

Department of Justice

COVID-19 Vaccination Guidelines

PURPOSE

The Department of Justice COVID-19 Vaccination Guidelines (Guidelines) have been developed to provide direction and information to supervisors and employees about the implementation of the Amended Government of the Northwest Territories (GNWT) COVID-19 Vaccination Policy (Policy) by the Department. They are also intended to provide employees with the information necessary to arrange for vaccination, if necessary, and to obtain proof of vaccination documentation ahead of the November 30, 2021 implementation date.

Amendments to the Policy have been made to ensure that the GNWT follows evolving best practice standards in management of the COVID-19 pandemic in order to protect employees and members of the public. These Guidelines will be updated as required.

POLICY BASE

These Guidelines are consistent with and support the implementation of the Amended GNWT COVID-19 Vaccination Policy and the Amended Corporate COVID-19 Vaccination Policy Guidelines.

SCOPE

The Policy concerns vaccination against COVID-19, or Coronavirus disease, an infectious respiratory illness caused by Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2), and the implementation of other workplace safety precautions in lieu of vaccination.

This Policy and the present Guidelines apply to all employees of the Department of Justice and all persons engaged to provide services on behalf of the Department.

DEFINITIONS

The following terms apply in these Guidelines:

COVID-19 – or Coronavirus disease is an infectious respiratory illness caused by a newly discovered coronavirus, Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2).

Deputy Head – the Deputy Minister of a department, the Chief Executive Officer of a public committee, board or council, or such a person as may be appointed or designated as Deputy Head.

Employees – means all members of the public service as defined by the *Public Service Act*.

Contractors – means all persons engaged to provide services with or without remuneration on behalf of the GNWT.

Fully Vaccinated – for the purposes of this Policy, a person is considered Fully Vaccinated 14 full days after receiving the final dose of a Health Canada authorized COVID-19 vaccine or an approved combination of Health Canada authorized COVID-19 vaccines.

GUIDELINES

General

The Department of Justice is committed to ensuring a safe working environment for our employees and the members of the public we serve.

All Employees and Contractors are required to be Fully Vaccinated by November 30, 2021, or will be required to wear Department of Justice designated Personal Protective Equipment (PPE) and comply with the Department of Justice COVID-19 testing protocols.

Submitting Proof of Vaccination

Employees must provide documentation setting out their proof of vaccination on or before November 30, 2021.

Acceptable Proof of Vaccination

Acceptable proof of vaccination documentation must be an official record from the public health office in the jurisdiction(s) where the employee received the vaccine dose(s) and must include the following information:

- i. The issuing authority of the vaccination record;
- ii. The Employee's full name;
- iii. The name/brand of the vaccine(s) received; and
- iv. The date(s) of vaccination.

Department of Justice Employees will submit their proof of vaccination using the Instructions for submitting proof of vaccination through HRIS is published on the [MyHR website](#).

Employees who require assistance with submitting their proof of vaccination should speak with their supervisor so that arrangements can be made in advance of November 30, 2021.

The Human Resources Branch of the Department of Finance is responsible for securing personal information submitted by Department of Justice Employees in accordance with the *Access to Information and Protection of Privacy Act* (ATIPPA) and for verification of Employee vaccination information.

Upon submission of the Employee's proof of vaccination documents, the information will be verified and the Employee's direct supervisor will be notified that the Employee has submitted proof of vaccination.

The information verified will be:

- i. The issuing authority of the vaccination record;
- ii. The Employee's full name;
- iii. The name/brand of the vaccine(s) received; and
- iv. The date(s) of vaccination.

All proof of vaccination documents will be securely stored in the HRIS system.

The Employee's direct supervisor may maintain a record of which employees have provided proof of vaccination for the purpose of enforcing PPE use and COVID-19 testing protocols under the Policy.

Use of and Access to Employee Information

Employee vaccination status information may only be accessed as necessary for implementation of the Policy.

