



Mandatory COVID-19 Testing of Staff

Administrative Procedure 8.361

Board Governance Policy Cross Reference: 1, 2, 3, 4, 5, 6, 10, 11, 13, 16

Legal Reference: Public Schools Act 41(1); Workplace Safety and Health Act 4 (1) 7 4(2); Orders und the Public Health Act.

Date Adopted: October 6, 2021

Date Amended: January 6, 2022

I. BACKGROUND

The Evergreen School Division herein after referred to as “Division” is committed to upholding its statutory obligations to provide a safe environment to all pupils who attend our schools, all employees who work in our facilities, and all members of our community who volunteer or visit our schools (Public Schools Act 41(1); Workplace Safety and Health Act 4(1) & 4(2)).

On August 24, 2021, Manitoba Public Health announced its intention to introduce new Public Health Orders that would compel all employers providing services to vulnerable populations (including children) to observe the implementation of mandatory collection of proof of full vaccination or mandatory testing of all employees and school site visitors having direct contact with children. These Orders were published on September 24, 2021.

On September 2, 2021, Manitoba Education published additional directives pertaining to “immunization and testing requirements” that serve to operationalize the mandatory collection of proof of full vaccination or mandatory testing of all employees and school site visitors having direct contact with children.

This administrative procedure is one component of our pandemic response planning that aims to:

- ensure a successful return to in-school learning, uninterrupted by COVID-19 outbreaks;
- reduce transmission of COVID-19 in the Division’s schools and facilities; and
- mitigate the risk of severe COVID-19 outcomes among individuals in our schools, particularly those individuals who are unable to be vaccinated due to legitimate medical, personal or religious reasons or for whom vaccines are not currently approved, notably children born after December 2009.

In accordance with the September 2, 2021, directives published by Manitoba Education on “immunization and testing requirements”

(https://manitoba.ca/asset_library/en/proactive/20212022/orders-soe-08272021.pdf)

Education sector workers including teachers, educational support staff, school administration staff, custodial staff, bus drivers, child care staff working in school-based

early learning and child care facilities, clinical and health care related occupations in schools; volunteers; and post-secondary practicum students, are required to provide proof of full vaccination or submit to testing “up to three times per week.”

To comply with these requirements and Public Health Order issued on September 24, 2021, the Division has developed this administrative procedure and the guidelines below providing that all of its employees who have direct contact with pupils in the Division must undergo testing up to three times per week or provide proof of full vaccination. Additionally, the Division mandates that all school trustees/board members and visitors who have direct contact with vulnerable populations (including children) are, at the discretion of the Division, required to submit proof of full vaccination prior to entry to school properties where children may be present and/or, at the discretion of the Division, to undergo testing up to three times per week, in order to enter a Division facility. For clarity, in the absence of proof of full vaccination, the Division may, at its discretion, require those school trustees/board members and visitors who attend a divisional facility on an irregular basis, to have conducted and received a negative test within 48 hours prior to their attendance at such a facility.

For the purposes of this procedure, “fully vaccinated” shall mean individuals who have received both doses (any combination) of an approved two dose COVID-19 vaccine (AstraZeneca, Pfizer, Moderna), or a single dose of an approved single dose COVID-19 vaccine (Janssen/Johnson & Johnson) with more than 14 days having passed since the final vaccination was received, which definition shall be subject to ongoing amendment and compliance with the Manitoba Public Health definition of “full vaccination” which may exceed the current dosage definition.

II. GUIDELINES

Staff

- A. All persons employed or engaged by the Division—including casual, term, and permanent employees—are required to disclose and provide proof of full COVID-19 vaccination status to their Principal or Supervisor.
- B. Employees who are not fully vaccinated against COVID-19 or who do not disclose their COVID-19 vaccination status will be required to undergo COVID-19 testing up to three times per week until they have provided proof that they are fully vaccinated.

