



February 18, 2022

**TO:** Park Board Chair and Commissioners  
**FROM:** General Manager – Vancouver Board of Parks and Recreation  
**SUBJECT:** COVID-19 Mandatory Vaccination Policy for Contractors

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## RECOMMENDATION

THAT, to align with the City of Vancouver's COVID-19 policies that apply to employees and City contractors, the Vancouver Park Board approve the proposed "COVID-19 Mandatory Vaccination – Contractors Policy" attached as Appendix A.

## REPORT SUMMARY

Recognizing the importance of limiting the spread of COVID-19 as much as possible, the City of Vancouver has implemented mandatory COVID-19 vaccination policies that apply to all City and Park Board staff, as well as to City contractors. As the City's contractor policy does not explicitly extend to Park Board contractors or their staff, it is recommended that the Park Board approve a similar policy, attached as Appendix A, which would apply to Park Board contractors and workplaces.

## BOARD AUTHORITY / RELATED POLICY

As per the [Vancouver Charter](#), the Park Board has exclusive jurisdiction and control over all areas designated as permanent and temporary parks in the City of Vancouver, including any structures, programs and activities, fees, and improvements that occur within those parks.

As per the [2018 Joint Operating Agreement](#), the Park Board has jurisdiction to set policy, priorities, objectives that pertain to access, operations and use of the overall recreation system, including the Community Centre Network, or which may address statutory or regulatory compliance, risk management, system-wide financial issues, sustainability goals for the recreation system, or which are aimed at ensuring better health or quality of life outcomes for the residents of the City of Vancouver.

In October 2021, the City of Vancouver announced a [COVID-19 Mandatory Vaccination Policy](#) requiring all staff to be fully vaccinated against COVID-19.

In November 2021, the Park Board approved a motion title [Park Board Commissioner COVID-19 Vaccinations](#) confirming that all Commissioners are fully vaccinated against COVID-19 and will voluntarily follow the intent of the City of Vancouver staff policy, as well as advice from public health.

In December 2021, the City of Vancouver approved a [COVID-19 Mandatory Vaccination – Contractors Policy](#) requiring all City contractors to be fully vaccinated against COVID-19. This policy does not extend to all Park Board contractors.

## **BACKGROUND**

Effective January 7, 2022, all City of Vancouver staff and volunteers, inclusive of Park Board staff and volunteers, were required to be fully vaccinated with a COVID-19 vaccine series. Notification of this requirement was communicated on Monday, October 18, 2021. The policy to support this requirement was circulated to all City of Vancouver staff and volunteers on November 1, 2021. This corporate [policy](#) is publicly posted on the City of Vancouver website.

The implementation of a mandatory vaccination policy was informed by a number of factors, including:

- public health officials have repeatedly emphasized that vaccinations are the best line of defense against COVID-19 and its variants; this is set out in nearly every public health order issued by British Columbia's Provincial Health Officer (PHO);
- Government of Canada announced vaccine requirements for all federal employees;
- Province of BC mandated all provincial employees to be fully vaccinated, stating "as more employees return to their regular workplaces..., this provides an additional and reassuring layer of protection for workers who are continuing the vital work of serving British Columbians";
- several major Canadian private sector employers and Crown corporations have also implemented mandatory vaccination policies;

Additionally, in December, the Province of BC mandated contractors and other parties entering public service workplaces (except to access a government service) are required to be fully vaccinated.

With the pandemic continuing, and given the high transmissibility of the Omicron variant, the City developed additional policy that applies to "all workers and volunteers of the City's contractors and of their subcontractors who enter a City workplace". Under the [City's Mandatory Vaccination Policy for Contractors](#), approved December 16, 2021, all workers and volunteers of a City contractor or their subcontractors must be fully vaccinated against COVID-19 in order to enter a City workplace after February 18, 2022. The policy defines "contractor" as a party engaged by the City that supplies goods or services to the City.