In the event of any unauthorized access to an Employee's vaccination status information, the Employee will be immediately advised of the breach and circumstances relating to that breach. The GNWT will follow the appropriate steps set out in the ATIPPA to review and report the privacy breach.

Employees may access their own vaccination status information through [HRIS](#).

Other Measures to protect the safety of employees and members of the public

Department of Justice Employees who do not provide proof of full vaccination by November 30, 2021, will be required to wear Personal Protective Equipment (PPE) designated by the Department in accordance with the employee workplace's Exposure Control Plan at all times in the workplace and to comply with COVID-19 testing protocols as directed by the Department of Justice until they provide proof of vaccination.

Department of Justice Employees who refuse to wear PPE or participate in testing protocols as directed by the Department will be required to take a leave without pay until they do so, until fully vaccinated, or until otherwise notified by their Direct Supervisor.

Personal Protective Equipment

Department of Justice Employees who have not provided proof of vaccination will be required to wear a GNWT-authorized face mask while completing their duties. These employees may also be required to wear other PPE, as designated by the Department, such as eye protection and gloves, depending on the employees' duties, level of contact with colleagues and members of the public, and other hazard control measures in place at the worksite. This arrangement will be determined on an individual basis with supervisors.

Required PPE will be provided by the Department. Employees who prefer to use their own face masks may do so providing the masks are one-time use non-medical masks. Employees who choose to provide their own masks will not be reimbursed costs. Face shields, buffs, neck gaiters, scarfs, bandanas, or masks with exhaust valves are not acceptable for use under this Policy.

Providing proof of vaccination does not release Employees from use of PPE or adherence to COVID-19 testing required in their workplace, including that based on Chief Public Health Officer orders, public health advisories, or protocols contained within the Department's Exposure Control Plans.

COVID-19 Testing

For all Department of Justice Employees who do not provide proof of vaccination, regular testing for COVID-19 will be required within 72 hours of attendance at a GNWT worksite, or as otherwise directed by their Supervisor.

COVID-19 testing of Department of Justice Employees who have not provided proof of vaccination will be conducted as directed.

- Upon confirmation of a negative COVID-19 Test result, the Employee will be allowed to report to work wearing the required PPE.
- In the event of a positive COVID-19 test, the Employee will immediately begin self-isolating. The Employee will be required to follow all Office of the Chief Public Health Officer requirements in effect at the time of the positive test and may only return to work once cleared to do so by Public Health.

The schedule for testing of Department of Justice Employees will be set with regard to the work schedule of Employees to ensure that there is an appropriate nexus of time between a negative test result and the Employee performing their duties.

Duty Travel

Employees may be required to be fully vaccinated and to have submitted proof of vaccination in order to travel on behalf of the GNWT. Use of PPE and testing for COVID-19 in lieu of vaccination may not be permitted.

Where permitted, Employees who have not provided proof of vaccination shall wear Department of Justice designated PPE for the duration of all duty travel, except at times when they are alone in their travel accommodations or dining. This includes travel time to and from duty travel destinations.

All Department of Justice Employees will be required to stay in single occupancy accommodations while on duty travel, except in exigent circumstances where it may not be possible.

Accommodations

Accommodations will be made for Employees who are both unable to be vaccinated and unable to wear mandatory PPE or undergo regular testing for verified medical reasons or based on protected grounds under the *Human Rights Act*.

Department of Justice Employees seeking accommodation are subject to the *Duty to Accommodate Injury and Disability Policy* and the *Duty to Accommodate Policy Application Guidelines*.

Requests for accommodation due to a medical or human rights exemption to COVID-19 vaccination must be made to the Department of Justice before November 30, 2021, or as soon as is practicable.

Documentation Required for Medical Exemptions

The Northwest Territories Health and Social Services Authority, Hay River Health and Social Services Authority and Tłı̨ch̓ Community Services Agency released an Approach to Requests for Exemption from COVID-19 guideline, which provides guidance to support NWT healthcare providers in a consistent and evidence-based approach to vaccine exemption requests.

