

SSHA Mandatory Vaccination Directive 2021-02

Frequently Asked Questions

1. Where can we find the Directive?

- Shelter directives are posted on the City's webpage:
<https://www.toronto.ca/community-people/community-partners/emergency-shelter-operators/bulletins-directives-funding-submissions-and-shelter-standards/>

2. The Directive requires all Shelter, 24-hour Respite and 24-hour Women's Drop In providers to create a policy that requires all employees to be fully vaccinated with a COVID-19 vaccine series. What details should the policy include?

- The Provider's vaccination policy for its employees, volunteers and students shall align with the City of Toronto's Mandatory COVID-19 Vaccination Policy, including the prescribed timelines, and shall include, the following core elements:
 - requirements for all employees, volunteers and students to be fully vaccinated with a COVID-19 vaccine series by a specific timeline, but by no later than October 30, 2021
 - new employees to be fully vaccinated as a condition of being hired
 - proof of vaccination documentation, and storage according to agency human resource policies and privacy legislation.
 - accommodation for employees under the Human Rights Code
 - consequences for non-compliance with vaccination policy
- The Provider's vaccination policy shall also include a provision requiring the Provider's contractors to assign only fully vaccinated employees to the Provider's site(s), including but not limited to custodial staff, security staff, kitchen staff, third party agency staff, etc.
- For reference, please see the City's Mandatory Vaccination Policy:
<https://www.toronto.ca/city-government/accountability-operations-customer-service/city-administration/corporate-policies/people-equity-policies/covid-19-mandatory-vaccination-policy/>

3. What organizations are covered under this Directive?

- This Directive applies to all Shelter, 24-hour Respite and 24-hour Women's Drop In sites, including those operating temporary COVID-19 response sites and hotel programs.
- The Directive is issued under the authority of the Toronto Shelter Standards and 24-hour Respite Site Standards. Shelter Directives, including this one, do not apply to agencies administering services/programs that receive grants through SSHA but do not provide shelter or 24-hour respite services.

- However, all organizations are encouraged to consider developing their own vaccination policies aligned with the City's approach, in order to take every precaution reasonable in the circumstances for the protection of the health and safety of workers from the hazard of COVID-19 and to maximize COVID-19 vaccination rates in our sector and the community.

4. Which workers require mandatory vaccination under this Directive?

- This Directive requires all persons working at a Shelter, 24-hour Respite or 24-hour Women's Drop In site to be fully vaccinated with a COVID-19 vaccine series.
- This includes employees, volunteers, students and contractors (including but not limited to custodial staff, security staff, kitchen staff, third party agency staff, etc.)

5. What are the consequences for staff who do not comply with their organizational mandatory vaccine policy?

- The Directive requires all Shelter, 24-hour Respite or 24-hour Women's Drop In providers to create a policy that requires all employees to be fully vaccinated with a COVID-19 vaccine series. The policy should include consequences for non-compliance with the vaccination policy.
- Shelter, 24-hour Respite or 24-hour Women's Drop In providers may create a policy in accordance with the [City's Mandatory Vaccine Policy](#), which states that employees who do not comply with this policy may be subject to discipline, up to and including dismissal.

6. Will the city support agencies with any legal ramifications that could come from termination due to vaccination refusal?

- No. It is recommended that agencies seek direction from their Human Resources department, including legal advice.

7. How will the City support organizations to ensure that third-party contractors are following the organizational vaccination policy?

- Shelter, 24-hour Respite or 24-hour Women's Drop In providers should communicate the requirements in their organization's policy to everyone who is subject to the policy, and make it available to employees, staff, contract workers, students, volunteers and clients.

8. Are shelters mandated to only hire third-party contractors whose staff are fully vaccinated?

- Yes. The Provider's vaccination policy shall include a provision requiring the Provider's contractors to assign only fully vaccinated employees to the Provider's site(s), including but not limited to custodial staff, security staff, kitchen staff, third party agency staff, etc.
- To implement this measure, the Provider shall implement a process requiring contractors to attest to the Provider that, effective October 30, 2021, all of the

contractor's staff who are assigned to work at the Provider's site(s) are fully vaccinated.

- See response to Q4 for more information on which staff require vaccination.

9. Are there exceptions to mandatory vaccination?

- All staff are expected and required to comply with applicable vaccination policies.
- Employees who are not able to obtain a COVID-19 vaccine for a reason related to a protected ground set out in the [Ontario Human Rights Code](#) can request accommodation from their employer by following their workplace's Human Rights accommodation policy.
- Employees who have a substantiated Human Rights Code related accommodation request under their workplace's accommodation policy may be exempt from mandatory vaccination.
- Exempted employees may be required to take additional infection and prevention control measures.

10. When should mandatory vaccination policies be implemented?

- Shelter, 24-hour Respite or 24-hour Women's Drop In site's vaccination policies are to align with the prescribed timelines in the [City's Mandatory Vaccine Policy](#), requiring all employees, volunteers and students to be fully vaccinated with a COVID-19 vaccine series by a specific timeline, but by no later than October 30, 2021.

11. For organizations that have obligations under the [Provincial Directive #6](#) as well as contracted shelter or 24-hour respite services, when do they need to implement a vaccination policy?

- Directive #6 is for services funded under the Ministry of Health. Directive #6 does not apply to Shelter, 24-hour Respite or 24-hour Women's Drop In sites funded by SSHA. If an organization receives funding from health related sources to provide additional services that are covered under Directive 6, they should adhere to the September 7th deadline for implementing a vaccination policy. In this situation, SSHA will work with the organization to accommodate the policy that is already in place.

12. How will compliance with the Directive be assessed?

- By October 30, 2021, each provider shall attest to the City in writing (see Attestation Form) that it has implemented a vaccination policy that includes the requirements in Directive 2021-02.

13. What are the implications for service providers if they do not comply with the Mandatory Vaccination Directive?

- All Shelter, 24-hour Respite or 24-hour Women's Drop In sites are expected and required to comply with this directive. Non-compliance with this directive may result in a program review, as per section 2.4.1 of TSS.

14. Can staff who refuse to get vaccinated still attend work if they receive rapid antigen testing?

- The City's vaccination policy currently does not include conducting rapid antigen testing for staff who refuse to get vaccinated. The intention of the Directive is for Shelter, 24-hour Respite or 24-hour Women's Drop In site policies to align with the City's policy.

15. What resources will be made available to support agencies in creating and implementing a mandatory vaccination policy?

- Relevant City resources to support implementation of this policy will be shared with shelter and respite providers as they become available.
- The Toronto Shelter Network (TSN) will be hosting a panel on September 22nd with human rights and labour relations experts in attendance to provide advice on vaccination policies and directives.
- SSHA will continue to work with TSN and providers to identify supports needed to implement this approach and provide updated information on an ongoing basis.
- Toronto Public Health has provided guidance on establishing a mandatory vaccination policy in the workplace, please see:
<https://www.toronto.ca/home/covid-19/covid-19-reopening-recovery-rebuild/covid-19-reopening-guidelines-for-businesses-organizations/covid-19-guidance-employers-workplaces-businesses/covid-19-vaccine-information-for-employers/?accordion=establishing-a-vaccination-policy-for-your-workplace>