

Audit at a Glance



Audit of the ECCC application and implementation of the Policy on COVID-19 Vaccination for the Core Public Administration – administration of accommodation requests

In an effort to protect the health and safety of employees and to improve vaccination rates among employees in the core public administration, the Treasury Board of Canada issued the [Policy on COVID-19 Vaccination for the Core Public Administration Including the Royal Canadian Mounted Police](#) (the Vaccination Policy), which came into effect on October 6, 2021. As per the Vaccination Policy, all employees of the core public administration, including the Royal Canadian Mounted Police, were required to be fully vaccinated unless accommodated based on a certified medical contraindication, religion or another prohibited ground for discrimination as defined under the [Canadian Human Rights Act](#). That requirement applied whether employees were teleworking, working remotely or working on-site.

In compliance with the Vaccination Policy and the TBS [Directive on Duty to Accommodate](#), organizations were required to assess and process requests for accommodation received in response to the Vaccination Policy in a timely manner.

The effective administration of the Policy at the departmental level is the responsibility of each department. Robust governance mechanisms and the effective development and application of processes to support the administration of accommodation requests were 2 of the key elements developed to support the achievement of the Vaccination Policy objectives and expected results were. At ECCC, the Human Resources Branch supported the Deputy Minister in implementing the Treasury Board policy and the [Directive on the Duty to Accommodate](#) for vaccination accommodation requests.

On June 20, 2022, the Government of Canada suspended the Vaccination Policy based on a review of the public health situation and the vaccination rates across Canada. As a result, ECCC employees were no longer required to be fully vaccinated as a condition of employment and employees who had been placed on administrative leave without pay could resume regular work duties with pay and have their access to ECCC facilities and network reinstated.

With the suspension of the Vaccination Policy, accommodation measures put in place due to the policy, as well as the review of outstanding accommodation requests, came to an end. Since the pandemic is not over and there remains the possibility of a resurgence of cases or the emergence of new variants of concern, the Government of Canada announced that it will continue to monitor the evolution of the COVID-19 virus and the need for additional public health measures, including reintroduction of the vaccination mandates, as appropriate.



What the audit found

The audit found that the governance structure adequately supported the Vaccination Policy implementation with respect to duty to accommodate requests received. To support delegated managers in discharging their roles with respect to duty to accommodate, the Department established the Human Resources Expert Review Committee (HRERC) when the Vaccination Policy came in effect. The HRERC's role to review all requests for accommodation from employees unable to be fully vaccinated was found to be an effective mechanism to support the management of the Vaccination Policy related to duty to accommodate requests in a consistent, objective and uniform manner across the Department through the use of defined criteria.

Overall, the processes in place to administer the Vaccination Policy with respect to the duty to accommodate requests were adequately developed, communicated and applied. 99 requests for accommodation were received as a result of the Vaccination Policy, based on a certified medical contraindication, religion or another prohibited ground for discrimination as defined under the [Canadian Human Rights Act](#).

The audit found that in the majority of the cases, the documentation on file supporting the requests was appropriate for the purposes of the review by the HRERC. The audit confirmed that the accommodation requests recommended for approval by the HRERC included all of the necessary documentation and met all the established criteria used in the decision-making process. HRERC's review and analysis was conducted in a reasonable period of time depending on how well the cases were documented to support the duty to accommodate requests and managers were informed of HRERC's recommendation in a timely manner.

Temporary measures were put in place for employees requesting a duty to accommodate while a decision was pending. Duty to accommodate requests and decisions were monitored and senior management was informed in a consistent, ongoing manner to support the implementation of the Vaccination Policy and the [Directive on the Duty to Accommodate](#).

Opportunity for consideration

The report does not put forward recommendations for action. Rather, it presents an opportunity for consideration related to good information management practices. Specifically, consideration should be given in future similar initiatives to identify all the relevant documentation related to an accommodation request to be retained and stored in a central location including milestone communications, rationales and decision letters to employees. This would mean that there is a complete file for each request maintained centrally as an audit trail.

About the audit

The audit covered the period from October 6, 2021 to March 31, 2022 and focused on the governance and application of procedures that were put in place to administer the accommodation requests received by not fully vaccinated employees based on a certified medical contraindication, religion or another prohibited ground for discrimination as defined under the [Canadian Human Rights Act](#). The audit also examined 99 duty to accommodate requests (100%) received by employees unable or unwilling to be fully vaccinated.

The audit excluded the validation of the recommendations provided by the Human Resources Expert Review Committee to managers; the validation of the authenticity of key documentation provided by employees in support of their duty to accommodate requests; complaints received or disputes related to decisions; as well as any action taken following the suspension of the Policy on COVID-19 vaccination.