

COVID-19 Vaccination

Policy

LABC requires mandatory vaccination for COVID-19 to provide a safe and healthy workplace during the COVID-19 pandemic.

Purpose

British Columbia's Provincial Health Office (PHO) recognizes that being fully vaccinated is the most effective way to reduce the risk of COVID-19 transmission. This policy aims to protect the health and safety of employees and clients by minimizing the risk of COVID-19 transmission in LABC workplaces and within our communities, while balancing the privacy and human rights of employees.

Application

This policy applies to all LABC offices, employees and contractors, but not to tariff lawyers, local agents, and community partners. Any reference to "employees" includes contractors, except where indicated.

Responsibility: Vice President, Corporate Services.

Questions to: The employee's supervisor. Supervisors may contact the Manager, Human Resources, for guidance.

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General Principles

Mandatory vaccination

All employees must be fully vaccinated for COVID-19 by January 10, 2022, unless they obtain an approved exemption to this policy.

“Fully vaccinated” means a person has received all doses of a Health Canada-approved COVID-19 vaccine series as required by the PHO, and at least two weeks have passed following receipt of the final dose.

Disclosure and proof of vaccination status

Employees must provide proof of vaccination by showing Human Resources (HR) a digital or paper version of their BC Vaccine Card (or provide equivalent proof of vaccination from another province or country of a Health Canada-approved COVID-19 vaccine). Emailed, photocopied, or verbal verifications will not be accepted as proof of vaccination.

Employees who are on short-term disability, long-term disability, or other approved leave and are unable to provide proof of vaccination by January 10, 2022, will be required to provide proof prior to their return to work.

Accommodation

Employees may request an accommodation for exemption from this policy based on a medical condition or other protected ground as defined under the *BC Human Rights Code*.

For an exemption on medical grounds, employees should advise the Manager, HR, of their intention to seek an exemption. Employees must submit supporting medical information from a qualified doctor to a third-party adjudicator, who will make a decision on their medical exemption request.

For an exemption on other protected grounds, employees must submit a request in writing to the Manager, HR, that contains complete and accurate information describing the need for accommodation.

The third-party adjudicator, or the Manager, HR, as applicable, has the right to ask for and collect additional information to assess the merits of an accommodation request and to establish reasonable accommodation. Requests for accommodations will be reviewed on a case-by-case basis and each case will be assessed on its own merits.

If a request for accommodation is not resolved by January 10, 2022, alternative work arrangements will be considered until a decision on accommodation is made. Employees who fail to comply with a reasonable alternative work arrangement can be placed on leave without pay and may be subject to disciplinary action up to and including termination.

Employees with an approved medical or other human rights exemption must comply with the employer’s reasonably established accommodation. Employees who fail to participate in the accommodation process can be placed on leave without pay and may be subject to disciplinary action up to and including termination.

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Collection of personal information

Personal information on vaccination status, medical exemptions and accommodation requests will be treated with confidentiality, and collected, retained, used, and disclosed in accordance with the *BC Freedom of Information and Protection of Privacy Act*.

New employees

The requirement to be fully vaccinated will be included in all job postings and offer letters. Verification of vaccination status will occur as part of the hiring confirmation process or as part of pre-employment assessment and screening.

Visitors to LABC offices

Visitors, other than clients, who come to an LABC office to attend a meeting, training session, or other event with LABC employees, must be fully vaccinated.

Non-compliance

Employees who have not provided proof of being fully vaccinated by January 10, 2022 and who have not requested and/or been granted an accommodation, or who are unwilling to disclose their vaccination status, will be placed on leave without pay for up to three months. Employees who are not fully vaccinated after the three-month leave period may be terminated.

Employees who provide false or misleading information about their vaccination status and/or as part of a request for accommodation, may be subject to disciplinary action, up to and including termination of employment.

Employees who are placed on leave can use accrued vacation or banked overtime in lieu of leave without pay.

Contractors who fail to comply with this policy by January 10, 2022 will have their contract terminated.

Policy review

This policy will be reviewed and revised, as needed, as the COVID-19 situation and PHO guidance and directives change.

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History

November 30, 2021 EMC Approved: New policy.

SEE [POLICY](#) AND [FORMS](#) PAGES FOR: Other policies and forms referenced in this document.

SEE [FAQs](#) FOR: Additional details about this policy and its implementation.

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Procedure

Disclosure and proof of vaccination status

1. Employee provides proof of vaccination in-person or via a live videoconference.
2. HR records employee's name and date proof of vaccination was received.

Accommodation

Type	Decision-maker	Process
Medical Grounds	Third-party adjudicator	Email Manager, HR of intention to apply for an exemption on medical grounds. The Manager, HR will email you further instructions and documents to complete.
Other Prohibited Ground pursuant to BC Human Rights Code	Manager, HR	Email Manager, HR of intention to apply for an exemption. The Manager, HR will email you further instructions and documents to complete. For an exemption on religious grounds, you will need to complete a form and include a letter of support from your faith leader.

Visitors to LABC offices

1. LABC meeting organizer informs visitor(s) that they must complete a COVID-19 self-assessment prior to entering LABC offices, and that they must confirm their vaccination status upon arrival at the LABC office by showing their BC Vaccine Card (or equivalent) to the meeting organizer.
2. If the visitor(s) visits LABC offices on a regular basis, they do not need to confirm their vaccination status at each subsequent visit, but they must complete a self-assessment each visit.