

# COVID-19 Mandatory Vaccination Protocol in the Public Education Setting

## Frequently Asked Questions (FAQs)

In Nova Scotia, the ongoing presence of COVID-19 variants of concern pose significant risk to our population. Achieving high COVID-19 immunization rates through vaccination is part of a range of actions that can help prevent and limit the spread of COVID-19. There is higher risk of both infection and transmission of COVID-19 by persons who are not fully vaccinated. It is necessary to set out a consistent, provincial approach to COVID-19 protection in settings where the risk of contracting and transmitting COVID-19 is high.

The *Covid-19 Mandatory Vaccination Protocol* located at the following link <https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-mandatory-vaccination-high-risk-settings-en.pdf> is in place for a number of employers/operators including the Regional Centres for Education (RCEs) and the Conseil scolaire acadien provincial (CSAP), public schools, and related programs or services offered for or on behalf of an RCE/CSAP, pre-primary programs, and childcare.

These FAQs provide information and clarification on the requirements for mandatory vaccination pursuant to the protocol and the additional related restrictions and requirements applicable to employees, volunteers, and/or outside service providers in the public education sector.

### FREQUENTLY ASKED QUESTIONS

#### **Q1. Who does this protocol apply to in the public education system?**

This protocol applies to all employees (permanent, probationary, term, substitute, casual, spare), prospective employees, volunteers, and visitors of education entities, as well as outside service providers contracted by or for an education entity that provide programs or services to support employees, students, or pre-primary children.

#### **Q2. Who is considered an outside service provider?**

A non-staff person providing health or personal care, mental health, social, education, transportation, recreation, or food services, a student participating in a training opportunity with the employer/operator, or any other non-staff member contracted or engaged by the employer/operator or otherwise authorized to provide programs or services for students, pre-primary children, or staff.

Visitors and designated caregivers are not considered outside service providers.

### **Q3. What is required of employees in the public education system by November 30, 2021?**

All active employees will be required to provide acceptable proof of full vaccination to their supervisor or designated supervisor by November 30, 2021, or proof that they have received their first dose by November 30, 2021. Those who have received only one dose prior to November 30, 2021, must be fully vaccinated within 45 days of their first dose and provide the proof of full vaccination to their supervisor or designated supervisor. To be considered fully vaccinated, an employee must allow 14 days to pass after receiving their final dose of vaccine.

### **Q4. What is required of outside service providers by November 30, 2021?**

Outside service providers are required to attest in writing to the RCE/CSAP that they, or their employees/representatives, have provided to them proof of full vaccination by November 30, 2021.

### **Q5. What does fully vaccinated mean?**

Fully vaccinated means that 14 days or more have passed after receiving the following:

- the second dose of a two-dose series (e.g., Moderna, Pfizer-BioNTech, AstraZeneca) following minimum dosing intervals; this also includes a mix of these vaccines (e.g., one dose of Moderna and one dose of AstraZeneca)
- a one-dose series (e.g., Janssen or Johnson & Johnson)
- the final dose of any other World Health Organization authorized series of COVID-19 vaccine (e.g., Sinopharm or Sinovac)

### **Q6. What if an employee cannot be vaccinated for medical reasons?**

The medical reasons for exemption from the vaccination requirement are very specific, limited, and must be certified by a nurse practitioner or physician. The protocol provides a medical exemption process which is outlined in the COVID-19 website at <https://novascotia.ca/coronavirus/proof-of-full-vaccination-policy/#medical-exceptions>.

People who receive a medical exemption for COVID-19 vaccination receive a “Medical Contraindication for COVID-19 Vaccination” letter from their physician or nurse practitioner and must complete the Medical Accommodation Request Form.

Employees with an approved medical exemption must provide a copy of the physician’s/nurse practitioner’s Medical Contraindication for COVID-19 Vaccination letter and the Medical Accommodation Request Form directly to Human Resources.

## Q7. What are the valid medical exemptions for COVID-19 vaccine?

Under the protocol, a physician or a nurse practitioner may complete and sign a Medical Contraindication for COVID-19 Vaccination letter attesting that their patient has a valid medical contraindication that prevents vaccination based on one of the following:

- history of severe allergic reaction (e.g., anaphylaxis) after previous administration of a COVID-19 vaccine using a similar platform (mRNA or viral vector)
- allergy to any component of the specific COVID-19 vaccine or its container (polyethylene glycol for the Pfizer-BioNTech and the Moderna vaccines)
- history of major venous and/or arterial thrombosis with thrombocytopenia following vaccination with the AstraZeneca COVID-19 vaccine
- history of capillary leak syndrome following vaccination with the AstraZeneca vaccine
- history of myocarditis and/or pericarditis after a first dose of an mRNA COVID-19 vaccine (Pfizer-BioNTechdec or Moderna)
- experienced a serious adverse event after receiving a first dose of COVID-19 vaccine; a serious adverse event is defined as life-threatening, requires in-patient hospitalization or prolongs an existing hospitalization, results in persistent or significant disability/incapacity, or in a congenital anomaly / birth defect

The physician or nurse practitioner must also indicate the effective time period for the medical contraindication.

## Q8. Are there exceptions for human rights grounds?

Employers/operators are bound by the obligations in the *Nova Scotia Human Rights Act*. Employees requesting an exception based on a prohibited ground of discrimination must make a request for exception in writing directly to Human Resources, and may be asked for information and documents relating to the reason for the exception.

