



## COVID-19 Mandatory Testing and Vaccination Policy

**Effective Date:** January 7, 2022

### Purpose

The City of Capitola must provide a safe and healthy workplace, consistent with COVID-19 public health guidance and legal requirements, to protect the health, safety, and welfare of City personnel, community members with whom personnel interact, and all residents and visitors of the City.

According to the federal Centers for Disease Control (CDC) and the California Department of Public Health, COVID-19 poses a health risk, especially to individuals who are not fully vaccinated. COVID-19 vaccines are the most effective means of preventing transmission and limiting COVID-19 hospitalizations and deaths. Unvaccinated workers are at greater risk of contracting and spreading COVID-19 to other workers and the public that depends on City services.

Consistent with its duty to protect its employees and fulfill its obligations to the public, the City of Capitola has therefore adopted this COVID-19 vaccination and testing policy. The policy is based upon guidance provided by the CDC, California Department of Health (CDPH), the State Division of Occupational Safety and Health (CAL/OSHA), and other applicable public health and licensing authorities. It is intended to comply with all state and local laws.

### Definitions

For purposes of this policy, the following terms have the meanings given below.

1. **CDC.** “CDC” means the U.S. Centers for Disease Control and Prevention.
2. **COVID-19 Vaccine.** “COVID-19 Vaccine” means a vaccine to prevent COVID-19 that is (1) administered under an emergency use authorization from the FDA; (2) approved by the FDA; or (3) listed for emergency use by the World Health Organization.
3. **Booster.** Approved vaccine booster dose.
4. **Fully Vaccinated.** “Fully Vaccinated” means a person's status two weeks after receiving a single-dose COVID-19 Vaccine or the second dose of a two-dose COVID-19 Vaccine, and if eligible, pursuant to CDC guidelines, booster dose.
5. **New Hires.** “New Hires” mean all individuals who received a conditional or final job offer with the City on or after September 22, 2021.
6. **Personnel.** “Personnel” means employees, interns, and volunteers of the City of Capitola.
7. **WHO.** “WHO” means the World Health Organization.



## **Policy**

To protect the City of Capitola's workforce and community, all Personnel must report their vaccination status to the human resources department no later than September 28, 2021, or for New Hires, before their start date. All Personnel who are not Fully Vaccinated but are partially vaccinated shall provide that information. Personnel who previously reported that they were unvaccinated must update their status once they are Fully Vaccinated. Personnel must report booster to human resources.

All employees eligible for booster pursuant to CDC guidelines, must provide proof of booster dose by February 15, 2022. As soon as employee is eligible for booster, proof must be provided within 21 days of eligibility.

In addition, except as otherwise provided below, all New Hires must be Fully Vaccinated before their start date. New Hires with a medical condition or other medical restriction that affects their eligibility for a vaccine, as verified by their medical provider, or those with a sincerely held religious belief that prohibits them from receiving a vaccine, may request a reasonable accommodation to be exempted from this vaccination requirement, while still contributing to and maintaining a safe and healthy work environment. The City of Capitola will review requests for accommodation on a case-by-case basis consistent with existing procedures for reasonable accommodation requests.

Starting September 22, 2021, all Personnel, including those with a reasonable accommodation that does not require them to receive the vaccine, who are not documented as Fully Vaccinated must test for COVID-19 twice per week.

Failure to comply with this policy may result in discipline up to and including termination of employment.

## **Process for Verifying Vaccination Status**

All Personnel must report their COVID-19 vaccination status to the human resources department no later than September 27, 2021. New Hires must present proof of being fully vaccinated prior to their start date. Personnel who previously reported that they were unvaccinated must update their status once they are Fully Vaccinated. All Personnel and New Hires asserting that they are Fully Vaccinated or partially vaccinated must provide the human resources department with one the following information:

- a. The original U.S. Department of Health and Human Services CDC vaccination card issued to the individual following administration of the COVID-19 Vaccine (“CDC Card”);



- b. The original WHO International Certificate of Vaccination or Prophylaxis issued to the individual following administration of the COVID-19 in a foreign country (“WHO Yellow Card”);
- c. A paper photograph or photocopy of the CDC Card or WHO Yellow Card;
- d. An electronic image of the CDC Card or WHO Yellow Card;
- e. A digital copy of the individual’s COVID-19 Vaccine record, obtained through the following portal: <https://myvaccinerecord.cdph.ca.gov/> ; or
- f. Documentation from a licensed healthcare provider that the individual is Fully Vaccinated.

