

COVID-19 VACCINATION/TESTING POLICY

Purpose: In accordance with the City of Madison's duty to provide and maintain a workplace that is free of known hazards, 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 COVID-19 infections that vaccinations may reduce. COVID-19 continues to pose a risk, especially to individuals who are not fully vaccinated, and certain safety measures remain necessary to protect against the rise of COVID-19 cases. Vaccination is the most effective way to prevent COVID-19 transmissions. Unvaccinated employees, interns, and volunteers are at greater risk of contracting and spreading COVID-19 within the workplace and City facilities and to the public that depends on City services. To best protect all employees and others in City facilities and fulfill its obligations to the public, as a condition of employment, employees must: (1) report their vaccination status to the City; and (2) if not fully vaccinated, adhere to weekly COVID-19 testing protocols. The City will only share information about an employee's vaccination status on a need-to-know basis to enforce and manage this policy. This policy will comply with all applicable laws and is based on guidance from the Centers for Disease Control and Prevention and local health authorities and will include and incorporate any changes State, Federal and Local authorities make regarding COVID-19 transmission, COVID-19 prevention, COVID-19 testing, and COVID-19 vaccinations, including any booster vaccinations, as appropriate.

Scope: This Policy applies to all general employees, including temporary employees and interns. The vaccination or weekly testing requirements are conditions of City employment and a minimum qualification for employees. Employees who fail to meet the vaccination or testing requirements under this policy will be unable to enter City facilities to report to work and unable to perform an essential function of their job. Therefore, they will not meet the minimum requirements to perform their job and are prohibited from reporting to work.

Policy:

- 1. Requirement.** All employees are required to present proof of being fully vaccinated against COVID-19. An employee shall be considered fully vaccinated: Two (2) weeks after their second dose in a 2-dose vaccine series for COVID-19 (such as PfizerBioNTech's or Moderna's vaccine) or two (2) weeks after their first dose in a single-dose vaccine series for COVID-19 (such as Johnson & Johnson's Janssen vaccine). If an employee does not provide such proof, they must provide proof of a COVID-19 polymerase chain reaction (PCR) diagnostic test (not an antibody test) once per week.
- 2. Deadlines.** Employees must present proof of being fully vaccinated no later than October 1, 2021. Employees on vacation or on a leave of absence from work (FMLA, worker's compensation, other approved City leave, etc.) must present proof of being fully vaccinated on the first day of their return to work. If an employee does not provide proof of their fully vaccinated status, they must provide proof of a COVID-19 PCR test **by Friday, October 22, 2021**. After that, such employees must provide proof of a COVID-19 test no later than Friday of each subsequent week.
- 3. Evidence of Being Fully Vaccinated.** All employees shall complete a City of Madison COVID-19 Vaccination Status Attestation Form – [Attachment C](#). Along with completing this form, employees must show both sides of their CDC COVID-19 vaccination card or display proof of their COVID-19 vaccination through their personal Wisconsin Immunization Registry (WIR) or a comparable state agency if applicable. Employees may access their immunization records through WIR at the following web address: <https://www.dhfs.wisconsin.gov/immunization/>. The City will retain vaccination attestation forms, but will not keep supporting proof of vaccination.
- 4. Testing.** Supervisors will schedule employees to be off from work (with pay) for 30 minutes a week. Employees are free to schedule a COVID-19 test at a time and location that is most convenient for them. Any requests for accommodations should be directed to Human Resources.

5. **COVID-19 Test Results.** Employees must deliver their test results to their immediate supervisor or their agency's designated contact no later than noon each Friday. When submitting test results, employees should take care to avoid submitting other medical information.
6. **Positive COVID-19 Test Results.** If an employee tests positive for COVID-19, they shall immediately notify their supervisor and follow Public Health Madison Dane County quarantine guidelines.
7. **Face Coverings.** Employees are reminded that the City will follow Public Health guidance and recommendations regardless of vaccination status.

Requesting Exemptions

Employees with a medical condition or other medical restrictions whose treating medical provider indicates vaccination is not medically recommended at this time, or those employees with a sincerely held religious belief that prohibits them from receiving a vaccine, are accommodated by their participation in the weekly testing program. The City will review any medical or religious accommodation requests from the weekly testing requirement on a case-by-case basis and engage in an interactive process with employees who submit such requests. Employees are still required to report their status by October 1, 2021.

Medical and Religious Exemptions

A medical or religious exemption from the testing requirements of this policy may be granted if:

For medical reasons (1) the employee has a qualifying disability that prevents them from being tested, (2) the employee requests a reasonable accommodation, (3) the employee provides required medical documentation to support an exemption from testing, and (4) an exemption would not pose a direct threat to the health and safety of the employee or others that cannot be mitigated.

