



Privacy Impact Assessment for

BC Public Service

COVID-19 Vaccination Policy

PIA# PSA21054

Part 1 – General

Name of Ministry:	BC Public Service Agency, (Ministry of Finance)		
PIA Drafters:	Sean Gadsby, Senior Policy Analyst; Jennifer O'Neill, Ministry Privacy Officer		
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1. Description of the Initiative

The BC Public Service (BCPS) is committed to the health, safety, and wellbeing of employees. In accordance with information and data provided by British Columbia's Provincial Health Office (PHO), being fully vaccinated against COVID-19 is the most effective way to safeguard employee health and reduce the risk of transmission.

The BC Public Service Agency (BCPSA) will be implementing a COVID vaccine policy ("the policy") for BCPS employees that are hired under the Public Service Act, including any Board, Commission, Agency, or other organization to which the Public Service Act applies. The policy will be effective starting on November 1, 2021 and will be reviewed and updated as needed based on guidance and directives from the PHO. The policy will be in effect until general public health concerns regarding COVID are reduced to a level, prescribed by government, to enable workplaces to operate without COVID-related restrictions.

The purpose of the policy is to:

- Promote the health and safety of employees and others in the workplace through vaccinations.
- Define the conditions and expectations for BCPS employees, contractors, and others in the workplace to disclose their vaccination status and to be vaccinated.

Where any Board, Commission, Agency, or organization can demonstrate that it has a comparable COVID vaccination policy, it will not be obliged to apply the specific requirements as set out in the policy.

The policy applies to any employee working for the BC Public Service regardless of whether the employee works onsite or remotely.



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The policy applies to contractors and any other person attending a worksite, or interacting with BCPS employees, as per the requirements outlined in the BCPSA Human Resource Policy 4 - Occupational Safety and Health.

Effective November 8, 2021, all employees must provide proof of full vaccination to their excluded manager, an included supervisor, or a specific manager who has been delegated this responsibility in their organization. Employees with one vaccination dose must provide proof of the date of their first dose. Providing proof must be done by showing a digital or paper version of the fully vaccinated BC Vaccine Card. Proof of vaccination must be shown either in person or via a live videoconference. Emailed, photocopied, or verbal verifications will not be accepted as proof of vaccination. Proof of vaccination can be requested by a manager at any time on or after November 8, 2021.

The policy does not apply to members of the public entering a BCPS workplace or interacting with a BCPS employee for the purposes of receiving a government service.

If a BCPS employee is on a Short Term Illness and Injury Plan (STIIP), Long Term Disability (LTD), or other approved leave while the policy is in effect, then the policy will not apply until they are scheduled or required to return to work.

Employees who do not provide proof of vaccination or refuse to disclose their vaccination status by November 22, 2021 will be considered unvaccinated. Employees who can show a partially vaccinated BC Vaccine Card will be considered partially vaccinated.

2. Scope of this PIA

This PIA covers the implementation and ongoing review of the policy and associated processes, including the related collection, use, and disclosure of personal information of employees of the BCPS that fall under the Public Service Act.

3. Related Privacy Impact Assessments

- HLTH21101 – 2021-76 BC Vaccine Card Verifier App
- HLTH21100 – 2019-45K – HG Update – Vaccine Card
- HLTH19061 – Health Gateway
- PSA21035 – Telework Reporting



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4. Elements of Information or Data

Information collected pursuant to the policy is captured using the form attached as Appendix A – Proof of Vaccination Corporate Template. Information elements recorded on the form are:

- Employee first and last name
- Employee ID
- Name of work unit, name of ministry, ministry number and department number
- Name of supervisor/manager collecting the proof of vaccination
- Employee vaccination status (vaccinated, partially vaccinated, no records found)
- Employee vaccination compliance information (refusal to be vaccinated/ refusal to disclose vaccination status, leave status, accommodation request type (e.g., medical, human rights))
- Date of the employee's first vaccine dose (collected if an employee indicates they are partially vaccinated)

Part 2 – Protection of Personal Information

5. Storage or Access outside Canada

All information will be stored and only accessible within Canada.



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6. Data-linking Initiative*

In FOIPPA, "data linking" and "data-linking initiative" are strictly defined. Answer the following questions to determine whether your initiative qualifies as a "data-linking initiative" under the Act. If you answer "yes" to all 3 questions, your initiative may be a data linking initiative. If so, you will need to comply with specific requirements under the Act related to data-linking initiatives.

