

ADMINISTRATIVE PROCEDURE NO.162

COVID-19 VACCINATION/RAPID TESTING REQUIREMENTS

Objective

- Make our school communities safer by utilizing strategies recommended by public health authorities including vaccinations and regular testing for the unvaccinated.
- Ensuring a safe work and learning environment is a shared responsibility. Red Deer Catholic Regional Schools (“**RDCRS**” or the “**Division**”) is committed to and has a statutory responsibility to take all reasonable steps to provide safe and healthy working and learning environments.
- This Administrative Procedure supports and enhances the ongoing measures the Division has implemented and our continued commitment to ensuring all our schools and workplaces remain as safe as possible in the context of COVID-19.
- The health and safety of all Division Employees is a priority, and the Division is committed to providing a healthy, safe and caring environment for all. In order to protect the continuation of in-person learning in the face of the COVID-19 pandemic, the Division has taken steps to implement reasonable measures which it believes will have a positive impact on health and safety in our schools and administrative sites.
- At this time, the Division is implementing a COVID-19 testing procedure as a way of protecting Employees against the hazard of COVID-19.
- RDCRS recognizes and will act in accordance with its obligations pursuant to the *Education Act*, the *Alberta Human Rights Act*, the *Occupational Health and Safety Act, Regulation and Code*.
- This Administrative Procedure applies to all RDCRS Contractors, Employees, On-site Partners, Visitors and Volunteers.
- This Administrative Procedure does not apply to students.
- This Administrative Procedure applies to Division property, including all school buildings, all lands owned or leased by the Division, and all vehicles operated on behalf of the Division - including school buses.

Definitions

Contractor refers to individuals or organizations that have been retained by the Division to provide services in Division buildings in return for payment, who are not employed by the Division (i.e., health care providers, guest speakers).

COVID-19 is the disease caused by the SARS-CoV-2 coronavirus (including any variant).

COVID-19 Vaccine is a vaccine authorized by Health Canada (i.e., Pfizer-BioNTech/comirnaty; Moderna/Spikevax; Janssen (Johnson & Johnson); AstraZeneca/COVISHIELD/Vaxzevria).

Employee is any individual employed by Red Deer Catholic Regional Schools on any basis, including full-time, part-time, hourly, substitute, permanent, temporary and casual.

Fully Vaccinated, as defined by Alberta Health Services and as may be amended from time to time, means having obtained all required doses of a COVID-19 vaccine, including any required wait period to achieve full vaccine status (i.e., two (2) week period).

Licensed Physician is a medical doctor licensed by the College of Physicians & Surgeons of Alberta to practice medicine in Alberta.

Accredited Religious Leader is a person who is recognized within a particular religion as having authority within that body.

On-site Partner is any individual or organization that accesses a Division building to deliver services or support programming. This includes but is not limited to user groups, post-secondary students and external researchers.

- **External researcher** refers to any individual who conducts research involving Division employees or students or using Division resources.
- **Post-secondary institution** in this Administrative Procedure refers to any post-secondary institution with students undergoing field experience in a Division school to develop skills, strategies and professional identity as part of their post-secondary program.

Proof of Vaccination means a valid QR Code issued by the Government of Alberta.

Rapid Test refers to a rapid antigen test approved by Health Canada or a lab accreditation body of Alberta.

Site Manager is an Employee of the Division who is responsible for the management of a division owned site that is not a school. (i.e. Transportation Manager, Maintenance Manager, etc.)

Visitor means any person accessing the Division facilities, but excludes Division employees. Visitors include practicum students, parents, coaches. For clarity, Visitors do not include Contractors, On-site Partners or Volunteers.

Volunteer is a member of the community, including parents and guardians, who, without compensation, commits to assist the Division or a school with a designated task under the direction and supervision of an Employee.

Responsibility

Human Resources Department is responsible to:

- Ensure this Administrative Procedure and the supporting processes are implemented and maintained.
- Develop a process for rapid test distribution, completion and reporting.
- Review requests for exemptions from this Administrative Procedure, and consult internally and externally as necessary, in order to determine whether requests are approved or denied.
- Determine appropriate accommodations for Division approved exemptions from this Administrative Procedure, with consideration of input from the Employee, supervisor and Union (where applicable).
- Support the processes for Rapid Testing for Employees who are not vaccinated.
- Conduct audits to review Employee compliance with the Administrative Procedure.
- To address responses to non-compliance.

