

Vaccination Policy

Effective Date February 7, 2022

1.0 Background

Nch'Kay DC is committed to maintaining a safe and healthy workplace. In particular the health and safety of our employees, contractors, members and visitors continues to be a priority as we navigate the COVID-19 pandemic.

Nch'Kay is committed to taking every precaution reasonable in the circumstances for the protection of health and safety from the hazard of COVID-19.

Nch'Kay also seeks to align its response to COVID-19 with that of the Federal and Provincial governments. Both these governments have issued policies requiring their employees to become fully vaccinated as a condition of continued work.

Vaccines are safe and effective. On September 16, 2021, Health Canada granted full approval to the Moderna Spikevax COVID-19 vaccine and the Pfizer-BioNTech Comirnaty COVID-19 vaccine. The AstraZeneca Vaxzevria COVID-19 vaccine and Janssen (Johnson & Johnson) COVID-19 vaccine also are readily available to the public and have received emergency use authorization.

Nch'Kay is implementing this policy effective February 7, 2022, to ensure a safe working environment in which employees and contractors of Nch'Kay are fully vaccinated in order to deliver services to our members and visitors, in a safe and effective manner. Department specific mandatory vaccination policies take precedence over this policy.

2.0 Policy

Effective February 7, 2022, Nch'Kay will require all individuals to be fully vaccinated as a condition of:

1. Entering Nch'Kay's offices or facilities.
2. Attending gatherings and events that are hosted by Nch'Kay; and
3. Providing services to Nch'Kay's clients and members.

This policy applies to all individuals, including employees and contractors of Nch'Kay; as well as visitors and third parties. Nch'Kay will provide an exception to third parties whose attendance or service is incidental and short (i.e. no more than five minutes), such as courier deliveries. However, those individuals must still fully comply with the Nch'Kay's WorkSafeBC COVID-19/Communicable Disease Prevention plan.

In this policy, “fully vaccinated” means a person who is at least seven days post-receipt of the full series of a World Health Organization (“WHO”) approved vaccines against infection by SARS- CoV-2, or a combination of approved WHO vaccines (AstraZeneca, Moderna or Pfizer) or two weeks after a single-dose vaccine (Johnson & Johnson).

The requirements set forth in this policy will be subject to the accommodations discussed below.

This policy does not change the requirement for compliance with Nch’Kay’s WorkSafeBC COVID- 19/Communicable Disease Prevention plan - this includes that no individual, regardless of vaccination status, may enter Nch’Kay ‘s offices or facilities, attend a hosted event or gathering, or provide services to a member or client if exhibiting COVID-19 symptoms, as set out in Nch’Kay’s WorkSafeBC COVID-19/Communicable Disease Prevention Plan.

3.0 Administration

Employees of Nch’Kay are responsible for scheduling and obtaining all recommended COVID-19 vaccine doses and may get the vaccine during regularly scheduled work hours.

Nch’Kay will pay for time spent getting the vaccine, including travel to and from the vaccine site, if done during regular work hours, up to three hours per vaccine injection. **Nch’Kay will not reimburse employees who were vaccinated prior to the issuance of this policy.**

All individuals must provide:

1. Proof they are fully vaccinated. Proof may be through their vaccine card or through an approved BC Government Health Gateway vaccine QR code; or
2. Documents supporting a medical or religious reason for not being fully vaccinated. Individuals who provide documents supporting a valid reason for not being vaccinated will be accommodated as set out below.

Employees and contractors should provide proof of vaccination status or documents supporting an accommodation as soon as possible and no later than by February 7, 2022.

Nch’Kay will keep an employee’s vaccination documentation confidential from third parties in accordance with Nch’Kay’s privacy policies. This information will only be used to the extent necessary for implementation of this policy, for administering health and safety protocols, and infection and prevention control measures in the workplace. This information will be kept separate and apart from employee files and will only be retained as long as necessary to achieve the purposes for which the information is collected.

4.0 Accommodation

Nch'Kay provides reasonable accommodations, absent undue hardship, to individuals with medical conditions that may be a contraindication to the COVID-19 vaccines. Nch'Kay also provides reasonable accommodations, absent undue hardship, to employees with sincerely held religious beliefs that may conflict with taking the COVID-19 vaccine.

Nch'Kay will engage in a dialogue with an individual who requests a legally protected accommodation to determine the precise limitations of that individual's ability to comply with this mandatory vaccination policy and explore potential reasonable accommodations. Nch'Kay encourages individuals to suggest specific reasonable accommodations; however, Nch'Kay is not required to make the specific accommodation requested and may provide an alternative effective accommodation, if available.

Employees may request a reasonable accommodation in writing to their Supervisor Manager. See Appendix A - COVID-19 Vaccination Exemption Request Form. The Supervisor Manager will then bring the accommodation request to the Human Resources Department and COO.

All other individuals should make a written request for an accommodation directly to the HR Department and COO.

Nch'Kay makes determinations about requested accommodations on a case-by-case basis considering various factors and based on an individualized assessment of each situation. Possible accommodations include but are not limited to:

1. Regular COVID-19 testing.
2. Remote Work.
3. Rescheduled shift times or locations to maximize physical distancing; and
4. Unpaid leave of absence.

5.0 New Employees

New employees hired by Nch'Kay are required to be fully vaccinated against COVID-19 as a condition of being hired. All offers of employment will be conditional on the candidate providing proof of full vaccination. If that candidate requires accommodation based on a ground protected by applicable human rights legislation, this will be reviewed and addressed by the Human Resources Department.

6.0 Continued Applicability of Other Policies

This policy is designed for use together with, and not as a substitute for, other policies and COVID-19 prevention measures.

All individuals must continue to use personal protective equipment and abide by the COVID-19/Communicable Disease Prevention plan, whether they have been vaccinated against COVID-19 or not. This includes complying with infection prevention practices, such as handwashing and sanitizing, safe physical distancing, wearing a mask, staying home if sick, and informing management if they experience any symptoms related to COVID-19.

7.0 Policy Modification

Government and public health guidelines and restrictions, as well as business and industry best practices regarding COVID-19 and COVID-19 vaccines are changing rapidly as new information becomes available and further research is conducted. Nch'Kay reserves the right to modify this policy at any time in its sole discretion.

8.0 Enforcement and Non-Retaliation

Failure to comply with this policy for employees may result in discipline, up to and including termination of employment. For contractors it may result in a termination of their services agreement. For other parties it may result in a ban from Nch'Kay offices, facilities, or other locations.

Nch'Kay will not retaliate against individuals who report violations of this policy, or other health and safety concerns regarding the workplace. Nch'Kay also will not retaliate against individuals for reporting that they have COVID-19 or have been exposed to a person who has COVID-19; although, of course, Nch'Kay will take appropriate precautionary measures to protect others in the workforce.

An employee's vaccination status is very personal and must be respected. Employees who have questions concerning their workplace safety should bring this matter to the attention of their Supervisor Manager. The Supervisor Manager will then bring this matter to the attention of the COO and Human Resources Department.

9.0 COVID-19 Resources

BC Government COVID-19 Response

<https://www2.gov.bc.ca/gov/content/covid-19/info/response>

BC Center for Disease Control COVID-19

<http://www.bccdc.ca/health-info/diseases-conditions/covid-19>