1. Personal information from one database is linked or combined with personal information from another database;	No
2. The purpose for the linkage is different from those for which the personal information in each database was originally obtained or compiled;	N/A
3. The data linking is occurring between either (1) two or more public bodies or (2) one or more public bodies and one or more agencies.	N/A
If you have answered "yes" to all three questions, please contact a PCT Privacy Advisor to discuss the requirements of a data-linking initiative.	

7. Common or Integrated Program or Activity*

In FOIPPA, "common or integrated program or activity" is strictly defined. Answer the following questions to determine whether your initiative qualifies as "a common or integrated program or activity" under the Act. If you answer "yes" to all 3 of these questions, you must comply with requirements under the Act for common or integrated programs and activities.

1. This initiative involves a program or activity that provides a service (or services);	Yes
2. Those services are provided through: (a) a public body and at least one other public body or agency working collaboratively to provide that service; or (b) one public body working on behalf of one or more other public bodies or agencies;	Yes
3. The common or integrated program/activity is confirmed by written documentation that meets the requirements set out in the FOIPP regulation.	No
Please check this box if this program involves a common or integrated program or activity based on your answers to the three questions above.	



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8. Roles and Responsibilities and Personal Information Flow Tables

Position Name	Role
Deputy Minister Responsible for the PSA (Agency Head)	<ul style="list-style-type: none"> Monitoring the status of implementation of the policy and reporting on progress Recommending updates to the policy Providing policy, strategies, and guidelines that promote healthy and safe workplaces across the BC public service Providing occupational health and strategic direction, consultation, advice, and assistance to ministries Assessing the necessity of the policy based on guidance from Cabinet and the BC Provincial Health Officer
Deputy Ministers	<ul style="list-style-type: none"> Communicating the requirements of the policy to employees in their ministry or organization Implementing the policy within their ministry/organization Ensuring business/operational continuity and compliance within their respective ministry/organization
Ministry Strategic Human Resources (MSHR)	<ul style="list-style-type: none"> Receiving and storing completed proof of vaccination compliance records for their ministry or organization Forwarding lists of non-compliant employees to their deputy minister and to the BCPSA as directed
Supervisors/Managers	<ul style="list-style-type: none"> Reviewing and verifying employees' proof of vaccination as per the policy requirements Recording employees' vaccination status or non-disclosure and ensuring the confidentiality of the information provided Sending completed proof of vaccination compliance records to their ministry human resources department Seeking advice from BCPSA and responding to employees' requests for medical exemption or accommodation under the BC Human Rights Code Providing information packages to the BCPSA for decision; documenting the process and the decision Placing unvaccinated employees on unpaid leave of absence as per the policy requirements Working with partially vaccinated employees to identify possible alternative work arrangements
Employees	<ul style="list-style-type: none"> Disclosing and providing proof of vaccination to their supervisor or manager for verification upon request Informing their supervisor or manager of their need for accommodation based on a medical exemption or another protected ground as defined under the BC Human Rights Code Authorizing the collection of, and providing their manager with, timely, complete, and accurate information necessary to identify reasonable accommodation, including information on relevant limitations, restrictions, and



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	<p>their vaccination status</p> <ul style="list-style-type: none"> Cooperating and collaborating with their organization's representative(s) to identify one or more means to establish a reasonable accommodation or an alternative work arrangement Notifying their manager in a timely fashion if their situation requiring accommodation has changed
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1. Personal Information Flow Table – Active BCPS Employee Vaccination Confirmation Process

	Description/Purpose	Type and FOIPPA Authority PSA	Type and FOIPPA Authority ministry
1.	Employees (and all future hires – please see Table 2 below) show proof of vaccination to their supervisor/manager either in person or via a live videoconference.	PSA Collection (own employees) 26(c)	Ministry Collection 26(c)
2.	The supervisor/manager records those employees who complied and those who did not comply with the policy by selecting the appropriate drop down box on the corporate template (see Appendix A). For employees not in compliance, the supervisor/manager will also indicate on the form the reason why the employee is not in compliance (e.g., accommodation requested, on leave, etc.) to allow for appropriate follow up.	PSA Collection and Use 26(c) 32(a)	Ministry Collection and Use 26(c) 32(a)
3.	The supervisor/manager sends the completed template form for their work unit to their ministry's Strategic Human Resources (SHR) branch as a central ministry repository for the completed forms. The ministry SHR branch reviews the completed forms and	PSA Indirect Collection 27(1)(a)(i) 26(c)	Ministry Use and Disclosure 32(a) 33.2(a),(c)



