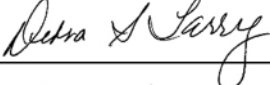




# POLICY & PROCEDURE

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| <b>MANDATORY COVID-19<br/>VACCINATION POLICY AS<br/>QUALIFICATION OF<br/>EMPLOYMENT OR<br/>VOLUNTEER SERVICE</b> |                         |  | <b>Category:</b> Human Resources/Personnel  |
|  |                         |  | <b>Number:</b> 700-08   |
|  |                         |  | <b>Classification:</b> Internal   |
| <b>Effective Date:</b><br>10/5/2021*   | <b>Supersedes:</b><br>- | <b>Policy Originator:</b><br>Human Resources and<br>Organizational<br>Development Director | <b>Approved By:</b> City Manager<br><br><br><hr/> Debbie Tarry |

\*The termination date of this policy will be determined by the City Council and will be dependent on the COVID-19 State of Health Emergency.

## 1. PURPOSE/SCOPE:

While non-pharmaceutical interventions such as wearing face coverings and social distancing helps to reduce the spread of COVID-19, the COVID-19 vaccination has been proven as a safe and highly effective measure in preventing COVID-19 infection and limiting hospitalization and death. Widespread vaccination is the primary means that the City of Shoreline has to protect the health of all of our employees and their families, the volunteers who serve the City in the public interest, and the residents and the community at large from COVID-19 infections. This includes persons who cannot be vaccinated for medical reasons, youth who are not yet eligible to receive a vaccination, immunocompromised individuals, and vulnerable persons including persons in health care facilities and other congregate care facilities. Widespread vaccination is also the primary means to prevent and curtail the spread of new variants of the COVID-19 virus, avoid the return of stringent public health measures, and end the COVID-19 pandemic.

In order to provide and maintain a safe workplace, the City Council adopted Resolution No. 483 on October 4, 2021, which requires all City of Shoreline employees, elected officials, appointed members of boards and commissions, and City volunteers to be fully vaccinated by 12:01 a.m. Local Time, December 1, 2021. The Council's Resolution followed Governor Inslee's Proclamation 21-14.1, dated August 21, 2021, expanding COVID-19 vaccination mandates from State employees within the executive branch to also include all employees working in higher education, K-12 education, most childcare and early learning facilities, and municipal parks and recreation child and youth programs by October 18, 2021. This Policy shall apply as a qualification of employment

to all City employees, including those that may have also been impacted by the Governor's October deadline.

## **2. AFFECTED INDIVIDUALS:**

- All future and current City Employees
- Appointed Members of Boards and Commissions (Appointed Officials)
- City Volunteers

## **3. POLICY:**

As a qualification of employment or serving in a public service volunteer position with the City of Shoreline, all Employees, Appointed Members of Boards and Commissions, and Volunteers as defined in this Policy must be Fully Vaccinated against COVID-19 with vaccines authorized by the CDC by no later than 12:01 a.m. Local Time, December 1, 2021.

Employees that are not Fully Vaccinated or have not received a medical or religious exemption by 12:01 a.m. Local Time, December 1, 2021, will no longer be permitted to undertake the essential duties of their position, and as such, will be terminated.

Appointed Members of Boards and Commissions that are not Fully Vaccinated or have not received a medical or religious exemption by 12:01 a.m. Local Time, December 1, 2021, may be removed by the City Manager with the concurrence of the City Council.

City Volunteers that are not Fully Vaccinated or have not received a medical or religious exemption by 12:01 a.m. Local Time, December 1, 2021, will no longer be permitted to undertake the essential duties of their position, and as such, will be removed from their volunteer position until they meet the qualification to resume duties as a result of vaccination status.

All future Employees, Appointed Officials, and Volunteers shall provide proof of full vaccination against COVID-19 prior to the date of hire or provision of services.

## **4. DEFINITIONS:**

- **Appointed Members of Boards and Commissions (Appointed Officials)** – A City Council-appointed member of the City of Shoreline Planning Commission or the Park, Recreation and Cultural Services Board.
- **Centers for Disease Control and Prevention (CDC)** – A branch of the United States Department of Health and Human Services that serves as the country's health protection agency and provides formal guidance for state and local governments to use when responding to health-related issues, including the COVID-19 pandemic.

