
HALDIMAND COUNTY

Report CSS-01-2022 Review of COVID-19 Vaccination Policies For Consideration by Council in Committee on March 29, 2022



OBJECTIVE:

To consider the need to continue general and division specific County COVID-19 vaccination policies.

RECOMMENDATIONS:

1. THAT Report CSS-01-2022 Review of COVID-19 Vaccination Policies be received;
2. AND THAT the Haldimand County Vaccination Policy be rescinded in its entirety;
3. AND THAT the Haldimand County Paramedic Service COVID-19 Vaccination Policy be amended to remove the requirement for mandatory vaccination, and all provisions associated directly to that requirement, while maintaining the requirement for new hires to be fully vaccinated (two doses);
4. AND THAT the Grandview Lodge COVID-19 Vaccination Policy be maintained including the requirement for new hires to be fully vaccinated (two doses), with the minor housekeeping changes and removal of redundancies such as Ministry reporting requirements, and that staff report back to Council if evidence supports changes to the policy from a resident safety and a workforce management perspective.

Respectfully submitted: Cathy Case, General Manager of Corporate & Social Services

Approved: Craig Manley, MCIP, RPP, Chief Administrative Officer

EXECUTIVE SUMMARY:

In September 2021 Council adopted three distinct COVID-19 vaccination policies that applied to various work groups, representatives and services within the County. These policies were implemented in October 2021. Following adoption of the policies, the Ministry of Health mandated vaccination in Long Term Care and this resulted in the Council approved policy for Grandview being amended slightly to comply with the Ministry mandate. Subsequently, the policies were fully implemented.

Six months later, and two years after the beginning of the global COVID-19 pandemic, the Province of Ontario has begun removing vaccination requirements and relaxing other mandates (screening, masking, etc.) in almost all sectors. The Federal government, at the time of this report being prepared, has not yet amended any federally applied mandates related to vaccination as an employment requirement.

In light of the significant provincial changes impacting the public, staff reviewed the workplace specific policies implemented by Haldimand County. As a result, staff recommend that Council rescind the Haldimand County Vaccination Policy (this is the general staff vaccination disclosure policy) and significantly change the Haldimand Paramedic Service Vaccination Policy. Due to the severity of risk in the long term care sector, staff are recommending that the Grandview Lodge COVID-19 vaccination policy remain in effect. This recommendation is consistent with advice provided by the Province and is provided with the commitment to continue monitoring federal, provincial, local and sector specific influences and bring back information to Council when there is evidence to suggest the removal of

vaccination requirements and related measures would not have an adverse affect on the Grandview Lodge workforce and the ability to provide adequate resident care.

BACKGROUND:

In 2021, during the height of the COVID-19 pandemic in Ontario, Council adopted three vaccination policies: The Haldimand County Vaccination Policy; the Haldimand County Paramedic Service COVID-19 Vaccination Policy and the Grandview Lodge COVID-19 Vaccination Policy. All policies were approved primarily on the basis of the Provincial health advice that there was an imminent threat of COVID-19 on staff and public, and the Employer's duty under Occupational Health and Safety law to provide a safe work environment for its staff and the ability to provide safe and reliable continuity of service to County taxpayers, EMS patients and residents of Grandview Lodge. The policies were informed by scientific evidence at the time, communicated by the Province. Additionally, at the time the policies were implemented, the Haldimand-Norfolk health district had one of the lowest rates of vaccination in the province.

Haldimand County Vaccination Policy

This policy pertains to general staff and County representatives, including volunteer firefighters, elected officials, board appointees, students and the Haldimand County Library Board and its employees. The policy does not require mandatory vaccination, however it does require full disclosure of vaccination status on a confidential basis. Unvaccinated staff are required to submit rapid antigen test results on a regular basis before being permitted to attend the workplace. The testing is to be done at their own cost and on their own time. Medical exemptions are considered on an individual basis. The policy also contains a clause that new hires and internal transfers must be fully vaccinated (two doses).

