

COVID-19 Vaccination Requirements for Contractors, Tenants and Visitors When Accessing VIA Rail Premises

Policy owner:

President and Chief
Executive Officer

Effective date:

November 15, 2021

1 OBJECTIVE

Provide the Policy and Procedures concerning the vaccination requirements of contractors, tenants and visitors when accessing a VIA Rail premises, in accordance with Transport Canada's Ministerial Order (MO 21-07) issued pursuant to section 32.01 of the *Railway Safety Act*.

Protect the health and safety of our employees by mitigating the health and safety risks and preventing severe health impacts from the COVID-19 infection/illness. Vaccination is a key element in the protection of employees against COVID-19.

Enhance the safety and security of Canada's transportation system and facilitate the resumption of safe travel.

Contribute to the Canadian effort and fight against COVID-19 to protect the health and safety of our employees, our customers/passengers and the general public. Vaccination is one of the most effective tools to reduce the risk of COVID-19 for Canadians, to protect broader public health, and to prevent future outbreaks.

2 SCOPE

This Policy applies to all contractors, tenants and visitors when accessing in a VIA Rail premises during the pandemic of the SARS-CoV-2 infectious agent (the virus that causes COVID-19) as declared by the Public Health Agency of Canada.

Note: Separate policy developed for employees and passengers

3 DEFINITIONS

Acceptable proof of vaccination credential (PVC)

Means evidence issued by the government or the non-governmental entity that is authorized to issue the evidence of COVID-19 vaccination in the jurisdiction in which the vaccine was administered, and must contain the following information:

- the name of the person who received the vaccine;
- the name of the government or the name of the non-governmental entity;
- the brand name or any other information that identifies the vaccine that was administered; and
- the dates on which the vaccine was administered or, if the evidence is one document issued for more than one dose and the document only specifies the date on which the most recent dose was administered, that date.

An acceptable proof of vaccination credential includes both a paper PVC and a digital PVC. In all cases, the PVC must be in English or French and any translation into English or French must be a certified translation.



Contractors	Means any company or individual with which VIA Rail has contracted to provide materials or labour to perform a service on a VIA Rail premises, including contractors, suppliers, service providers, sub-contractors, consultants, contracted employees and consultant employees.
COVID-19	Means the coronavirus disease 2019.
Ministerial Order	Means the Transport Canada Ministerial Order (MO 21-07) issued pursuant to section 32.01 of the <i>Railway Safety Act</i> , effective on October 30, 2021.
COVID-19 vaccine	Any of the vaccines authorized by Health Canada as referred to on the Government of Canada website: Vaccines for COVID-19 - Canada.ca
COVID-19 Molecular Test	Means a COVID-19 screening or diagnostic test carried out by an accredited laboratory, including a test performed using the method of polymerase chain reaction (PCR) or reverse transcription loop-mediated isothermal amplification (RT-LAMP).
Emergency Situation	Emergency situation means a sudden or unforeseen situation where injury/illness or harm has been sustained, or could reasonably be sustained to employee(s), passenger(s), the public or the environment such as those involving a casualty or unavoidable accident, an Act of God, severe storms, major earthquakes, washouts, derailments. Except as outlined above, normal operating problems that are inherent in railway operations do not constitute an "emergency".
Employee	All active employees, including current and new hire, active and inactive, full-time, part-time and students/interns that work from time to time for VIA Rail and are working in a workplace.
Fully Vaccinated	Means a person who, at least 14 days prior, has completed, a COVID-19 vaccine dosage regimen if: <ul style="list-style-type: none">• In the case of a vaccine dosage regimen that uses a COVID-19 vaccine that is authorized for sale in Canada,<ul style="list-style-type: none">i. the vaccine has been administered to the person in accordance with its labelling, orii. the Minister of Health determines, on the recommendation of the Chief Public Health Officer, appointed under subsection 6(1) of the Public Health Agency of Canada Act, that the regimen is suitable, having regard to the scientific evidence related to the efficacy of that regimen in preventing the introduction or spread of COVID-19 or any other factor relevant to preventing the introduction or spread of COVID-19; or• in all other cases,<ul style="list-style-type: none">iii. the vaccines of the regimen are authorized for sale in Canada or in another jurisdiction, andiv. the Minister of Health determines, on the recommendation of the Chief Public Health Officer, appointed under subsection 6(1) of the Public Health Agency of Canada Act, that the vaccines and the regimen are suitable, having regard to the scientific evidence related to the efficacy of that regimen and



the vaccines in preventing the introduction or spread of COVID-19 or any other factor relevant to preventing the introduction or spread of COVID-19.

and,
Holding a proof of vaccination credential.

