



# COVID-19 Vaccination and Testing Policy (Effective January 10, 2022)

January 7, 2022

## **A) Purpose/Intent**

We are adopting this policy to safeguard the health of our employees and their families, our customers and visitors and the community at large from infectious diseases, such as COVID-19, that may be reduced by vaccinations. This policy complies with all applicable laws and is based on guidance from the Centers for Disease Control and Prevention and state and local health authorities as applicable.

## **B) Summary of Changes Effective January 10, 2022**

Effective January 10, 2022, all employees, interns, designated contractors and volunteers who work at City worksites and facilities or interact with other City employees or members of the public in the performance of their duties on behalf of the City are to be fully vaccinated subject to the limited exemptions provided below.

The City is adopting this vaccination requirement in response to the coronavirus pandemic and in alignment with the guidance from the federal Centers for Disease Control (CDC) and California Department of Public Health (CDPH). According to both agencies, COVID-19 remains a serious threat to public health and the COVID-19 vaccine is the most effective means of preventing widespread transmissions and outbreaks. This vaccine requirement along with the continued use of our workplace safety measures strive to help reduce the spread of the virus in our workplace and the City of San Bruno.

Many City employees, including but not limited to, firefighters, members of the Police Department, recreation employees, and various City customer service or management employees come into close contact with the public as part of their daily job duties. Because City employees may come into contact with members of the public who have been unable to receive the COVID-19 vaccine at this time, such as children or those with medical conditions contraindicated for the vaccine, or who refuse to get vaccinated, requiring City Employees to get vaccinated is an effective way to ensure that Employees are able to deliver effective and required services to the public without unduly compromising their safety. Moreover, all City employees are designated to be Disaster Service Workers under California Government Code sections 3100-3109 and are expected and required to work during an emergency, which may unavoidably place them in close contact with members of the public needing assistance during an emergency and thus potentially expose them, or themselves, to the risk of contracting COVID-19.

## **C) Vaccination Requirement Details & Authorized Exemptions**

City Employees and other individuals performing duties on behalf of the City will be required to provide proof of vaccination **or** elect to undergo regular COVID-19 testing and wear a face covering at work in lieu of vaccination, as permitted by the OSHA Emergency Temporary Standard (ETS).

The City of San Bruno strongly encourages compliance with this requirement through obtaining the COVID-19 vaccination and all recommended boosters.

Policy Summary:

The following takes effect on January 10, 2022:

- 1) All employees and other individuals performing duties on behalf of the City are required to provide Proof of Vaccination to Human Resources (or an authorized designee) or submit an exemption request for religious beliefs or approved medical reasons. Documents may be submitted in person or via secure portal provided by Human Resources.
- 2) Individuals who do not submit proof of vaccination and all unvaccinated individuals must undergo regular COVID-19 testing and wear a face covering at work (See Face Covering Requirements) in lieu of vaccination.
- 3) Compliance with one of the above options is mandatory by January 10, 2022. The City will allow a grace period until January 31, 2022. Failure to provide proof of vaccination, receive an exemption and/or submit to COVID-19 testing will be found in violation of this policy and will be subject to disciplinary action up to and including termination of employment.

City Employees requesting an exemption from the vaccination requirements may provide a signed exemption form to Human Resources stating either of the following:

- 1) The employee is requesting a vaccination exemption based on Religious Beliefs (see attached "Request for Religious Exemption from COVID-19 Vaccine Form"); and/or
- 2) The employee is excused from receiving any COVID-19 vaccine due to Qualifying Medical Reasons (see attached "Request for Medical Exemption from COVID-19 Vaccine Form"); and/or
- 3) Submit to COVID-19 testing per City procedures.

**D) Testing Requirements & Testing Levels**

- Level 1
  - Employees and other persons covered by this policy that are unvaccinated or decline to provide proof of vaccination must take a weekly COVID-19 antigen/rapid or Polymerase Chain Reaction (PCR) test.

- Level 2
  - Employees and other persons covered by this policy that are unvaccinated or decline to provide proof of vaccination must take a weekly COVID-19 antigen/rapid or Polymerase Chain Reaction (PCR) test.
  - All sworn Fire Department employees must take a weekly COVID-19 antigen/rapid before starting shift and PCR while on the 1st business day of shift
- Level 3
  - All employees and other persons covered by this policy must take a weekly COVID-19 antigen/rapid or Polymerase Chain Reaction (PCR) test.
  - All sworn Fire Department employees must take a weekly COVID-19 antigen/rapid before starting shift and PCR while on the 1st business day of shift.

Designation of testing levels shall be made by the City Manager and/or the City's Emergency Operations Center (EOC) Director.