- **City of Shoreline Facility (City Facility)** – City-owned building and City-owned or managed property or open space, including but not limited to City parks and the Interurban Trail.
- **COVID-19 Coronavirus (COVID-19)** – A highly contagious respiratory disease caused by the SARS-CoV-2 virus.
- **Employee** – A person employed for wages or salary by the City of Shoreline.
- **Food and Drug Administration (FDA)** – A branch of the United States Department of Health and Human Services responsible for food and drug safety.
- **Fully Vaccinated** – A person is fully vaccinated against COVID-19 if two weeks have passed since they received all doses of a vaccine as prescribed by the FDA, CDC, and/or the Washington State Health Officer, including a booster shot based on availability and eligibility.
- **Proof of Vaccination** – Acceptable documentation of an Affected Individual's vaccination status.
- **Vaccination Attestation** – A document signed by an Affected Individual attesting to the authenticity and validity of their Proof of Vaccination.
- **Volunteer** – An individual who performs a service on behalf of the City without promise, expectation, or receipt of compensation for the services rendered, in the following capacities: 1) in-person at a City Facility or 2) in-person at a City-managed event, activity or program; and in a situation where their volunteer hours are reported to the Washington State Department of Labor and Industries by the City.
- **Washington State Health Officer** – The individual within Washington State's Department of Health, also known as the Chief Science Officer, that serves as the primary science expert on public health issues including communicable disease control, chronic disease and injury prevention, and environmental health threats.

## 5. PROCEDURES:

### 5.1 Complete and Show Proof of Vaccination.

In order to be considered Fully Vaccinated, Employees, Appointed Officials, and Volunteers must comply with the following vaccination requirements.

#### 5.1.1 Complete all doses of a FDA, CDC, and/or Washington State Health Officer approved vaccination series, within the timeframe described below:

- Those choosing the **Moderna vaccine** must receive the first dose by October 19, 2021; the second dose by November 16, 2021; and a third, booster shot within 30 days of their eligibility for the booster, as eligibility is determined by the CDC and/or the Washington State Health Officer, as applicable; or
- Those choosing the **Pfizer/Comirnaty vaccine** must receive the first dose by October 26, 2021; the second dose by November 16, 2021; and a third, booster shot within 30 days of their eligibility for the

booster, as eligibility is determined by the CDC and/or the Washington State Health Officer, as applicable; or

- Those choosing the ***Johnson & Johnson/Janssen vaccine*** must receive their single dose by November 16, 2021, and a second, booster shot, within 30 days of their eligibility for the booster, as eligibility is determined by the CDC and/or the Washington State Health Officer, as applicable.

**5.1.2 Provide Proof of Vaccination.** Employees and Appointed Officials must provide Proof of Vaccination along with a signed Vaccination Attestation (Exhibit A) against COVID-19 to the Human Resources Department on or before 11:59 p.m. Local Time on November 16, 2021. Human Resources will file Employee and Appointed Officials' Proof of Vaccination and Vaccination Attestation in a separate medical file not part of a personnel file.

City Volunteers must provide Proof of Vaccination along with a signed Vaccination Attestation (Exhibit A) against COVID-19 to their City volunteer manager/coordinator on or before 11:59 p.m. Local Time on November 16, 2021. City volunteer managers/coordinators will file Volunteers' Proof of Vaccination and Vaccination Attestation in a secure location.

All future City of Shoreline Employees, Appointed Officials, and Volunteers must provide Proof of Vaccination and a signed Vaccination Attestation prior to their first date of work or service. For Employees that have already provided Proof of Vaccination, a signed Vaccination Attestation must be provided to Human Resources by November 16, 2021.

**5.1.3 Proof of Vaccination Documentation.** One of the following documents may be used to demonstrate when an Employee, Appointed Official, or Volunteer will be considered Fully Vaccinated and must accompany the Vaccination Attestation:

- Photo or photocopy of CDC COVID-19 Vaccination Record Card;
- WA State Certificate of COVID-19 Vaccination;
- Government approved digital QR Code;
- WA State Immunization Information System printout (The link to download immunization records is <https://myirmobile.com>); or
- Documentation from a health care provider indicating the individual has been vaccinated.

**5.1.4 Deadline Extension.** Employees, Appointed Officials, and Volunteers may seek a deadline extension for providing Proof of Vaccination to the City Manager in writing. The City Manager will only consider an extension of the deadlines set forth above when compliance with the

deadline is not possible, through no fault of the requesting individual, such as a temporary medical condition confirmed by a doctor.

## **5.2 If Applicable, Seek a Medical Accommodation or Religious**

**Accommodation on or before October 15, 2021.** The City recognizes for a limited number of individuals a medical condition or disability may preclude them from being vaccinated or that some individuals may have a sincerely held religious belief that is in conflict with receiving a vaccination. The City has an obligation and is committed to reviewing all requests to determine if such a requested accommodation can be provided, however, there is no guarantee that an exemption will be granted or that an accommodation will be possible. Depending on the situation, the City may not be able to provide an accommodation because of the undue hardship it would place on the City or other employees, or if it would create undue injury or harm to others, as provided by law.

