

Municipality of East Ferris

Report to Council

Report No.: CAO-2023-06

Date: December 12, 2023

Originator: Jason H. Trottier, CAO/Treasurer

Subject: Suspension of Covid-19 Vaccination Policy – Policy No. GOV-007

RECOMMENDATION

1. That Council for the Municipality of East Ferris suspends the municipality's *Covid-19 Vaccination Policy* approved on October 12th, 2021 (Policy No. GOV-007).
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BACKGROUND

The Municipality of East Ferris Covid-19 Vaccination Policy (Policy No. GOV-007) was approved by Resolution 2021-289 at the regular session of Council on October 12th, 2021. The policy remains in effect as originally approved and has not been revised since 2021. Updates and changes to provincial mandates, medical guidance, case law and neighbouring municipal policies have since occurred.

Provincial Mandates

In March 2022, the Province of Ontario removed all mandates regarding Covid-19 including the requirements of employers to develop a safety plan, employees to wear a mask/face covering and/or conduct passive screening of employees/customers. Current guidance recommends staying up to date on Covid-19 vaccines and flu shots but does not require or recommend employers develop a vaccination policy for Covid-19.

World Health Organization (WHO)

The World Health Organization (WHO) declared an end to "Covid-19 as a Global Health Emergency" on May 5, 2023.

Case Law

On June 17, 2022, in *FCA Canada Inc. v Unifor, Locals 195, 444, 1285*, Arbitrator Nairn held that a two-dose mandatory vaccination policy implemented by an employer was no longer reasonable going forward due to the evolving scientific evidence regarding the COVID-19 virus. Fiat Chrysler Automobiles (FCA) Canada's vaccination policy was struck down and found to be unreasonable. As a result, the mandatory policy ended, and the employees placed on unpaid leave (over 300) were permitted to return to the workplace.

Local Municipal Policies

East Ferris is the only remaining municipality in our immediate area to currently have an active Covid-19 Vaccination Policy that requires mandatory vaccination.

| Municipality | Date |
|---------------------|-------------------------------|
| North Bay | February 28, 2023 (Suspended) |
| Powassan | March 1, 2022 (Rescinded) |
| Callander | No policy created |
| Chisholm | No policy created |
| Bonfield | No policy created |

ANALYSIS/OPTIONS

- Option #1: Suspend the municipality's *Covid-19 Vaccination Policy* approved by Council on October 12th, 2021 (Policy No. GOV-007).
- Option #2: Do not suspend the municipality's *Covid-19 Vaccination Policy* approved by Council on October 12th, 2021 (Policy No. GOV-007).

RECOMMENDATION

Taking into consideration the current status of provincial mandates, medical guidance, neighbouring municipal policy, and case law, it is recommended that Council for the Municipality of East Ferris suspends the municipality's Covid-19 Vaccination Policy approved on October 12th, 2021 (Policy No. GOV-007).

FINANCIAL IMPLICATIONS

None

Respectfully submitted,



Jason H. Trottier, HBBA, CPA, CMA
CAO/Treasurer