

## BIHA's COVID-19 Mandatory Employee Vaccination Policy

### **PURPOSE:**

Vaccination is a vital tool to reduce the presence and severity of COVID-19 cases in the workplace, in communities, and in the nation as a whole. BIHA has adopted this policy on mandatory COVID-19 vaccination to safeguard the health of our employees and the community members that BIHA serves from the hazards of COVID-19.

### **SCOPE:**

This Mandatory COVID-19 Vaccination Policy applies to all employees of BIHA.

All employees covered by this policy are required to be fully vaccinated as a term and condition of employment at BIHA. Employees are considered fully vaccinated two weeks after completing primary vaccination with a COVID-19 vaccine, with, if applicable, at least the minimum recommended interval between doses. For example, this includes two weeks after a second dose in a two-dose series, such as the Pfizer or Moderna vaccines, two weeks after a single-dose vaccine, such as the Johnson & Johnson vaccine, or two weeks after the second dose of any combination of two doses of different COVID-19 vaccines as part of one primary vaccination series. All employees are required to report their vaccination status and to provide proof of vaccination. Employees must provide truthful and accurate information about their COVID-19 vaccination status, and, if applicable, their testing results. Employees not in compliance with this policy will be subject to discipline.

BIHA may require subcontractors to be vaccinated, depending on the duties and location of the work to be performed.

### **PROCEDURES:**

#### **Overview and General Information**

All BIHA employees must be fully vaccinated no later than February 15, 2022.

To be fully vaccinated by February 15, 2022, an employee must:

- Obtain the first dose of a two-dose vaccine no later than January 1, 2022; and the second dose no later than February 1, 2022; or
- Obtain one dose of a single dose vaccine no later than February 1, 2022.

Employees will be considered fully vaccinated two weeks after receiving the requisite number of doses of a COVID-19 vaccine. An employee will be considered partially vaccinated if they have received only one dose of a two-dose vaccine.

#### **Vaccination Status and Acceptable Forms of Proof of Vaccination**

All vaccinated employees are required to provide proof of COVID-19 vaccination, regardless of where they received vaccination. Proof of vaccination status can be submitted via email to the Executive Director or in person at the BIHA office.

Acceptable proof of vaccination status is:

1. The record of immunization from a healthcare provider or pharmacy;
2. A copy of the COVID-19 Vaccination Record Card.

Proof of vaccination generally should include the employee’s name, the type of vaccine administered, the date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) that administered the vaccine. In some cases, state immunization records may not include one or more of these data fields, such as clinic site; in those circumstances BIHA will still accept the state immunization record as acceptable proof of vaccination.

If an employee is unable to produce one of these acceptable forms of proof of vaccination, despite attempts to do so (e.g., by trying to contact the vaccine administrator or state health department), the employee can provide a signed and dated statement attesting to their vaccination status (fully vaccinated or partially vaccinated); attesting that they have lost and are otherwise unable to produce one of the other forms of acceptable proof; and including the following language:

“I declare (or certify, verify, or state) that this statement about my vaccination status is true and accurate. I understand that knowingly providing false information regarding my vaccination status on this form may subject me to criminal penalties.”

An employee who attests to their vaccination status in this way should, to the best of their recollection, include in their attestation the type of vaccine administered, the date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) administering the vaccine.

All employees must inform BIHA of their vaccination status. The following table outlines the requirements for submitting vaccination status documentation:

<b><i>Vaccination Status</i></b>	<b><i>Instructions</i></b>	<b><i>Deadline(s)</i></b>
<i>Employees who are fully vaccinated.</i>	<i>Submit proof of vaccination that indicates full vaccination.</i>	<i>December 7, 2021</i>
<i>Employees who are partially vaccinated (i.e., one dose of a two dose vaccine series).</i>	<i>Submit proof of vaccination that indicates when the first dose of vaccination was received, followed by proof of the second dose when it is obtained.</i>	<i>December 7, 2021</i>
<i>Employees who have not yet been vaccinated.</i>	<i>Submit statement that you are unvaccinated.</i>	<i>December 7, 2021</i>

## Supporting COVID-19 Vaccination

An employee may take up to two (2) hours of duty time per dose to travel to the vaccination site, receive a vaccination, and return to work. This would mean a maximum of four (4) hours of duty time for employees receiving two doses. If an employee spends less time getting the vaccine, only the necessary amount of duty time will be granted. If an employee is vaccinated outside of their approved duty time they will not be compensated.

Employees may utilize up to two (2) workdays of paid leave immediately following each dose if they have side effects from the COVID-19 vaccination that prevent them from working. The paid leave will not be deducted from their personal leave balance.

The following procedures apply for requesting and granting duty time to obtain the COVID-19 vaccine or sick leave to recover from side effects:

Employees should receive prior approval from their supervisors before taking time off to receive a vaccination and notify their supervisor if they need additional time to recover from side effects experienced after receiving the vaccination.

## Employee Notification of COVID-19 and Removal from the Workplace

BIHA will require employees to promptly notify their supervisor when they have tested positive for COVID-19 or have been diagnosed with COVID-19 by a licensed healthcare provider. An employee who has tested positive for COVID-19 will be required to use their personal leave until they have received permission to return to work. If an employee does not have personal leave or exhausts their personal leave prior to returning to work, they will be on leave without pay until returning to work. Alternatively, if an employee has the ability to perform their work remotely, they may request permission to work from home until they are able to return to the workplace.