## Q9. What safety measures are required of those who cannot be fully vaccinated due to an approved medical exemption or human rights exception, and for those who are partially vaccinated who will remain in the workplace after November 30, 2021?

They will be required to wear personal protective equipment and adopt additional safety measures based on Public Health recommendations, which include:

- wear a medical mask that covers their nose and mouth when they are not consuming food or a beverage;
- complete COVID-19 tests twice weekly (72 hours apart);
- may continue to report to work while waiting for test results if they are asymptomatic and do not meet the public health criteria for self-isolation; and
- must follow Public Health advice, including immediately self-isolating when they receive a positive COVID-19 test result and may only return to the workplace when it has been approved by a Regional Medical Officer of Health.

### **Q10. I am an employee. What happens if I am not fully or partially vaccinated on November 30, 2021?**

Employees who do not provide acceptable proof of vaccination (full or partial) or proof of a valid medical exemption or human rights exception will be placed on unpaid administrative leave and will be required to take an educational program.

Employees who provide proof of partial vaccination by November 30, 2021, will be placed on unpaid leave if they do not provide proof of full vaccination within 45 days of receiving their first dose. To be considered fully vaccinated, an employee must allow 14 days to pass after receiving their final dose of vaccine. During the 45-day period, they can remain in the workplace and will be required to take the educational program. They will also need to wear personal protective equipment and adopt additional safety measures based on Public Health recommendations.

The unpaid leave provisions applicable to a person's employee group will apply when they are on an unpaid leave pursuant to the protocol.

### **Q11. I am a substitute teacher, casual, or spare. What happens if I am not fully vaccinated on November 30, 2021?**

Substitutes, casuals, and spares will be required to provide proof of full or partial vaccination by November 30, 2021. Those who have received one dose prior to November 30, 2021, must be fully vaccinated within 45 days of their first dose and provide proof of full vaccination to their supervisor or designated supervisor. To be considered fully vaccinated, a substitute, casual, or spare must allow 14 days to pass after receiving their final dose of vaccine.

Substitutes, casuals, and spares who have not provided proof of full vaccination prior to November 1, 2021, will be eligible to take the education program offered by their employer when it becomes available. This education program is mandatory after November 30, 2021, for those who are not fully vaccinated by that time and haven't already taken the education program.

Substitutes, casuals, and spares who do not provide any proof of vaccination (full or partial) by November 30, 2021, or who fail to provide proof of full vaccination within 45 days of the administration of their first dose (including the 14-day period after the final dose), will be removed from the substitute/casual/spare list until they are fully vaccinated and provide proof of vaccination or have provided proof of a valid medical exemption or human rights exception.

### **Q12. I am an outside service provider. What happens if I am not fully vaccinated on November 30, 2021?**

An outside service provider will not be able to enter a public school or pre-primary program or a RCE/CSAP office, or provide programs or services for students, pre-primary children, or staff after November 30, 2021, unless they are fully vaccinated and provide proof of vaccination or have provided proof of a valid medical exemption or human rights exception to their employer.

### **Q13. I am a volunteer. What happens if I am not fully vaccinated on November 30, 2021?**

Volunteers will be removed from the volunteer list until they are fully vaccinated and provide proof of full vaccination or have provided proof of a valid medical exemption or human rights exception. They will be required to reapply to volunteer after becoming fully vaccinated.

### **Q14. What about new employees hired by an RCE/CSAP, school, or outside service provider?**

As a condition of employment, new employees hired after November 30, 2021, will be required to be fully vaccinated.

Employment offers will include the requirement for proof of vaccination or documentation of valid medical exemption or human rights exception as a condition of employment.

### **Q15. Can an employee collect unemployment insurance while on unpaid leave?**

Employment Insurance benefits are provided through Service Canada and not a provincial program. For questions on eligibility, please contact Service Canada.

### **Q16. Who will collect/review proof of vaccination and how will that information be recorded and stored?**

Your supervisor, or designated supervisor, will review and record the information required to demonstrate proof of full or partial vaccination and will forward that information to Human Resources for storage purposes. Those who are uncomfortable providing proof of full or partial vaccination to their supervisor or designated supervisor can submit their proof of vaccination to Human Resources. Personal information will be treated in accordance with the employers' obligations under law and applicable collective agreement terms.

Employers are required to collect and disclose the information to the Chief Medical Officer of Health including the total number of persons who submitted proof of vaccination in accordance with the protocol requirements, broken down by role and whether proof of full vaccination, partial vaccination, or medical exemption or human rights exception was provided.

### **Q17. What if an employee is on a leave of absence (e.g., maternity, parental, short-term disability) that continues beyond November 30, 2021?**

On the date of their return to work the employee will be required to provide proof of full vaccination, proof of partial vaccination (with proof of full vaccination to be provided within 45 days of receiving their first dose) or proof of a medical exemption or human rights exception. If proof of full vaccination is not provided on their date of return, the Protocol obligates the employee to participate in the education program and provide an acceptable proof of partial vaccination within 30 days of their return to work, or proof of full vaccination within 45 days. If the proof is not provided by the required date(s), the employee will be placed on unpaid administrative leave for 14 days. The employee will remain on unpaid administrative leave until proof of full vaccination is provided.



**Q18. Can an employee be terminated if they choose to not be vaccinated and do not have an approved medical exemption or human rights exception?**

If an employee fails to show the required proof by November 30, 2021, of full or partial vaccination and do not have an approved medical exemption or human rights exception, they will be placed on an unpaid administrative leave in accordance with the protocol, without limiting other legal rights of the employer.