

# COVID-19 Vaccination Program Document for Contractors

*October 21, 2021*

# Table of Contents

1.	Introduction .....	3
2.	Purpose.....	3
3.	Application and Scope .....	3
4.	Vaccination Requirements .....	4
5.	Vaccination Disclosure .....	5
6.	Compliance with Health and Safety Precautions.....	5
7.	Confidentiality.....	5
8.	Consequences of Non-Compliance.....	5
9.	Recordkeeping.....	6
10.	Definitions .....	6
11.	References and Resources.....	7

# 1. Introduction

**The City of Brampton** (“the City”) is committed to providing a safe working environment for all employees and members of the community with whom we interact. The City has a responsibility to protect the health and safety of all employees as well as the community in which we operate, so it's vital that the City and its employees and Contractors take all reasonable precautions to protect against COVID-19.

The City has announced a COVID-19 Vaccination Administrative Directive, effective October 4<sup>th</sup>, 2021 (the “Directive”). The City is strongly recommending and encouraging all employees and Contractors be Fully Vaccinated against COVID-19, as recommended by the Ministry of Health and Public Health, effective October 15<sup>th</sup> 2021.

Where this Directive applies, by November 15<sup>th</sup>, 2021, all City Contractors are required to assign Contractor Personnel who are Fully Vaccinated with a COVID-19 vaccine series to perform contract services, or show proof of a valid medical or human rights exemption. Effective November 15<sup>th</sup>, 2021, individuals who are not Fully Vaccinated or have not received a negative Antigen test result in the last seven (7) days are precluded from Attending City premises or facilities.

## 2. Purpose

The purpose of the COVID-19 Vaccination Program Document (“Program Document”) is to outline the procedures that support the Directive, which strongly recommends vaccination, and includes accommodation and testing.

## 3. Application and Scope

This COVID-19 Vaccination Program Document applies to all bidders, contractors, subcontractors, service providers, independent contractors, consultants, subconsultants, suppliers, and any other entity Attending City premises or facilities (“Contractors”). It does not apply to Visitors entering City premises or facilities as a patron.

Contractors are fully responsible to monitor and ensure that all personnel, subcontractors, guests, invitees, representatives, and any other individual for whom Contractors are responsible at law (“Contractor Personnel”) are complying with the Directive and this Program Document prior to Attending City premises or facilities (“City Facilities”).

Constructors managing a construction project where the City has not taken full possession or control of the premises or facilities are outside the scope of the Directive

and this Program Document. Constructors are expected to implement COVID-19 requirements for the health, safety and protection of staff and ensure personnel (construction staff, sub-contractors, visitors, etc.) who attend the work/project site follow all applicable health and safety protocols, policies, regulations including COVID-19 requirements.

## 4. Vaccination Requirements

Currently all Contractors must comply with all health and safety precautions (including personal protective equipment, physical distancing, frequent hand washing and hand sanitizing, frequent cleaning of high touch areas, COVID-19 screening, etc.), which will be maintained and revised in accordance with public health guidance.

In addition to those measures, and in accordance with the applicable legal, regulatory, and compliance frameworks, the City requires the following for all Contractors Attending City Facilities to:

- Sign and return the Acknowledgement from the City's Notice sent to Contractors separately, attesting to be in strict compliance with the Directive and this Program Document;
- Undertake a process for reviewing, monitoring, and ensuring Contractor Personnel's compliance with the Directive and this Program Document;
- Confirm that Contractor Personnel Attending City Facilities are Fully Vaccinated against COVID-19 and retain records of Proof of Vaccination;
- In circumstances in which Contractor Personnel are prevented from being Fully Vaccinated for a medical reason, they must provide proof of a valid medical reason provided by a physician or registered nurse that sets out a documented medical reason for not being Fully Vaccinated against COVID-19 and the effective time period for the medical reason to the Contractor;
- In circumstances in which Contractor Personnel are unable to be Fully Vaccinated for a protected ground under the Ontario *Human Rights Code*, they must have a written attestation of such approved reason; and
- In circumstances in which Contractor Personnel (i) voluntarily choose not to disclose their vaccination status or choose not to be Fully Vaccinated and/or (ii) for Contractor Personnel with valid medical or Human Rights exemptions, the Contractor must ensure the Contractor Personnel completes regular Rapid Antigen Testing and receives a negative test result prior to Attending City Facilities with such test result provided to the Contractor and the participation of such persons in Rapid Antigen Testing and retain such records to evidence that if requested.

