
STATEMENT of POLICY and PROCEDURE

Chapter:	Human Resources	Issued:	Sept 2021
Section:	Pandemic Planning HR 6.05	Effective:	September 21, 2021
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1 POLICY

1.01 The National Ballet of Canada (the “Company”) is committed to taking every reasonable measure to protect the health and safety of Employees and Contractors and the continued safe operation of the Company from COVID-19. The COVID-19 pandemic and the available responses to it are evolving and, as such, this Policy is “evergreen” and will be subject to ongoing review and revision.

1.02 Canadian and global public health authorities have concluded that vaccination provides the best and safest protection against severe outcomes from COVID-19 and reduces the risk of transmission of the virus in the workplace and the community. In order to protect all Employees in the workplace, the Company is implementing a vaccination Policy that includes the following primary characteristics:

Proof of Vaccination: The Company requires that all Employees and Contractors provide Proof of their Vaccination status in accordance with this Policy by September 27, 2021.

Fully Vaccinated: Subject to the terms of this Policy, the Company requires that all Employees and Contractors be Fully Vaccinated by November 8, 2021.

2 PURPOSE

2.01 The purpose of this Policy is intended to maximize COVID-19 Vaccination rates within the workplace and to ensure that the Company meets its obligations under the Ontario *Human Rights Code*, the *Occupational Health and Safety Act* (“OHSA”) and other applicable laws. Public health guidance may continue to evolve and could affect this Policy.

3 SCOPE

3.01 This Policy applies to all Employees and Contractors of the Company.

4 RESPONSIBILITY

4.01 The Executive Director, the Director of Human Resources and Senior Management of the Company are responsible for the administration of this Policy.
Employees are responsible for compliance with this Policy in addition to all required public health measures such as physical distancing, wearing a mask, and staying home if they have any COVID-19 related symptoms or feel sick.

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5 DEFINITIONS

- 5.01 “Employee(s) and Contractors” means all persons engaged by the Company who are paid, regardless of whether they are permanent, contract, temporary, full-time or part-time, and whether unionized or non-unionized.
- 5.02 “Workplace” means any place where business or work-related activities are conducted, including the Walter Carsen Centre (WCC), the Gretchen Ross Production Centre (GRPC) and the Four Seasons Centre for the Performing Arts (FSC). It does not include work performed remotely from an individual’s own home or private location.
- 5.03 “COVID-19” is an acute respiratory illness caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2). It may be characterized by fever, cough, shortness of breath, and several other symptoms. Asymptomatic infection is also possible.
- 5.04 “Rapid Test” refers to COVID-19 rapid antigen testing, which is an additional screening method that can help stop the spread of COVID-19 by catching early detection of the virus.
- 5.05 “PCR Test” refers to the polymerase chain reaction test for COVID-19.
- 5.06 “Vaccine(s)” refers to a vaccine approved by Health Canada for use in Canada or by the World Health Organization (WHO) in relation to COVID-19.
- 5.07 “Fully Vaccinated” means having the full series of COVID-19 Vaccine (inclusive of any required waiting period after the final series of the Vaccine). To maintain ongoing Fully Vaccinated status, Employees may also be required to receive an additional Vaccine or booster as may be required or recommended by Public Health Canada.
- 5.08 “Grace Period” is a period of time, as determined by the Company at its discretion, that an Employee or Contractor can attend the workplace after receiving their first dose of an accepted two-dose vaccine before receiving their second dose or during the waiting period after vaccination.
- 5.08 “Medical Exemption” means a written determination by a physician that, in the physician’s medical opinion, administration of the Vaccine to the Employee would cause a medically unacceptable risk of an adverse reaction. Such assessments should be consistent with guidance from medical oversight bodies such as the Ontario College of Physicians and Surgeons and may result in the need for an independent medical assessment where

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deemed appropriate by the Company.

- 5.9 “Proof of Vaccination” refers to the form of an official vaccination dose administration receipt or government-approved vaccination passport or card.