**5.2.1 Those seeking an exemption must complete and sign a Request for Reasonable Accommodation on or before October 15, 2021.** There are two (2) Request for Accommodation Forms, one for a medical exemption (Exhibit B) and one for a religious exemption (Exhibit C). On or before October 15, 2021, a completed Accommodation Form with all supporting documentation must be submitted to the Human Resources Department. To be considered complete, all relevant questions must be fully answered on the Form regarding the reason(s) preventing the individual from getting vaccinated, however, for a medical condition, the individual should not disclose the diagnosis or treatment plan.

**5.2.2 The requestor must respond to additional requests for information.** The Human Resources Department may request additional information regarding an individual's disability or medical condition or sincerely held religious beliefs. Individuals should submit requested information within five (5) working days of receiving a request for additional information or Human Resources will be unable to proceed with reviewing the requested exemption until the information is received. If an individual cannot submit the information within this time period, they should notify Human Resources with an explanation and request for additional time. Until the requested information is received, Human Resources will not proceed with reviewing the request.

**5.3 Human Resources Reasonable Accommodation Review.** The Human Resources Department will process all Requests for Reasonable Accommodation according to the following procedures:

**5.3.1 Acknowledge receipt of a request for a medical or religious exemption from vaccination requirements.** Acknowledgments will generally be by email stating the request has been received but may

also be by returning a copy of the request stamped "Received" with the receipt date on the face of the document.

**5.3.2 Review requests for medical or religious exemptions and determine whether additional information is required.** Any request for additional information will be made as soon as possible after receiving a completed and signed Accommodation Form. Human Resources may request additional information regarding a medical or disability condition or religious belief, or seek information from the identified medical provider or religious leader in support of a request for exemption. Human Resources will engage with the requestor in the interactive process if a medical or religious exemption is not established by the written request and supporting documentation, or if the requestor does not submit a completed form or sufficient documentation.

**5.3.3 Make a determination and respond to a request for a medical or religious exemptions as expeditiously as possible.** Human Resources anticipates that it will be able to respond to a request within seven (7) working days of receiving an accommodation request and any supporting information requested by the Department. Due to the nature of the City's work needs, the requests of on-site Employees will be prioritized over off-site Employees, Appointed Officials and Volunteers. Human Resources' final determination on a request for exemptions from vaccination requirements will provide any conditions established in granting the exemption or will provide the reason for denial.

**5.3.4 Unable to make a determination by December 1, 2021.** If Human Resources has received all requested information and is unable to make a determination for a medical or religious exemption from the vaccination requirement by December 1, 2021, Employees will be placed on paid administrative leave until such determination is made. Appointed Officials or Volunteers who have not received a determination for a medical or religious exemption from the vaccination requirement by December 1, 2021 will be temporarily suspended or not permitted to provide services until such determination is made.

**5.4 Appeal of Exemption Determination.** Only an Employee may appeal a final determination denying a request for medical or religious exemption from vaccination requirements or conditions imposed on an exemption.

**5.4.1 For non-represented (non-Union) Employees:** Non-represented Employees shall utilize a modified format of the Conflict Resolution provisions contained in the City's Employee Handbook, Section VII, Part L(2)(e). The Non-represented Employee shall file a written appeal statement within ten (10) working days of the date of Human Resources' determination with the City Manager via e-mail. The e-mail

shall be sent to the City Manager ([dtarry@shorelinewa.gov](mailto:dtarry@shorelinewa.gov)) with a copy to Human Resources ([srajic@shorelinewa.gov](mailto:srajic@shorelinewa.gov)). The appeal statement shall provide the reasons the Employee believes Human Resources' determination was in error. The City Manager shall endeavor to respond within fifteen (15) working days of the date the appeal statement is received. The City Manager's decision shall be the final decision of the City.

**5.4.2 For represented (Union) Employees:** Represented Employees shall utilize the procedures set forth in Article 24 Grievance and Complaint Process of the Union's Labor Agreement with the City, starting at subsection 24.2.3. The Represented Employee, or the Employee's representative, shall file a written appeal statement with the City Manager. The City Manager's decision shall be issued within fifteen (15) working days of the date the appeal statement is received. Disagreement as to the City Manager's decision will be subject to arbitration as provided in Article 24.2.4.

**5.4.3** If the City Manager is unable to render a decision on the appeal by December 1, 2021, an Employee will be placed on paid administrative leave until such decision is received.

## **6. EXHIBITS:**

- A. Vaccination Attestation
- B. Request for Accommodation Form – Medical Exemption
- C. Request for Accommodation Form – Religious Exemption