a single dose of a one-dose Accepted Vaccine, with more than fourteen days having passed since the final vaccination was received;

“Higher Risk Setting” means a work setting or circumstance where usual COVID-19 transmission precautions cannot be relied upon to be effective (for instance, contact with individuals who will not or cannot be compliant with mask wearing or physical distancing, or following administrative procedures) for various reasons;

“Ongoing Contact” means working in close physical proximity to a member of the public as a regular and recurring part of the employee or contractor’s work (core or primary function, and not just occasional or infrequent/incidental contact); and

“Vulnerable Populations” means individuals who may be at greater risk of COVID-19 than others due to their occupational, social, economic, other health and life circumstances, or age (specifically, children under the age of 12 years old). Vulnerable populations may be at risk of more severe disease or outcomes, and may be more likely to be exposed to COVID-19.

I. PERSONAL HEALTH INFORMATION

Personal health information, including information regarding COVID-19 vaccination status, accommodation requests and exemption requests, collected by the City pursuant to actions taken under this Standard will be accessed, used, stored, and disclosed as authorized under the *Personal Health Information Act* (“*PHIA*”) and in accordance with the City’s Administrative Standard No. AS-015 – Access to Information and Protection of Privacy and the City’s Protocols and Procedures under *PHIA*.

J. ONGOING COMPLIANCE WITH OTHER SAFETY MEASURES, REGULATIONS AND RULES

This Administrative Standard does not alter any other health and safety measures the City requires its employees and contractors to follow to reduce safety hazards associated with COVID-19 such as wearing a mask or face shield, using personal protective equipment, maintaining appropriate physical distancing and self-monitoring of potential COVID-19 symptoms when at work or otherwise engaged in City operations. All City employees and contractors are required to continue to comply with applicable public health orders.

K. FREQUENTLY ASKED QUESTIONS

Please see Frequently Asked Question (FAQ) section on CityNet regarding Covid19.



APPENDIX "A" – REQUEST FORMS ACCOMMODATIONS & EXEMPTIONS FOR COVID-19 VACCINATION REQUIREMENT

The City of Winnipeg (the "City") will consider individual requests for accommodations and/or exemptions based on this form. Please complete this cover page and attached applicable forms that support your request to be accommodated or exempt from being Fully Vaccinated.

Please submit your request and form(s) by email or in person to your Human Resources department. Please note that incomplete forms will be returned to you for completion, and will cause delay in the City's assessment.

Individuals who are approved for an accommodation or exemption will be notified in writing. Please allow adequate time for a response.

Employee first and last name: _____

Department: _____

Employee phone number: _____

Employee email address (if applicable): _____

Please check the box(es) that apply, and complete the corresponding request form(s):

- ☐ accommodation on the basis of a "physical or mental disability", please complete the attached "**REQUEST FORM A**" and provide "**REQUEST FORM A1 – MEDICAL PRACTITIONER FORM**" for completion by your medical practitioner;
- ☐ accommodation on the basis of "religion or creed, or religious belief, religious association or religious activity", please complete the attached "**REQUEST FORM B**";
- ☐ accommodation on the basis of other protected characteristics(s) in *The Human Rights Code* of Manitoba or exemption unrelated to *The Human Rights Code*, please complete the attached "**REQUEST FORM C**".



REQUEST FORM A — ACCOMMODATION ON THE BASIS OF PHYSICAL OR MENTAL DISABILITY

An accommodation on the basis of a “physical or mental disability”, as contemplated by *The Human Rights Code* of Manitoba, may be granted on receipt of required documentation from your medical practitioner. There is no guarantee of approval. The City also reserves the right to request additional information, documentation, or clarification, as necessary.

For accommodation requests regarding physical health reasons, the City intends to rely on Manitoba Health’s published criteria outlining reasons that may prevent persons from safely receiving the COVID19 vaccination (see online at: <https://manitoba.ca/covid19/vaccine/eligibility-criteria.html#exemptions>).

Note: This form only applies to requests regarding COVID-19 vaccination.

Please confirm that you have read and agreed to the above statements by checking the corresponding boxes:

- ☐ I affirm that the information I have provided is accurate and complete as of the date of this submission. I understand that I may be subject to disciplinary action if any of the information I provide in support of this accommodation request is false or misleading.
- ☐ I authorize my medical practitioner to provide the personal health information requested in this form in support of accommodation and, if required, to supply additional information relating to this request.

Date: _____ Signature (electronic accepted): _____

Please submit this request to your Human Resources Department by email or in person. Please note that incomplete forms will be returned to you for completion, and will delay the City’s assessment.



REQUEST FORM A1 — MEDICAL PRACTITIONER FORM

To protect the health and safety of our employees and community, the City of Winnipeg requires specific employees, in designated positions, to show proof of vaccination by November 15, 2021, or alternatively to obtain an accommodation or exemption by November 1, 2021. This form is to be completed by a medical practitioner in support of an employee requesting a medical accommodation from this vaccination requirement.

Employee _____ (first and last name) is requesting a medical accommodation from being vaccinated against COVID-19.