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	compiles a separate list of all employees in the ministry who did not comply with the policy and forwards that list, along with the name of each non-compliant employee's supervisor/manager to both their deputy minister and Employee Relations at the BCPSA. (Completed corporate forms will remain with the ministry's SHR branch and no info will be shared with the PSA re: those employees who are in compliance.)		
4.	BCPSA Employee Relations reviews the list of non-compliant employees and lets the ministry's SHR branch and the ministry's deputy minister know via email or a MyHR service request that they will be corresponding directly with each employee and their supervisor/manager.	PSA Use and Disclosure 32(a) 33.2(a),(c)	Ministry Indirect Collection 26(c) 27(1)(a)(i)
5.	BCPSA Employee Relations leads actions as required by the policy (e.g., accommodation, leave without pay, termination) in conjunction with the ministry supervisor/manager. (See Tables 4, 5 below re: process.)	PSA Direct and Indirect Collection, Use and Disclosure 26(c), 27(1)(a)(i) 32(a) 33.2(a),(c)	Ministry Direct and Indirect Collection, Use and Disclosure 26(c) 27(1)(a)(i) 32(a) 33.2(a),(c)



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2. Personal Information Flow Table – New Hires - Vaccination Confirmation Process

	Description/Purpose	Type	FOIPPA Authority
1.	<p>Requirement to be fully vaccinated is included in all job postings and offer letters. Confirmation of full vaccination will occur as part of the hiring confirmation process or as part of pre-employment assessment and screening, depending on the type of job posting.</p> <p>Fully vaccinated means a person who has a fully vaccinated BC Vaccine Card or can provide equivalent proof of vaccination from another province or country provided Health Canada has approved the type of vaccination(s).</p>	N/A	N/A
2.	<p>New hires will not be asked to show proof of vaccination until formally offered the job. Once offered the position, proof of vaccination is collected by their supervisor/manager in the same manner as any other employee.</p> <p>Any non-compliance responses will be forwarded to the ministry's SHR branch (and to BCPSA Employee Relations if the employee is seeking an accommodation). (See Table 1 above re: Active Employees.)</p>	<p>PSA Direct and Indirect Collection</p> <p>26(c)</p> <p>27(1)(a)(i)</p>	<p>Ministry Collection, Use and Disclosure</p> <p>26(c)</p> <p>32(a)</p> <p>33.2(a),(c)</p>

3. Personal Information Flow Table – Employees on Leave (STIIP, LTD, or other approved leave) - Vaccination Confirmation Process

	Description/Purpose	Type	FOIPPA Authority
1.	<p>If a BCPS employee is on STIIP, LTD, or other approved leave during the entire disclosure period from November 8 to 22, 2021, or while the policy is in effect, then the policy will not apply to them until they are scheduled or required to return to work.</p>	N/A	N/A



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2.	For an employee on STIIP or LTD, they will work with their supervisor/manager and the assigned BCPSA Occupational Health and Safety (OHS) nurse to determine return to work timelines and requirements.	PSA Direct and Indirect Collection, Use and Disclosure 26(c), 27(1)(a)(i) 32(a) 33.2(a),(c)	Ministry Direct and Indirect Collection, Use and Disclosure 26(c) 27(1)(a)(i) 32(a) 33.2(a),(c)
3.	Prior to the date the employee is to return to work, they will then provide their proof of vaccination to their supervisor/manager in the same manner as any other employee. Responses will then be forwarded to the ministry's SHR branch (and to BCPSA Employee Relations if the employee is seeking an accommodation). (See Table 1 above re: Active Employees.)	PSA Direct and Indirect Collection 26(c) 27(1)(a)(i)	Ministry Direct and Indirect Collection, Use and Disclosure 26(c) 27(1)(a)(i) 32(a) 33.2(a),(c)
4.	For employees on other types of approved leave (annual vacation, own wedding, bereavement, etc.), prior to the date the employee is to return to work, they will provide their proof of vaccination to their supervisor/manager in the same manner as any other employee.	PSA Direct Collection 26(c)	Ministry Direct Collection 26(c)