School Administration and Site Managers are responsible to:

- Where applicable, advise Contractors, On-Site Partners and Volunteers of the requirement to comply with this Administrative Procedure and to develop in-school processes to ensure compliance.
- Ensure that all Employees are aware of the expectations defined in this Administrative Procedure.
- Safeguard Employee personal information in accordance with Division and provincial requirements relating to retention of information and protection of privacy.
- Inform the Associate Superintendent of Human Resources of concerns regarding Employee non-compliance with this Administrative Procedure.

Employees are responsible to:

- Adhere to this Administrative Procedure and all other Division protocols relating to COVID-19.

Procedure

A. REQUIREMENT TO BE FULLY VACCINATED OR PARTICIPATE IN REGULAR RAPID TESTING

1. Employees are required to be either Fully Vaccinated on or before January 17, 2022, or be compliant with Rapid Testing requirements as outlined in Section C.
 - a. Employees who feel that they are unable to be Fully Vaccinated due to the application of protected grounds as defined by the *Alberta Human Rights Act, RSA 2000, c.A-25.5*, as amended from time to time, may apply for an exemption to this requirement in accordance with Section D, which exemption is not guaranteed.
 - b. Subject to Division approved exemptions, new employees joining the Division must submit the standard declaration prior to their first day of work, as a pre-condition of employment. New employees must adhere to the AP once they begin their employment.

B. DISCLOSURE AND PROOF OF VACCINATION STATUS

1. All Employees are required to disclose their current vaccination status on or before December 17, 2021, using a declaration form provided by the Division and, if Fully Vaccinated, provide proof of vaccination.
 - a. Employees who are requesting a Division exemption from vaccination are still required to disclose their vaccination status.
 - b. Employees whose vaccination status changes after December 17, 2021, are required to submit an updated declaration form and proof of vaccination.
 - c. Proof of Vaccination received from outside Alberta will be reviewed on a case by case basis.

C. UNVACCINATED EMPLOYEES OR THOSE EMPLOYEES WHO ELECT NOT TO DISCLOSE THEIR VACCINATION STATUS

1. Employees who have disclosed that they are not Fully Vaccinated or who have not disclosed their vaccination status as required, will be required to undergo regular Rapid Testing using processes defined by the Division. From January 17, 2022, to June 30, 2022:

- a. Employees must participate in regular Rapid Testing twice per week, between Monday and Friday, with a minimum of 48 hours between tests.
 - b. Substitutes must have submitted a negative rapid test within 72 hours of the beginning of any day worked.
 - c. The Division will pay for Rapid Testing by providing free Rapid Tests to Employees. Evidence of a negative Rapid Test must be provided to the designated Division Rapid Test Coordinator through the approved submission process outlined by the Division. This process will require:
 - i. Employees take an electronic picture of their face and their Rapid Test Result and provide the same to the Division.
 - d. If an Employee receives a positive Rapid Test result, the Employee is considered a preliminary or presumptively positive for COVID-19 and the Employee must comply with requirements outlined in Section C(2).
2. A positive Rapid Test result is considered a preliminary or presumptive positive. Anyone who receives a positive Rapid Test result must:
 - a. Comply with the current *Illness Response Flowchart* found on the Staff Landing Page
 3. Employees may take up to three (3) hours off as paid time, if required, during the workday to get a COVID-19 Vaccine dose as per the *Alberta Employment Standards Code*.

D. EXEMPTIONS & INABILITY TO COMPLY

1. Employees who believe they are not able to comply with the COVID-19 hazard mitigation procedures outlined above must submit a request for exemption upon the release of this Administrative Procedure or as soon as possible.
2. Employees seeking an exemption are required to submit their request in accordance with the Division's requirement, which may include providing further information to ensure the Division is compliant with the expectations of due diligence, including i.e.) a medical exemption from a Licensed Physician, letter from an Accredited Religious Leader, etc.
3. The Division will consider Employee requests for an exemption on an individualized basis based on the protected grounds as defined by the *Alberta Human Rights Act*, and decisions regarding approval or rejection of the exemption request will be provided in writing to the Employee.
4. Employees who receive approved exemptions from the Division will be reasonably accommodated up to the point of undue hardship.