### Medical Removal from the Workplace

BIHA will immediately remove an employee from the workplace if they have received a positive COVID-19 test or have been diagnosed with COVID-19 by a licensed healthcare provider (i.e., immediately send them home or to seek medical care, as appropriate).

### Return to Work Criteria

For any employee removed because they are COVID-19 positive, BIHA will keep them removed from the workplace until the employee meets the return to work criteria in CDC's "Isolation Guidance" or receives a recommendation to return to work from a licensed healthcare provider.

Under CDC's "Isolation Guidance," asymptomatic employees may return to work once 10 days have passed since the positive test, and symptomatic employees may return to work after all the following are true:

- At least 10 days have passed since symptoms first appeared, and
- At least 24 hours have passed with no fever without fever-reducing medication, and
- Other symptoms of COVID-19 are improving (loss of taste and smell may persist for weeks or months and need not delay the end of isolation).

If an employee has severe COVID-19 or an immune disease, BIHA will follow the guidance of a licensed healthcare provider regarding return to work.

### Exceptions

Employees may request an exception from the mandatory vaccination requirement if the vaccine is medically contraindicated for them or medical necessity requires a delay in vaccination. Employees also may be legally entitled to a reasonable accommodation if they cannot be vaccinated and/or wear a face covering (as otherwise required by this policy) because of a disability, or if the provisions in this policy for vaccination, and/or testing for COVID-19, and/or wearing a face covering conflict with a sincerely held religious belief, practice, or observance. Requests for exceptions and reasonable accommodations must be submitted in writing to the Executive Director. All such requests will be handled in accordance with applicable laws and regulations.

### COVID-19 Testing

If an employee has been granted an exception from the mandatory vaccination requirement because of medical or religious reasons, the employee will be required to comply with this policy for testing.

Employees who report to the workplace at least once every seven days:

- (A) must be tested for COVID-19 at least once every seven days; and
- (B) must provide documentation of the most recent COVID-19 test result to their supervisor and the Executive Director no later than the seventh day following the date on which the employee last provided a test result.

Any employee who does not report to the workplace during a period of seven or more days (e.g., if they were on vacation for two weeks prior to reporting to the workplace):

- (A) must be tested for COVID-19 within seven days prior to returning to the workplace; and
- (B) must provide documentation of that test result to [the supervisor] upon return to the workplace.

If an employee does not provide documentation of a COVID-19 test result as required by this policy, they will be removed from the workplace until they provide a test result.

Employees who have received a positive COVID-19 test, or have been diagnosed with COVID-19 by a licensed healthcare provider, are not required to undergo COVID-19 testing for 90 days following the date of their positive test or diagnosis.

### Face Coverings

If an employee has been granted an exception from the mandatory vaccination requirement because of medical or religious reasons, BIHA will require the employee to wear a face covering. Face coverings must: (i) completely cover the nose and mouth; (ii) be made with two or more layers of a breathable fabric that is tightly woven (i.e., fabrics that do not let light pass through when held up to a light source); (iii) be secured to the head with ties, ear loops, or elastic bands that go behind the head. If gaiters are worn, they should have two layers of fabric or be folded to make two layers; (iv) fit snugly over the nose, mouth, and chin with no large gaps on the outside of the face; and (v) be a solid piece of material without slits, exhalation valves, visible holes, punctures, or other openings. Acceptable face coverings

include clear face coverings or cloth face coverings with a clear plastic panel that, despite the non-cloth material allowing light to pass through, otherwise meet these criteria and which may be used to facilitate communication with people who are deaf or hard-of-hearing or others who need to see a speaker's mouth or facial expressions to understand speech or sign language respectively.

Employees who are not fully vaccinated must wear face coverings over the nose and mouth when indoors and when occupying a vehicle with another person for work purposes. Policies and procedures for face coverings will be implemented, along with the other provisions required by OSHA's COVID-19 Vaccination and Testing ETS, as part of a multi-layered infection control approach for unvaccinated workers.

The following are exceptions to BIHA's requirements for face coverings:

1. When an employee is alone in a room with floor to ceiling walls and a closed door.
2. For a limited time, while an employee is eating or drinking at the workplace or for identification purposes in compliance with safety and security requirements.
3. When an employee is wearing a respirator or facemask.
4. Where BIHA has determined that the use of face coverings is infeasible or creates a greater hazard (e.g., when it is important to see the employee's mouth for reasons related to their job duties, when the work requires the use of the employee's uncovered mouth, or when the use of a face covering presents a risk of serious injury or death to the employee).

**NEW HIRES:**

All new employees are required to comply with the vaccination requirements outlined in this policy as a condition of employment. New employees must provide proof of receiving both doses of a two-dose vaccines or one dose of a one dose vaccine prior to their first day of work. Potential candidates for employment will be notified of the requirements of this policy prior to the start of employment.

**CONFIDENTIALITY & PRIVACY:**

All medical information collected from individuals, including vaccination information, test results, and any other information obtained as a result of testing, will be treated in accordance with applicable laws and policies on confidentiality and privacy.

**QUESTIONS:**

Please direct any questions regarding this policy to the Executive Director.

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