This policy addresses the fact that in many workplace settings staff work closely beside third parties; however unlike the corporate policy that applies to both City and Park Board staff, the scope of the City's contractor policy does not explicitly include Park Board's contractors. Park Board staff have been working collaboratively with these third party partners, including Community Centre Association (CCA) staff, contractors, and volunteers, to implement mandatory vaccine requirements to align with the City policy. This cooperative approach has been well received and generally supported by the majority of the groups impacted, however without formal policy in place some exceptions will remain.

## **DISCUSSION**

To support compliance with the City's mandatory vaccination requirements across the entire Park Board network, staff recommend the Board implement an aligned contractor policy that applies specifically to Park Board contractors. The proposed policy is attached as Appendix A, and subject to Board approval, would require that all workers and volunteers of a Park Board

contractor (and their subcontractors) be fully vaccinated against COVID-19 in order to enter any Park Board workplace after February 28, 2022.

It is anticipated that there will be fairly low impact by the implementation of this policy as staff are making steady progress with getting most contractors to voluntarily comply. The CCAs have already been very proactive and so far 19 of the 21 CCAs that have a joint operating agreement in place with the Park Board have indicated a willingness to comply with the City's policy and are working cooperatively with staff.

Staff will continue to work with those contractors that have not yet confirmed their compliance and, based on feedback so far, expect most contractors will comply.

### **LEGAL CONSIDERATIONS**

The proposed policy attached as Appendix A will apply to all workers and volunteers of the Park Board's contractors and subcontractors who fall within the policy criteria. It aligns with the City's related policies and will support consistent public policy across all City of Vancouver and Park Board workplaces.

### **CONCLUSION**

Due to importance of keeping the spread of COVID-19 as limited as possible, staff are recommending that the Park Board approve the proposed "COVID-19 Mandatory Vaccination - Contractors" policy, attached as Appendix A. Adoption of this policy will align with related City of Vancouver policies and will support the consistent application of public policy across the Park Board network.

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# VANCOUVER PARK BOARD POLICIES AND PROCEDURES

<b>POLICY TITLE:</b> COVID-19 Mandatory Vaccination – Contractors ( <i>PROPOSED</i> )	
<b>CATEGORY:</b> Administrative	<b>POLICY NUMBER:</b> <i>tbd</i>

## PURPOSE

The purpose of this policy is to require all workers and volunteers of Vancouver Park Board contractors and of their subcontractors who enter a Park Board workplace after February 28, 2022 to be fully vaccinated against COVID-19.

Vaccination is a reasonable measure that supports the commitment of the City of Vancouver and Board of Parks and Recreation to minimizing the ongoing health and safety hazards and operational impacts of COVID-19 in relation to employees, volunteers, the public we interact with and the safety of the community overall..

## SCOPE

This policy applies to all workers and volunteers of the Park Board’s contractors and of their subcontractors. Only those contractor or subcontractor workers and volunteers who enter a Park Board workplace after February 28, 2022 are required to comply with this policy.

## DEFINITIONS

“Park Board workplace” - Any worksite, location or facility where Park Board staff are present or Park Board work is performed.

“contractor” - A party engaged by the City that supplies goods or services to the City provided such party is not the Vancouver Public Library or the Vancouver Police Department.

“fully vaccinated” - A person is fully vaccinated when they have received the full series of a COVID-19 vaccine or combination of COVID-19 vaccines that are accepted by the BC Centre for Disease Control.

“subcontractor” - A party that supplies good or services to a contractor.

## POLICY STATEMENTS

### 1. Requirement to be Fully Vaccinated

- 1.1. This policy applies to all workers and volunteers of the Park Board’s contractors and of their subcontractors. All such workers and volunteers who enter a Park Board workplace after February 28, 2022 must be fully vaccinated against COVID-19.
- 1.2. All contractors shall cause their workers and volunteers, their subcontractors and the workers and volunteers of their subcontractors, to comply with this policy. Any non-compliance by any of the foregoing may be deemed by the Park Board to be in non-compliance of a Park Board contractor.

