

CORPORATE HUMAN RESOURCES POLICY AND PROCEDURES MANUAL	SECTION: 3.20 SECTION TITLE: Human Resources SUBJECT: Third Party Vaccination Policy
Authorized By: Richard Deacon, President and CEO	Signature: Original Signed By Richard Deacon
Effective Date: October 8, 2021	Revised:

PURPOSE

The Workers Compensation Board of Manitoba (the WCB) is committed to providing a safe working environment for its employees and its clients. This policy describes the WCB's expectations and requirements of individuals entering the WCB worksite with respect to vaccination against SARS Co-V-2 (COVID-19) or testing for COVID-19.

The WCB has a responsibility to protect all its employees and the community in which it operates and, for this reason, it is critical that the WCB take reasonable precautions to protect against COVID 19.

LEGAL AUTHORITY

Section 4 of *The Workplace Safety and Health Act* imposes a duty on employers such as the WCB to maintain a safe and healthy workplace. Section 13 of *The Personal Health Information Act* permits the WCB to collect personal health information that is necessary to fulfill its duty of maintaining a safe and healthy workplace.

BACKGROUND

On March 11, 2020, the World Health Organization declared COVID-19 a pandemic virus. Since then, the global community has taken unprecedented steps to control the spread of the virus, including social distancing which led to a wide scale economic shutdown.

Health Canada has authorized the use of four vaccines against COVID 19: the Pfizer-BioNTech; Moderna; AstraZeneca; and Johnson & Johnson. Pfizer-BioNTech, Moderna and AstraZeneca vaccines have been available in Manitoba since April 2021.

Evidence continues to demonstrate that being fully vaccinated in accordance with protocols recognized by Health Canada and the Province of Manitoba provides substantial protection against the virus. Based on current data, only a fraction of fully vaccinated people become infected. The majority of recent cases and hospitalizations have occurred overwhelmingly in unvaccinated or partially vaccinated individuals.

SCOPE

This policy applies to all individuals except WCB Employees entering onto WCB premises ("Third Parties").

In this policy:

- 1) the term "WCB premises" refers to:
 - the WCB building at 333 Broadway in the City of Winnipeg;
 - the WCB offices at 363 Broadway in the City of Winnipeg;
 - the WCB office in the City of Brandon; and
 - the WCB office in the City of Thompson.
- 2) the term "Worker" refers to individuals who fall within the definition of "worker" in *The Workers Compensation Act* (the Act), or their authorized representative;
- 3) the term "Employer" refers to individuals who fall within the definition of "employer" in the Act, or their representative, or who is a prospective employer within the definition of that term in the Act;
- 4) the term "Other Third Party" refers to individuals who are providing services or goods to the WCB under contract, or any other individual seeking entry to WCB premises who is not a WCB employee, Worker or Employer.

POLICY

The WCB strongly encourages all Third Parties entering WCB premises to be fully vaccinated against COVID-19 with a Health Canada approved vaccine, as recognized by the Province of Manitoba.

Beginning on November 15, 2021, the WCB will require proof satisfactory to the WCB of any Worker or Employer entering WCB premises that:

- a.) they have been fully vaccinated against COVID-19 with a Health Canada approved vaccine, as recognized by the Province of Manitoba; or
- b.) they have been tested for COVID-19 with a test supplied or approved by the WCB and have obtained a negative result in the 48 hours immediately prior to entering the WCB premises.

Beginning on November 15, 2021, the WCB will require satisfactory proof of any Other Third Party entering WCB premises that they have been fully vaccinated against COVID-19 with a Health Canada approved vaccine, as recognized by the Province of Manitoba.

Accommodation

The WCB will provide reasonable accommodation to a Third Party who provides proof satisfactory to the WCB of a medical, religious or other reason recognized in Manitoba's *Human Rights Code* that they cannot be vaccinated against COVID-19 or submit to an appropriate COVID-19 test.

The Manitoba Human Rights Commission does not recognize personal choice as a protected ground under the *Human Rights Code*.

Non-Compliance

WCB will deny access to WCB premises to Workers and Employers who do not provide proof satisfactory to the WCB of vaccination against COVID-19 with a Health Canada approved vaccination or a negative test result received in the 48 hours prior to entering WCB premises. WCB will provide reasonable alternate service to Workers and Employers who are denied access to WCB premises under this policy.

The WCB will deny access to WCB premises to Other Third Parties who do not provide proof satisfactory to the WCB of vaccination against COVID-19 with a Health Canada approved vaccination. The WCB may terminate any contract for cause in the event an Other Third Party fails to follow this policy or provides false or misleading information regarding their vaccination status.

Confidentiality

The WCB will collect, use and disclose only as much information as is necessary to fulfill its duty to maintain a safe and health workplace and to implement this policy. It will take all reasonable measures to preserve the confidentiality of Third Parties' personal information.

Other Measures

Nothing in this policy replaces other safety or security measures that have been implemented at the WCB premises, including masking and social distancing.

Policy Review

The WCB will review this policy, and amend or repeal it as appropriate, as public health directives change, and no later than three months after the policy's effective date.

CONTACT

If you have questions about this policy or its application, please contact WCB Administration.

History

1. Policy 3.20 was made on October 8, 2021.