



LEADERSHIP, ADVOCACY AND SERVICE FOR MANITOBA'S PUBLIC SCHOOL BOARDS

From: The Manitoba School Boards Association

To: Chairs, Superintendents and Secretary-Treasurers, all public school divisions and districts

Cc: MASS, MASBO, Superintendent of Catholic Schools, MFNERC, MFNSS, MFIS, independent schools, Manitoba School for the Deaf

SUBJECT: Operationalizing Collection of Proof of Full Vaccination

Background

On August 24, 2021, Manitoba Public Health announced that new Public Health Orders would be issued in the near future¹ regarding mandatory disclosure of proof of full vaccination² for all designated employees working in sectors deemed "high risk", based on the relationship between employees of these sectors and vulnerable populations. K-12 education has been identified by Manitoba Public Health as a high risk sector. This is explained by the reality that all pupils younger than 12 years of age, as well as many pupils between the ages of 12 and 21, have not yet received full vaccination against the COVID-19 virus and its variants of concern.

Under the Orders, it is anticipated that K-12 staff not disclosing proof of full vaccination will be subject to mandatory testing later in September/October, 2021. **Under the anticipated Public Health Orders, employees must present proof of full vaccination, in order to be exempted from future mandatory testing requirements. It is anticipated that there will be no other exemptions, exceptions of accommodations that apply to these Orders.**

The following guidance has been developed to support school divisions, school districts and independent schools with operationalization of the Orders addressing submission and disclosure of proof of full vaccination.

While the Orders have not yet been published, employers retain the right to request disclosure of proof of full vaccination from employees at any time on the presumption that the Orders will be issued in the near future. Any employee that chooses to submit this proof can do so at any time. This means that employees who are not yet fully vaccinated, may submit proof of full vaccination at a future date if they are not yet fully vaccinated, or as they so choose. Mandatory testing will be applied, under the anticipated Public Health Orders, to any employee not submitting proof of full vaccination.

Operationalizing the following procedure at the earliest possible time will ensure that each school division, district or independent school are prepared to place orders for testing kits once that procedure has been published by the Manitoba Government through Manitoba Education. As shared last week, the Government of

¹ It is anticipated that these Public Health Orders will be released the week of September 7, 2021.

² For greater clarity, fully-vaccinated individuals are those 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.

Manitoba is developing information packages explaining how the order and supply program for testing kits will work. The information packages are expected to be ready by September 16, with orders being accepted around September 22 and resulting in deliveries starting the first week of October.

To that end, it would be very useful and practical to have a more concrete understanding of how many kits each division, district or school may require, based on what portion of staff opt to submit proof of full vaccination.

COLLECTION OF VACCINATION INFORMATION

1. WHAT FORMS OF PROOF ARE ACCEPTABLE WHEN COLLECTING FULL VACCINATION STATUS?

Acceptable proof of full vaccination consists of **in-person presentation** by each employee, of **both of the following**:

- photo identification bearing the full name and corresponding to the staff member presenting the vaccination status documents.

along with **an original** of one of the following:

- Manitoba Immunization Card (digital or physical), or
- A secure printed provincial immunization record from either public health or the Shared Health online portal that shows immunization dates, or
- National Defence Canada COVID-19 Vaccine Record / Card, or
- Canadian Public Health Association (CPHA) Travel Vaccination Record, or
- An official document issued by an appropriate health authority outside of Manitoba, confirming the person's COVID-19 vaccination history (for examples of Canadian documents, please see https://manitoba.ca/asset_library/en/covidvaccine/covid19-immunization-record-samples.pdf).

Only fully vaccinated staff are exempt from mandatory testing requirements under the Public Health Orders. Partially vaccinated staff remain subject to mandatory testing under the Public Health Orders. Until such time as staff are **fully vaccinated**, then and only then would they provide or submit proof of full vaccination to their employing school division or district and only then would they become exempt from mandatory testing requirements. **In the event an employee refuses to provide information regarding vaccination status, their status shall be recorded as unvaccinated.**

Electronic or mailed in presentation of the above proof of full vaccination **should be avoided** under all circumstances. Doing so is in fact not permitted under the 2 September, 2021 Public Health Orders³ and/or also due to considerations of security and loss of the documents or records.