E. NON-COMPLIANCE

1. Failure to comply with this Administrative Procedure, including, but not limited to refusal to comply with Rapid Testing requirements or the provision of false or misleading information, may result in the Employee being subject to:
 - a. Administrative action, including but not limited to leave of absence without pay and benefits.
 - b. Disciplinary action, up to and including termination of employment.

F. PREVENTION OF HARASSMENT, BULLYING, OR DISCRIMINATION

1. Harassment, bullying or discrimination of any type against an Employee based on their vaccination status will not be tolerated. Employees experiencing harassment, bullying or discrimination are encouraged to discuss their concerns with their supervisor or the Associate Superintendent of Human Resources.

G. SAFEGUARDING PERSONAL INFORMATION

1. The Division will only collect, use and disclose any personal information regarding any individual subject to this regulation in accordance with the *Freedom of Information and Protection of Privacy Act* (FOIP) and the Division's guidelines for records management.
2. Information regarding an Employee's vaccination status, including proof thereof, will be kept confidential, stored in a secure location, and access and disclosure limited to that permissible by FOIP.

H. THIRD PARTIES ON DIVISION PROPERTY

1. Contractors, On-site Partners, Visitors and Volunteers, are required to abide by all current Alberta Health Services and Government guidelines relating to COVID-19, and will be permitted access in accordance with the following:
 - a. Contractors and On-Site Partners will be required to have policies and/or procedures with respect to COVID-19 and to provide the Division with confirmation of the same.
 - b. Visitors and Volunteers will be required to sign-in upon arriving at Division property, provided they will be on Division property for fifteen (15) minutes or longer, subject to subsection (d) below, and will be required to show:

- i. Proof of Vaccination; or
 - ii. Proof of a negative PCR or Rapid Test (dated 72 hours or less).
 - c. Visitors who are on Division property during normal hours of operation (i.e. during school hours) for fewer than fifteen (15) minutes will not be required to show proof of Vaccination or proof of a negative PCR or Rapid Test.
 - d. Visitors who are on Division property during non-normal hours of operation and where there will be minimal exposure to the general student population and to staff, will be permitted to remain on Division Property without providing proof of Vaccination or proof of a negative PCR or Rapid Test on an exceptional basis, provided:
 1. There is sufficient capacity and physical distancing is capable; and
 2. The exception is confirmed by the Site Manager, commonly the school principal.
2. The Division will not collect or store Proof of Vaccination or Rapid Test results from Contractors, On-site Partners, Visitors or Volunteers.
 3. Contractors, Onsite Partners, Visitors and/or Volunteers, who are found in violation of this Administrative Procedure will be requested to immediately leave the Division property and may be subject to the termination of contracts or participation in Division activities.

I. TEMPORARY REQUIREMENT & REVIEW

1. This Administrative Procedure is not intended to be a permanent guide. The Division will maintain this Administrative Procedure while COVID-19 case numbers and transmission rates continue to suggest that COVID-19 remains a realistic and foreseeable workplace hazard.
2. Given the evolving nature of COVID-19, this Administrative Procedure will be reviewed and updated monthly by the Superintendent of Schools or as required for alignment with any changes to provincial regulations, legislation or applicable direction.

REFERENCES

AP #103 Safe Caring Learning Environments for Students
AP #104 Pandemic Disease Outbreaks Protocol
AP #110 Freedom of Information and Protection of Privacy
AP #113 Occupational Health & Safety
AP #418 Discrimination, Harassment and Violence in the Workplace

College of Physicians & Surgeons of Alberta Guidance on COVID-19 Vaccination Exemption Requests
Back to School Plan 2021-2022
Alberta Human Rights Act
Freedom of Information and Privacy Act
Alberta Occupational Health and Safety Act
Section 33(1)(d) of the Education Act
Ministers of Health and Education Letter - Encouraging Mandatory Proof-of-Vaccination Policies for Adults in Schools
Alberta Employment Standards Code - Section 53.9821

New: December 2021

Review: Monthly