For greater certainty, a COVID-19 vaccine that is authorized for sale in Canada does not include a similar vaccine sold by the same manufacturer that has been authorized for sale in another jurisdiction.

Limited Access to the VIA Rail Premises

Means performing a delivery and/or a service that require access to a designated area of the work place (e.g., receiving/shipping or reception) and for whom the interaction with a VIA Rail employee is limited to a single task (e.g., dropping off or picking up).

Proof of a COVID-19 molecular test result

Means proof that contains the following information:

- the name and date of birth of the person whose specimen was collected for the test;
- the name and civic address of the laboratory that administered the test;
- the date the specimen was collected and the test method used; and
- the test result.

An acceptable proof of a COVID-19 molecular test includes either a paper or digital copy.

Tenants

Tenants are individuals or legal entities renting a space in VIA Rail premises and include personnel that is not employed or contracted by VIA Rail but by Tenants or on behalf of the Tenants, working in those rented space in VIA Rail premises.

Unable to be fully vaccinated

Means a person who holds an attestation related to an exception in the form of either:

- A written evidence from a doctor or nurse practitioner who is licensed to practice in Canada confirming that the employee has a medical condition that prevents them from completing a COVID-19 vaccine dosage regimen; or
- An attestation, sworn by the employee, of the sincerely held religious belief preventing them from completing a COVID-19 vaccine dosage regimen.

VIA Rail Contract Administrator

Means a VIA Rail employee responsible for managing a contract, who ensures that the terms and conditions of the contract are met and who manages the day-to-day operational transactions directly with the contractor.

VIA Rail Premises

Means a building and its land not accessible to the public, that are owned, operated and managed by VIA Rail Canada Inc., or where VIA Rail is a tenant and is responsible for its operation and management, including the head office, satellite offices, administrative offices (e.g., stations) and maintenance centres.

VIA Rail Workplace

Means any place where an employee is engaged in work for VIA Rail, as per the Canada Labour Code, Part II.

Visitors

All visitors who come to VIA Rail's premises for the purpose of accessing VIA Rail facilities, that are not contractors nor passengers.



Working (or perform work) in a VIA Rail Workplace

Means performing work in VIA Rail premises where an employee is engaged in work for VIA Rail or where a VIA Rail employee is present and/or can be present.

Working in Isolation in the VIA Rail Premises

Means performing work in VIA Rail premises where there are no employees engaged in work for VIA Rail or in an isolated area of the said VIA Rail premises where no VIA Rail employees are present and/or can be present.

4 RESPONSIBILITY

Contract Administrators

- Ensure their contractors are aware of the vaccination requirements (Policy).

Contractors

- Comply with the requirements of this Policy.
- Request and obtain an accommodation directly from their employer.
- Provide an acceptable proof of accommodation an acceptable proof of a COVID-19 molecular test, as required.

Procurement and Legal departments

- Communicate to all contractors and tenants the vaccination requirements (Policy) when accessing a VIA Rail premises.

Security agents at MMC and TMC

- Verify at the gate that each contractor or tenant, prior to accessing the workplace, has:
 - a. An acceptable proof of vaccination credential; or
 - b. An acceptable proof of accommodation and an acceptable proof of a COVID-19 molecular test that was performed on a specimen collected no more than 72 hours before accessing the VIA Rail workplace (refer to section 6.4 of this procedure)

Tenants

- Comply with the requirements of this Policy.
- Request and obtain an accommodation directly from their employer.
- Provide an acceptable proof of accommodation an acceptable proof of a COVID-19 molecular test, as required.

VIA Rail Manager Leasing & Real Estate Transaction

- Ensure their tenants are aware of the vaccination requirements (Policy).

Visitors

- Comply with the requirements of this Policy.
- Provide an acceptable proof of vaccination, an acceptable proof of accommodation (certificate) and an acceptable proof of a COVID-19 molecular test, as required, as required upon entry in VIA Rail premises.

