

MANDATORY VACCINATION ON AIRPORT SITE

1. INTRODUCTION

The Ottawa International Airport Authority (the “Authority”) is committed to providing a safe and healthy environment, and quality, safe, and secure transportation services to its customers.

The Authority recognizes the grave risks caused by COVID-19. To prevent the transmission of COVID-19 in the Airport, the Authority has developed this Directive, in particular to meet the obligations of policy implementation arising from the Government of Canada’s vaccination requirements, the Order and any other statutory instrument that applies.

Vaccination against COVID-19 is but one component of the Authority’s commitment to occupational health and safety, and specifically, preventing its transmission. Preventative measures will remain in effect until local, provincial, and/or federal public health authorities provide updated guidance.

Official data presented by government authorities show a significantly higher incidence of COVID-19 and its consequences because of the unvaccinated population. The Authority is determined to continue to implement the necessary measures to limit the risks of spreading COVID-19 at the airport and thus reduce any adverse effects on its employees, the airport community and the travelling public.

Through the adoption of this Directive, the Authority aims to achieve the following objectives:

1. Protect the health and safety of the airport community and passengers;
2. Limit the spread of COVID-19 and its effects on health, the economy and society; and
3. Provide a safe working and travelling environment.

This Directive is in addition to the measures already in place. In the event of discrepancies between the published bulletins and this Directive, the latter shall prevail. This Directive shall be interpreted in conjunction with the Order, but in no case shall the scope or requirements of this Directive be restricted by the provisions of the Order.

2. DEFINITIONS

Adequate vaccination: Means having received a second dose of the following COVID-19 vaccines (including a combination of these vaccines) at least 14 days ago:

- Pfizer-BioNTech (Comirnaty, tozinameran, BNT162b2);
- Moderna (Spikevax, mRNA-1273);
- AstraZeneca (Covishield/ChAdOx1-S/Vaxzevria/AZD1222; or

Also means having had a first dose of these vaccines at least 21 days after having had COVID-19, confirmed by a nucleic acid amplification test (NAAT), and this dose was received at least 14 days ago.

Also means having received a dose of Janssen/Johnson & Johnson COVID-19 vaccine (A26.CO2. S) and this dose was received at least 14 days ago.

Airport site: For the purposes of this Directive, the term airport site includes the following places:

- Terminal and all buildings forming part of it;
- Hendrick building;
- Non-passenger screening checkpoints;
- Any NPS-V (Non passenger and vehicle screening);
- Car rental centres;
- De-icing centre;
- Restricted area (which includes the parts inside and outside the buildings);
- Any place on the airport site where an employee is likely to have face-to-face interaction with:
 - anyone intending to board a flight; or
 - any Authority employee; and
- Any location where the direct conduct or support of activities related to the operation of commercial flights takes place, including aircraft refuelling services, aircraft maintenance and repair, baggage handling, supply services provided to the Authority, an air carrier or NAV CANADA, runway and taxiway maintenance or de-icing services.

CATSA: Means the Canadian Air Transport Security Authority.

CSC: Means the Customer Service Centre.

COVID-19: Means the SARS-CoV-2 2019 virus (Coronavirus 2 of Severe Acute Respiratory Syndrome) and/or any other World Health Organization (WHO) accepted name. It also refers to the original virus, its mutations and/or variant.

Employee: This refers to any person who works, for pay or free of charge, on the airport site or who accesses the airport site in the course of their duties. This shall be interpreted broadly and includes in particular directors, officers, employees, contract workers, self-employed persons, volunteers, subcontractors, service providers and their own employees.

Employer: Any individual or corporation that carries on a business, performs work or occupies space on the airport site and has one or more employees under its supervision or responsibility. By way of example, and without limiting the generality of the foregoing, it includes lessees, concession operators, licensees or permit holders, contractors and their subcontractors and service providers.

Order: Means [Interim Order Respecting Certain Requirements for Civil Aviation Due to COVID-19, No. 43 made under the Aeronautics Act](#), and any subsequent order replacing or amending it.

Pass: Means a restricted area pass, including a RAIC or temporary pass, issued by the Authority or an issuer under its authority, to a person who requires access to a restricted area in the course of employment.

Proof of Vaccination: Vaccination attestation against COVID-19 in the form of a QR code, in paper or electronic format, issued by the Government of Ontario or by any other competent government authority authorized to issue such a certificate.

Restricted Area Identity Card (RAIC): Means the pass that is issued by or under the authority of the Authority and which may be automatically verified by an identity verification system maintained by CATSA.

Temporary pass: Means a document or identification approved by the Authority, both issued by the CSC, authorizing the holder to have temporary access to a restricted area.

