

ACADEMIC COUNCIL REPORT

SESSION:

Public

ACTION REQUESTED:

Decision
Discussion/Direction
Information

TO: Academic Council

DATE: August 24, 2021

PREPARED BY: Niall O'Halloran, Policy and Compliance Advisor

SUBJECT: Written Policy Instrument Consultation Opportunity

ACADEMIC COUNCIL MANDATE:

- Under the Policy Framework, Policy Owners must consult with Academic Council before presenting draft policy instruments to the approval authority for approval.
- We submit this report to inform you of the opportunity to review draft policy instruments and provide written comments before they are presented to the relevant Approval Authority.

POLICY INSTRUMENT(S) AVAILABLE FOR CONSULTATION:

- Draft COVID-19 Mandatory Vaccination Directive

HOW TO COMMENT:

- Academic Council members can provide written comments by email to policy@ontariotechu.ca. Comments will be shared with the relevant Policy Owner for consideration.
- The comment period will be open until 3:00 pm on August 27, 2020.

NEXT STEPS:

- Academic Council members can provide written comments by email to policy@ontariotechu.ca.
- A summary of comments on each instrument will be provided to the relevant deliberative body and approval authority.

SUPPORTING REFERENCE MATERIALS:

- Draft COVID-19 Mandatory Vaccination Directive



Classification Number	ADM 1304.04
Parent Policy	Booking and Use of University Space
Framework Category	Administrative
Approving Authority	Provost and VP Academic
Policy Owner	Provost and VP Academic
Approval Date	DRAFT FOR REVIEW
Review Date	
Supersedes	

COVID-19 MANDATORY VACCINATION DIRECTIVE

PURPOSE

1. The purpose of this Directive is to support efforts to prevent the spread of COVID-19 within the university community by establishing a requirement for mandatory COVID-19 vaccination before permitting University Members and other individuals to enter University Space, including indoor and outdoor University Space.

DEFINITIONS

2. For the purposes of this Directive the following definitions apply:

“Approved Vaccine” means a COVID-19 vaccine approved by Health Canada or the World Health Organization.

“Fully Vaccinated” means that:

- An individual has received all required doses for a series of an Approved Vaccine; and
- 14 days have passed since completing the course of doses.

“Partially Vaccinated” means that:

- An individual has received only a single dose of a two-dose course of an Approved Vaccine; or
- An individual has received all required doses for a series of an Approved Vaccine, but 14 days have not passed since completing the course of doses.

“Public Health Guidance” means the guidance of the [Public Health Authority of Canada](#) (PHAC), Ministry of Health, and Durham Region Health Department (DRHD). Where guidance from these organizations conflicts, the Durham Region Health Department’s guidance prevails.

“University Space” means any location owned, leased, rented or otherwise occupied by the University and made available for use.

“University Member” means any individual who is:

- Employed by the University or holding an appointment with the University, including paid, unpaid and/or honorific appointments (**“Employee”**);
- Registered as a student, in accordance with the academic regulations of the University (**“Student”**); and/or

- Otherwise subject to University policies by virtue of the requirements of a specific policy (e.g. Booking and Use of University Space) and/or the terms of an agreement or contract.

SCOPE AND AUTHORITY

3. This Policy applies to all University Members in University Space and all other individuals in University Space.
4. The Provost and Vice-President Academic, or successor thereof, is the Policy Owner and is responsible for overseeing the implementation, administration and interpretation of this Directive.