4. Personal Information Flow Table – Exemption / Accommodation Process			
	Description/Purpose	Type	FOIPPA Authority
1.	Employees submit an exemption request in writing to their excluded manager or to an included supervisor who has been delegated this responsibility. The request contains complete and accurate information describing the need for accommodation, including medical documentation, information on relevant limitations, restrictions, and their vaccination status.	PSA Direct Collection 26(c)	Ministry Direct collection 26(c)



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2.	Supervisor/manager consults with the BCPSA to assess whether there is a duty to inquire and, if so, to establish reasonable accommodation for the employee.	PSA Direct and Indirect Collection, Use and Disclosure 26(c), 27(1)(a)(i) 32(a) 33.2(a),(c)	Ministry Direct and Indirect Collection, Use and Disclosure 26(c) 27(1)(a)(i) 32(a) 33.2(a),(c)
3.	Requests for exemptions and accommodations are reviewed on a case-by-case basis and follow existing BCPSA processes.	PSA Use 32(a)	Ministry Use 32(a)

5. Personal Information Flow Table – Non-Compliance Process			
	Description/Purpose	Type	FOIPPA Authority
1.	The ministry SHR branch reviews the completed templates and compiles a list of all employees in the ministry who did not comply and forwards that list, along with the name of each non-compliant employee's supervisor/manager, to both their deputy minister and Employee Relations at the BCPSA for follow-up.	PSA Direct and Indirect Collection and Use 27(1)(a)(i) 26(c) 32(a)	Ministry Use and Disclosure 32(a) 33.2(a),(c)
2.	If an accommodation request has not been received from the employee and they remain unvaccinated, they are placed on leave without pay for three months. BCPS Employee Relations works with the employee and the supervisor/ manager to facilitate the leave without pay (LWOP) process and update the employee status. After three months of being placed on LWOP, employees who have not become at least partially vaccinated may be terminated.	PSA Direct and Indirect Collection and Use 27(1)(a)(i) 26(c) 32(a)	Ministry Use and Disclosure 32(a) 33.2(a),(c)



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3.	Unvaccinated employees who have been placed on LWOP, and who become partially vaccinated within three months of being placed on LWOP, may be offered alternative return to work arrangements. Employees must receive their second vaccine dose within 35 days. Employees who do not receive their second vaccine within 35 days will be placed back on LWOP and may be terminated.	PSA Direct and Indirect Collection and Use 27(1)(a)(i) 26(c) 32(a)	Ministry Use and Disclosure 32(a) 33.2(a),(c)
4.	If an employee is found to have misrepresented their and/or their staff's vaccination status, it would be considered a breach of the BCPS Standards of Conduct and the BCPSA Employee Relations' investigation process of such cases would apply.	PSA Direct and Indirect Collection and Use 27(1)(a)(i) 26(c) 32(a)	Ministry Use and Disclosure 32(a) 33.2(a),(c)

6. Personal Information Flow Table – Contractors or Out of Province Visitors			
	Description/Purpose	Type	FOIPPA Authority
1.	For all contractors visiting a BCPS worksite, the BCPS employee who invited the contractor to the worksite will visually confirm proof of vaccination but no information will be recorded. Contractors will show their BC vaccine card and ID as one does at a restaurant, and then they will be permitted access to the worksite.	PSA Direct Collection 26(c)	Ministry Direct Collection 26(c)
2.	For those visiting, out of province equivalency of proof of vaccine status in their home province will be accepted. The BCPS employee who invited the person to the worksite will visually confirm proof of vaccination but no information will be recorded.	PSA Direct Collection 26(c)	Ministry Direct 26(c)



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9. Risk Mitigation Table

Risk Mitigation Table				
	Risk	Mitigation Strategy	Likelihood	Impact
1.	BC Government employee makes a mistake and enters incorrect information on the form or non-compliance list.	Any such error would be identified and corrected where necessary as part of the review by BCPSA Employee Relations.	Low	Medium
2.	Government employee accesses the non-compliance list, revealing the unvaccinated status of themselves or other employees.	Non-compliance records are to be held securely in the official record-keeping system, and assigned access is role-based, following need-to-know and least-privilege principles.	Low	High

