

# **Mayne Island Improvement District**

## **Pandemic/Vaccination Policy**

### **POLICY OBJECTIVE**

The Mayne Island Improvement District (the “District”) is committed to providing a safe working environment for our Employees, our customers and members of the public with whom we interact regularly.

The purpose of this policy is to set out the expectation and requirements of Employees with respect to vaccinations as recommended by the BC Public Health Officer further to declaration of a pandemic under the *Public Health Act*

Mayne Island Fire Rescue (“Fire Rescue”) provides an essential public service to our community and works collaboratively with other first responder organizations including police and ambulance services. Fire Rescue is a small organization, and its effectiveness relies on the ability of its trained and dedicated Employees being able to respond.

Fire Rescue’s ability to respond would be severely compromised if there was a significant outbreak at the Workplace. The nature of the job requires that most Employees will have in-person contact with the public and work in proximity with each other. Fire Rescue routinely collaborates with other first responders in our community including the ambulance service and RCMP. Some Employees also work with other first responder agencies.

### **DEFINITIONS**

For purposes of this policy:

**“Accommodation”** means measures to prevent pandemic infection such as: a temporary or permanent adjustment to working conditions, work assignments, policies, rules, practice, programs, or the physical work environment; additional use of personal protective equipment; loss of access to specified locations; increased social distancing or working behind physical barriers.

**“Contractor”** is a self-employed person who provides services through a contract, rather than being an employee with benefits.

**“Employee”** means an individual employed by the District with full-time, part-time or casual, status. For the purposes of this policy, individuals on the paid-on-call firefighter roster maintained by the Fire Chief are considered Employees.

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**“Employee unable to be Fully Vaccinated”** means an Employee that cannot be Fully Vaccinated due to a certified medical contraindication, religion, or other ground of discrimination as defined in the BC Human Rights Code.

**“Employees who are not Fully Vaccinated”** means Employees refusing to disclose their vaccination status, Employees unable to be Fully Vaccinated for whom Accommodation is not granted and where the Employee is still unwilling to be vaccinated, and Employees who have attested that they are not Fully Vaccinated.

**“Fully Vaccinated”** means an individual has received the total recommended and available vaccine(s) related to the specific pandemic, and the last dose has been received at least fourteen days before the date of self-declaration of vaccination status. Given the changing nature of any pandemic, if public health authorities announce a different meaning of “Fully Vaccinated,” that definition will take precedence.

**“High-Risk Employee”** means an Employee whose position and duties involve frequent, prolonged, and close in-person contact at the Workplace with other Employees, first responders, or the public. All regular, part-time, casual, and paid-on-call Employees are deemed to be High-Risk Employees. The risk profile of contract employees and volunteers will be determined on a case-by-case basis.

**“Low-Risk Employee”** means a contract employee or volunteer whose risk profile (frequency, duration, and number of in-person contacts at the Workplace) is low and for whom Accommodation can be made.

**“Medical Documentation”** means documentation outlining medical reason(s) for not being Fully Vaccinated provided by a licensed physician or nurse practitioner.

**“Pandemic”** means a declared public health emergency as declared by the BC Provincial Health Officer.

**“Proof of Vaccination”** refers to acceptable documentation as recommended by the BC Provincial Health Officer that confirms an individual has received one or more doses of Vaccine.

**“Reasonable Accommodation”** means the requirement under the BC Human Rights Code for an employer to accommodate an Employee up to the point of undue hardship in relation to certain prohibited grounds of discrimination.

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**“Vaccine”** for the purposes of this policy means vaccines approved by Health Canada for the mitigation of the declared pandemic, which may be amended and updated from time to time.

**“Workplace”** refers to all District worksites including the Fire Hall, administration office, temporary worksites, operational response scenes, working remotely, and teleworking.

### **SCOPE OF POLICY**

This policy applies to all Employees, Trustees, volunteers, and public appointees to select and standing committees of the Mayne Island Improvement District and Mayne Island Fire Rescue.

### **STATEMENT OF POLICY**

The Mayne Island Improvement District and Mayne Island Fire Rescue requires all High-Risk Employees to provide proof that they are Fully Vaccinated or unable to be Fully Vaccinated to the Corporate Administrative Officer or their designate by a date to be specified by the Corporate Administrative Officer.

High-Risk Employees who are not Fully Vaccinated will be restricted from accessing the Workplace and will be placed on unpaid general leave of absence for up to six months. If High-Risk Employees are still not Fully Vaccinated within six calendar months, the District may terminate their employment. (Also see Leave of Absence Policy.)

The risk profile of contracted employees and volunteers will be assessed on a case-by-case basis. At the discretion of the Corporate Administrative Officer, those contracted Employees and volunteers determined to be Low-Risk Employees will be allowed to attend the Workplace with appropriate Accommodation.

Application of this policy is detailed in Attachment 1 to this policy.

### **BOARD OF TRUSTEES’ DISCRETION**

Given the nature of pandemics, the provisions set out in this policy are subject to review by the Board of Trustees no less than once every six months from the date of the policy being invoked (i.e., a pandemic declaration by the BC Public Health Officer) or last review. More stringent Orders set out by the BC Provincial Health Officer and WorkSafe BC requirements take precedence over provision(s) of this policy.