New Employees

- A. All persons offered casual, term, or permanent employment, or engagement in the Division will be required to disclose and provide proof of full COVID-19 vaccination status at the time of hire or engagement. Newly hired employees who are not fully vaccinated against COVID-19 will be required to undergo COVID-19 testing up to three times a week, until they

have provided proof that they are fully vaccinated.

Accommodation

- B. Notwithstanding the foregoing and consistent with its human rights obligations, the Division will duly accommodate employees who are legally entitled to accommodation to the point of undue hardship. All employees requesting accommodation must participate in the accommodation process and provide reasonable and necessary information requested by the Division related to the accommodation request, failing which the Division may be unable to provide any accommodation.

III. Practices

- A. The Division will accept as proof of COVID-19 vaccination status the digital or physical version of the [Manitoba Immunization Card](#). Other forms of proof will be assessed by the Division according to the September 7, 2021 guidance provided by the Manitoba School Boards Association.
- B. Collection of personal health information will comply with the provisions of the [Personal Health Information Act](#),
- C. The Division, who is responsible for hiring new employees, will verify the full vaccination status of applicants.
- D. Employees required to submit COVID-19 test results up to three times per week, as per the guidelines above, must do so according to the schedule determined by the Division, prior engaging in direct contact with a pupil.

An employee who is not at work or not on site on a day that they are scheduled to provide their test result, must provide it the day of their return to work or to the facility, prior to entering a school facility and/or prior to entering into direct contact with a pupil.

For the purposes of the guidelines, the Division will accept the results of:

A self-administered rapid test as defined by the Division.

An employee receiving a positive test result following such a test must:

- I. attend a Province of Manitoba Testing Site for a confirmatory test;
 - II. isolate and follow the advice of public health; and;
 - III. return to work upon the advice of public health
- E. Requests for accommodation for the exemption of COVID-19 testing must be accompanied by the information required for accommodation and will be reviewed by the Division.
 - F. The Superintendent of Schools will:
 - a. closely monitor the requirements and recommendations of the Department of Education, Manitoba Public Health and the

Governments of Manitoba and of Canada,

- b. advise the Board of any changes in circumstance which may impact the need and/or application of this administrative procedure
 - c. recommend procedure revisions, including rescindment
- G. Any breach of this procedure by a Divisional employee including the provision of false and/or misleading information, may result in discipline, up to and including termination of employment.
- H. Any breach of this procedure by a visitor, including the provision of false and/or misleading information, may result in revocation of visitation privileges.
- I. The Board authorizes the Superintendent of Schools to modify the procedure on an interim basis to comply with emergent Public Health Orders, guidance received from a relevant authority or other situations, subject to the conditions below:
- a. Any interim modification to the policy made by the Superintendent of Schools will take effect immediately.
 - b. The Superintendent of Schools shall, within forty-eight (48) hours, inform the Chair and Vice-Chair of any interim modification made to the procedure.
 - c. The Superintendent of Schools shall, at the next regular meeting of the Board, inform the Board of any interim modification made to the policy and recommend formal adoption of the modifications.
 - d. Actions taken by the Superintendent of Schools are subject to Board review.
 - e. Actions taken by the Superintendent of Schools shall be consistent with the overall policy of the Board.

The following outlines procedures related to COVID-19 testing of staff. These procedures are subject to change based on the advice of public health officials.

1. Prior to the commencement of the workday and/or prior to entering into direct contact with a pupil, an employee that has not provided proof that they are fully vaccinated must self-administer a COVID-19 rapid test, or other test as specified by the Division, up to three times per week according to the schedule determined by the Division. At the discretion of the Division, employees may be provided all testing supplies.
2. When rapid testing is specified by the Division as the testing method, three rapid tests must be self-administered each of which a minimum of one rapid test must be self-administered on-site at **Arborg Collegiate or the TEC centre**

with designated test supervision. The schedule of on-site self-administration will be determined by the Division.

