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16.0 Vaccination / COVID Testing Verification Policy

16.1 Purpose

16.1.1 The purpose of this COVID-19 Vaccination / COVID-Testing Verification Policy is to provide guidelines pertaining to the expectations and requirements of staff with respect to COVID-19, testing and vaccination, consistent with Fillmore Construction Management Inc (FCMI) health and safety policies, our Code of Conduct, and our business needs.

16.1.2 FCMI is legally obligated and is committed to providing a safe and healthy working environment for our employees, our clients, and members of the public with whom we regularly interact with, taking into account applicable local standards.

16.1.3 FCMI has identified COVID-19 as a potential workplace hazard affecting FCMI Staff who are exposed to a variety of potential sources of transmission due to the varied locations at which FCMI performs services and persons with whom FCMI staff interact. FCMI has determined that the hazard cannot be eliminated, and that administrative controls (such as distancing), engineering controls (such as ventilation), and personal protective (equipment) are somewhat effective, but not effective enough in addressing the hazard posed by COVID-19. FCMI recognizes that vaccination is an effective engineered control to lower COVID-19 transmission rates, to reduce the severity of COVID-19 infections, to avoid risk to workers and to our operations (as well as incidentally reducing the strain on our healthcare systems, and to limit the other wide-ranging negative health and economic impacts of the pandemic). Similarly, PCR and antigen testing provide mechanisms to control (or eliminate) the presence of COVID-19 in FCMI workspaces by preventing carriers of the COVID-19 virus from interacting with workers.

16.1.4 As a result of the COVID-19 pandemic, Alberta and Canada have also seen the emergence of vaccination verification systems and testing regimes to control entry into many businesses and locations as the most responsible way to respect an individual's right to choose while protecting others who might be impacted by that individual's choice.

16.1.5 Consistent with these developments, the adoption of a vaccination verification system and testing regime for all staff is a reasonably practicable measure for our organization to control the workplace hazard posed by COVID-

19. In addition, because a growing number of our clients and business partners are adopting vaccination verification requirements for their locations, FCMI's vaccination verification policy is also becoming a matter of business necessity. Adopting this step aligns with our corporate social responsibility and many of our clients' requirements.

16.2 Scope

16.2.1 This Policy applies to all Fillmore Construction Management Inc staff/employees and Benchmark Builders Inc. employees contracted to FCMI worksites, be it fulltime, part-time or hourly.

16.2.2 This Policy does not apply directly to subcontractors, suppliers and other independent contractors. FCMI will work with subcontractors, suppliers and independent contractors and all others to achieve the goals of this Policy with those workers.

16.3 Definitions

In this Policy:

16.3.1 "Fully Vaccinated" means that an individual has received all doses of a vaccine recommended by Health Canada for inoculation against the COVID-19 virus **and** 14 days have passed since his or her final vaccine dose. (NOTE: currently Health Canada has approved two-doses vaccine series [Pfizer, Moderna, and AstraZeneca], and a one-dose vaccine [Johnson & Johnson]. However, Health Canada may change the number of recommended doses of vaccines to achieve efficacy, in which case the updated dose recommendations apply to the meaning of "Fully Vaccinated". In this case, FCMI will provide FCMI Staff with a period to achieve compliance with the new requirements.

16.3.2 "FCMI Staff" has the meaning set out in Paragraph 16.2.1.

16.3.3 "PCR Test" means a polymerase chain reaction test to determine the presence of the COVID-19 virus in a person administered as approved by Health Canada.

16.3.4 "Policy" has the meaning in Paragraph 16.1.1.

16.3.5 "Qualified Medical Sources" means the advice of a medical doctor licensed in the FCMI Staff's province of residence.

16.3.6 "Rapid Antigen Test" means a rapid antigen test approved by Health Canada and administered by an approved provider.

16.4 Vaccination Verification and Covid Protocols

16.4.1 Beginning November 15, 2021 any FCMI Staff person who enters a FCMI workplace (project site, office or other location) is required to provide one of the following:

- 1) Evidence of full COVID-19 Vaccination approved by Health Canada.
- 2) If not Fully Vaccinated or choosing not to disclose vaccination status, evidence of a negative Rapid Antigen Test or PCR Test which is no more than 24 hours old on **every Monday and Thursday of each work week.**

(Documentation is to be submitted to FCMI Human Resources at verify@fcmi.net)

16.4.2 FCMI Staff not Fully Vaccinated as of November 15, 2021 & who fail to comply with paragraph 16.4.1(2) will be subject to discipline up to and including termination with cause, for failure to adhere to this Policy.

16.4.3 All submitted evidence of a COVID-19 Vaccination must be valid. Currently accepted forms of proof include Immunization Records, Vaccination Receipts from the healthcare professional administering the vaccination, and medical notes from a physician or nurse practitioner confirming vaccination status.

16.5 Assistance with Vaccinations

16.5.1 FCMI Human Resources department and/or safety department will provide assistance to employees who are unsure about how to get vaccinated if needed.

16.6 Vaccination Requirements for Individuals who Previously Contracted Covid-19

Health Canada recommends vaccination for those individuals who previously contracted COVID-19. However, the individual's treatment or recovery from COVID-19 and their antibody levels may impact the appropriate timing of the individual's vaccination. FCMI Staff who are not yet Fully Vaccinated and previously contracted COVID-19 should complete an assessment of their individual circumstances in light of the applicable guidance from Health Canada, to determine vaccine eligibility date. In the event that individual eligibility falls after November 15, 2021, please refer to section **16.7** for reporting requirements. This information will be held in confidence and will not be used or disclosed except where reasonable for FCMI to determine its obligations and ability to modify its expectations under this Policy or as is reasonable to manage the employment relationship with the Staff person.

