

PURPOSE STATEMENT

The City of West Hollywood (City) must provide a safe and healthy workplace, consistent with COVID-19 public health guidance and legal requirements, to protect its employees and the public as it reopens services and returns employees to the workplace.

According to the federal Centers for Disease Control (CDC), the California Department of Public Health (CDPH), and the Los Angeles County Health Officer, COVID-19 continues to pose a risk, especially to individuals who are not fully vaccinated, and certain safety measures remain necessary to protect against COVID-19 cases and deaths. Vaccination is the most effective way to prevent transmission and limit COVID-19 hospitalizations and deaths. Unvaccinated employees, temporary employees, interns, contract personnel, volunteers and elected or appointed officials are at greater risk of contracting and spreading COVID-19 within the workplace, at all City facilities, and to the public that depends on City services.

STATEMENT OF POLICY

To best protect its employees and others in all City facilities, and fulfill its obligations to the public, all employees, temporary employees, interns, contract personnel, volunteers, and elected or appointed officials who work at all City facilities must, as a condition of employment or entrance into all City facilities:

(1) Attest to and provide proof of their COVID-19 vaccination status to the City to the extent that they have not already done so, no later than November 1, 2021; or

(2) Submit an application by October 1, 2021, to the City for a medical or religious exemption from the requirement to be vaccinated. Employees whose applications for exemptions are granted, must submit to weekly (or more frequently, if federal, state, or local requirements or guidelines change) COVID-19 testing at a City designated facility.

Definitions

For purposes of this policy only, the following terms shall have the stated meanings:

- “Employees” shall mean all full and part-time City employees regardless of appointment type.
- “City Workers” shall mean all City temporary employees (agency or in-house), interns, contract personnel, and volunteers who work in City facilities.
- “Elected and Appointed Officials” shall mean City Councilmembers, Commissioners, Advisory and Task Force Board members.

Requirement to Report Vaccination Status

To protect the City's workforce and the public that it serves, all Employees and Elected Officials were previously requested to report their vaccination status.

Pursuant to this policy, all Employees and Elected Officials who have not already provided proof that they are vaccinated, must report/update their status, and provide proof of vaccination by providing the following information to the City by November 1, 2021:

- The type of vaccine obtained (Moderna, Pfizer, or Johnson & Johnson, or other vaccine received in approved clinical trials)
- Date of first dose vaccine; and
- Date of second vaccine for a 2-dose vaccine; (if applicable)

Such proof must be provided by completing the Employee Self-Certification Vaccination Status Form (access link by clicking form name) and providing one of the following:

- A copy of the CDC COVID-19 Vaccination Record Card.
- Documentation of vaccine from the employee's healthcare provider which includes the above information; or
- Documentation issued by the State of California by going to: <https://myvaccinerecord.cdph.ca.gov/>

According to CDC guidelines, to be fully vaccinated, 14 days must have passed since an Employee received the final dose of a two-shot vaccine or a dose of a one-shot vaccine.

Employees and Appointed Officials who have provided proof of their COVID-19 vaccination status to the City by November 1, 2021 but have not yet met the CDC 14-day criteria to be considered fully vaccinated will be considered unvaccinated. Until such persons are deemed fully vaccinated, they must submit to weekly COVID-19 polymerase chain reaction (PCR) testing at a City designated facility to be arranged by the City. Employees will not be required to pay for COVID-19 testing, and employees will be paid for time taken to receive COVID-19 testing. Employees and Managers are to work together to schedule appropriate time to comply with this Policy in a manner that is least disruptive to City business.

To the extent that CDC guidelines are revised to require booster vaccine doses (whether on a one-time basis or otherwise), such boosters will be required and paid for by the City (to the extent not otherwise available at no charge) to establish full vaccination status but will be subject to new reporting requirements which will be established by the City if/when such revised guidelines are issued.

Employees are entitled to receive COVID-19 Supplemental Paid Sick Leave per the City's COVID-19 Paid Sick Leave Policy to attend a vaccine appointment or if they cannot work or telework due to vaccine-related side effects. If an employee has previously utilized their 80 hours of leave benefit for other reasons that qualify under the City's COVID-19 Paid Sick Leave

Policy, the City will provide additional leave for time off to be vaccinated and, if necessary, to recover from vaccine-related side effects. Employees who need additional leave must coordinate with Human Resources.

How to Report Vaccination Status

Proof of vaccination must be provided to Human Resources. Such records will be maintained in the confidential medical portion of Employee and Elected Officials personnel files, and in confidential medical files for City Workers and Appointed Officials. Such and only authorized City employees will have access thereto.

For the purposes of this Policy only, the City will share information about vaccination status only on a need-to-know basis, including to department heads, managers, and supervisors for the purpose of enforcing masking guidelines (in compliance with CAL-OSHA and/or LA County Department of Public Health requirements), contact tracing and quarantining in the event of a close contact, and other safety requirements.

Testing Requirements

Employees who have been approved for a medical or religious accommodation by which they are exempted from the requirement to be vaccinated, must submit to weekly COVID-19 polymerase chain reaction (PCR) testing at a City designated facility to be arranged by the City for approved exemptions no later than November 4, 2021. Employees will not be required to pay for COVID-19 testing, and employees will be paid for time taken to receive COVID-19 testing. Employees and Managers are to work together to schedule appropriate time to comply with this Policy in a manner that is least disruptive to City business.