3. SCOPE OF APPLICATION

This Directive applies to all employers and employees on the airport site of Ottawa International Airport.

4. EFFECTIVE DATE

This Directive shall enter into force on October 30, 2021, and shall remain in force until it is formally revoked by the Authority.

5. IMPLEMENTATION

5.1. Mandatory vaccination and prohibition

As of November 1, 2021, all employees on the airport site must be adequately vaccinated. No employee shall be present on the airport site unless they are adequately vaccinated.

5.2. Proof of vaccination

As of November 1, 2021, all employees must carry proof of vaccination and identification at all times while on the airport site and present them upon request to an Authority representative.

5.3. RAIC

The Authority is currently in discussions with Transport Canada regarding linking vaccine proof with the RAIC. It may be required in the near future that, when applying for a RAIC, the employee must submit proof of vaccination or an approved exemption.

In contemplation of this process, the employer must ensure that the employee has proof of vaccination or an approved exemption before making an appointment at the CSC. In addition, for appointments already scheduled, the employer must verify that the employee has proof of vaccination or an approved exemption and, if not, must cancel the appointment until the employee is able to provide these documents.

This Directive will be updated and communicated when further information about this process and timing is finalized.

5.4. Temporary pass

As of November 1, 2021, the CSC and temporary pass issuers must verify proof of vaccination before issuing a pass. Verification of proof of vaccination must be documented in the register or temporary pass issuance form in a complete and legible manner, and in accordance with the instructions provided by the CSC.

Only fully vaccinated persons may be issued a temporary pass.

No exemptions or accommodations may be made for any reason to a temporary pass holder.

5.5. Declaration of vaccination status

Exceptionally, if an employee is unable to present proof of vaccination or identification when requested, they will be required to immediately sign the declaration form confirming that they are adequately vaccinated or that their employer has granted them an exemption and that they are subject to accommodation by their employer. The employer will be notified if one of their employees signs a declaration.

The employee will be required to report to the CSC within seven (7) days of signing the declaration to present proof of vaccination or exemption form. Failure to do so will result in the employee's access to the restricted area being withdrawn and the employer shall collect the employee's pass to be returned to the CSC as soon as possible.

If the employee refuses or is unable to sign the declaration form, the employer will be notified and the employee's pass will be seized, if applicable.

The Authority reserves the right not to accept a declaration in lieu of proof of vaccination or an approved exemption, particularly if the employee has already availed himself of this exception.

6. MEDICAL EXEMPTIONS

The employer is responsible for planning and implementing the medical exemption process for its employees in accordance with this Directive. This process should include the method of submission and review of requests for its employees according to the criteria established in this Directive.

The applicable medical exemptions under this Directive are:

- A history of anaphylaxis after a previous administration of a COVID mRNA vaccine;
- A confirmed allergy to the polyethylene glycol (PEG) found in the Pfizer-BioNTech and Moderna COVID-19 vaccines. (Note that if a person is allergic to the tromethamine found in the Moderna vaccine, they can receive the Pfizer-BioNTech vaccine.); and
- History of myocarditis/pericarditis after the first dose of an mRNA vaccine.

The employer must require documentation from employees which must be authorized by a health professional. They must be carefully checked for accuracy and authenticity. Any employer who doubts the authenticity or accuracy of documents or has reason to believe that an employee is making an unsubstantiated or misleading request for exemption, must refuse the request. Transport Canada provides employers with forms to assist them in approving exemption applications.

The employer will be required to maintain a complete record of approved exemptions, including the full name of the employee, the reason for the exemption, the date the exemption was approved and the RAIC number, if applicable. This record must be kept in a complete and legible manner and be presented to the Authority upon request.

No other exemptions are permitted.

6.1. Accommodations and obligations for exempted persons

The employer is responsible for establishing and enforcing an accommodation framework for employees who are medically exempt in accordance with this Directive. The criteria for accommodation shall be in accordance with the criteria established by the Government of Canada and this Directive.

If the employer has granted an employee an exemption, the employee will be required to provide their employer with a COVID-19 test result twice a week. These measures apply only

to employees with a valid exemption, duly approved by the employer.

Rapid antigen tests

If rapid antigen tests are used, the employee may submit their negative result to the employer in order to access the airport site. In the case of a positive result, the employee will be required to notify the employer immediately and undergo a molecular test for COVID-19 to confirm the diagnosis. An employee who has received a positive result from a rapid antigen test may not report to the airport site while awaiting the result of the molecular test.

Molecular testing

If molecular tests are used, the employee may submit their negative result to the employer in order to access the airport site.

If the result of the molecular test is positive, the employee must notify the employer immediately. An employee who has received a positive molecular test result for COVID-19 may not report to the airport site for 14 days from the date the sample was taken.

