

Yukon University COVID-19 Directive

Nov 24, 2021

Preamble

Yukon University has an obligation to take all reasonable steps to ensure its campuses are safe places to learn, teach, and work. Employers have a legal obligation under section 3(a) of the Yukon Occupational Health and Safety Act to “ensure, so far as reasonably practicable, that ...the workplace is safe and without risks to health”. Further, Section 9 of the Act requires every worker to “take all necessary precautions to ensure their own health and safety and that of another person in the workplace”. November 8, 2021, Yukon Government declared a state of emergency to address the territory’s unprecedented COVID 19 active cases. This directive provides a framework for Yukon University to offer safe learning and work environments for our students and employees.

National, provincial, and territorial public health authorities and experts have indicated that the COVID-19 pandemic will continue both globally and locally for an extended period.

Vaccinations are the safest and most effective way to stop the spread of COVID-19 and the single most effective means of reducing the impacts of the pandemic on the University’s academic mission. Research has shown that vaccination reduces the likelihood that the COVID - 19 virus is transmitted and, when transmitted, vaccination reduces serious outcomes for the individual.

This Directive is a fundamental component of the University’s long-term COVID-19 response and is a key tool in promoting the health and safety of employees and students. YukonU is introducing this Directive to support our ability to offer in-person classes, to build the University community, and to reduce the need for future Covid-19 specific restrictions – in essence, this supports our ability return to a level of normality.

Further to this, the University will monitor and respond to all relevant information, public health orders and expert advice.

This Directive may be updated, modified, or revoked at any time.

1) **Authority**

This Directive is under the authority of the President and the Board of Governors, with the support of the President's Executive Committee, pursuant to:

- a) The President's general supervision over and direction of the University's operations under section 33(2) of the Yukon University Act of Yukon; and
- b) The employer's (Board of Governors) responsibility to manage and operate the university in accordance with its purposes under section 21(c) of the Yukon University Act and to ensure that all reasonable steps are taken to ensure the health and safety of the University's students, faculty, staff, and other members of the university community by following the direction of the Yukon Government's Occupational Health and Safety Act under section 3(1).

2) **Scope of Directive**

This Directive applies to all individuals who attend Yukon University, including:

- a) all Yukon University Employees in all Yukon University Facilities, including all community campuses. Even employees who work remotely may be required to periodically come on-site to a university facility and therefore are not exempted from this directive;
- b) All students attending Yukon University in person.
- c) Casual employees who attend Yukon University any university campus or facility in person.
- d) all Contractors who attend any university campus or facility in person, and,
- e) All visitors.

3) **Directive Vaccine Mandate**

- a) The vaccine mandate will be effective on February 18, 2022. This Directive will be reviewed by the Administration no later than six months after it comes into force and will continue to be updated as required and as reasonable given the evolving nature of the pandemic, vaccine availability and the direction of the CMOH and Yukon Government.
- b) Employees, students, and contractors may not attend any university campus or facility in person unless they:
 - i) are Fully Immunized.
 - ii) have received an exemption (addressed in section 6).
 - iii) are children who are ineligible to be vaccinated because of their age.

- c) Vaccination against Covid-19 or an approved exemption will become a condition of employment for all new hires, effective January 4, 2022.

4) **Proof of Vaccination**

- a) For an individual to be considered Fully Immunized or Partially Vaccinated, that individual must sign an attestation to the University confirming they are fully or partially immunized by January 4th, 2022
- b) To submit Proof of Vaccination:
 - i) Students attending In Person classes must submit completed attestation form to the Registrar's Office;
 - ii) employees must submit completed attestation forms to Human Resources; and
 - iii) Contractors (including their own employees) working onsite in any university campus or facility must submit an attestation confirming their vaccination status to Procurement Services.
 - iv) Yukon Government contractors working at any University site must comply fully with Yukon Government's vaccine mandate.
 - v) Visitors who attend any campus or facility in person are required as per campus or facility direction to show Proof of Vaccination by showing a Valid Vaccine Credential provided by a Canadian Jurisdiction showing status is Fully Vaccinated and government issued identification; and
 - vi) Yukon University will conduct random checks of the vaccination status of employees, students, and contractors by checking a Valid Vaccine Credential provided by a Canadian Jurisdiction showing status is Fully Vaccinated and government issued identification.