5 POLICY STATEMENT AND REQUIREMENTS

5.1 Vaccination requirements for Contractors, Tenants and Visitors

As per our Safety Policy, *“Protecting the health and safety of our people, our passengers and the public is more than just a main priority, it is a core value deeply rooted in our culture and a responsibility that we all share”.*



Aligned with this commitment, and in compliance with:

- The requirements for mandatory vaccination of federal employees outlined in Transport Canada's Ministerial Order; and
- Our responsibility under the *Canada Labour Code* to protect the health and safety of our employees in the workplace:

The following policy applies to all contractors, tenants and visitors:

Effective November 15, 2021:

1. All contractors, tenants and visitors must be fully vaccinated against COVID-19 as a condition when accessing or working in a VIA Rail workplace.
2. Contractors with limited access to the VIA Rail premises or working in isolation in the VIA Rail premises are not required to provide proof of full vaccination to perform their work.
3. Contractors with limited access to the VIA Rail premises are not allowed to perform work in a VIA Rail workplace, other than the work authorized under the definition associated with their designation, unless they are fully vaccinated and in compliance with all the requirements of this Policy.
4. Contractors working in isolation in the VIA Rail premises are not allowed to perform work in a VIA Rail workplace, other than in the isolated area specified in the definition associated with their designation, unless they are fully vaccinated and in compliance with all the requirements of this Policy.
5. Tenants and visitors accessing areas of a VIA Rail premises that are accessible to the public are not required to provide proof of full vaccination.
6. Contractors, tenants and visitors who are unable to be vaccinated must provide an attestation related to an accommodation and an acceptable proof of COVID-19 molecular test meeting one of the two following criteria when accessing or working in a VIA Rail workplace:
 - a. A negative result for a COVID-19 molecular test that was performed on a specimen collected no more than 72 hours before accessing the VIA Rail workplace; or
 - b. A positive result for a COVID-19 molecular test that was performed on a specimen collected at least 14 days and no more than 180 days before the scheduled departure time.
7. All contractors, tenants and visitors must hold an acceptable proof of vaccination credential, an attestation related to an accommodation and an acceptable proof of COVID-19 molecular test when accessing or working in a VIA Rail workplace and must be able to present it upon request by a VIA Rail employee.
8. As this Policy is intended to fulfill the intent of the Ministerial Orders of the Government of Canada, all contractors and tenants must comply with the requirements of this Policy in accordance with the notification letter dated November 11, 2021 sent by VIA Rail. No other notification will be provided to the contractors and tenants unless there is a change to this Policy.
9. Contractors, tenants and visitors who do not provide an acceptable proof of vaccination credential, do not provide an attestation related to an accommodation or do not provide an acceptable proof of a COVID-19 molecular test result upon request, will be denied access to the VIA Rail premises and workplace and escorted out of the VIA Rail premises.
10. Contractors, tenants and visitors must comply with all applicable VIA Rail COVID-19 Health & Safety measures and recommendations issued by the Public Health Authorities.



11. Failure to comply with this Policy will result in the contractors, tenants and visitors being escorted out of the VIA Rail premises by security or police.
12. VIA Rail reserves the right to terminate any contract or agreement with contractors, tenants and visitors providing acceptable proof of vaccination credential, proof of a COVID-19 test result or any written evidence or attestation related to an accommodation in a way that they know to be false or misleading, or disclosing fraudulent information regarding any of the requirements of this policy and/or for non-compliance to this Policy which shall be considered a breach of obligations under the contract or agreement.

Note:

This policy does not apply when in an emergency situation where there is a risk to safe railway operations or to health and safety, and actions must be taken immediately to protect and safeguard the health and safety of the employees, passengers or the public.

6 DIRECTIVES

N/A.

7 SUPPORTING DOCUMENTATION

7.1 Annexes

This policy contains the following annexes:

N/A.

7.2 Resources

N/A.

8 REFERENCES

- *Ministerial Order MO21-07.*

9 REQUESTS FOR INFORMATION

Questions regarding the interpretation of this Instrument must be addressed to the Director, Safety and Environment, specifically to the attention of:

Bruno Riendeau
Director, Safety & Environment
514-871-8704
bruno_riendeau@viarail.ca

10 APPROVAL AND REVISION HISTORY

This policy is to be reviewed by the Policy Owner every year.



10.1 Approval

This Policy and Directives (version Vaccination-03.0) is approved and effective as of the date indicated below:

President & Chief Executive Officer

Title of approving authority

November 15, 2021

Date

10.2 Revision History

Version	Description of major change(s)	Effective date
Vaccination-03.0	New Policy and Directives.	November 15, 2021