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1. GENERAL

- 1.1 In accordance with the Emergency Measurers Act, the Lieutenant Governor in Council may issue orders and regulations to prepare and maintain disaster assistance policies and guidelines for emergencies and disasters in Manitoba.
- 1.2 The Lieutenant Governor in Council may designate a corporation or other person, organization or entity that provides a critical service, other than a local authority or a department, as a critical service provider.
- 1.3 As an educational facility, the Winnipeg School Division (WSD) has been deemed as a critical service provider under the Emergency Measurers Act and will be subject to any Public Health Orders issued by the Province of Manitoba.
- 1.4 The Board of Trustees recognizes the right of each student to a public education in the least restrictive environment. The Board also recognizes its responsibility to protect the health and safety, rights, and privacy of the entire school community during a public health emergency.
- 1.5 In accordance with the Public Schools Acts and the Workplace Safety and Health Act, Winnipeg School Division (WSD) is committed to providing a safe environment for all students, parents, staff and all members of our community who volunteer or visit our schools.
- 1.6 WSD will adhere to Manitoba Public Health Orders during a public emergency that compels all employers providing services to vulnerable populations (including children) to observe all public orders.
- 1.7 In order to reduce the risk of transmission of COVID-19, WSD may restrict visitor access to all schools/buildings subject to compliance with the requirements.
- 1.8 All parents/guardians/visitors over the age of 18 must comply with Public Health Orders regarding vaccination and testing in schools and buildings.

2. DEFINITIONS

2.1 Fully Vaccinated

For the purpose of this policy, “fully vaccinated” shall mean individuals who have received both doses (any combination) of an approved two dose COVID-19 vaccine (AstraZeneca, Pfizer, Moderna), or a single dose of an approved single dose COVID-19 vaccine (Janssen/Johnson & Johnson) with more than 14 days having passed since the final vaccination was received, which definition shall be subject to ongoing amendment and compliance with the Manitoba Public Health definition of “full vaccination” which may exceed the current dosage definition.

2.2 Employees

All employees, for the purpose of this policy, includes but is not limited to teachers, educational support staff, school administration staff, division/office staff, custodial staff, bus drivers, trades, child care staff working in school-based early learning and child care facilities, clinical and health care related occupations in schools; volunteers; and post-secondary practicum students



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2.3 Visitors

A visitor is defined as anyone who is not a WSD employee.

2.4 Proof of Vaccination

WSD will accept as proof of COVID-19 vaccination status, along with photo identification:

- A digital or physical version of the Manitoba Immunization Card;
- A secure printed provincial immunization record from either Public Health or the Shared Health online portal that shows immunization dates;
- National Defence Canada COVID-19 Vaccine Record or card; or
- Canadian Public Health Association (CPHA) Travel Vaccination Record
- Pan-Canadian proof of vaccination

2.5 Designated Supervisor

For the purpose of verifying vaccination status or rapid testing results, the Principal has been named by the Chief Superintendent/CEO as the Designated Supervisor and the Vice-Principal in the absence of the Principal or the Teacher in Charge where a Vice-Principal does not exist. For all non-school buildings, the Chief Human Resources Officer will advise employees of their designated supervisor.

2.6 Emergency Response Personnel

Public health and safety, social welfare and/or emergency response personnel (such as police officers, first responders, social workers or public health nurses) performing duties in scope of their legal authority or professional responsibilities may still attend schools to carry out their duties.

3. EMPLOYEE VACCINATION AND TESTING REQUIREMENTS

- 3.1 All employees, including but not limited to teachers, educational support staff, school administration staff, division/office staff, custodial staff, bus drivers, trades, child care staff working in school-based early learning and child care facilities, clinical and health care related occupations in schools; volunteers; and post-secondary practicum students, are required to provide proof of full vaccination or submit to testing “up to three times per week.”
- 3.2 The testing requirements do not apply during the period when employees are directed to temporarily work from home. Employees will receive 48 hours’ notice to return to work and will be required to submit the results of a test conducted by a WSD rapid testing site/clinic prior to entering the school or building.

4. VACATION, WINTER, SPRING, SUMMER BREAK

- 4.1 Testing will be discontinued during the period an Employee is on a Vacation exceeding five days or more or during Winter, Spring, Summer Break.
- 4.2 Testing must resume 48 hours prior to entering a school or building.



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5. VISITOR VACCINATION AND TESTING REQUIREMENTS

- 5.1 All visitors are required to display proof of full vaccination to the Designated Supervisor prior to entering WSD properties or provide proof of a pharmacist confirmed negative antigen test result within 48 hours of entering a school or facility

6. EXEMPTIONS/ACCOMMODATIONS/RELIGIOUS/DISABILITY

- 6.1 In accordance with the Human Rights Code, any individual who is unable to be vaccinated due to a protected right under the Code may request an exemption.
- 6.2 WSD will accommodate any employee who is legally entitled to accommodation to the point of undue hardship.
- 6.3 Any employee requesting an exception/accommodation must participate in the accommodation process and provide reasonable and necessary information requested by the Chief Human Resources Officer for approval, failing which, WSD may be unable to provide any accommodation.
- 6.4 An employee who is requesting an exemption due to a medical condition must submit a letter from a licensed physician.

