




CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
City Clerk's Office

TO:	Chair and Members of Governance Review Sub-Committee
COMMITTEE DATE:	September 9, 2022
SUBJECT/REPORT NO:	Mandatory COVID-19 Vaccination Verification Policy for Members of Council and Members of Council Appointed Committees (FCS22016(a)/HR22010(a)) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Andrea Holland (x5409)
SUBMITTED BY:	Andrea Holland City Clerk
SIGNATURE:	
SUBMITTED BY:	Lora Fontana Executive Director, Human Resources
SIGNATURE:	

RECOMMENDATION(S)

- (a) That Council approve the amendments to the City of Hamilton Mandatory COVID-19 Vaccination Verification Policy respecting the reporting of non-compliant Members of Council as described in Appendix A of Report FCS22016(a)/HR22010(a).

EXECUTIVE SUMMARY

At Council on July 8, 2022, Council directed staff to return to Governance Review Sub-Committee with changes to the Mandatory COVID-19 Vaccination Verification Policy (the "Vaccination Policy") to have all non-compliant Members of Council reported directly to the Integrity Commissioner. The amended Vaccination Policy in Appendix A also incorporates the changes made by Council on August 12, 2022 when it was decided to suspend the policy for existing staff members and remove citizen appointees from the Policy.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

At the Council meeting of July 8, 2022, Council referred Report FCS22016/HR22010 back to staff with the direction to return to the Governance Review Sub-Committee with amendments to the Vaccination Policy with language to reflect that any Member of Council that was non-compliant with the Vaccination Policy be reported to the Integrity Commissioner.

**Governance Review Sub-Committee Report 22-003 - June 23, 2022 (Item 10.2)
(b) Mandatory COVID-19 Vaccination Verification Policy for Members of Council and Members of Council Appointed Committees (FCS22016 / HR22010) (City Wide) (Item 10.2)**

- (i) That Report FCS22016 / HR22010, respecting the Mandatory COVID-19 Vaccination Verification Policy for Members of Council and Members of Council Appointed Committees (City Wide), be referred back to staff to report back with further information with a goal of making vaccination or a medical exemption mandatory for Members of Council and if vaccination verification or a medical exemption does not apply that the matter be referred to the Integrity Commissioner; and
- (ii) That all Members of Council be notified of the Governance Review Sub-Committee meeting where this matter will be considered.

At the Council meeting on August 12, 2022, in the decision to reconsider the recommendations from April 27, 2022, the following was approved, removing Citizen Appointees from the Vaccination Policy. This is reflected in version of the Vaccination Policy in Appendix A to report FCS22016 (a)/ HR22010(a).

- 10. Amendment to the Mandatory COVID-19 Vaccination Verification Policy (HUR21008(b)) (City Wide) (Item 10.6)
 - (a) That the City suspend its Mandatory COVID-19 Vaccination Verification Policy requiring proof of full vaccination in the

workplace, and that the following provisions in the current policy, be amended by:

- (i) removing the general requirement to provide proof of vaccination or participate in rapid antigen testing program as an ongoing condition of employment, thereby eliminating the termination of employment for those employees failing to provide evidence of vaccination by May 31, 2022;
- (ii) discontinuing the requirements for employees who have not disclosed their vaccination status (or who are subject to an accommodation) to participate in rapid antigen testing, effective May 2, 2022; and,
- (iii) removing citizen appointees from the application of the Policy.

Staff are no longer proposing changes to the Vaccination Policy related to Citizen Appointees as Council has made the decision, on August 12, 2022, that the Vaccination Policy no longer applies.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

All current Members of Council have publicly stated that they are in compliance with the Vaccination Policy. Any new Members of Council would need to provide proof of vaccination or an approved medical exemption pursuant to the Vaccination Policy after taking office. The Office of the City Clerk has included the Vaccination Policy in the Candidates package for Municipal Elections.

Due to the elected status of Members of Council, staff were directed to provide wording in the Vaccination Policy to outline the implications for non-compliant Members of Council as detailed in Appendix A to Report FCS22016(a)/HR22010(a). Staff are seeking approval of the amended language.

RELEVANT CONSULTATION

Consultations in developing this report and recommendations included the Office of the City Clerk, Legal Services and Human Resources.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

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Staff were directed to return to Governance Review Sub-Committee with changes to Policy to reflect that non-compliant Members of Council be reported directly to the Integrity Commissioner. As a result, no other alternatives are being provided.

ALTERNATIVES FOR CONSIDERATION – N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix A – Amendments to the Mandatory COVID-19 Vaccination Verification Policy