



Chairman Phil Mendelson

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A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To provide for a vaccination policy for the Council of the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Council Vaccination Policy Approval Resolution of 2021”.

Sec. 2. The document entitled “COVID-19 Vaccination Policy” dated October 5, 2021, attached and made a part of this resolution, is adopted as the official vaccination policy of the Council of the District of Columbia. A violation of the COVID-19 Vaccination Policy shall constitute a violation of the Council Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 24.

Sec. 3. This resolution shall take effect immediately.



COUNCIL OF THE DISTRICT OF COLUMBIA OFFICE OF THE SECRETARY

MEMORANDUM

To: Members and Staff
From: Nyasha Smith
Date: October 5, 2021
Subject: COVID-19 Vaccination Policy

PURPOSE

The highest priority for the Council of the District of Columbia (“Council”) is providing a safe and healthy workplace for our employees. To ensure a continued focus on our employees’ well-being, as well as the health and safety of our volunteers, contractors, and community we have devised this mandatory COVID-19 vaccination policy.

COVID-19 continues to be a worldwide threat. Data from the Centers for Disease Control and Prevention and other national and local agencies shows that unvaccinated individuals continue to contract and transmit the disease, and suffer complications, up to and including death, at a substantially higher rate than vaccinated individuals. Moreover, emerging variants of the virus with higher transmissibility rates underscore the importance of minimizing the risk that unvaccinated individuals may pose in the workplace and in the community. In light of medical and scientific data that confirms the safety and effectiveness of the COVID-19 vaccines, and to safeguard Council employees, volunteers, contractors, and our community, the COVID-19 vaccine is mandatory for all employees except those with an approved religious or medical use exemption.

Vaccines are widely available across the Washington, D.C. region. Please visit <https://coronavirus.dc.gov/> for locations of testing and vaccination sites. As of the date of this policy implementation, all individuals ages 12 and up are eligible to receive a vaccine. The District and its surrounding jurisdictions are continuing with their phased reopening and closely following public health metrics. The Council is also closely following public health metrics and this policy is subject to change based on the latest scientific data and best practices. The Council will issue additional guidance regarding any mandatory return to the John A. Wilson Building in the coming weeks.

POLICY

I. Mandatory Vaccine

All employees must complete an approved COVID-19 vaccine series and provide proof of full vaccination by October 31, 2021. All new hires must present proof they have been fully vaccinated against COVID-19 no later than one week prior to their start date or submit a Request for Vaccine Exemption Accommodation Form. These reporting requirements apply to all employees and new hires except those granted a religious or medical exemption.

The Council establishes this mandatory COVID-19 vaccine policy for all Council employees, except for individuals with a religious or medical exemption (see definition below in Section III), because immunization is critical to controlling the spread of the virus. The decision to require vaccinations was made after review of information from health experts and federal and local agencies.

Except as otherwise noted, for the purposes of this policy the term “employee” includes councilmembers; volunteers; interns; fellows; detailees; individuals, other than vendors, who provide services to a councilmember’s office or a Council committee pursuant to a personal services contract; and vendors who perform work on-site at the Wilson Building.

II. Acceptable Vaccines and Full Vaccination

Acceptable vaccines include those approved for use in the United States, accepted by the Food and Drug Administration, the World Health Organization, and the Centers for Disease Control and Prevention (“CDC”). Currently, this includes:

1. Pfizer-BioNTech
2. Moderna
3. Johnson & Johnson/Janssen

According to the CDC, people are considered fully vaccinated:

- 2 weeks after their second dose in a 2-dose series, such as the Pfizer or Moderna vaccines, or
- 2 weeks after a single-dose vaccine, such as Johnson & Johnson’s Janssen vaccine

In the event that federal authorities or DC Health issues guidance for a booster vaccine, such booster should be obtained in order to maintain full vaccination.

Individuals who do not meet these requirements, regardless of age, are NOT fully vaccinated.

III. Religious or Medical Exemption

An unvaccinated employee may apply for a religious exemption if the employee objects in good faith and in writing that the employee's vaccination would violate their sincerely held religious beliefs.

An unvaccinated employee may apply for a medical exemption if the employee has obtained and submitted written certification from a physician or other licensed health professional who may order an immunization, that being vaccinated for COVID-19 is medically inadvisable as a result of the employee's medical condition.

Employees granted a religious or medical exemption shall agree to be tested regularly for COVID-19 prior to entering the Wilson Building or any workspace where Council work is being conducted, including community events. Testing requirements are outlined in the Procedures Section of this document.

IV. Confidentiality

The Council shall maintain the confidentiality and security of employees' vaccination status and any medical or religious information provided as required by applicable law.

