

**SENT VIA EMAIL**

**TO:** ALL LCBO SUPPLIERS, CONTRACTORS, AGENCY WORKERS, TRADESPERSONS & TRADE PARTNERS:

**RE: Liquor Control Board of Ontario (“LCBO”) Vaccination & Testing Policy, effective September 26, 2021**

The LCBO is committed to maintaining health and safety as a top organizational priority and is taking all reasonable precautions to promote a healthy and safe workplace to reduce the potential spread of COVID-19, including mandating COVID-19 vaccination or testing in all of its workplaces. Please be advised that, effective as of September 26, 2021, the LCBO will be implementing and enforcing its new COVID-19 Workplace Vaccination and Testing Policy (the “**Policy**”).

As a condition of doing, or continuing to do, business with the LCBO, we require you to comply with this Policy, in addition to complying with all existing LCBO COVID-19 Safety Plan requirements. This Policy applies to any individual, including, without limitation, contractors, suppliers, agency workers, trades persons and each and any of their respective employees, agents, representatives, and authorized subcontractors, who are attending and performing work or services at LCBO workplaces (retail stores, service centres, depots, offices, event spaces, etc.).

In particular, any third-party doing business with the LCBO must ensure that any staff, contractors or representatives attending an LCBO workplace are fully vaccinated against COVID-19. For those who are not fully vaccinated against COVID-19, they will be required to undertake COVID-19 testing within 48 hours of arrival at any LCBO workplace.

These measures will become effective October 30, 2021, pursuant to the Policy. We strongly encourage you to adopt your own vaccination and testing policies and procedures (see resources below\*). You will be solely responsible for:

- (a) ensuring that any individual shall have been fully vaccinated or subject to testing within 48 hours prior to providing any work or service at an LCBO workplace, including complying with any testing that LCBO may require or administer from time to time; and
- (b) confirming and/or collecting documentation confirming vaccination status and/or medical exemptions.

The LCBO reserves the right, from time to time, to require proof of compliance with this Policy including, without limitation, requiring attestations, proof of vaccination (dose receipts, vaccination passports, etc.) or proof of medical exemptions.

Should you fail to comply with this Policy, your staff, representatives or contractors will not be permitted to enter and/or perform work or services in LCBO workplaces and the LCBO may take action, including, without limitation, the termination of your contract with LCBO.

We appreciate your cooperation with this important health and safety policy.

\*For more information or guidance on how to set up a rapid screening program, please visit the following links

- <https://covid-19.ontario.ca/provincial-antigen-screening-program>
- <https://www.canada.ca/en/public-health/services/diseases/coronavirus-disease-covid-19/testing-screening-contact-tracing/workplace.html>
- <https://www.cdlrapidscreeningconsortium.com/>

## LCBO COVID-19 WORKPLACE VACCINATION AND TESTING POLICY

### PURPOSE

The LCBO is committed to maintaining health and safety as a top organizational priority and is taking all reasonable precautions to promote a healthy and safe workplace to reduce the potential spread of COVID-19, in accordance with the *Occupational Health and Safety Act, 1990*. To demonstrate our commitment to this critical priority and recognizing the importance and benefits of full COVID-19 vaccination, particularly considering current and emerging variants, the LCBO is mandating COVID-19 vaccination or testing in all of its workplaces.

This policy outlines the conditions under which certain parties and/or individuals (“**LCBO Workplace Attendees**”) will be permitted to enter LCBO workplaces, subject to vaccination status and other screening and testing requirements.

### APPLICATION

For purposes of this policy, LCBO Workplace Attendees shall include the following parties, to whom this policy applies:

- All LCBO employees (e.g., Permanent Full Time, Permanent Part Time, Casual, Seasonal, Contract and Fixed Term) who have commenced, or will commence, employment on or before September 26, 2021, and,
- Other persons attending and performing work or services at LCBO workplaces, including, without limitation, contractors, suppliers, agency workers, trades persons and each and any of their respective employees, agents, representatives, and authorized subcontractors (collectively, “**Third Party Workers**”), who:
  - o Attend an LCBO worksite (i.e., retail store, retail service centre, depot, or office); or,
  - o Who are anticipated to be at an LCBO workplace and working alongside and/or regularly interacting with LCBO employees or other persons in such workplace.

For clarity, this policy does not apply to:

- LCBO Customers;
- Persons performing emergency repairs or maintenance at an LCBO workplace; and,
- Persons performing emergency services (E.g., Police, Fire, Ambulance) at an LCBO workplace.

### CONDITIONS:

***Additional\* Requirements for Entry to LCBO Workplaces***

All LCBO Workplace Attendees entering and performing work or services at an LCBO workplace must:

- Be Fully Vaccinated against COVID-19; or
- For those who are not fully vaccinated against COVID-19:
  - Advise that they have a medical reason for not being vaccinated against COVID-19 (a “**Medical Exemption**”) and undertake regular COVID-19 testing; or
  - Complete a COVID-19 vaccination educational session and undertake regular COVID-19 testing.

*\*NOTE: These requirements for entry are in addition to all existing LCBO COVID-19 Safety Plan requirements.*

### **Disclosure of Vaccination Status**

LCBO employees must disclose and provide an attestation in Workday to the LCBO confirming that they are either:

- Fully Vaccinated;
- Partially Vaccinated;
- Have a Medical Exemption; or
- Have not been vaccinated for a non-medical reason or do not want to disclose vaccination status and/or information.