- 1.3. Existing and prospective contractors shall comply with any measures implemented by the Park Board from time to time to seek information from contractors regarding their intent or ability to comply, or to confirm their compliance, with this policy including, without limitation, providing the Park Board with written acknowledgments, written certifications or other relevant information.
- 1.4. This policy is in addition to, and all contractors are required to continue to follow, the Park Board's COVID-19 policies, procedures and requirements as well as related public health requirements or guidelines in BC.

## **2. Exclusions**

- 2.1. Unless the Park Board determines otherwise, this policy does not apply to:
  - 2.1.1. Contractors and their subcontractors that only make deliveries at, or pick-ups from, a Park Board workplace,
  - 2.1.2. Lessees, licensees or tenants of the Park Board, or
  - 2.1.3. Property owners, property managers or their contractors and subcontractors of Park Board workplaces in respect of which the Park Board is a lessee, licensee or tenant.

## **3. Exceptions**

- 3.1. The Park Board may permit limited exceptions from the requirements of this policy at its sole discretion. Contractors may request exceptions in accordance with the process established by the Park Board. Limited exceptions that may be permitted may include an exception to facilitate emergency or highly specialized work or to facilitate a contractor's efforts to provide a workplace accommodation for an employee whose request for an accommodation on the basis of protected legal grounds under the BC Human Rights Code is approved by the contractor.
- 3.2. If an exception is permitted, the Park Board may impose limitations or conditions necessary to mitigate any health and safety risks.

## **4. Accommodations under BC Human Rights Code**

- 4.1. It is a contractor's responsibility to have in place processes for managing workplace accommodation requests from its own workers and volunteers.
- 4.2. The Park Board will comply with its obligations to accommodate in accordance with the BC Human Rights Code.

## **5. Non-Compliance**

- 5.1. Contractors that do not comply with this policy are not authorized to enter, may be denied entry into, or may be removed from, a Park Board workplace at the contractor's expense.
- 5.2. The Park Board reserves all legal rights in respect of any contractor that does not comply

with this policy up to, and including, termination of a contract between the Park Board and a contractor.

- 5.3. Any contractor providing false or misleading information may be deemed to be non-compliant with this policy.

## 6. Access to Information

- 6.1. Contractors shall obtain and maintain, and shall provide to the Park Board upon request, such information as is reasonably necessary to establish the contractor's compliance with this policy.

## 7. Privacy

- 7.1. Contractors shall not disclose any personal information, as such term is defined in the BC Freedom of Information and Protection of Privacy Act ("FIPPA"), of their workers or volunteers, or of their subcontractors' workers or volunteers, unless the Park Board requests such information. If the Park Board makes this request, contractors are responsible for obtaining the permission of such persons if required and otherwise complying with all applicable laws regarding the collection, retention and disclosure of such information. The Park Board has legal authority to collect personal information for the purposes of this policy under Section 26(c) of FIPPA. Questions may be directed to [contractorvaccinationpolicy@vancouver.ca](mailto:contractorvaccinationpolicy@vancouver.ca).
- 7.2. Any personal information submitted by a contractor to the Park Board under this policy will be collected, retained and protected by the Park Board in accordance with FIPPA.
- 7.3. The Park Board will only use personal information submitted by a contractor under this policy to carry out the purposes of this policy and in accordance with FIPPA.

## 8. Duration and Review

- 8.1. Due to the evolving nature of the COVID-19 pandemic, this policy will be reviewed periodically and may be amended or revoked as circumstances warrant.

## RELATED POLICIES

[City of Vancouver COVID-19 Mandatory Vaccination Policy](#) (ADMIN 049)

[City of Vancouver COVID-19 Mandatory Vaccination – Contractors Policy](#) (ADMIN 056)

## APPROVAL HISTORY

<b>PREPARED BY:</b> Strategic Operations & Board Relations	<b>APPROVED BY:</b> Vancouver Park Board	<b>DATE:</b> tbd
<b>AMENDED BY:</b>	<b>APPROVED BY:</b>	<b>DATE:</b>