#### **E) Face Covering Requirements**

In addition to the testing requirement, employees who are not fully vaccinated must wear face coverings when indoors or in a vehicle with another person for work purposes, except:

- When alone in a room with floor to ceiling walls and a closed door;
- For a limited time:
  - While eating or drinking at the workplace;
  - For identification purposes to comply with safety and security requirements; or
  - While wearing a respirator or face mask.
  - When wearing face coverings is infeasible or creates a greater hazard that would excuse compliance with this requirement, such as when:
    - it is important to see the employee's mouth;
    - the work requires the use of the employee's uncovered mouth; or
    - wearing a face covering presents a risk of serious injury or death to the employee.

Employees must properly wear face coverings and replace them if wet, soiled, or damaged.

To be compliant, a face covering must:

- Completely cover the nose and mouth.
- Be made with two or more layers of a breathable tightly woven fabric; however, clear face coverings or coverings with a clear plastic panel may be used to facilitate communications with people who are deaf or hearing impaired.
- Be secured to the head with ties, ear loops, or elastic bands that go behind the head; however, gaiters may qualify if they have two layers of fabric or are folded to make two layers.
- Fit snugly over the nose, mouth, and chin with no large gaps on the outside of the face. Be made of solid material without slits, exhalation valves, visible holes, punctures, or other openings.

**F) Definitions**

“City Employees”, for purposes of this policy and related requirements, are individuals who perform work for or on behalf of the City and who report to City worksites or facilities, or who interact in person with City employees or members of the public on behalf of the City, including: (1) City employees; (2) Non-employees, including interns, and designated volunteers, who provide services to the City who work at City worksites and facilities or interact with other City employees or members of the public in the performance of their duties on behalf of the City; and (3) Contractors who are engaged by the City and who work at City worksites and facilities or interact with other City employees or members of the public in the performance of their duties on behalf of the City. City contractors who qualify as City employees include, for example, contracted employees who work at City worksites or facilities or with City employees outside of such worksites or facilities, but would not include, for example, a third-party attorney who provides legal services exclusively from a remote location. The inclusion of non-employees in the definition of “City Employees” confers no employment status between such individuals and the City.

“COVID-19 vaccine” means a COVID-19 vaccine authorized by the FDA under either the EUA approval process or the Biologics License Application (“BLA”) (i.e., general use) approval process.

“Fully vaccinated” means either the employee is two weeks past completion of a primary vaccine (with at least the minimum recommended interval between doses for a two-dose series), or two weeks past a second dose of any combination of two doses of a vaccine, so long as the second dose was not received earlier than 17 days after the first dose. A compliant vaccine has to be FDA approved, have an emergency use authorization by the FDA, or listed for emergency use by WHO. Cal/OSHA also now allows employees who had their vaccine administered as part of a clinical trial to be considered fully vaccinated under certain circumstances.

“Proof of vaccination” includes the following: (1) COVID-19 vaccination record card (issued by the Department of Health and Human Services, Centers for Disease Control and Prevention (“CDC”) or World Health Organization Yellow Card) which includes name of person vaccinated, type of vaccine provided and date last dose administered); (2) documentation of COVID-19 vaccination from a health care provider; (3) digital record that includes a QR code that when scanned by a SMART Health Card reader displays to the reader client name, date of birth, vaccine dates and vaccine type.

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_



## Testing Procedures for Unvaccinated Employees

The following procedure is for COVID-19 testing of employees who are not fully vaccinated. To be qualified as fully vaccinated, and therefore exempt from the testing requirement, an employee must submit to Human Resources (or an authorized designee) proof of vaccination record information pursuant to the CDPH Guidance for Vaccine Records Guidelines & Standards which will consist of the following information: (1) full name and date of birth; (2) vaccine manufacturer; and (3) date of vaccine administration (for first dose and, if applicable, second dose and booster(s)).

### Testing Requirements & Testing Levels

Designation of testing levels (below) shall be made by the City Manager and/or the City's Emergency Operations Center (EOC) Director based on conditions present, the availability of tests, and other factors to promote safety within the workplace.

- **Level 1**
  - Employees and other persons covered by this policy that are unvaccinated or decline to provide proof of vaccination must take a weekly COVID-19 antigen/rapid or Polymerase Chain Reaction (PCR) test.
- **Level 2**
  - Employees and other persons covered by this policy that are unvaccinated or decline to provide proof of vaccination must take a weekly COVID-19 antigen/rapid or Polymerase Chain Reaction (PCR) test.
  - All sworn Fire Department employees must take a weekly COVID-19 antigen/rapid before starting shift and PCR while on the 1<sup>st</sup> business day of shift.
- **Level 3**
  - All employees and other persons covered by this policy must take a weekly COVID-19 antigen/rapid or Polymerase Chain Reaction (PCR) test.
  - All sworn Fire Department employees must take a weekly COVID-19 antigen/rapid before starting shift and PCR while on the 1<sup>st</sup> business day of shift.