These requirements address the risks and impacts of COVID-19, noting the duration of the COVID-19 is unknown. The Directive and this Program Document will be reviewed on a regular basis and amended as required as new information, data, and public health guidance regarding COVID-19 evolves and will be in place until further notice. If it is determined that additional precautions are necessary, the City may decide to deploy new measures to protect employees and the public from COVID-19, and may amend the Directive and this Program Document accordingly and/or communicate the required precautions to impacted Contractors.

## **5. Vaccination Disclosure**

Upon request, Contractor Personnel Attending City Facilities shall present to the City Proof of Vaccination or evidence of a negative Antigen test completed within the last seven (7) days to ensure compliance at City Facilities.

## **6. Compliance with Health and Safety Precautions**

City contracts with Contractors have a requirement that services will be performed in compliance with all relevant laws, policies and regulations. It is the responsibility of all Contractors providing such services to ensure that all staff and personnel are compliant.

The Contractor shall ensure that all Contractor Personnel Attending City Facilities comply with the Directive and this Program Document. The Contractor shall prevent Contractor Personnel who are not in compliance with the Directive and this Program Document from Attending City Facilities.

All Contractors must continue to comply with all health and safety precautions, which will be maintained and revised in accordance with public health guidance.

## **7. Confidentiality**

No personal or confidential information shall be gathered and stored by the City as part of the Directive and this Program Document.

## **8. Consequences of Non-Compliance**

Contractors remain solely liable and shall fully indemnify the City in respect of any claim, damage, or loss that arises as a result of Contractor or Contractor Personnel's failure to comply with the Directive and this Program Document. This notice and

Program Document are binding on the Contractor and forms part of any agreement, contract, order form, or purchase order entered into by the Contractor with the City.

Failure to ensure compliance with the Directive and this Program Document shall constitute a breach of contract and the City retains the right to terminate any contract for cause.

## 9. Recordkeeping

The Contractor shall maintain all records required to demonstrate compliance by its Contractor Personnel with the Directive who attend or plan to attend City Facilities. All records shall be kept for the duration that the Directive and Program Document is in place.

## 10. Definitions

<b>Attending</b>	means to perform work or service, attending meetings, perform a site visit or have physical interaction with City employees inside City Facilities. It does not mean being on outdoor areas owned by the City.
<b>Constructor</b>	means the company and its employees who manage a construction project
<b>Contractor</b>	means all bidders, contractors, subcontractors, service providers, independent contractors, consultants, subconsultants, suppliers, and any other entity Attending City Facilities
<b>Covid-19</b>	means a virus belonging to a large family called coronavirus which includes the virus that causes the common cold and more severe diseases such as Severe Acute Respiratory Syndrome (SARs) and Middle East Respiratory Syndrome (MERS-COV). The virus that causes COVID-19 is a novel coronavirus, named SARS-CoV-2.
<b>Fully Vaccinated</b>	means the two-week anniversary after receiving a vaccination series approved by Health Canada or the World Health Organization.

<b>Proof of Vaccination</b>	means an official dose administration receipt, e.g. Government of Ontario vaccination receipt <a href="https://covid-19.ontario.ca/covid-19-vaccine-booking-support#vaccination-receipts">https://covid-19.ontario.ca/covid-19-vaccine-booking-support#vaccination-receipts</a> .
<b>Visitor</b>	means an individual entering a City Facility for purposes other than performing work (e.g. to use a washroom; to access an outdoor area that can only be accessed through an indoor route) or as otherwise described in the Provincial Regulation.

## 11. References and Resources

[City of Brampton | News | Service and Information Update](#)

[Occupational Health and Safety Act](#)

[Ontario Human Rights Code](#)