- i. On-site – Tuesday evening; at home – Sunday evening and Thursday evening
- ii. On-site – Wednesday morning; at home – Monday morning and Friday morning

At the discretion of the Division, employees may be required to undergo supervised on-site self-administration on a more frequent basis.

3. The period of time between the self-administration of tests will not exceed 48 hours during the week, and self-administration of tests will not exceed 48 hours prior to engaging in direct contact with pupils, whichever is applicable to every employee.
4. Should an employee fail to undergo rapid testing within 48 hours prior to engaging in direct contact with pupils, they must not attend the workplace or facility and, for all employees must immediately notify their principal/supervisor or other person designated by the Division.
5. Appointments for on-site self-administered testing must be made in advance. Appointments must be scheduled prior to the beginning of the employee's workday and, when applicable, allow for travel time from the test site to the school facility. Walk-ups are not permitted.
6. Supervised on-site self-administered testing will take place at:
 - i. Arborg Collegiate Tuesdays 2:30 to 4:30 pm
 - ii. Gimli Tec Centre: Wednesdays 7:00 am to 8:30 am

Employees are to arrive at scheduled appointment times, not earlier. Employees will observe physical distancing while waiting, don a medical mask upon entering, perform hand hygiene upon entering, self-monitor for COVID-19 symptoms before attending the onsite supervision, and self-isolate when sick.

7. The Division has designated the Safety Officer as the Division's designated monitor/test supervisor for supervision of self-administered on-site rapid testing of employees. The Division will assign other test supervisors as necessary.
8. At all times, on-site rapid testing is to be self-administered by those employees who are subject to mandatory testing requirements. Test supervisors must not themselves administer tests.
9. An employee who is not at work on a day that they are scheduled to self-administer the rapid test on-site, must cancel their appointment as far in

advance as possible and notify the Safety Officer. The employee is required to perform a self-administered test on the day of their return, prior to entering the school facility and/or prior to entering into direct contact with a pupil if a supervised test appointment is not available on that day. Employees are expected to schedule an appointment on the earliest possible day subsequent to their return to the school facility.

10. Testing will not occur during periods of extended leave (one week duration or longer), but testing must resume no more than 48 hours prior to returning to the workplace and/or facility.
11. Prior to the commencement of the workday on days they are scheduled to self-administer rapid testing at home, employees must record on the attestation form the date of administration and test result.
12. The results of self-administered tests conducted at home may be subject to verification by the Division. Home test results must be recorded on the form provided.
13. The test supervisor will:
 - i. monitor on-site self-administration of rapid tests by employees;
 - ii. ensure that the sampling and testing procedures are completed effectively and in keeping with guidelines;
 - iii. verify and witness rapid test results;
 - iv. respect employee privacy and confidentiality
 - v. provide direction to supervised employees regarding the safe, on-site disposal of completed test units;
 - vi. receive training on and implement applicable workplace safety and health protocols, including those related to handling and disposal of hazardous and/or medical waste; and
 - vii. wear required personal protective equipment as provided by the Division (i.e., medical mask, procedural or surgical eyewear and/or face shield, impermeable latex gloves, and medical gown).
14. Should a rapid test yield positive results—whether conducted at home or on site, the employee must leave their workplace as soon as it is operationally safe to do so, if they are tested at their workplace or must not attend their workplace, if they are tested at a location that is not their workplace.
15. The employee bears the responsibility to immediately self-isolate and follow the Public Health Guidelines related to a positive rapid test result.

To be clear, the Division is not responsible for reporting positive test results to Public Health, based on an at-home or on-site rapid test.

16. An employee who has tested positive must not return to their workplace until

their period of isolation, based on Public Health Guidelines, has ended.

17. The Division will provide for secure retention, retrieval and destruction of all records, in compliance with privacy, confidentiality and all safeguards concerning the protection of personal health information as specified by the [Personal Health Information Act](#).