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**Model COVID-19**

**Vaccination, Testing and Face Covering Policy**

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**<COMPANY LETTERHEAD>**

**<Company>**

**COVID-19 Vaccination, Testing and Face Covering Policy**

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**<Company Name> COVID-19 Vaccination, Testing and Face Covering Policy**

Purpose

<Company Name> is implementing this policy on mandatory vaccination to help protect our employees from the hazard of COVID-19. This policy complies with OSHA’s Emergency Temporary Standard on Vaccination and Testing (29 CFR 1910.501).

Scope

This policy applies to all <Company Name> employees. All employees must be fully vaccinated unless they are granted an exception as described in this policy or they choose not to be vaccinated and agree to the weekly testing and face covering requirements established by OSHA’s COVID-19 Emergency Temporary Standard (ETS).

All employees must report their vaccination status and provide proof of vaccination. The employees must provide truthful and accurate information about their COVID-19 vaccination status, and, if applicable, their test results. Affected employees who are not in compliance with this policy are subject to the following disciplinary action:

**[Insert a paragraph describing the disciplinary action your company will take if needed. Be sure to consider local collective bargaining agreements before completing this section.]**

Employees may request an exception from this mandatory vaccination policy if the vaccine poses a significant medical risk 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 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 initiated by a written request submitted to the affected employee’s immediate supervisor. All such requests will be handled in accordance with applicable laws and regulations.

Procedures

Overview and General Information

**Vaccination**

Any <Company Name> employee who chooses to be vaccinated against COVID-19 must be fully vaccinated no later than February 9th, 2022. Any employee not fully vaccinated by February 9th, 2022, will be subject to the weekly testing and face covering requirements of the policy.

To be fully vaccinated by February 9th, 2022, an employee must:

* + Obtain the first dose of a two-dose vaccine no later than January 12th, 2022; and the second dose no later than January 26th, 2022; or
  + Obtain one dose of a single dose vaccine no later than January 26th, 2022.

Employees will be considered fully vaccinated two weeks after receiving the requisite number of doses of a COVID-19 vaccine as stated above. An employee will be considered partially vaccinated if he or she has received only one dose of a two-dose vaccine.

**[Describe how employees must schedule their vaccination appointments through an on-site clinic, their own medical provider, or a mass-vaccination clinic. Also, describe the “Designated Person” who will be maintaining this policy for your company.]**

**Testing and Face Coverings**

All employees who are not fully vaccinated as of February 9th, 2022, will be required to undergo weekly COVID-19 testing and wear a face covering when in the workplace. Policies and procedures for testing and face coverings are described in this policy.

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

**Vaccinated Employees**

All vaccinated employees are required to provide proof of COVID-19 vaccination, regardless of where they received their vaccination(s). Acceptable proof of vaccination status is:

1. The record of immunization(s) from a health care provider or pharmacy;
2. A copy of the COVID-19 Vaccination Record Card;
3. A copy of medical records documenting the vaccination;
4. A copy of immunization records from a public health, state, or tribal immunization information system; or
5. A copy of any other official documentation that contains the type(s) of vaccine administered, date(s) of administration, and the name(s) of the health care professional(s) or clinic site(s) administering the vaccine(s).

Proof of vaccination must include the employee’s name, the type of vaccine(s) 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. Under those circumstances, <Company Name> will still accept the state immunization record as acceptable proof of vaccination.

If an employee is unable to produce an acceptable form of proof of vaccination, despite attempts to do so, the employee may provide a signed and dated statement attesting to his or her vaccination status and that he or she is unable to produce acceptable proof of vaccine status. The statement must include 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 his or her vaccination status in this way must include in their attestation the type of vaccine(s) administered, the date(s) of administration, and the name(s) of the health care professional(s) or clinic site(s) administering the vaccine.

Proof of vaccination status must be submitted as follows. **[Describe how proof of vaccination status must be submitted to your company.]**

<Designated Person> is responsible for ensuring that all appropriate vaccination and testing documentation is established for all employees. **[Describe documentation procedures for employees who are fully vaccinated, employees who are partially vaccinated, and employees who have not yet been vaccinated.]**

**Supporting COVID-19 Vaccination**

Affected employees may take up to four hours of duty time per vaccine dose to travel to the vaccination site, receive a vaccination, and return to work. Employees who take longer than four hours to get the vaccine must send their immediate supervisor an email documenting the reason for the additional time needed. Any additional time requested will be granted, if reasonable, but will not be paid. The employee must elect to use sick or vacation leave to cover the additional time. If an employee is vaccinated outside of their approved duty time they will not be compensated.