There were three individuals who refused to disclose their vaccination status or test regularly. Those staff were placed on an unapproved leave of absence and progressively disciplined up to the point of termination for refusal to comply with a workplace health and safety policy. It is important to note that this policy did not require staff to be vaccinated, however it did require confidential disclosure of vaccination status and for unvaccinated staff to conduct up to two tests per week before entering the workplace. The non-compliance is not associated with the vaccination status of these individuals but rather their failure to complete the employee responsibilities outlined in an occupational health and safety policy.

Haldimand County Paramedic Service COVID-19 Vaccination Policy

The province required all paramedic services in Ontario to adopt vaccination policies by September 7, 2021. The policy approved by Haldimand required paramedics to be fully vaccinated (two doses) or face being placed on an Unapproved Leave of Absence (ULOA), which could lead to termination. It also required all new hires to be fully vaccinated (two doses). At the time of policy implementation, the paramedic service in the County had a 6% unvaccinated rate. As of March 16th, the vaccination rate among Haldimand paramedics is 96%. The four percent of unvaccinated staff (3 people) remain on a ULOA.

Grandview Lodge COVID-19 Vaccination Policy

The province required long term care homes, considered high risk settings, to adopt vaccination policies by July 1, 2021. Later, in September 2021, the province directly mandated long term care staff to be fully vaccinated. The County's approved policy was amended slightly to align its dates with the provincial directive and began implementing the policy. When the Omicron variant took hold, the Ministry of Long Term Care added a requirement for long term care staff to receive a 3rd dose booster by March 14, 2022. The policy was amended by staff, to reflect the change in ministry direction, but

before that deadline arrived, the requirement was removed by the province. Instead, the booster was encouraged rather than mandated. Once again the Council policy was amended to align with its original intent, requiring all staff to be vaccinated with two doses unless there is an approved medical exemption. Staff are not permitted to enter the home if they do not meet the requirements.

At the time of policy implementation, Grandview Lodge had a 21% unvaccinated rate among staff (34 staff), with the majority being Personal Support Workers. After full implementation of the policy the unvaccinated rate dropped to 8% (14 people). 4 of these employees are on unrelated, approved leaves of absence and are not required to be vaccinated until they return to work.

Several staff who did not meet the mandated policy requirements were placed on ULOA's and offered several opportunities, at a progressive level, to meet the requirement. The progressive approach is at different stages to date, however the majority of unvaccinated staff have had their employment terminated due to the mandate. Those positions have been backfilled to ensure adequate staff complement throughout the home to allow compliance with the Ministry of Long Term Care requirements for resident care.

ANALYSIS:

The vaccination policies adopted by Council in September, 2021 were intended to address the following:

- Safety of the public;
- Safety of staff and County representatives;
- Return to the intended work environments;
- Ensure continuity of services to the public with adequate staffing levels and at reasonable costs

The Province has since eased its requirements on mandatory policies, instead moving to guidance based support for employer-led policies related to COVID-19 vaccination. The go forward approach for each of the County's three distinct vaccination policies has been carefully considered and is outlined below for Council's consideration.

Haldimand County Vaccination Policy

Recently the province relaxed its requirements in public settings regarding proof of vaccination, self-isolation guidelines and masking – indicating the significant threat to the general public is no longer imminent. Although the province still encourages safety measures in appropriate settings and based on personal comfort levels, the changes point to the need for review of the County's general vaccination policy. The policy covered all CUPE and Non-Union staff, volunteer firefighters, Council and appointed representatives, students, Library Board and its employees. The policy never mandated vaccination, however it was necessary for staff to disclose their vaccination status and if not vaccinated, regular testing was required before entering the workplace. All new hires were required to be vaccinated, including internal transfers.

In light of the provincial changes, it is possible to continue to address the four key points above without the policy in place. The percentage of staff who are fully vaccinated aligns with the provincial targets for community vaccination, believed to add a level of protection in itself. At home self-screening will remain a requirement before attending work and staff are encouraged to stay home if they are feeling ill or showing symptoms. These factors contribute to the ability to provide a safe environment for staff and the public, allow a return to in person work and ensure services are not disrupted due to staffing levels.

Staff are recommending the general policy be rescinded in its entirety.