Department of Justice Employees requesting an accommodation due to a medical exemption to vaccination will be required to provide a letter to their supervisor from a physician or nurse practitioner or other certified proof of medical exemption from a physician or nurse practitioner in order to claim medical exemption status.

EMPLOYEE, EMPLOYER, AND CONTRACTOR RESPONSIBILITIES

Responsibilities of the Employee

- All Employees of the Department of Justice are expected to self-monitor for COVID-19 symptoms before coming to the worksite.
- Any Employee of the Department of Justice, regardless of vaccination status, who develops symptoms of COVID-19 should refrain from attending at their workplace and should promptly advise their direct supervisor.
- All Employees of the Department of Justice are expected to follow all Office of the Chief Public Health Officer (OCPHO) and Public Health orders.
- All Employees of the Department of Justice are responsible for obtaining copies of their vaccination records.
- All Employees of the Department of Justice must provide proof of full vaccination on or before November 30, 2021.
- Employees of the Department of Justice who will not provide proof of vaccination by November 30, 2021, should inform their direct supervisor at the earliest possible date so that arrangements can be made for provision of PPE and institution of a testing schedule, or so that other accommodations can be made, where applicable.
- Employees of the Department of Justice are responsible for complying with all PPE and testing protocols as directed.

Responsibilities of the Employer

- The Department of Justice is responsible for providing the Policy and the Guidelines to incumbents of all positions within the Department.
- The Department of Justice is responsible for ensuring that all required PPE is provided to Employees required to wear PPE while performing their duties.
- The Department of Justice will provide information about COVID-19 vaccination to all Departmental Employees and ensure that unvaccinated employees who wish to receive COVID-19 vaccination are granted the opportunity to do so. Materials and information about COVID-19 vaccination can be found on the [GNWT's Response to COVID-19](#) website.

- Department of Justice hiring managers will include details about the GNWT COVID-19 Vaccination Policy and the Department of Justice Guidelines in all job postings.
- The Department of Justice will ensure that all Department of Justice workplaces follow GNWT Occupational Health and Safety (OHS) standards for COVID-19 safety within the workplace.

Responsibilities of Contractors

A Contractor, its employees and any subcontracted employees who are:

- performing work in GNWT facilities or worksites, or
- providing services in GNWT facilities or worksites

are required to:

- have received two doses of a Health Canada approved COVID-19 vaccine; or
- wear PPE in the workplace (face mask, eye protection, and gloves) and undergo testing, based on the requirements of the Department of Justice, for COVID-19 until they have reached full vaccination in accordance with Health Canada rules or guidelines applicable to the vaccine(s) received by the individual; and
- adhere to any additional PPE requirements implemented by the facility operators/management for guests or workers entering the facility.

Contractors are responsible for ensuring their employees meet these requirements and shall bear sole responsibility for all associated costs.

The Contractor shall, at the request of the GNWT, provide the GNWT with proof of vaccination and testing for any employees that are scheduled to perform work or provide services under the Contract in GNWT facilities or work sites.

The Department of Justice will work with Contractors who are Contribution Agreement recipients to develop program specific approaches for each.

LEGISLATIVE AND OTHER RELATED AUTHORITY

The Policy, GNWT Corporate Guidelines, and Department of Justice Guidelines are issued under the authority of the Financial Management Board. The *Public Service Act* and Regulations, all relevant policies, and the terms and conditions of employment continue to apply.

The Policy, GNWT Corporate Guidelines, and Department of Justice Guidelines are drafted and will be implemented in adherence to the *Access to Information and Protection of Privacy Act*,

the *Safety Act*, the *Human Rights Act*, and any other legislation, regulations, and policies referenced within the Policy, GNWT Corporate Guidelines and the Department of Justice Guidelines.

All Department of Justice Employees will agree to abide by all government and department policies, collective agreements, procedures, and legislation, including but not limited to the confidentiality of clients, department information and documentation.

Nothing in the Guidelines shall in any way be construed to limit the prerogative of the Minister or Deputy Minister of the Department to make decision or take action with respect to the Guidelines.