Testing requirements and levels may change based on the availability of test kits and other factors.

Employees and other persons covered by this policy shall immediately report any positive or indeterminate results to Human Resources and/or their supervisor.

If the antigen rapid COVID-19 self-test indicates a negative result, and the employee is symptom free, the employee may report to work and begin performing their regular duties. If the antigen rapid COVID-19 self-test indicates a positive result, the employee will be required to follow quarantine/isolation protocols per the City's COVID Preparation and Response Plan (PRP) before performing their regular duties. Employees may utilize leave balances according to the MOU.



## Request for Medical Exemption from COVID-19 Vaccine Form

Employee Name	
Job Title	
Department	

The City of San Bruno policy requires that all employees receive a COVID-19 vaccination or submit to weekly testing.

A medical exemption may be granted upon receipt of a completed form (below), signed and certified by a licensed health care provider and whose specialty is appropriate to the associated condition. Medical exemptions must be re-evaluated on an annual basis for continued accommodation.

Individuals with an approved exemption will be required to comply with COVID-19 testing and other preventive requirements as specified in the exemption approval and as may be updated through the COVID-19 Infectious Disease Preparedness and Response Plan and Vaccine Policy and/or posting of requirements through the Employee Portal.

Medical exemption process:

- Complete and sign this form;
- Have your Licensed Health Care Provider complete the provider section of this form.

By completing this Section, I am declaring that I am unable to be vaccinated for COVID-19 and request a Medical/Disability Accommodation due to a medical condition or disability that prevents me from being able to take any COVID-19 vaccine at this time.

NOTE: To be eligible for this exemption, I understand that I must also provide to the City of San Bruno, a written statement signed by a physician, nurse practitioner, or other licensed medical professional practicing under the license of a physician, stating that I qualify for the exemption (but the written statement should not describe the underlying medical condition or disability) and indicating the probable duration of my inability to receive the vaccine (or if the duration is unknown or permanent, so indicate).

I certify by checking the box that the above information is true and accurate and complete as of the date of submission. If unable to print and sign, I acknowledge that typing my name into the signature field below and sending the form to Human Resources represents my legal signature.

Employee Signature/Digital Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## COVID-19 MANDATORY VACCINATION EXEMPTION Healthcare Provider Supporting Statement

In order for a person who works, provides services, or volunteers at the City of San Bruno to qualify for a Medical/Disability Accommodation to the requirement to receive a COVID-19 vaccination, their healthcare provider (only a physician, nurse practitioner, or other licensed medical professional practicing under the license of a physician) must complete this form. NOTE – *Do not state that nature of the underlying medical condition or disability.*

Name of person seeking a medical/disability exemption:	
Date of birth of person seeking exemption:	
Name of physician, nurse practitioner, or other licensed medical professional practicing under the license of a physician:	
Anticipated duration of medical condition/disability (or indicate if the duration is unknown or permanent):	
By completing and signing this form, I certify that my client/patient listed above should not receive the COVID-19 vaccine due to (explain the specific contraindication to vaccination here, but do not identify the underlying medical condition or disability – attach a separate sheet or statement if necessary): I certify the above information to be true and accurate, and I request exemption from the COVID-19 vaccination for the above-named individual.	
Signed by:	
Dated:	
License number:	
Contact Information:	



## Request for Religious Exemption from COVID-19 Vaccine Form

The City of San Bruno policy requires that all employees receive a COVID-19 vaccination or submit to weekly testing. A religious exemption may be granted if the individual holds sincere religious beliefs which are contrary to the practice of vaccination and completes this form. The City of San Bruno is committed to providing a safe, inclusive, and supportive experience for all and recognizes sincere observance of faith as it pertains to the practice of vaccination.

Individuals with an approved exemption may be required to comply with COVID-19 testing and other preventive requirements as specified in the exemption approval and as may be updated through the COVID-19 Infectious Disease Preparedness and Response Plan and/or posting of requirements through the Employee Portal.

### Religious Exemption Process:

- I request exemption from the COVID-19 vaccination requirement due to my sincere religious beliefs.
- I understand that, if approved, this exemption is provisional based on the current City of San Bruno COVID-19 Infectious Disease Prevention and Response Plan and is subject to change based on City and County requirements moving forward.

I certify that the information I have provided in connection with this request is true and accurate and complete as of the date of submission. If unable to print and sign, I acknowledge that typing my name into the signature field below and sending the form to Human Resources represents my legal signature.

Employee Signature/Digital Signature: \_\_\_\_\_ Date: \_\_\_\_\_