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### **REFERENCES**

Human Rights Code [RSBC1996] CHAPTER 210

WorkSafe BC

Provincial Health Orders

### **Attachment 1**

#### **Pandemic Vaccination Policy Application**

#### **APPLICATION OF THE PANDEMIC VACCINATION POLICY**

All High-Risk Employees of the Mayne Island Improvement District and Mayne Island Fire Rescue must provide proof of being Fully Vaccinated against pandemic level viruses and diseases that have resulted in a pandemic declaration by BC Provincial Health Officer, unless granted a Reasonable Accommodation based on a certified medical contraindication, religion or another prohibited ground for discrimination as defined in the BC Human Rights Code.

### **RESPONSIBILITIES**

#### **1. Mayne Island Improvement District**

The Corporate Administrative Officer or designate is responsible to:

- Ensure Employee compliance with this policy, including reviewing Proof of Vaccination.
- Consider requests for Accommodation under the BC Human Rights Code.
- The Corporate Administrative Officer will determine, in consultation with the Fire Chief whether a Reasonable Accommodation would result in undue hardship.

#### **2. Employees**

It is the responsibility of Employees to:

Reviewed and adopted on December 22, 2021

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- Provide Proof of Vaccination to the Corporate Administrator.
- Follow public health guidance.

### **3. Employees Seeking Exemptions**

Employees who cannot be Fully Vaccinated because of a medical condition or other grounds protected by the BC Human Rights Code, may apply for an exemption from the requirement to be Fully Vaccinated.

Personal preference to not be Fully Vaccinated is not grounds for an exemption.  
It is the responsibility of an Employee seeking an exemption to:

- Submit an exemption request to the Corporate Administrative Officer or designate.
- Cooperate and participate in the exemption consideration process, which may include providing information and or Medical Documentation.
- Comply with ongoing pandemic testing requirements if applicable.

If an exemption application is approved, an Employee may be required to present negative test results in the frequency determined by the Corporate Administrative Officer .

### **ASSESSMENT OF RISK FOR UNVACCINATED INDIVIDUALS**

The Corporate Administrative Officer will, in consultation with the Fire Chief as appropriate, perform a risk assessment and determine whether a contract employee or volunteer who is not Fully Vaccinated is a Low-Risk Employee. Factors that will be taken into consideration include:

- a. Potential to work remotely;
- b. Contact with the public or other Employees;
- c. Contact with vulnerable Employees or members of the public;
- d. Potential to modify the Workplace or wear PPE; and
- e. Indoor vs. outdoor work.

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If a Low-Risk Employee is not Fully Vaccinated and there is an available Accommodation, the Low-Risk Employee must comply with all requirements of that Accommodation.

A Low-Risk Employee may be required to present negative test results in the frequency determined by the Corporate Administrative Officer.

### **VACCINATION STATUS REPORTING**

All Employees, Trustees, volunteers, and public appointees to select and standing committees should review and confirm the accuracy of immunization records.

All Employees will show the Corporate Administrator or designate an electronic version or provide a printed copy of their BC Vaccine Card to attest that they are Fully Vaccinated. Copies of an Employee's Proof of Vaccination will not be collected nor saved on file.

All Trustees, volunteers, and public appointees to select and standing committees will show the Corporate Administrator or designate an electronic version or provide a printed copy of their BC Vaccine Card to attest that they are Fully Vaccinated. Copies of Proof of Vaccination will not be collected nor saved on file.

Vaccination status will be recorded in a restricted access data base. The data base will record names and either, "Vaccinated," "Unvaccinated," or "Accommodated" if that has already occurred.

Employees, Trustees, volunteers, and public appointees to select and standing committees who do not report their vaccination status by the s, deadline will be recorded as "Unvaccinated." An Employee, Trustee, volunteer, or public appointee to select and standing committees can provide Proof of Vaccination at any time and their status will be updated.

### **COMPLIANCE AND CONSEQUENCES**

High-Risk Employees who are not Fully Vaccinated by the deadline, will be placed on unpaid general leave of absence but may use earned banked or vacation time before being placed on unpaid leave. (Also see Leave of Absence Policy.)

The Corporate Administrative Officer will perform a risk assessment for those Trustees, volunteers, and public appointees to select and standing committees who are not Fully

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Vaccinated by the deadline. The Corporate Administrative Officer will determine the appropriate measures that need to be put in place to mitigate any risks on a case-by-case basis.

It is a violation of this policy for an Employee who is not Fully Vaccinated:

- To access District Workplaces after the deadline, except as permitted by members of the public; and
- To provide any false, misleading, or otherwise dishonest information or documents to the District in relation to this Policy.

### **BREACH OF POLICY**

Employees who contravene this Policy or submit fraudulent information may be subject to progressive remedial action ranging from actions such as changes to required duties, removal of access to the Workplace, placement on unpaid leave, and discipline, up to and including termination of employment, in accordance with the employment agreement and District policies or operational guidelines.

### **RESPECTFUL WORKPLACE**

The Corporate Administrative Officer is responsible for ensuring a respectful, productive, inclusive, and equitable Workplace environment, including ensuring that Employees are aware that harassment or other prohibited conduct directed towards an individual for any reason, including based on their vaccination status, will not be tolerated.

### **PRIVACY**

Copies of Proof of Vaccination will not be retained or saved on file. Exemption applications, supporting documents and proof of negative test results will be collected and stored in accordance with the District's obligations pursuant to the *Freedom of Information and Protection of Privacy Act*.

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