10. Collection Notice

Supervisor Template – Proof of Vaccination Confirmation Form

Freedom of Information and Protection of Privacy Act (FOIPPA)

The Personal information on this form is collected under the authority of section 26(c) of FOIPPA and will be used to determine employee vaccination status as per the BC Public Service proof of vaccination policy. Questions about the collection or use of this information can be directed to an HR Service Representative at the BC Public Service Agency by submitting a request at AskMyHr, phoning 1-877-277-0772, or writing to: Manager, Contact Center Operations, BC Public Service Agency, 810 Blanshard Street, Victoria BC V8W 2H2.

**Ministry supervisors will be instructed to send an email notification to their direct reports between November 1-3, 2021, advising of the upcoming processes related to the policy, and to provide the above collection notice within the email prior to the collection occurring on or after November 8, 2021. (See email template in Appendix B.)*



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Part 3 – Security of Personal Information

If this PIA involves an information system, or if it is otherwise deemed necessary to do so, please consult with your Ministry Information Security Officer (MISO) when filling out this section. Your MISO will also be able to tell you whether you will need to complete a separate assessment called a Security Threat and Risk Assessment (STRA) for this initiative.

11. Please describe the physical security measures related to the initiative (if applicable).

Entrances to all BCPSA workplaces require a key card to gain access. In some locations there are security personnel at the front desk.

12. Please describe the technical security measures related to the initiative (if applicable).

BCPSA Employee Relations:

Access to the location where information is retained is restricted to specific employees working within the BCPSA Employee Relations Division. All records are stored and managed on the division's restricted shared LAN drive, which is protected by government firewalls. Program areas operate on an assigned need-to-know basis.

13. Does your branch rely on security policies other than the Information Security Policy?

No

14. Please describe any access controls and/or ways in which you will limit or restrict unauthorized changes (such as additions or deletions) to personal information.

Information is stored on a secure LAN that is restricted to designated employees of the BCPSA's Employee Relations Division. Role-based access is assigned accordingly.

15. Please describe how you track who has access to the personal information.

Access to personal information stored on the BCPSA Employee Relations' secured shared LAN is assigned based on roles and access to LAN drives can be tracked through BC Government intrusion monitoring/ access logs if required.



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Part 4 – Accuracy/Correction/Retention of Personal Information

- 16. How is an individual's information updated or corrected? If information is not updated or corrected (for physical, procedural or other reasons) please explain how it will be annotated? If personal information will be disclosed to others, how will the ministry notify them of the update, correction or annotation?**

BCPS employees can contact their supervisor at any time to request their information be updated or by submitting a MyHR request to the BCPSA.

- 17. Does your initiative use personal information to make decisions that directly affect an individual(s)? If yes, please explain.**

Yes, the non-compliant list is used to ensure only those that are fully vaccinated enter the workplace.

- 18. If you answered "yes" to question 17, please explain the efforts that will be made to ensure that the personal information is accurate and complete.**

Information is collected directly from the employee or client ministry supervisor or manager.

- 19. If you answered "yes" to question 17, do you have approved records retention and disposition schedule that will ensure that personal information is kept for at least one year after it is used in making a decision directly affecting an individual?**

The BCPSA has an approved Operational Records Classification Schedule (ORCS) and follows applicable Administrative Record Classification Schedules (ARCS).



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Part 5 – Further Information

20. Does the initiative involve systematic disclosures of personal information? If yes, please explain.

No.

Please check this box if the related Information Sharing Agreement (ISA) has been prepared. If you have general questions about preparing an ISA, please contact the Privacy and Access Helpline.

N/A

21. Does the program involve access to personally identifiable information for research or statistical purposes? If yes, please explain.

No.

22. Will a personal information bank (PIB) result from this initiative?

Yes.

Personal Information Bank – Required Information

Description	List of BCPS employees (that fall under the Public Service Act) as they relate to the policy regarding compliance with the BC Public Service COVID-19 Vaccination Policy.
Primary ministry/government agency involved	BC Public Service Agency (Ministry of Finance)
All other ministries/government agencies and public bodies involved	All (including any Board, Commission, Agency, or other organization to which the Public Service Act applies).
Business contact title	Executive Director, Employee Relations
Business contact telephone number	(778) 698-5856

Please ensure Parts 6 and 7 are attached unsigned to your submitted PIA.