Failure to Provide Proof of Vaccination

Employees who have not provided proof by November 1, 2021, that they have been vaccinated, or who have not been granted an exemption by that date for medical or religious reasons, will be placed on an unpaid leave of absence beginning on November 4, 2021, for a period of up to thirty (30) days to allow the Employee to submit proof that they have been vaccinated. Employees may use sick leave or other accrued leaves to be paid during this period. If by the end of the thirty (30) day period the Employee has not provided proof that they have been vaccinated, the Employee will be separated from employment for the non-disciplinary reason of failing to meet minimum qualifications of the job/unfitness for duty. If a national vaccine shortage occurs, or vaccines cease to be offered at no cost, the City of West Hollywood will suspend or revoke all or part of this policy and will meet and confer with employee associations as soon as is practicable.

City Workers or Appointed Officials who have not provided proof by November 1, 2021, that they have been vaccinated, will be precluded from entry into all City facilities and from use of

City equipment and networks (if applicable) beginning on November 4, 2021, for a period of up to thirty (30) days to allow the City Worker to submit proof that they have been vaccinated. If by the end of the thirty (30) day period the City Worker or Appointed Official has not provided proof that they have been vaccinated, the City Worker's assignment, internship or volunteer position will be ended, and the Appointed Official may have their position revoked by the City Council, or alternatively be required to provide proof of a negative COVID-19 PCR test within seventy-two (72) hours of attendance at any in-person meeting, and/or comply with any other requirements that may be put into place.

Failure to Test

Any person who has been approved for a medical or religious accommodation by which they are exempted from the requirement to be vaccinated and who does not submit to the required weekly COVID-19 testing will be separated from employment for the non-disciplinary reason of failing to meet minimum qualifications of the job/unfitness for duty.

New Employees, City Workers, and Elected or Appointed Officials

Any new Employees, City Workers, and Elected or Appointed Officials hired, appointed, or elected during the year must attest to their vaccination status and provide proof of vaccination or an approved medical or religious exemption within forty-five (45) calendar days of the hired, appointed, or elected date. Masking and weekly testing will be required until proof of vaccination is provided.

Requesting an Exemption from the Vaccination Requirement

Employees 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/exemption by submitting the appropriate application to Human Resources to be excused from this vaccination requirement on or before October 1, 2021. Denial of a request for an exemption is not subject to grievance but may be appealed to the City Manager or City Manager designee, whose decision will be final.

Medical Exemptions

- Employees requesting a medical exemption from the vaccination requirement must complete an **Employee Request for Reasonable Accommodation Form (COVID-19 Vaccination Exemption)** and provide the requested information regarding the medical condition that prevents them from getting the COVID-19 vaccination (but must not provide information as to any diagnosis or treatment plan), along with medical verification of the employee's disability

that prevents getting vaccinated to Human Resources.

- Human Resources will acknowledge receipt of an employee request for a medical exemption within two (2) business days of submittal of the requisite form by sending an email stating that the request has been received.
- Human Resources will review requests for medical exemptions on a case-by-case basis and engage in an interactive process as appropriate.
- Human Resources will use the **Health Care Provider Certification Form (COVID-19 Vaccine Exemption)** for requesting information from health care providers in support of a request for exemption from vaccination requirements.
- Employees who do not submit any requested information within five (5) business days of receiving a request for additional information from Human Resources shall be denied an exemption from the vaccination requirement. Notwithstanding, employees may request an extension of time to submit requested information supporting a request, and Human Resources may grant a reasonable extension of the time, not to exceed an additional five (5) business days, for a response.
- Human Resources will make a determination and respond to a request for a medical exemption from the vaccination requirement within seven (7) business days of receiving an accommodation request and any requisite supporting information requested.

Religious Exemptions

- Employees requesting a religious exemption from the vaccination requirement must complete and sign an **Employee Request for Religious Accommodation Form (COVID-19 Vaccination Exemption)** and provide the requested information as to the religious belief, practice or observance that prevents them from getting the COVID-19 vaccination.
- Human Resources will acknowledge receipt of an employee request for a religious exemption within two (2) business days of submittal of the requisite form by sending an email stating that the request has been received.
- Human Resources will review requests for religious exemptions on a case-by-case basis and engage in an interactive process as appropriate.
- If applicable, Human Resources will use the **Religious Accommodation Certification Form (COVID-19 Vaccination Exemption)** to request

additional information regarding the religious nature or the sincerity of a particular belief, practice, or observance. Such request for additional information will be made within five (5) business days of receiving a completed and signed exemption request form.

- Employees who do not submit requested information within five (5) business days of receiving a request for additional information from Human Resources shall be denied an exemption from the vaccination requirement. Notwithstanding, employees may request an extension of time to submit requested information supporting a request, and Human Resources may grant a reasonable extension of the time, not to exceed an additional five (5) business days, for a response.
- Human Resources will make a determination and respond to a request for a religious exemption from the vaccination requirement within seven (7) business days of receiving an accommodation request and any requisite supporting information requested.

All exemption forms can be accessed by clicking the form name.

Compliance With Federal, State and Local Guidelines

The City recognizes that federal, state, and local requirements and guidelines regarding COVID-19 vaccinations continue to evolve. As new requirements or guidelines are issued, the City will implement all required measures and will consider implementation of all guidelines based on the best interest of its employees and the public.