

# COVID-19 Vaccination and Testing Emergency Temporary Standard Policy

This policy will be effective on February 24, 2022 and expire on July 24, 2022.

## Definitions:

“Face Covering” means: a covering that: (A) completely covers the nose and mouth; (B) is 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); (C) is 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; (D) fits snugly over the nose, mouth, and chin with no large gaps on the outside of the face; and (E) is a solid piece of material without stilts, exhalation valves, visible holes, punctures, or other openings. 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 this definition 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 expression to understand speech or sign language respectively.

“Facemask” means: a surgical, medical procedure, dental, or isolation mask that is FDA-cleared, authorized by an FDA EUA, or offered or distributed as described in an FDA enforcement policy. Facemasks may also be referred to as “medical procedure masks.”

“Fully Vaccinated” means:

(1) A person’s status 2 weeks after completing primary vaccination with a COVID-19 vaccine with, if applicable, at least the minimum recommended interval between doses in accordance with the approval, authorization, or listing that is: (A) approved or authorized for emergency use by the FDA; (B) listed for emergency use by the World Health Organization (WHO); or (C) administered as part of a clinical trial at a U.S. site, if the recipient is documented to have primary vaccination with the active (not placebo) COVID-19 vaccine candidate, for which vaccine efficacy has been independently confirmed (e.g., by a data safety monitoring board) or if the clinical trial participant at U.S. site had received a COVID-19 vaccine that is neither approved nor authorized for use by FDA but is listed for emergency use by WHO; or

(2) A person’s status 2 weeks after receiving the second dose of any combination of two doses of a COVID-19 vaccine that is approved or authorized by the FDA, or listed as a two-dose series by the WHO (i.e., a heterologous primary series of such vaccines, receiving doses of different COVID-19 vaccines as part of one primary series). The second dose of the series must not be received earlier than 17 days (21 days with a 4-day grace period) after the first dose.

“Respirator” means: a type of personal protective equipment (PPE) that is certified by the National Institute for Occupational Safety and Health (NIOSH) under 42 CFR Part 84 or is authorized under the EUA by the FDA. Respirators protect against airborne hazards by removing specific air contaminants from the ambient (surrounding) air or by supplying breathable air from a safe source. Common types of respirators include filtering facepiece respirators (e.g., N95), elastomeric respirators, and powered air purifying respirators (PAPRs). Face coverings, facemasks, and face shields are not respirators.

#### Determination of Employee Vaccination Status:

All vaccinated employees shall provide proof of vaccination, including whether they are fully or partially vaccinated. Acceptable proof of vaccination status is: (1) the record of immunization 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 of vaccine administered, date(s) of administration, and the name of the health care professional(s) or clinic site(s) administering the vaccine(s).

If employee is unable to produce proof of vaccination under (1) through (5), the employee shall sign and date a statement attesting to their vaccination status (fully or partially vaccinated) and attesting that they have lost and are otherwise unable to produce proof of vaccination under (1) through (5). The statement shall 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.”

#### Support for Employee Vaccination:

Each employee will receive a reasonable amount of time to each employee for each of their primary vaccination dose(s); and be provided up to 4 hours paid time, including travel time, at the employee’s regular rate of pay for this purpose. Each employee shall be provided reasonable time and paid sick leave to recover from side effects experienced following any primary vaccination dose to each employee for each dose.

#### Employee Notification of a Positive COVID-19 Test and Removal:

Each employee who receives a positive COVID-19 test or are diagnosed with COVID-19 by a licensed healthcare provider shall promptly notify the Sheriff’s Office and immediately leave the workplace. The employee may not return to work until the employee: (1) receives 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; (2) meets the return to work criteria in CDC’s “Isolation Guidance”; or (3) receives a recommendation to return to work from a licensed healthcare provider.

#### Face Coverings:

Each employee who is not fully vaccinated must wear a face covering when indoors and when occupying a vehicle with another person for work purposes, except: (1) when an employee is alone in a room with floor to ceiling walls and a closed door; (2) for a limited time while 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; or (4) where the Sheriff’s Office determines that the use of face covering 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).

Each face covering required to be worn shall fully cover the employee's nose and mouth; and be replaced when wet, soiled, or damaged.

Employees not required to wear a face covering may voluntarily wear a face covering or facemask unless doing so would create a hazard of serious injury or death, such as interfering with the safe operation of equipment.

Instead of a face covering, employees may wear a respirator.

COVID-19 Testing for Employees Who Are NOT Fully Vaccinated:

Each employee who reports at least once every 7 days to a workplace where other individuals such as coworkers or customers are present:

Must be tested for COVID-19 at least once every 7 days; and must provide documentation of the most recent COVID-19 test result to the Sheriff's Office no later than the 7<sup>TH</sup> day following the date on which the employee last provided a test result.

Each employee who does NOT report during a period of 7 or more days to a workplace where other individuals such as coworkers or customers are present:

Must be tested for COVID-19 within 7 days prior to returning to the workplace; and must provide documentation of that test result to the Sheriff's Office upon return to the workplace.

Availability of Records:

Each employee, and anyone having written authorized consent of that employee, shall be allowed to examine and copy the individual COVID-19 vaccine documentation and any COVID-19 test result for the employee by the end of the next business day after a request. Upon request, each employee will be provided with the aggregate number of fully vaccinated employees and the total number of employees by the end of the next business day after a request.

The Logan County Sheriff's Office will provide to the Assistant Secretary of Labor for Occupational Safety and Health for examination and copying: (1) within 4 business hours of a request, this written policy, and the aggregate numbers of fully vaccinated employees and the total number of employees; and (2) by the end of the next business day after request, all other records and other documents required to be maintained.

Information for Employees:

For additional information about COVID-19 vaccine efficacy, safety, and the benefits of being vaccinated, review "Key Things to Know About COVID-19 Vaccines", available at <http://www.cdc.gov/coronavirus/2019-ncov/vaccines/keythingstoknow.html>

Reporting COVID-19 Fatalities and Hospitalizations to OSHA:

The Logan County Sheriff's Office shall report to OSHA: (1) each work-related COVID-19 fatality within 8 hours learning about the fatality; and (2) each work-related COVID-19 in-patient hospitalization within 24 hours of learning about the in-patient hospitalization.