Haldimand County Paramedic Service COVID-19 Vaccination Policy

In 2021 the Province classified all paramedics as a high risk environment with respect to COVID-19, however it fell short of mandating vaccination in this sector, rather mandating that individual employers adopt their own policies. Additionally, through Directive #6 issued in August, 2021 there were several requirements placed on paramedic services related to deadlines to adopt policies, reporting requirements, etc.. In September, Haldimand County adopted its own vaccination policy for paramedics requiring full vaccination (2 doses) for existing medics and new hires.

With the province easing its general requirements in public settings and many workplaces, it is prudent to review the current Paramedic Service COVID-19 Vaccination Policy as well. Effective March 14th, Directive #6 impacting paramedic services was revoked by the Ministry of Health, no longer mandating vaccination policies. Despite the mandate removal, the Ministry correspondence stated “Vaccination will remain one of the cornerstone interventions for our ongoing protection against COVID-19. Organizations who have not already done so are strongly encouraged to integrate COVID-19 vaccination policies into their existing occupational health and safety policies and procedures”. It went on to encourage all health care workers to remain up to date on their vaccinations and receive all doses, including boosters, as soon as they are eligible.

Paramedics continue to use infection prevention and control (IPAC) best practices including wearing appropriate PPE. 96% of the current County paramedics are vaccinated. Only three are not, and have each been on ULOA's since the deadline. The provincial average vaccination rate for paramedics is 97.2%. It is important to note that the Ontario Association of Paramedic Chiefs is lobbying the Ministry of Health to include COVID-19 vaccination on the list of mandatory vaccinations under the Ambulance Act for paramedics to qualify to work in Ontario. Many other paramedic services are continuing with vaccination policies that reflect the requirement for new hires to be fully vaccinated.

These statistics, along with the direct lifting of measures related to paramedic services by the Province establish a basis for consideration of rescinding mandatory COVID-19 vaccination for the Paramedic Service in Haldimand County while retaining the requirement for new hires to be vaccinated (2 doses) in order to sustain the County's excellent vaccination rate within this area. Considering the reported vaccination rate among paramedics provincially, it is not expected to be an issue in hiring new staff. If Council supports the recommendations, staff will amend the policy to remove the requirement for mandatory vaccination for existing paramedics, emphasize the importance of vaccination and encourage boosters. The amended policy would also outline processes for situations that may require adjusting work schedules to address outbreaks or positive cases, when testing may become necessary, etc.. This will align with the Ministry's easing of measures, but also with the suggestion to maintain a vaccination policy for this sector. Should Council adopt this recommendation, staff will proceed with return to work arrangements for the three current inactive paramedics.

Grandview Lodge COVID-19 Vaccination Policy

The provincial government mandated vaccination for all staff working in long term care. Later that mandate was extended, requiring all staff to receive a third dose booster by March 14th, 2022. On March 9, 2022 the Ministry of Long Term Care (MLTC) notified all long term care licensees that they were lifting the mandate for staff in long term care entirely and relying on individual employers to maintain appropriate vaccination policies for their facilities. In addition to the removal of the vaccinate mandate, the province is moving forward with a further recalibration of measures which includes:

- Shifting to a guidance-based approach to support long-term care homes with employer-driven immunization policies,
- Updating the testing directive to reflect the latest advice of public health experts, and
- Adjusting measures related to visitors, resident absences and resident cohorting.

The goal is to achieve the right balance between the risk of COVID-19 infection and supporting overall resident quality of life, health and wellbeing based on the current pandemic situation.

It is well known and understood that the long term care sector was the hardest hit during the pandemic, and remains the most vulnerable setting. Prior to the vaccine mandate coming into effect, 21% of Grandview Lodge staff, all front line workers, were not vaccinated. The mandate allowed the employer to require vaccination for new hires as well. As a result, the vaccination rate (2 doses) went from 79% to 92%. The 8% of unvaccinated staff at Grandview Lodge were placed on ULOA's and subsequently terminated. The home is currently at a 100% vaccination rate (this includes approved medical exemptions). The high vaccination rate in the home, along with IPAC practices and a dedicated workforce have contributed to keeping Grandview Lodge outbreaks to a minimum and those which have occurred have been well contained.