Beginning on the 15th day, but no later than 180 days, following the date of collection of the positive molecular test sample, the employee may submit the positive test result for access to the airport site.

6.2. Exemption documentation

The employer shall complete the Transport Canada form for the medical exemption granted, retain Part I and give Part II to the employee. The employee must carry Part II at all times on the airport site and present it upon request to an Authority or CATSA representative in lieu of proof of vaccination, accompanied by identification.

The employer must also keep a record of exemptions granted, including weekly monitoring of accommodation measures. This record must be kept in a complete and legible manner and be presented to the Authority upon request.

7. EMPLOYER POLICY AND RESPONSIBILITY

The employer is responsible for adopting a policy in line with this Directive to be implemented as of November 1, 2021. The employer shall disseminate the policy to its employees, subcontractors, service providers and business partners, and shall monitor and enforce it.

The employer is responsible for compliance with this Directive and the Order, by any employee who is present in any premises or building occupied by it at the airport site, or who is performing any work, including work at its request or for its benefit at the airport site. This includes, but is not limited to, an employee of a supplier, service provider, subcontractor or consultant, regardless of that employee's employment or contractual relationship with the supplier or service provider.

Unless expressly authorized in writing by the Authority, employers must provide the Authority with a copy of their policy no later than November 15, 2021, at the following address: vaccination@yow.ca.

The Authority may, at any time, request the employer amend the policy if it considers it to be inconsistent with this Directive.

8. NON-COMPLIANCE WITH THE DIRECTIVE

If an employee is unable to provide proof of vaccination, an employer-approved exemption or sign a statement to that effect while on the airport site, the employee will be required to leave the site, the employee's pass will be seized, if applicable, and the employer will be notified.

In addition, if the Authority has reason to believe that an employee in the restricted area has provided proof of vaccination or signed a statement that may be false or misleading, the person's name and pass number will be provided to Transport Canada for corrective or punitive action.

If an employer refuses or neglects to comply with this policy, including, but not limited to, failing to adopt a compliant policy for its employees, knowingly approving unfounded requests for exemptions, or failing to maintain appropriate records, the Authority reserves the right, in order to protect its employees, members of the airport community and passengers, to take any appropriate action, including suspending or revoking the access rights of all of the non-compliant employer's employees, or suspending or terminating the employer's contract or licence, until the non-compliance is corrected.

8.1. Monitoring

In accordance with the Order, Transport Canada will conduct inspections to ensure compliance with the federal vaccination mandate. Non-passengers could be fined up to \$5,000 per violation under the *Aeronautics Act*.

CATSA and the Authority or their service providers will also conduct checks to verify proof of vaccinations or approved exemptions for employees at the airport site.

8.2. Audit

The Authority may conduct audits to ensure the application of this Directive, the Order and company policies. The Authority may request any additional documents or information from the employer to verify the application of this Directive and the Order. A refusal to comply with such a request will be considered as a refusal to comply with this Directive.

9. ROLES AND RESPONSIBILITIES

9.1. Role and responsibility of the employer

- Formulate an internal policy to comply with the requirements of this Directive;
- Communicate and enforce this policy with their employees, contractors and service providers;
- Ensure that all its employees on the airport site are fully vaccinated or have been granted an exemption;
- Analyze, approve and document requests for exemptions;
- Implement accommodation measures in relation to exemptions granted;
- Keep a register of the application of accommodation measures;
- Notify the operator in the event of non-compliance by an employee;
- Validate proof of vaccination of employees according to their internal policy;
- Seize the pass of employees who do not comply with this Directive.

9.2. Role and responsibility of the employee

- Obtain proof of vaccination in QR format;
- Carry proof of vaccination and RAIC, if applicable, or another form of government-issued identification at all times;
- Present proof of vaccination or employer-approved exemption to the Authority or CATSA when requested;
- Comply with accommodation measures, if exempted.

10. FREQUENCY OF AMENDMENT

The Authority reserves the right to amend this Directive, in particular according to the evolution of the pandemic situation and its consequences, official and scientific data on COVID-19 and/or according to the coming into force of federal or provincial legislation or regulations requiring it.

11. REGULATORY COMPLIANCE

All employers must continue to comply with and enforce all COVID-19 prevention measures and local public health recommendations. Employers remain responsible for their obligations, as warranted, under the *Aeronautics Act*, the Order and, more generally, under occupational health and safety and privacy legislation.

12. ANNEXES

TRANSPORT CANADA

COVID-19_-_MEDICAL_EXEMPTION_REQUEST_FORM_(EMPLOYEES)_(E) (1);

For any question related to this Directive, its content or its application, please write to vaccination@yow.ca.