6 REFERENCES AND RELATED STATEMENTS of POLICY and PROCEDURE

Occupational Health and Safety Act, R.S.O. 1990, c. O.1

Human Rights Code, R.S.O. 1990

Workplace Safety and Insurance Act, 1997

HR 1.10 – Flexible Work Arrangements

7 VACCINATION and PROOF OF VACCINATION

- 7.01 **Proof of Vaccination for all Employees and Contractors:** The Company requires Proof of Vaccination for all Employees and Contractors who are required to attend the Workplace. Anyone with questions regarding the benefits, risks and precautions for Vaccines should speak with their treating healthcare professional. New Employees, including IATSE members engaged through the Call Steward, and newly engaged Contractors will be required to present Proof of Vaccination as a condition of employment or engagement, as the case may be.
- 7.02 **When Proof of Vaccination is Required:** The Company requires that all Employees and Contractors provide Proof of Vaccination by September 27, 2021. Employees and Contractors must provide Proof of Vaccination via email to [“vaccination@national.ballet.ca”](mailto:vaccination@national.ballet.ca) so that the Company can confirm their vaccination status and record essential information.
- 7.03 **Failure to Provide Proof of Vaccination by September 27, 2021:** Employees and Contractors who fail to provide Proof of Vaccination by September 27, 2021, will not be permitted to attend Company Workplaces unless in exceptional circumstances they are granted a Grace Period.
- 7.04 **Full Vaccination Required:** All Employees required to attend the Workplace must be Fully Vaccinated by November 8, 2021.
- 7.05 **No False Attestations:** Employees or Contractors who make false attestations about, or provide false documents related to vaccination status may be subject to disciplinary actions, up to and including dismissal.

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7.06 **Vaccination Information Confidential:** The Company will maintain vaccination disclosure information, including Proof of Vaccination documentation in confidence. This information will only be used to the extent necessary for implementation of this Policy, for administering health and safety protocols, and for the purposes of infection and prevention control in the Workplace.

7.07 **Disclosure of Vaccination Status:** Only where reasonably necessary will information related to an Employee or Contractor vaccination status be communicated to Human Resources or senior management, and then only on a need-to-know basis for the purposes of this Policy, or to comply with a legal order to disclose the information or for enforcing access restrictions. This information will be stored confidentially and only be retained for the duration of the employment or service relationship or until the COVID-19 pandemic has ended and will be destroyed thereafter.

7.08 The Company will, at all times, comply with the requirements of the *Human Rights Code*.

8 FAILURE TO COMPLY

8.01 If Employee or Contractor fails to, or refuses to:

i) provide Proof of Vaccination by September 27, 2021 in accordance with this Policy,

or

ii) refuses or fails to become Fully Vaccinated by November 8, 2021,

meetings will be held to investigate the reason for the Employee's failure to provide Proof of Vaccination or to become Fully Vaccinated. This investigation will include, but will not be limited to, considering the rationale for the failure to comply and as well as the existence of human rights or medical exemptions.

For the safety of all Employees and Contractors, only reasons protected by the *Human Right Code* or objectively justified medical reasons will be considered for accommodation purposes.

9. Health and Safety Requirements for all Employees and Contractors

9.01 Unless a regulatory or other legislated exemption applies, and regardless of Vaccination status, all Employees and Contractors are required to comply with applicable health and safety measures to reduce the risk of COVID-19. All Employees and Contractors must

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comply with all screening requirements when entering the Workplace.

10 DURATION

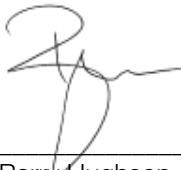
10.01 The applicability of the Policy will be reviewed on a monthly basis, in consultation with external advisors. Employees will be advised of changes or amendments to this Policy in a timely manner.

11. HISTORY

Original Issue Date: September 21, 2021

Amended:

APPROVAL:



Barry Hughson, Executive Director

SEPTEMBER 21, 2021

Date