- 1) Does the Applicant have a medical condition that prevents them from safely receiving a COVID-19 vaccination?

☐ Yes

☐ No

- 2) If yes, please explain how/why the Applicant's medical condition(s) prevents them from safely receiving a COVID-19 vaccination.

- 3) If yes, please advise whether the Applicant is scheduled to, or already has, consulted with a licensed specialist physician approved by the Government of Manitoba as part of its vaccine implementation task force (see: <https://manitoba.ca/covid19/vaccine/eligibility-criteria.html#exemptions>).

☐ Yes

☐ No

- 4) If the answer to question 3 above is "yes", then please advise what date the Applicant is scheduled to see a specialist physician approved by the Government of Manitoba. If the answer to question 3 above is "no", then please advise why the Applicant is not consulting with a specialist physician approved by the Government of Manitoba.

[continue on next page]



5) My medical review is based on:

- ☐ Patient History
- ☐ Examination
- ☐ Objective Evidence Confirmed (signs or investigational data)

AFFIRMATION

I affirmed that _____
(employee first and last name) has a diagnosed medical condition that prevents them from safely being vaccinated against COVID-19, that to the best of my knowledge the information provided to me by this person is accurate, and I support the request for a medical accommodation or exemption from the COVID-19 vaccine requirement at the City of Winnipeg.

Date: _____ Signature (electronic accepted): _____

MEDICAL PRACTITIONER INFORMATION

Name: _____

Specialty: _____

Name of affiliated health organization: _____

Address: _____

Email: _____

Phone number: _____

Privacy Statement: This collection of personal and personal health information is authorized by section 36(1)(b) of *The Freedom of Information and Protection of Privacy Act* (FIPPA) and by *The Personal Health Information Act* (PHIA). This information is required to process the request for accommodation under Administrative Standard No. AS-016 COVID-19 Vaccination. The information requested is limited to the minimum amount needed to process the request. Your information is protected under FIPPA and PHIA and will not be used for any other purposes except as authorized by law. If you have any questions about this collection of your information, please contact the Corporate Access and Privacy Officer (fippa@winnipeg.ca).



REQUEST FORM B — ACCOMMODATION REQUEST BASED ON RELIGION OR CREED

Please explain your accommodation request on the basis of “religion or creed, or religious belief, religious association or religious activity” as contemplated by *The Human Rights Code* of Manitoba, by answering the questions below with as much detail as possible (if more space is needed please feel free to attach extra pages). Human Resources staff may contact you for further information if needed.

1. Describe the religion or belief system that you are relying on in making this request.

2. Describe your particular belief that would be violated, compromised, or infringed by receiving a COVID-19 vaccination.

3. Describe how the particular belief that you described in question 2 is connected to the religion or belief system that you described in question 1.

Date: _____ Signature (electronic accepted): _____

Please submit this request to your Human Resources Department by email or in person. Please note that incomplete forms will be returned to you for completion, and will delay the City’s assessment.

Privacy Statement: This collection of personal and personal health information is authorized by section 36(1)(b) of *The Freedom of Information and Protection of Privacy Act* (FIPPA) and by *The Personal Health Information Act* (PHIA). This information is required to process the request for accommodation under the Administrative Standard No. AS-016 COVID-19 Vaccination. The information requested is limited to the minimum amount needed to process the request. Your information is protected under FIPPA and PHIA and will not be used for any other purposes except as authorized by law. If you have any questions about this collection of your information, please contact the Corporate Access and Privacy Officer (fippa@winnipeg.ca).



**REQUEST FORM C—OTHER HUMAN RIGHTS PROTECTED CHARACTERISTIC(S)
AND/OR EXEMPTIONS UNRELATED TO THE HUMAN RIGHTS CODE**

Please check the box(es) which apply to your accommodation and/or exemption request(s):

- ☐ I request accommodation on the basis of other protected characteristics listed in *The Human Rights Code* of Manitoba at section 9(2);
- ☐ My request is not related to *The Human Rights Code* of Manitoba.

If your request accommodation based on other protected characteristic(s) listed in *The Human Rights Code* of Manitoba, then please identify which characteristic(s) and explain your request below with as much detail as possible (if more space is needed please feel free to attach extra pages):

If your request is unrelated to *The Human Rights Code* of Manitoba, then please explain your request below with as much detail as possible (if more space is needed please feel free to attach extra pages):

Date: _____ Signature (electronic accepted): _____

Please submit this request to your Human Resources Department by email or in person. Please note that incomplete forms will be returned to you for completion, and will delay the City's assessment.

Privacy Statement: This collection of personal and personal health information is authorized by section 36(1)(b) of *The Freedom of Information and Protection of Privacy Act* (FIPPA) and by *The Personal Health Information Act* (PHIA). This information is required to process the request for exemption from the Administrative Standard No. AS-016 COVID-19 Vaccination. The information requested is limited to the minimum amount needed to process the request. Your information is protected under FIPPA and PHIA and will not be used for any other purposes except as authorized by law. If you have any questions about this collection of your information, please contact the Corporate Access and Privacy Officer (fippa@winnipeg.ca).