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Part 6 – PCT Comments and Signatures

This PIA is based on a review of the material provided to PCT as of the date below. If, in future any substantive changes are made to the scope of this PIA, the ministry will have to complete a PIA Update and submit it to PCT.

The BC Public Service and all ministries have demonstrated they are meeting their privacy requirements with respect to the BC Public Service Covid-19 Vaccination Policy, implementation, and ongoing review. An OIPC consultation on this initiative is recommended.

Dwayne McCowan

Manager, Privacy Operations
Privacy, Compliance and Training
Branch
Corporate Information and
Records Management Office
Ministry of Citizens' Services

Signature

October 28, 2021

Date

Mark Sime

A/Executive Director
Privacy, Compliance and Training
Branch
Corporate Information and
Records Management Office
Ministry of Citizens' Services

Signature

October 28, 2021

Date



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Part 7 – Program Area Comments and Signatures

Sean Gadsby

Program Manager

Signature

October 29, 2021

Date

Ian Hennem

Executive Director and Chief
Information Officer
BC Public Service Agency

Signature

October 29, 2021

Date

Jennifer O'Neill

Ministry Privacy Officer
BC Public Service Agency

Signature

October 29, 2021

Date

Rueben Bronee

Assistant Deputy Minister or
Designate (if Personal Information
is involved in this initiative)

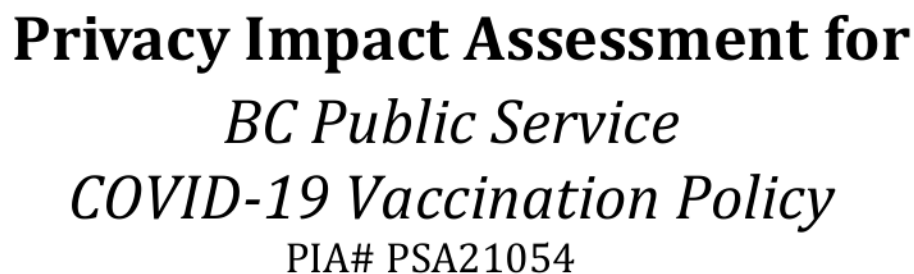
Signature

October 29, 2021

Date

A final copy of this PIA (with all applicable signatures and attachments) must be provided to PCT for its records to complete the process. PCT is the designated office of primary responsibility for PIAs under ARCS 293-60.

PCT will publish the ministry name, business contact details and a brief summary of the PIA to the Personal Information Directory (PID) as required by section 69(2) of FOIPPA. If you have any questions, please contact your privacy advisor at PCT or call the Privacy and Access Helpline at 250 356-1851.





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Appendix B – Supervisor Email Notification Template

Supervisors email template

Distribution: Between November 1-3, 2021

Hello,

As you saw, the BC Public Service has now released its new policy requiring employees to provide proof of vaccination against COVID-19 by November 22.

Starting November 8, as per the implementation of the policy, I am required to record my employees' vaccination status. The authority for collecting this information is described below*.

I will schedule a live videoconference OR in-person meeting with you prior to November 22 to review and verify your proof of full vaccination using your digital or paper version of the B.C. Vaccine Card.

Please inform me if you are seeking accommodation based on a medical exemption or another protected ground as defined under the BC Human Rights Code. More information on the accommodation process, as well as the full policy and a question and answer document can be found on MyHR <link>.

All employees are reminded that, regardless of our views on vaccination or this policy, we have an obligation to treat one another with kindness, respect and professionalism and must adhere to our responsibilities under the Standards of Conduct at all times.

*This information is being collected in accordance with section 26(c) of the Freedom of Information and Protection of Privacy Act and will be used to determine employee vaccination status as per the BC Public Service COVID-19 Vaccination Policy. Questions about the collection or use of this information can be directed to an HR Service Representative at the BC Public Service Agency by submitting a request at AskMyHr, phoning 1-877-277-0772, or writing to: Manager, Contact Center Operations, BC Public Service Agency, 810 Blanshard Street, Victoria BC V8W 2H2.

[Supervisor Name]