Original documents presented **in-person** should be required as a preventive measure against falsification.

Designated officers verifying photo identification and proof of vaccination can request that staff briefly remove masks in order to confirm identity, provided two metre distancing measures are observed.

Booster shots

While other jurisdictions are moving to institute a third vaccination dose to help “boost” immunity, no such guidance has yet emerged in Manitoba. Should a third dose be added to the regimen required for full

³ See Order 26(1)(a) at: <https://www.gov.mb.ca/covid19/prs/orders/index.html>

vaccination against Covid-19, Manitoba Public Health will return with guidance as to whether any further collection of proof of vaccination may be required.

2. DO EMPLOYERS NEED TO ACCEPT OUT OF PROVINCE VACCINATION RECORDS AS PROOF OF VACCINATION OR CAN ONE FORM OF PROOF BE PREFERRED OR MANDATED OVER ANOTHER?

In instances where a school division, district or independent school may be presented with an official document issued by an appropriate health authority outside of Manitoba, and the designated point of contact believes there is need for further authentication of the documentation, the employer may request that the employee obtain an update to their Manitoba Health patient files in order to procure and present either the Manitoba Immunization Card (digital or physical), or a secure printed provincial immunization record from either Manitoba Public Health or the Shared Health online portal (that shows immunization dates).

Employees can use an online form to submit their vaccination record and their information will be updated. <https://forms.gov.mb.ca/covid-immunization-record-request/index.html>

Individuals may also call 1-844-MAN-VACC (1-844-626-8222) with this information, if needed. After this information has been updated, you can then request an immunization card online.

3. WHO SHOULD COLLECT PROOF OF FULL VACCINATION?

Employers should name designated divisional or school administrators as points of contact, to whom staff can present proof of vaccination in-person. This can be the school principal and/or a divisional administrator. As the Orders also apply to causal, substitute, and teacher candidate practicum students, every division, district or independent school should also indicate to these persons who their designated contact will be for purposes of verifying proof of vaccination. The point of contact will be responsible for maintaining any information collected under strict confidentiality and privacy, consistent with the *Personal Health Information Act*⁴ of Manitoba and all applicable divisional district or school policies in respect of collection, use, storage, retrieval and destruction of personal health information.

4. HOW SHOULD PROOF OF FULL VACCINATION BE COLLECTED?

Staff should be informed at the earliest possible time that the Orders will soon come into effect. See Appendix A for a communication template.

Once proof of vaccination has been confirmed by a designated point of contact, the point of contact should complete the form provided at Appendix B. Again, **no copies** of the proof of vaccination that has been presented by the employee, nor copies of the photographic identity document or the vaccination status document, should be collected or retained by the employer.

The named points of contact for each employer will instead only complete the form. The designated points of contact should then submit all forms to a single collection point designated by the employer using a secure method of file transfer. This should be done weekly on each of September 10 and September 17, in order to

⁴ PHIA is accessible at: https://web2.gov.mb.ca/laws/statutes/ccsm/_pdf.php?cap=p33.5.M In Manitoba, *The Personal Health Information Act* (PHIA) is a law that allows individuals to access their personal health information with limited exceptions. PHIA also requires that employers keep employee information private, safe and secure. The Act sets clear limits on collection: only the minimum amount can be collected and then, on a need to know basis only – employers can collect only the information that is necessary to accomplish the purpose. Individuals have the right to challenge the decisions of the division regarding their access to and protection of their personal health information. If the individual is not satisfied with the response from the division, they can make a formal complaint directly to the Office of the Manitoba Ombudsman.

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ensure that the division, district or independent school has as much information on hand as possible to place its initial order for testing kits the week of September 20, 2021.

The designated point of contact should nevertheless retain a copy of the form at Appendix B throughout the school year, in order update staff status into the future. Divisions, districts or independent schools can then arrange for submission of the form as often as may be needed, to ensure future testing kit orders are as accurate as possible. Retention of the completed forms should comply with relevant provisions of the *Personal Health Information Act* of Manitoba and all applicable divisional, district or school policies in respect of collection, use, storage, retrieval and destruction of personal health information.

ADDITIONAL QUESTIONS?