Employees may use up to two workdays of sick leave immediately following each dose if they have side effects from the COVID-19 vaccination that prevent them from working. Employees who have no sick leave will be granted up to two days of sick leave immediately following each dose if necessary.

Affected employees must request duty time off to obtain the COVID-19 vaccine or sick leave to recover from side effects from their immediate supervisor. The request can be made in person or by telephone. The affected supervisor must grant the request, document the request in writing, and send an electronic copy to <Designated Person>.

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

<Company Name> employees must promptly notify their immediate supervisor when they have tested positive for COVID-19 or have been diagnosed with COVID-19 by a licensed healthcare provider. Communication must take place by telephone without exposing any other person to the virus.

**Medical Removal from the Workplace**

<Company Name> will immediately remove employees who have received a positive COVID-19 test or have been diagnosed with COVID-19 by a licensed healthcare provider from the workplace. Employees will be sent home or to seek medical care. The affected employee’s immediate supervisor will tell the employee that he or she must leave the jobsite immediately and advise them to go straight home and/or contact an appropriate healthcare professional.

**Return to Work Criteria**

Employees who have been medically removed from the workplace due to the virus must remain away from the workplace until they:

* Receive a negative result on a COVID-19 nucleic acid amplification test (NAAT) following a positive result on a COVID-19 antigen test if the employee chooses to seek a NAAT test for confirmatory testing;
* Meet the return-to-work criteria in the Centers for Disease Control and Prevention (CDC)’s “Isolation Guidance”; or
* Receive a recommendation to return to work from a licensed healthcare provider.

Under CDC’s “[Isolation Guidance](https://www.osha.gov/sites/default/files/CDC's_Isolation_Guidance.pdf),” 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:

* 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.

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

**COVID-19 Testing**

If an employee covered by this policy is not fully vaccinated for any reason, he or she will be required to comply with the following <Company Name> policy for testing.

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

* Must be tested for COVID-19 at least once every seven days; and
* Must provide documentation of the most recent COVID-19 test result to their immediate supervisor 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:

* Must be tested for COVID-19 within seven days prior to returning to the workplace; and
* Must provide documentation of that test result to their immediate supervisor upon return to the workplace.

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

Separately, 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.

Affected employees can fulfill the weekly testing requirement by contacting and making appointments as necessary at <Closest Testing Facility> – <Telephone Number>. Affected employees must also contact <Designated Person> by telephone at <Telephone Number> to request the required schedule for testing.

Each affected employee must cover the cost of all testing. **[Be sure to consider local collective bargaining agreements before proceeding with the language regarding employee payment for testing.]**

**Face Coverings**

If an employee covered by this policy is not fully vaccinated for any reason, he or she is required to wear a face covering except as described in this policy. Face coverings must:

* Completely cover the nose and mouth;
* Be made with two or more layers of a breathable, tightly woven fabric;
* 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;
* Fit snugly over the nose, mouth, and chin with no large gaps on the outside of the face; and
* Be a solid piece of material without slits, exhalation valves, visible holes, punctures, or other openings.

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 the ETS, as part of a multi-layered infection control approach for unvaccinated workers.

<Company Name> will provide each affected employee with a face covering that meets the requirements of the ETS. Affected employees must wear the face covering provided by <Company Name>. Each affected employee’s immediate supervisor will train them on how to properly use and maintain the face covering.

<Company Name> will not require affected employees to wear face coverings under the following conditions:

* When an employee is alone in a room with floor to ceiling walls and a closed door;
* 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;
* When an employee is wearing a respirator or face mask; and
* Where <Company Name> has determined that the use of face coverings is infeasible or creates a greater hazard.

**New Hires**

All new employees are required to comply with the vaccination requirements outlined in this policy as soon as practicable as a condition of employment. Potential candidates for employment will be notified of the requirements of this policy prior to the start of employment. New employees must comply with this policy by providing proof of vaccination to <Designated Person> as soon as practicable, but no later than three business days after starting work. New hires who are not vaccinated must receive their first dose within 14 business days of starting work and their second dose in a two-dose series within 21 business days after receiving the first dose. All unvaccinated new hires must wear a face coving as described in this policy for existing employees.

**Confidentiality and Privacy**

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