16.7 Accommodations (Duty to Report any Inability to Comply)

16.7.1 Staff who believe they are unable (or may be unable) to comply with this policy and its requirements, meaning unable to receive vaccination *and* unable to complete PCR or Rapid Testing, **must disclose** their inability (believed or actual) to comply **before breaching this policy** or as soon as otherwise possible (the "**Inability Disclosure**"). The Inability Disclosure must be provided to Human Resources at **verify@fcmi.net** along with all available documentation that will support the believed inability to comply. The Inability Disclosure will be held in confidence and will not be used or disclosed except where reasonable for FCMI to determine its obligations and ability to modify its expectations under this Policy or as is reasonable to manage the employment relationship with the Staff person.

16.7.2 FCMI will accommodate any Staff where required by legislation, including the *Alberta Human Rights Act*, to the extent where such modification would impose an undue hardship on FCMI.

16.7.3 Any Staff claiming an inability to comply with this policy on the basis of medical grounds must provide FCMI with sufficient information from an independent medical doctor or nurse practitioner to enable FCMI to determine

its obligations and ability to modify its expectations and the requirements of this policy. This information will be held in confidence and will not be used or disclosed except where reasonable for FCMI to determine its obligations and ability to modify its expectations under this Policy or as is reasonable to manage the employment relationship with the FCMI Staff person.

16.8 Confidentiality

16.8.1 Information relating to proof of vaccination and/or proof of a negative COVID-19 test, will be held in confidence by Human Resources. This information will not be disclosed except as may be required for the purposes consistent with the *Personal Information Privacy Act* and other applicable legislation. This may include purposes of ensuring the safety of employees, contractors, clients and local communities in the event of a COVID-19 outbreak, or as otherwise may be required to administer this Policy. Disclosure to FCMI HSE professionals, HR Managers, and Corporate Management for auditing purposes, and to HR Managers and Corporate Management will only be disclosed where reasonable for addressing employment relationship. Circumstances may include staff planning needs or disciplinary measures, and to ensure every reasonable precaution is taken to protect health and safety in our workplace. Where FCMI Clients require proof of vaccination or negative testing to access and/or work onsite, consent will be obtained from the FCMI Staff member pursuant to paragraph 16.10. Personal Employee Information collected under this policy will not be shared with an FCMI Client without your consent, except where authorized under the *Personal Information Protection Act*.

16.8.2 When the COVID-19 pandemic ends, or if FCMI determines it is appropriate to do sooner, all information regarding FCMI Staff's vaccination status will be securely destroyed, erased, or anonymized.

16.9 Other COVID-19 Protective Measures

All FCMI Staff must continue to comply with FCMI 's policies, protocols, Code of Practice and rules with respect to physical distancing, masking, personal protective equipment and any other measures intended to reduce the transmission of COVID-19; which are subject to change from time to time as risk level and regulations change. Where provincial, municipal or other

regulatory health protocols are more restrictive, FCMI Staff must follow the more restrictive protocols.

FCMI 's COVID-19 policies, protocols, Codes of Practice and rules will remain in place, even if no longer mandated by public health or other regulatory bodies, and until FCMI determines they are no longer necessary. If new or amended government directives are issued; or alternatives to vaccinations are approved for use by Health Canada as being effective to protect individuals against COVID-19, this Policy will be reviewed and revised as appropriate.

16.10 Client Requirements

Where a FCMI Client imposes vaccination verification requirements on its properties that are more restrictive than the requirements of this Policy, the Client's vaccination validation requirements shall apply to all FCMI Staff assigned to the applicable project locations prior to dispatch of FCMI Staff to the FCMI Client site.

In some circumstances FCMI may be required to provide an FCMI Client with documentation or information regarding individuals vaccination status or COVID-19 testing information. Such information will be disclosed only as necessary after consent is obtained from the worker.

An FCMI Staff person is entitled to refuse consent to share information with an FCMI Client. In this case the person may not be dispatched to the FCMI Client site. This may limit the work opportunities for that person. Where consent is refused or the individual is unable to meet the requirements for the FCMI Client, FCMI will examine its ability to provide other work to the FCMI staff person and may consider a temporary layoff, a leave of absence, or ending the employment relationship where circumstances warrant.

16.11 Review of Policy / Temporary Policy

This Policy is temporary. This policy will be removed when FCMI determines that COVID-19 no longer presents a workplace hazard warranting the continued application of this policy.

As a result, this policy will be subject to ongoing renewal, no less than once every 3 months.

In addition, this Policy will be regularly reviewed and updated to reflect the latest scientific guidance, as well as, legislation from the provincial government, the federal government, Ministries of Health, the Public Health Agency of Canada, Local Health Units and any other relevant health bodies and FCMI 's safety or other needs.

16.12 Discipline & Falsification of Records

Any FCMI Staff person breaching this policy is subject to discipline. Where circumstances warrant, breach may include termination of employment.

Any FCMI Staff person falsifying proof of vaccination/proof of a negative COVID-19 test, or providing such information to FCMI knowing it to be false, engages in serious workplace misconduct (dishonesty and insubordination) and undermines the efficacy of this policy, and the health and safety of his or her fellow workers. Given the importance of safety and honesty to FCMI, any such employee engaging in this misconduct is subject to termination of employment.

16.13 Contact

Please contact the Fillmore Construction Safety department or Human Resources department if you have any questions.