5) **Rapid Testing Mitigation for those Exempted from the Vaccine Mandate-**

- a) Individuals who are required to isolate in accordance with public health orders (including those who are symptomatic) may not attend any campus or facility in person and should not perform a rapid test. To be clear – a negative rapid test does not reduce your isolation period under applicable public health orders (only PCR tests administered by Yukon's Chief Medical Officer of Health qualify for this).
- b) Rapid testing may be offered if an individual has received an exemption to the vaccine under section 6 of this directive or is attending the university as a guest to an event hosted by the university.
- c) Refusal to take a rapid test when requested by the University will be considered non-compliance to this directive (see section 7).

6) **Exemption**

- a) Any individual who cannot comply with the requirements of Section 4 based on a protected ground under the Human Rights Act, including a medical contraindication, may apply for an exemption. Current students and employees must submit their

request for exemption on or before January 4, 2022, to ensure there is sufficient time for the University to process the application and allow for time to come into compliance if the application is denied.

- i) Any individual who cannot be vaccinated based on a protected ground under the Human Rights Act of Yukon must:
 - (1) Apply for an exemption and submit appropriate supporting documentation.
 - (2) Acceptable supporting documentation may look differently depending on the protected ground to which the exemption relates. Individuals should reach out to HR (employees) or the Office of the Registrar (students) for guidance on acceptable documentation.
- ii) Any individual who cannot be vaccinated due to a medical contraindication to vaccination must:
 - (1) apply for a medical exemption by submitting an original, signed vaccine medical exception letter provided by an authorized health professional; and
 - (2) the medical exemption letter must be provided and will be assessed in line with the CMOH's ongoing guidance.
- iii) If the individual is
 - (1) a Student, the individual must submit the request for exemption to the Registrar's Office; and
 - (2) An Employee, the individual must submit the request for exemption to Human Resources; and
 - (3) Individuals who have received an approved exemption from mandatory vaccination will be accommodated by undergoing regular rapid testing, as articulated in section 5".
- iv) Visitors and contractors will be required to demonstrate their proof of exemption, if asked.

7) Requirements and Deadlines

- a) Individuals attending any university campus or facility in person should always carry proof of their compliance with this program as they must show their proof should they be subject to random checking of vaccine status.
- b) The University may request that any individual who attends any university campus or facility in person demonstrate that they comply with this program at any time.
- c) **All Employees** are expected to demonstrate compliance with the program by submitting:
 - i) an attestation confirming their vaccine status to Human Resources on or before **January 4, 2022**; and through random checking may be required to show:
 - (1) confirmation of at least one vaccine on or before **December 10, 2021**, through official government issued document identifying vaccination status or a QR code (including printed codes)

- ii) On or before **February 18, 2022**, letters of attestation from all employees must confirm full vaccination and all employees will be subject to random checking. The random checks will require employees to show vaccination status a Valid Vaccine Credential provided by a Canadian Jurisdiction showing status is Fully Vaccinated OR a letter of exemption and proof of negative rapid test was performed within the last 72 hours.
 - d) **All Students attending classes at any University Campus or facility in person** are expected to demonstrate compliance with the program by submitting:
 - i) an attestation confirming their vaccine status to the Registrar's Office on or before **January 4, 2022**; and through random checking may be required to show:
 - (1) a Valid Vaccine Credential provided by a Canadian Jurisdiction showing status as having at least one vaccine shot on or before **December 10, 2021** through official a **Valid Vaccine Credential provided by a Canadian Jurisdiction showing status is Fully Vaccinated**;
 - ii) On or before **February 18, 2022**, letters of attestation from all students must confirm full vaccination and all students will be subject to random checking. **The random checks will require students to show vaccination status through a Valid Vaccine Credential provided by a Canadian Jurisdiction showing status is Fully Vaccinated** OR a letter of exemption and proof of negative rapid test that was performed within the last 72 hours.
 - e) **Contractors** (including their employees) at all campuses are expected to demonstrate compliance with the program by showing:
 - i) signing an attestation confirming their vaccine status: and through random checking may be required to show
 - (1) a **Valid Vaccine Credential provided by a Canadian Jurisdiction** showing status is Fully Vaccinated; or
 - (2) after February 18, 2022, a letter of exemption and proof of negative rapid test was performed within the last 72 hours.
- 8) **Submitting Fraudulent Information**
- a) Members of the University community are expected to act with integrity during their studies and employment. Further, it is illegal to create fraudulent medical records. Students, Employees, Contractors, and members of the public are expected only to submit information and documents that are true and accurate.
 - b) Individuals who submit fraudulent records will be subject to the following consequences:
 - i) if they are a Student, they will be subject to discipline per Yukon University's non-academic misconduct policy. This is a serious breach, and discipline may include expulsion.