All Personnel and New Hires must attest truthfully that they have been Fully Vaccinated if requested.

### **Requesting a Reasonable Accommodation regarding the Vaccination Requirement**

To assist any Personnel or New Hire who is disabled in a way that precludes the Personnel or New Hire from receiving the vaccination, has a qualifying medical condition that contraindicates the vaccination, or who objects to being vaccinated based on sincerely held religious beliefs and practices, the City will engage in an interactive process to determine if it can provide a reasonable accommodation that does not create an undue hardship for the City and does not pose a direct threat to the health or safety of others or the employee.

To request an accommodation for one of the above reasons, Personnel or New Hires should contact the human resources department to obtain a copy of the appropriate accommodation request form. New Hires must complete and submit the proper request form to human resources within one week of receiving the form. The City will promptly review requests for accommodation on a case-by-case basis and engage in an interactive process with Personnel or New Hires who submit such requests.



## **Covid-19 Testing Requirements**

All Personnel who are not documented as Fully Vaccinated must do the following:

- 1) Test for COVID-19 twice per week with either a polymerase chain reaction (PCR) or antigen test that either has Emergency Use Authorization by the U.S. Food and Drug Administration or is operating per the Laboratory Developed Test
- 2) requirements by the U.S. Centers for Medicare and Medicaid Services. Tests must be separated by a minimum of 48 hours.
- 3) Provide the human resources department with the results of each COVID-19 test within 48 hours of taking the test. The result must show the date the specimen was collected, the location, the test type, name and date of birth/medical record number, and the test result.
- 4) collected, the location, the test type, name and date of birth/medical record number, and the test result.
- 5) Tests must be performed by individual who performs tests as part of their employment duties. Self administered tests are not sufficient.

Personnel who test negative shall be permitted to perform work at City worksites and facilities.

Positive test results must be immediately reported to human resources.

Any positive result received after a rapid test requires the individual to submit to a COVID-19 PCR test at an offsite location. If required, the City will reimburse the cost of the COVID-19 PCR test that is not covered by insurance as long as the individual submits the cost of the test to his or her insurance first, and the insurance carrier declines coverage. Personnel may obtain a COVID-19 PCR tests on City time if the City requires the individual to take the test following a positive rapid test. While awaiting results, Personnel may not return to the worksite, and may utilize leaves in accordance with the City's leave policies.

City Personnel who receive a positive PCR test shall not report back to work until they have satisfied the City's COVID-19 Prevention Policy return-to-work requirements, including, for those who also have COVID-19 related symptoms:

1. At least 24 hours have passed since a fever of 100.4 degrees Fahrenheit or higher has resolved without the use of fever-reducing medications;
2. COVID-19 symptoms have improved; and
3. At least 10 days have passed since COVID-19 symptoms first appeared, or 5 days have passed and a negative test result (Antigen) taken at day 5 is presented to human resources.

City Personnel who test positive and present no symptoms associated with COVID-19 shall not return to work until a minimum of 5 days have passed since the date of specimen collection of their first positive PCR COVID-19 test.



### **Record-keeping Procedures**

The City of Capitola will keep and maintain a record of the vaccination status for all Personnel and the COVID-19 test results for Personnel who are not Fully Vaccinated. The City will treat all such information as confidential. The City will only share information about an employee's vaccination status on a need-to-know basis, including an employee's department, managers, and supervisors to enforce masking and safety requirements. The City will not use or disclose such information unless authorized to do so or as permitted or required under the law.

### **Policy Updates**

This policy is subject to revision as needed to respond to changes and developments in the COVID-19 pandemic and federal, state, and local guidance.