

THE CORPORATION OF THE CITY OF VAUGHAN

CORPORATE POLICY

POLICY TITLE: COVID 19: VACCINATION POLICY FOR CONTRACTORS

POLICY NO.: 15.A.02

Section:	Procurement		
Effective Date:	November 3, 2021	Date of Last Review:	November 3, 2021
Approval Authority: Administration	Policy Owner: City Manager		

POLICY STATEMENT

The City of Vaughan is committed to taking every precaution reasonable in the circumstances for the protection of the health and safety of its employees and citizens from the hazards of COVID-19 and COVID-19 variants.

Vaccination provides a high level of protection against COVID-19 and its variants lowering the risk of serious illness and hospitalization. Vaccination is a key element in the protection of City employees and citizens against the hazard of COVID-19.

This Policy is designed to protect City employees and citizens who will have in-person interactions with City Contractors and Contractor Personnel.

PURPOSE

This Policy sets out the vaccination requirements for City Contractors and Contractor Personnel.

SCOPE

This Policy applies to Contractors and Contractor Personnel who have or are likely to have sustained or regular in-person interactions with City Staff or members of the public during the performance of their work for the City.

City Contractors may also have obligations in addition to this Policy under Department-specific policy regarding COVID-19 vaccination or under regulations, legislation or guidelines applicable to them.

LEGISLATIVE REQUIREMENTS

The City, as an Employer, has an obligation under Ontario law to take all reasonable precautions to protect its Staff.

Section 25(2)(h) of the *Occupational Health and Safety Act* requires that an Employer take every precaution reasonable in the circumstances for the protection of a worker.

As:

- (i) Full Vaccination has been shown to be effective in reducing COVID-19 virus transmission and protecting vaccinated individuals from severe consequences of COVID-19 and COVID-19 variants including the Delta variant currently circulating in Ontario;
- (ii) the spread of COVID-19, including the Delta variant, within Ontario continues;
- (iii) data demonstrating a higher incidence of COVID-19 among the unvaccinated population is compelling; and
- (iv) the levels of contact between individuals as businesses, services, and activities have reopened has increased,

the City feels that requiring Contractors and Contractor Personnel to be Fully Vaccinated pursuant to the provisions in this Policy is a reasonable precaution and important health and safety requirement to protect City Staff from the hazard of COVID-19 and its variants.

This Policy is not to be interpreted to conflict with or supersede any laws applicable to the City.

DEFINITIONS

“City” and **“Employer”** mean The Corporation of the City of Vaughan.

“City Key Contact” means the City of Vaughan employee (e.g. Departmental Contract Manager or Contract Administrator or Project Manager) assigned to be the Contractor’s primary point of contact while performing the applicable Contract.

“Contract” means a service, contractor, or vendor agreement (including purchase orders) between City and Contractor.

“Contractor” means a supplier, vendor, independent contractor, consultant, service provider and other entity who provides goods and/or services under a Contract.

“Contractor Personnel” means all individuals provided by Contractor to perform services under the Contract including employees, agents, guests, invitees, representatives and consultants of Contractor and any of its subcontractors, and any other individual for whom Contractor is responsible for at law.

“Fully Vaccinated” means the full series of a COVID-19 Vaccine or approved combination of COVID-19 vaccines authorized by Health Canada and 14 calendar days have passed since the final dose. If any subsequent COVID-19 Vaccine booster(s) are required, Contractor Personnel will require such booster(s) to be Fully Vaccinated.

“Staff” means a City employee.

POLICY

Vaccination Requirement

Contractors and Contractor Personnel who have or are likely to have sustained or regular in-person interactions with City Staff or the public during the performance of their work for the City must be Fully Vaccinated.

Contractor Obligations

All Contractors shall:

- Provide written confirmation that assigned Contractors or Contractor Personnel are Fully Vaccinated prior to performing any work for the City where they have or are likely to have sustained or regular in-person interactions with City Staff or the public while performing work for the City.
- Undertake a process for reviewing, monitoring, and ensuring compliance with this Policy.
- Provide confirmation of Policy compliance and/or proof thereof if requested by City from time-to-time during the term of the Contract.

Other Contractor Health and Safety Measures

The mandatory vaccination requirements set out in this Policy are in addition to other health and safety protocols to protect against COVID-19 as prescribed in the City’s Health and Safety Directives listed below. Compliance with established worksite access controls (e.g. daily active COVID-19 screening before accessing a worksite), use of KN95 masks when masks are required, use of other appropriate/required PPE, sanitizing, maintaining appropriate physical distancing and self-monitoring of potential COVID-19 symptoms, and otherwise adhering to the provisions in Health and Safety Directives mandated by the City from time-to-time, is still required.

Contractors who participate in high risk activities or operations for which there is a greater risk of transmission of COVID-19, may be subject to additional requirements imposed by the City in order to protect public health.

City's Roles and Responsibilities

Procurement Services

- Distribute this Policy to all Contractors which have an active Contract with the City

Departmental Directors

- Are responsible for the administration of this policy for departmental Contracts
- Ensure that City Key Contacts are aware of this Policy and their obligations hereunder
- Report instances of Policy non-compliance by Contractors to the City's Chief Human Resources Officer, Director of Procurement Services and Director of Legal Services upon discovery

City Key Contacts

- Ensure that Contractors who have or are likely to have sustained or regular in-person interactions with City Staff or the public while performing work for the City provide written confirmation that assigned Contractors or Contractor Personnel are Fully Vaccinated prior to performing any work for the City.
- Immediately notify their Director of instances of non-compliance
- Avoid gathering personal health information of Contractor Personnel to confirm compliance with this Policy

Human Resources and Legal Services

- Work with Departments and Contractors to address Policy non-compliance

Ongoing Monitoring and Assessment of COVID-19 Safety Measures

This Policy will be reviewed regularly and is subject to change as the COVID-19 pandemic evolves and as the City is guided by Public Health.

If it is determined that additional precautions are necessary, the City may decide to deploy new measures (including at an individual level) to protect employees and the public from COVID-19 and its variants, and may amend this Policy accordingly and/or communicate the required precautions to impacted Contractors.

City may establish exceptions, introduce or extend deadlines, or amend this Policy as may be necessary or deemed prudent by the City, having regard to all relevant factors and to ensure the Policy's ongoing responsiveness to public health and safety developments and conditions, legal developments, and City's activities and operations.

Consequences of Non-Compliance

Non-compliance with this Policy and/or false confirmations of compliance may result in Contractor Personnel being denied access to the City worksites, affect performance

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evaluations, contract renewals and future business opportunities with the City, and the City otherwise exercising its rights under contract, law and/or equity. City (itself or through an agent) may perform audits of Contractors to ensure compliance with this Policy.

Any delays in deliverables or performance implications as a result of a Contractor’s failure to comply with this Policy shall be the responsibility of the Contractor. The Contractor shall be responsible for all costs associated with such delays or non-performance.

Related Documents:

City of Vaughan Health and Safety Directive: Worksite Visits During COVID-19

City of Vaughan Health and Safety Directive: Mandatory Mask or Face Coverings in Public Settings Facilities

City of Vaughan Health and Safety Directive: COVID -19 Active Screening Protocol When Attending City Facilities

ADMINISTRATION

Administered by the Office of the City Clerk.

Review Schedule:	SELECT As required	Next Review Date:	As required
Related Policy(ies):	City of Vaughan Mandatory Covid-19 Vaccination Policy 13.A.09		
Related By-Law(s):	None		
Procedural Document:	TBD		

Revision History

Date:	Description:
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