Please contact the Manitoba School Boards Association at webmaster@mbschoolboards.ca

APPENDIX A: Communication template

Dear staff:

As you may already be aware, the Government of Manitoba (Manitoba Public Health) has stated its intention of published additional Public Health Orders regarding further measures to promote safe schools as we return to work this September. We expect these Orders to be published the week of September 7, 2021.

Going forward, it is our current understanding that all staff, including substitute and casual employees, will have two options under these orders:

1. Staff can provide evidence of full vaccination; or
2. Staff can undertake mandatory COVID-19 Testing

According to statements and written documentation already provided by public health, no exemptions, exceptions or accommodations are anticipated to exist in respect of these two options. Given that these measures are to be established under Public Health Orders, they will also be legally binding upon us as your employer.

While we support the intention of Manitoba Public Health to keep our schools, students, fellow staff members and communities safe by encouraging for greater vaccination, we also recognize that there are an array of decisions and choices for why testing may be preferred by an employee. As your employer, we support whichever option you may choose.

We trust that you will see that these measures, as with the many others that have been established for the 2021/22 school year, are designed to continue to protect our students, fellow staff and community during continuation of the COVID-19 pandemic this fall.

In an effort to prepare for the forthcoming Public Health Orders, we would like to inform any staff who 1) are **fully** vaccinated⁵, 2) who **have documentation** of full vaccination and 3) who **voluntarily choose to disclose this information**, to do so by presenting a): **valid photo identification** confirming their identity, along with b): an **original of one of the following documents**, confirming proof of full vaccination:

- Manitoba Immunization Card (digital or physical), or
- A secure printed provincial immunization record from either public health or the Shared Health online portal that shows immunization dates, or
- National Defence Canada COVID-19 Vaccine Record / Card, or
- Canadian Public Health Association (CPHA) Travel Vaccination Record, or
- An official document issued by an appropriate health authority outside of Manitoba, confirming the person's COVID-19 vaccination history.

Those who may **not yet be fully vaccinated** should only present proof of vaccination **once they are fully vaccinated**. If you are not yet fully vaccinated by the time mandatory testing starts, you will need to undergo regular testing until such time as you are fully vaccinated.

You can present this proof of full vaccination to: [\[insert name and contact details here\]](#). All information collected will remain subject to *The Personal Health Information Act*,⁶ and any applicable policies that we have

⁵ For greater clarity, fully-vaccinated individuals are those 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.

⁶ PHIA is accessible at: <https://web2.gov.mb.ca/laws/statutes/ccsm/pdf.php?cap=p33.5.M> In Manitoba, *The Personal Health Information Act* (PHIA) is a law that allows individuals to access their personal health information with limited exceptions. PHIA also requires that employers keep employee information private, safe and secure. The Act sets clear

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approved concerning collection, use, storage, retrieval and destruction of personal health information. The information will be collected and used only for the purpose of determining which employees will become subject to mandatory testing once those Orders come into effect for our **[choose one: school division, district or school]**.

It is necessary for all sectors deemed “high risk” and working with vulnerable populations, such as the pupils in our division, to comply with these orders. We value your dedication and service to our schools and to our community and do hope that we can continue to depend upon you so that our students can access the education they need, in safety and an eye to their well-being, in order for them to thrive and succeed in the future.

We will remain in communication on this into the future,

[insert signature here].

limits on collection: only the minimum amount can be collected and then, on a need to know basis only – employers can collect only the information that is necessary to accomplish the purpose. Individuals have the right to challenge the decisions of the division regarding their access to and protection of their personal health information. If the individual is not satisfied with the response from the division, they can make a formal complaint directly to the Office of the Manitoba Ombudsman.

APPENDIX B: Proof of Full Vaccination Data Collection Form

Collection of proof of vaccination applies only to those staff who are fully vaccinated.

Name of school:			
Week of: (include date span, e.g. September 7-10, 2021; September 13-17, 2021, etc.)			
Name of Employee	Employment Status [Full-Time, Part-Time, Casual Full-Time until dd/mm/yy or Casual Part-Time until dd/mm/yy]	Vaccinated [mark applicable status with x]	Unknown [mark applicable status with x]
Insert name of employee here			
Insert name of employee here			
Insert name of employee here			
Insert name of employee here			
Insert name of employee here			