Third Party Workers will be strongly encouraged to implement their own vaccination policies and procedures (Ex. obtaining attestations from their own employees), and, in any event, will not be permitted to attend LCBO workplaces without complying with The Additional Requirements for Entry to LCBO Workplaces outlined above.

### **Definitions**

- **Fully Vaccinated** - means *an individual who has received their second dose of a Health Canada-approved two-dose COVID-19 vaccine series for at least fourteen (14) days, or their first dose of a Canadian-approved one-dose COVID-19 vaccine series or as otherwise defined by the Ministry of Health.*
- **Partially Vaccinated** - means *an individual who has not received their second dose of a Health Canada-approved two-dose COVID-19 vaccine series for at least fourteen (14) days or an individual who has received only one (1) dose of a Health Canada-approved two-dose COVID-19 vaccine series.*
- **Medical Exemption** – means *a medical condition or substantive health risk resulting in an individual not receiving a Health Canada-approved COVID-19 vaccine, as confirmed by a Medical Doctor (MD) or Nurse Practitioner (NP).* NOTE: This MD or NP note is not required to identify any employee-specific diagnosis.

## **Documentation**

In addition to providing an attestation confirming vaccination status, LCBO employees will be required to provide the following documentation (“**Documentation**”), upon request and as applicable:

- If Fully Vaccinated, proof of vaccination in the form of a [dose administration receipt](#), as provided by the Ministry of Health, or such other documented proof as may become available from time to time, as directed by the Ministry of Health;
- If a Medical Exemption applies, documentation from a MD or NP confirming the Medical Exemption; or,
- If seeking another exemption or accommodation, documentation as reasonable in the circumstances.

This documentation will be kept in an employee’s confidential medical information file and retained in accordance with LCBO’s policies.

Third Party Workers are responsible for confirming and/or collecting documentation confirming vaccination status and/or medical exemptions in accordance with their own vaccination policies and procedures, as applicable. The LCBO reserves the right, from time to time, to require proof of compliance with this policy from Third Party Workers including, without limitation, requiring Documentation, as outlined above.

## **Effective Date**

All LCBO employees will be required to provide Documentation if requested and complete an attestation by no later than September 26, 2021.

Effective October 30, 2021, LCBO employees who:

1. are not Fully Vaccinated (including those with a Medical Exemption or who are Partially Vaccinated), will be required to do COVID-19 testing in accordance with the COVID-19 Workplace Vaccination and Testing Procedure; and,
2. are not Fully Vaccinated for reasons other than a Medical Exemption or for those that do not disclose their vaccination status, will be required to attend mandatory education on the benefits of vaccination, in addition to doing the COVID-19 testing as referred to in point 1 above.

## **NOTE:**

- For those LCBO employees who are not Fully Vaccinated, their managers will be advised of their participation in COVID-19 testing but will not be advised of whether it is due to a medical exemption, except where necessary for the purpose of accommodation. Managers will then be responsible for assisting, where required, in the implementation and enforcement of the COVID-19 Workplace Vaccination and Testing Procedure.

- Partially Vaccinated or non-vaccinated employees who become Fully Vaccinated will no longer be required to do COVID-19 testing following completion of a new attestation and providing Documentation of full vaccination, as set out under this policy.

Third Party Workers are strongly encouraged to engage in COVID-19 testing, as part of their vaccination policies and procedures. For clarity, Third Party Workers will be solely responsible for ensuring that any individual of such party shall have been Fully Vaccinated or subject to regular testing prior to providing any work or service at an LCBO workplace, including complying with any testing that LCBO may require or administer from time to time, as applicable.

This policy remains in effect until further notice or until superseded by provincial legislation or other public health orders.

### **LCBO Employees Commencing Employment after September 26, 2021**

For employment with the LCBO commencing after September 26, 2021, full vaccination will be a condition of employment, subject to any duty to accommodate in accordance with the *Ontario Human Rights Code*.

New LCBO employees commencing employment after September 26, 2021, will be required to provide Documentation, upon request and as applicable, confirming Fully Vaccinated status or a Medical Exemption in accordance with this Policy. Should a Medical Exemption apply, the new LCBO employee will be required to do COVID-19 testing in accordance with this policy and the COVID-19 Workplace Vaccination and Testing Procedure.

### **ACCOMMODATIONS**

The LCBO will comply with all applicable legislation, including the *Ontario Human Rights Code* (the “Code”), as well as the Collective Agreement, as applicable, in respect of any reasonable accommodation required (to the point of undue hardship) in relation to this policy. Employees who require accommodation, in accordance with the Code or the Collective Agreement, must advise their supervisor and/or manager of same. Such requests will be considered in accordance with the LCBO’s established policies and procedures.

### **NON-COMPLIANCE**

LCBO employees who make a false attestation or provide falsified documents under this policy or who otherwise fail to comply with this policy may be subject to disciplinary action up to and including termination of employment.

Third Party Workers who fail to comply with this policy will not be permitted to enter and/or perform work or services in LCBO workplaces and may be subject to further action including, without limitation, termination of contract.