For religious reasons (1) the employee holds a sincere religious belief, practice, or observance that is contrary to the practice of testing, (2) the employee requests a religious accommodation, (3) the employee provides required documentation or information to support an exemption, and (4) an exemption would not pose a direct threat to the health and safety of the employee or others that cannot be mitigated.

Medical Exemption Procedure

1. Employees must complete and sign an Employee Request for Reasonable Accommodation Form – [Attachment A](#) (COVID-19 Testing Exemption) and submit it to Human Resources. Human Resources must consider any request for a disability-related accommodation that provides sufficient notice of an employee's purported inability to comply with testing requirements due to a medical condition.
2. Employees must answer relevant questions regarding the medical condition that prevents getting tested but should not disclose their diagnosis or underlying medical condition.
3. Employees must submit a completed form, or equivalent writing regarding the request for a medical exemption from the COVID-19 weekly testing requirement, with medical verification of the employee's disability and how it prevents them from being tested weekly directly to Human Resources.
4. Human Resources must acknowledge receiving an employee request for a medical exemption from the testing requirements within three (3) business days. Medical requests that do not contain the required information from 1-3 above are not a complete request and may be returned to the employee for additional information. The three (3) day business day requirement only applies to completed requests. Acknowledgments may be via email stating the request has been received or by returning a copy of the Employee Request for Reasonable Accommodation Form (COVID-19

Vaccination/Testing Exemption) stamped "Received" with the receipt date on the face of the document.

5. Human Resources must engage employees in the interactive process if the need for a medical exemption from the testing requirements is not established by the employee's completed request and supporting medical information.
6. Human Resources shall follow the City's Reasonable Accommodation Procedures and may use the Health Care Provider Certification Form (COVID-19 Testing Exemption) for requesting information from health care providers in support of a request for exemption from the testing requirements.
7. Human Resources shall communicate final determinations on employee requests for a medical exemption from this policy within five (5) business days of receiving a completed request. The reason for any denial must be stated on the form.
8. Supervisors will be made aware of testing exemptions. Copies of approved Accommodation Exemption Determination Forms will be held in Human Resources.

Religious Exemption Procedure

1. Employees must complete and sign an Employee Request for Religious Accommodation Form – [Attachment B](#) (COVID-19 Testing Exemption) and submit it to Human Resources. Human Resources must consider any request for a religious accommodation that provides sufficient notice of an employee's declared inability to comply with the testing requirements for religious reasons.
2. Employees must answer all relevant questions regarding the religious belief, practice, or observance that prevents them from adhering to weekly testing.
3. Employees must submit a completed form, or equivalent writing regarding the request for a religious exemption from the related COVID-19 weekly testing requirements, with any relevant statements, documents, or information pertaining to the religious belief, practice, or observance and how that prevents them from being tested weekly directly to Human Resources.
4. Human Resources must acknowledge receiving employee requests for religious exemptions from the testing requirements within three (3) business days. Requests that do not contain the required information from 1-3 above are not a completed request and may be returned to the employee for additional information. The employee will have five (5) business days to supply the additional information. If the employee does not provide the information – the request is incomplete and will not be processed. The three (3) business day requirement only applies to completed requests. Acknowledgments may be via email stating the request has been received or by returning a copy of the Employee Request for Religious Accommodation Form (COVID-19 Testing Exemption) stamped "Received" with the receipt date on the face of the document.
5. Relevant information for the purposes of 1-3 above may include:
 - a) Letters from a religious leader explaining the nature of the religious belief(s), practice(s), or observance(s) and the need for an exemption from the COVID-19 testing requirements;
 - b) Articles from religious scholars that describe the nature of the religious belief(s), practices(s), or observance(s) and the need for an exemption from the COVID-19 testing requirements;
 - c) Excerpts from religious or sacred texts explaining religious belief(s), practices(s), or observance(s) that prohibits COVID-19 testing;

- d) Written materials describing the religious belief(s), practice(s), or observance(s) that prohibits COVID-19 testing;
 - e) Statements, affidavits, or other documents from the employee describing the beliefs, practices, or observances, including information regarding when the employee embraced the belief(s), practice(s), or observance(s), as well as when, where and how the employee has adhered to the belief, practice, or observance that prohibits COVID-19 testing; and/or
6. Human Resources shall communicate a final determination on employee requests for a religious exemption from this policy within five (5) business days of receiving a completed request. The reason(s) for any denials must be stated on the form.
7. Supervisors will be made aware of testing exemptions. Copies of approved Accommodation Exemption Determination Forms will be held in Human Resources.

Failure to follow this policy may result in disciplinary action, up to and including separation from employment with the City for failure to meet the minimum qualifications of the job.

Authority: The Human Resources Director shall maintain and interpret this policy.



Satya Rhodes-Conway
Mayor

APM No. 2-53
September 29, 2021