7. PREVENTION OF HARASSMENT OR DISCRIMINATION

- 7.1 In accordance with WSD Policy GCPDA – Harassment Prevention; WSD will not tolerate harassment, or any forms of bullying or discrimination against any individual based on their vaccination status.
- 7.2 The handling of complaints or incidents of harassment involving a staff member shall be treated as a disciplinary issue and shall be addressed in accordance with Policy GCP – Discipline and Discharge.
- 7.3 Complaints or incidents of harassment involving or caused by parents or visitors may result in exclusion from Division facilities.

8. RESPONSIBILITIES

8.1 Chief Superintendent/Chief Executive Officer

The Chief Superintendent/Chief Executive Officer is responsible for the implementation of this policy. The Chief Superintendent/CEO will closely monitor the requirements and recommendations of the Department of Education, Manitoba Public Health and the Governments of Manitoba and of Canada,

8.2 Chief Human Resource Officer

The Chief Human Resource Officer is responsible for the collection, maintenance and destruction of records related to Vaccination and Testing of all employees in accordance with the Freedom of Information and Protection of Privacy Act (FIPPA) and Personal Health Information Act (PHIA) and Record Retention Policy.



8.3 Superintendents and Directors

The Superintendent of Education Services/Director shall be responsible for confirming vaccination status and monitoring COVID -19 testing compliance of Principals on a regular basis.

8.4 Principal

The Principal/designate has been appointed by the Chief Superintendent/CEO and shall be responsible for the following:

- a) confirming vaccination status and monitoring COVID -19 testing compliance in schools on a regular basis.
- b) ensuring that all vaccination and testing results will be kept confidential and stored in a secure locked location in accordance with Freedom of Information and Protection of Privacy Act and Personal Health Information Act.

8.5 Employee

All employees will be required to disclose and provide proof of full COVID-19 vaccination status to their Designated Supervisor. Employees who are not fully vaccinated against COVID-19 or who do not disclose their COVID-19 vaccination status will be required to undergo COVID-19 testing up to three times per week as follows:

- a) WSD shall provide all employees with COVID- 19 testing kits.
- b) An employee who is not at work or not on site on a day that they are scheduled to be tested by a WSD rapid test site/clinic, must provide the results of the test within 48 hours upon their return to work or to the facility.
- c) Employees will be required to attend an appointment once a week with a healthcare practioner as identified by WSD to conduct an observed COVID-19 Test during non-working hours.
- d) Employees will be required to submit a attestation form signed by a health practitioner to the Designated Supervisor that the COVID-19 Test was completed.
- e) An employee receiving a positive test result following such a test must:
 - inform their immediate supervisor;
 - attend a Rapid Testing Site for a confirmatory test;
 - isolate and follow the advice of public health; and
 - return to work upon the advice of public health.

9. DISCIPLINE

- 9.1 Employees who make false attestations related to vaccination status or testing will be subject to disciplinary action up to and including termination of employment.
- 9.2 Employees who fail to comply with the policy may be subject to disciplinary action up to and including termination of employment.



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9.3 Volunteers are subject to clause 3.1 and 3.2, with the exception that access to school division property will be restricted and/or removed until conditions outlined in this policy are met.

10. PRIVACY

10.1 School divisions are required to comply with FIPPA and PHIA legislation, which governs access to and protection of personal information or personal health information, and addresses the collection, use, disclosure, security and independent review process relating to personal information.

10.2 Schools are required to meet certain obligations in regard to the collection, use, retention and destruction of any personal information or personal health information collected under FIPPA or PHIA legislation.

10.3 WSD shall collect, use and disclose information regarding an employee/volunteer vaccination status in accordance with FIPPA/PHIA for the purpose of complying with Public Health Orders.

10.4 All vaccination and testing results will be kept confidential and stored in a secure locked location.

11. BREACH OF PRIVACY

11.1 A Breach of Privacy occurs when Personal Information, including Personal Health Information, is collected, accessed, used, disclosed, transported, transmitted, transferred or destroyed other than as authorized, or when the accuracy, confidentiality or integrity of the information is compromised and therefore is in violation of PHIA. Breaches may include, but are not limited to, the viewing of Confidential Information by unauthorized individuals, the access, theft or loss of Division Records and the unauthorized destruction of such information by deliberate means or by human or natural accident.

11.2 All breaches are required to be reported immediately to the Access and Privacy Coordinator as follows:

- a) Any Person Associated with WSD who becomes aware of a possible or actual Breach of Privacy, shall immediately report the possible or actual Breach of Privacy to the Access and Privacy Officer and/or Coordinator, who shall take immediate steps to contain the Breach.
- b) All Breaches of Privacy will be investigated by the Access and Privacy Officer and Coordinator.
- c) The Access and Privacy Officer and Coordinator will make recommendations for immediate and long-term corrective measures as necessary to protect the confidentiality, integrity and security of all Personal Information and Personal Health Information.
- d) If it is determined that a Breach of Privacy has occurred, appropriate remedial action shall be taken by WSD. Such action may include disciplinary action, which will be implemented pursuant to and in accordance with the relevant collective agreement, WSD policies or by-laws.
- e) The Access and Privacy Officer and Coordinator will act as a resource for all persons associated to WSD regarding appropriate action to be taken following a Breach of Privacy.