V. Administrative Leave With Pay

- A. Employees shall receive up to four hours of administrative leave total, after prior notification to the employee's supervisor, to take each dose of the COVID-19 vaccine (up to two hours per dose).
- B. Individuals who suffer adverse side effects from the vaccine, shall receive up to 16 hours of COVID self-care leave within the first 48 hours after receiving a vaccine.
- C. Employees who have reported that they are fully vaccinated shall receive an 8-hour time-off award certificate. Employees may use the leave for any purpose at any time with supervisory approval.

VI. Refusal to Comply

- A. Employees, other than Councilmembers, who do not have an approved medical or religious exemption shall be placed on unpaid leave beginning on November 1, 2021, until proof of vaccination is submitted,

or for 30 calendar days, whichever is shorter. Thereafter, disciplinary action shall commence for failure to submit proof of vaccination, leading up to and including termination, in accordance with District law.

B. Employees who claim a medical or religious exemption who refuse to submit documents necessary to act on the request by October 31, 2021, and who are not vaccinated, shall be denied an accommodation. Employees with an approved medical or religious exemption who fail to comply with the mandatory testing requirements of this policy shall be subject to the actions described in Subsection A, above.

C. Councilmembers who fail to comply with the vaccine mandate of this policy shall be subject to appropriate discipline.

VII. Mask Wearing and Physical Distancing

A. Regardless of vaccination status, physical distancing at the Wilson Building or any workspace where Council work is being conducted of at least three feet is required to the extent possible. All individuals must wear a mask or appropriate facial covering that fully covers the nose and mouth while in the Wilson Building or any workspace where Council work is being conducted unless the individual is alone in an enclosed office with the door closed, or the individual is actively eating or drinking.

B. Mask wearing and physical distancing requirements under Subsection A of this section may be superseded by DC Health guidance lessening or increasing restrictions for vaccinated individuals.

PROCEDURES

I. Vaccine Status Reporting in PeopleSoft

All employees must report their COVID-19 vaccination status through the vaccination module in PeopleSoft. Employees who do not have a PeopleSoft account must report their COVID-19 vaccination status to Human Resources (HR) by notifying Valerie Wilkins, H.R. Director, at vwilkins@dccouncil.us.

The required proof shall be a photograph or scan of the individual's CDC-issued COVID-19 Vaccination Record Card that contains their name, date of birth, name of the vaccine, and the date(s) of the shots.

II. Religious or Medical Exemption for Unvaccinated Individuals

Anyone who is unable to receive the vaccine for specific medical or religious reasons must file a Request for Vaccine Exemption Accommodation Form with the H.R. Director and obtain a decision on the request. Individuals must submit a completed Request for Vaccine Exemption Accommodation Form (which is attached to this policy) to Human Resources and obtain approval as soon as possible. The H.R. Director will give full consideration to the request for accommodation.

III. Mandatory Covid-19 Testing for Unvaccinated Individuals

Anyone with an approved religious or medical exemption must provide Human Resources proof of a negative COVID-19 test administered within 72 hours before the date they need to physically enter the Wilson Building or any workspace where Council work is being conducted, including a community event. Proof of a negative test must be provided every seven calendar days starting the week before return to the Wilson Building or starting November 1, 2021, if an employee's regular duties require the employee to attend community events.

Acceptable test results include:

- (1) Evidence of a polymerase chain reaction (PCR) test taken within 72 hours before physically enter the Wilson Building or any workspace where Council work is being conducted; or
- (2) Evidence of a past positive COVID-19 test result within 90 days before physically enter the Wilson Building or any workspace where Council work is being conducted.

Currently, COVID-19 testing is free in the District of Columbia. The Council will not pay for the cost of testing unless otherwise required by law. Mandatory testing and reporting of testing results shall be required until further notice.

Individuals with a positive test result must remain at home and immediately contact their supervisor for further instructions.



COUNCIL OF THE DISTRICT OF COLUMBIA OFFICE OF THE SECRETARY

Request for Vaccine Exemption Accommodation Form

Full name _____ Email _____

Supervisor's name _____ Employee ID _____

Per the Council's Vaccination Policy, employees who are unable to receive the COVID-19 vaccine for specific medical or religious reasons, must request an exemption, and obtain a decision from H.R. on the request for an exemption accommodation before physically entering the John A. Wilson Building or any workspace where Council work is being conducted, including a community event.

Please check the reason you are requesting an exemption accommodation:

- Medical reasons
- Religious reasons

Please describe the reason for your requested exemption. The H.R. Director will follow up if additional documentation is needed.

You may not physically return to the Wilson Building or any workspace where Council work is being conducted, including a community event, until you have received a decision of approval. Employees who have been approved for an exemption accommodation will be required to continue to follow all COVID-19 testing requirements as specified in the Council's Vaccination Policy.

Employee Signature: _____ Date: _____

Please submit this form directly to Valerie Wilkins, H.R., Director via email at vwilkins@dccouncil.us. To maintain privacy, DO NOT include others on your communication when submitting. If you have any questions, you may contact Valerie Wilkins.