- ii) if they are an Employee, they will be subject to discipline per applicable policies and the terms and conditions of their employment, including the applicable collective agreement. This is a serious breach, and discipline may include dismissal for cause.
- iii) if they are a Contractor (or one of its employees), this may result in consequences under the agreement between the University and Contractor. This is a serious breach and may be grounds to terminate the agreement for cause. Individual employees of Contractors may be asked to leave the facility by the University's safety and security staff, and they may face discipline from their employer.
- iv) if they are a member of the public, they will be asked to leave the facility.

9) **Non-Compliance**

- a) Individuals who do not comply with this program will not be permitted to Attend in person.
 - i) Students attending classes at any University campus or facility who are registered in in person classes will not participate in those classes. Students will not receive additional support for classes that are missed. Students who do not comply with the program will be subject to discipline per the non-academic misconduct policy and/or will be de-registered from their courses.
 - ii) It is expected that even employees who work remotely may be required to periodically come to campus or work in campuses outside of Whitehorse, and therefore they are not exempted from this program. Non-compliant employees will be placed on unpaid leave for up to three months. Employees who continue to be noncompliant over this unpaid leave may have their employment terminated.
 - iii) Contractors (or their employees) who are required to perform services on any University campus may not complete those services. Contractors will breach their contractual obligations if they fail to perform the services expected of them. Extended delays or disruptions in service will be grounds for termination of their contract for breach.
 - iv) Rapid testing may be used for events hosted by the University that include members of the public.

3) **Privacy**

- a) The personal information you provide to Yukon University is collected under the authority of the Yukon University Act and the Access to Information and Protection of Privacy Act. The information you submit will be used for the purposes of administering this COVID-19 Mandatory Vaccination Program and verifying the information you submitted under previous COVID-19 response programs. It also may be used in any other similar programs implemented by the University in

response to the COVID-19 pandemic. Collected personal information is protected from unauthorized access, collection, use, and disclosure in accordance with the Access to Information and Protection of Privacy Act and can be reviewed upon request subject to the provisions under the Act. Questions regarding the collection of personal information can be directed to:

- i) Student information will be held by the Registrar's Office
- ii) Employee information will be held by Human Resources
- iii) Contractor information will be held by Procurement Services.

4) **Definitions**

- a) "Contractors" means any individual or company who is engaged to provide goods or services for the University;
- b) "Directive" means this University Directive – COVID-19 Mandatory Vaccination Program;
- c) "Effective Date" means the date on which this Directive is made effective as listed on its cover page;
- d) "Employees" means individuals who are engaged to work for the University under an employment contract, including faculty, staff, excluded, casual and management employees;
- e) "Fully Immunized" means that you have received one dose of a one-dose series or two doses of a two-dose series of a Health Canada approved vaccine and 14 days have elapsed;
- f) "attend university campus or facility in person" means an individual attends anyone of the University's campuses or facilities.
- g) "Partially Vaccinated" means that you have received one dose of a two-dose series of a Health Canada approved vaccine;
- h) "Proof of Vaccination" means a paper or electronic record showing the individual's vaccination status that is in a form satisfactory to the University;
- i) i) "Review Date" means the date on which this Directive will be reviewed;
- j) "Students" means any individual who maintains a current affiliation as a learner in the University's educational community; and
- k) "University" means Yukon University.