DIRECTIVE

5. **Effective Date:** This Directive takes effect September 3, 2021.
6. **Mandatory Vaccination**
 - 6.1. University Members and all other individuals in University Space must be Fully Vaccinated by October 17, 2021 as a condition of entering University Space.
 - 6.2. As of October 17, 2021, Unvaccinated and Partially Vaccinated individuals will no longer be permitted to enter University Space without an approved accommodation plan or until they become Fully Vaccinated.
7. **Proof of COVID-19 Vaccination**
 - 7.1. Individuals entering University Space will be required to provide proof of having been Fully Vaccinated on or before the date they intend to enter University Space.
 - 7.2. University Members will be required to upload an official document issued by government or the organization that administered the vaccine using the provided software/mobile application. This document will include, at a minimum:
 - a) Individual's name;
 - b) Date of vaccine dose (either the complete single dose, or second dose in the case of a two-dose series); and
 - c) Name of the organization that issued the document.
 - 7.3. Individuals who make false declarations about, or provide false documents related to, being vaccinated may be subject to disciplinary actions, in accordance with a collective agreement or university policy, as applicable, up to and including, but not limited to:
 - expulsion for students,
 - termination for employees,
 - termination of contracts for material breach for contractors and
 - removal/restriction from campus for visitors and/or any other attendees.
 Such individuals could also be at risk of criminal and/or civil liability.

8. Privacy

- 8.1.** Personal information, including vaccination status and official documents, collected by Ontario Tech will be collected, disclosed, used, stored and retained in accordance with Ontario Tech's Freedom of Information and Protection of Privacy Policy and the Freedom of Information and Protection of Privacy Act. Access to this information will be limited within the University on a strict need-to-know basis.
- 8.2.** Personal information will be reviewed by authorized Ontario Tech staff and will be disposed of as soon as possible after review. [NTD: Provide information about limitations to disposal of information due to backup/mirroring of data.]

9. Accommodation

- 9.1.** The University is committed to promoting an environment where everyone has an equal opportunity to contribute to their fullest potential and where all are treated with sensitivity, fairness and respect. Anyone who cannot be vaccinated, based on medical or other grounds recognized by the Ontario Human Rights Code, can request an accommodation to be considered on an individual case-by-case basis.
- 9.2.** Individuals who receive an accommodation based on grounds recognized by the Ontario Human Rights Code are legally required to be accommodated and will be accommodated to the point of undue hardship.
- 9.3.** In certain cases, individuals who are granted accommodations to attend campus without being Fully Vaccinated may be subject to additional conditions that are deemed to be in the best interests of the health and safety of the individual and the broader community, including but not limited to: heightened health and safety measures, alternative work and study arrangements, and rapid COVID-19 testing.
- 9.4.** An approved accommodation plan must be in place prior to entering University Space.

10. Accommodations for students

- 10.1.** Student requests for accommodation will be handled formally pursuant to the University's Accommodation Policy and applicable Academic Accommodation for Students with Disabilities Procedures.
- 10.2.** A request for accommodation will be submitted using a COVID-19 Vaccine Accommodation Request Form. Forms will be submitted to and reviewed by Student Accessibility Services.

11. Accommodations for employees

- 11.1.** Employee requests for accommodation will be handled formally pursuant to the University's Accommodation Policy and applicable Accommodation for Employees and Job Applicants with Disabilities Procedures.
- 11.2.** A request for accommodation will be submitted using a COVID-19 Vaccine Accommodation Request Form. Forms will be submitted to and reviewed by [Julie Day](#), Health and Disability Management Specialist.

MONITORING AND REVIEW

10. This Directive will be reviewed as necessary and at least every year and is subject to change at any time in accordance with Public Health Guidance. The Provost and Vice-President, Academic, or successor thereof, is responsible to monitor and review this Directive and related public health direction.

RELEVANT LEGISLATION

11. Human Rights Code, R.S.O. 1990, c. H.19
Occupational Health and Safety Act, R.S.O. 1990, c O.1, as amended
Freedom of Information and Protection of Privacy Act, R.S.O. 1990, Chapter F.31

RELATED POLICIES, PROCEDURES & DOCUMENTS

12. Booking and Use of University Space Policy
Booking and Use of University Space Procedures
Student Conduct Policy
Accommodation Policy
Procedures for Accommodating for Employees and Job Applicants with Disabilities
Procedures for Academic Accommodation for Students with Disabilities