The MLTC has revoked the provincial directive that requires homes to have a mandatory vaccination policy and is focusing efforts on a guidance-based approach that continues to support homes with their employer-led policies and best practices, effective March 14, 2022. The MLTC stated that long-term care homes, as employers, retain their ability to mandate vaccination requirements for existing and new staff, students and volunteers. Furthermore the Ministry has stated they will continue to offer ongoing support for up-to-date COVID-19 vaccination, including boosters, through such employer-led policies and best practices. This includes support for:

- Active screening for all individuals prior to entry
- Surveillance testing
- Use of appropriate personal protective equipment and masking for all individuals working at or visiting a long-term care home
- IPAC audits completed every two weeks if not in outbreak, or weekly if in outbreak, and
- Outbreak management practices, as directed by Public Health Units

Although this change in direction from the Ministry is recent, staff have reached out to learn what other long term care homes are doing in response to the removal of the mandate. The large majority of homes that responded to our inquiries including both private sector and public sector homes are maintaining their current vaccination policies and will continue to require 2 doses, or in some cases 3 doses for staff to be considered fully vaccinated. These homes are also extending this requirement to all new hires. As of March 1, 2022, 86.3% of all Ontario long term care workers have received 3 doses. In comparison, the rate at Grandview Lodge is 82.6%. It should be noted that almost all residents in the home have received 4 doses.

Staff have reviewed the Ministry changes and analyzed the overall operations of Grandview Lodge. There is a definitive need to balance the overall health and well-being of the residents with the necessary protection to reduce COVID-19 risk in the home. One key contributing factor in doing this is to ensure staffing pressures related to COVID-19 are not unmanageable and do not put the care of residents at risk. Staffing availability is an on-going issue in this sector at the best of times and given the transmissibility of the new variants should a workplace infection occur the adequacy of staff can be significantly impacted. The pandemic has demonstrated how workforce shortages can lead to inability to provide adequate care with unfortunate consequences. While vaccination does not stop transmission, current scientific advice is it reduces the chance of getting infected, having significant symptoms and the timeframe to recover. In order to effectively provide care to residents and adequate protection across the home, it will be important to maintain the current vaccination rate in this heightened risk sector. The best way to do this is to maintain the current Grandview Lodge COVID-19 Vaccination Policy which will require all staff to have 2 doses, including new hires. At a time where the facility will be hiring additional staff into the home as a result of increased provincial funding and care requirements, this approach will maintain an acceptable rate of vaccination among the workforce at Grandview. Maintaining the current policy allows staff to continue to monitor the COVID-19 situation as

the country begins to re-open, unmask, etc. and if warranted in the future, bring forward recommended changes when appropriate.

The province has indicated that long-term care homes, as employers, retain their ability to mandate vaccination requirements for existing and new staff, students and volunteers, provided they comply with all applicable law, such as the Human Rights Code. If Council supports this approach, staff recommend maintaining the intent of the policy, with minor amendments to remove Ministry reporting requirements and some housekeeping changes (i.e. proper titles, removal of redundant procedures that were previously eliminated by the MLTC, etc.). The current policy meets this provision, aligns with the majority of other long term care homes across the province, and will allow Grandview Lodge to continue adequately providing care to its residents while providing a safe work environment for its staff.

FINANCIAL/LEGAL IMPLICATIONS:

There are no direct financial implications associated with the revoking of vaccination policies or retaining the Grandview Lodge policy. There are however, some grievances related to the various terminations and ULOA's which remain confidential and cannot be described in detail in this report. If Council wishes to discuss the grievances and the various stages they are at, it is suggested that the discussion move into Closed Session. Otherwise, staff will continue working with the County's solicitor to progress through the normal process for each grievance, within the delegated authority that Council has granted to the relevant management staff.

STAKEHOLDER IMPACTS:

The go forward approach being recommended is in direct response to the recent changes by the Ministry of Health and the Ministry of Long Term Care respective of the pandemic and current conditions. The recommended course of action will continue to allow the employer to provide a safe work environment under current circumstances, adequately address public safety and allow the expected service levels of the community to be met in a cost effective manner.

REPORT IMPACTS:

Agreement: No

By-law: No

Budget Amendment: No

Policy: Yes

ATTACHMENTS:

None.