

INDEPENDENT SCHOOL DISTRICT 283

SECTION/FILE _____ 428 **DATE OF ADOPTION** _____ 11/23/21

REVISED _____

TITLE _____ Mandatory Vaccination

I. PURPOSE

Vaccination is a vital tool to reduce the presence and severity of COVID-19 cases in the workplace, in communities, and in the nation as a whole. St. Louis Park Public Schools has adopted this policy on mandatory vaccination to help safeguard the health of our students, employees and community from the hazard of COVID-19. This policy complies with OSHA’s Emergency Temporary Standard on Vaccination and Testing (29 CFR 1910.501) and would remain in force as long as this OSHA Emergency Temporary Standard is in place.

II. SCOPE

This Mandatory COVID-19 Vaccination Policy applies to all St. Louis Park Public Schools employees, except for employees who do not report to a workplace where other individuals (such as coworkers, students or community members) are present; employees while working 100% from home; and employees who work exclusively outdoors.

All employees covered by this policy are required to be fully vaccinated as a term and condition of employment at St. Louis Park Public Schools or be tested weekly and provide a negative COVID-19 test result within seven (7) days of reporting to work. Employees are considered fully vaccinated two weeks after completing primary vaccination with a COVID-19 vaccine, with, if applicable, at least the minimum recommended interval between doses. For example, this includes two weeks after a second dose in a two-dose series, such as the Pfizer or Moderna vaccines, two weeks after a single-dose vaccine, such as the Johnson & Johnson vaccine, or two weeks after the second dose of any combination of two doses of different approved COVID-19 vaccines as part of one primary vaccination series. All employees are required to report their vaccination status and to provide proof of vaccination, if vaccinated. Employees must provide truthful and accurate information about their COVID-19 vaccination status, and, if Not Fully Vaccinated, report their COVID-19 testing results on a weekly basis. If an employee provides falsified information they will be subject to discipline by the employer, up to and including termination of employment; and may be subject to criminal penalties from OSHA prohibitions and state or federal laws.

Weekly COVID-19 testing is required for any employee who is either unvaccinated or has not provided proof of being fully vaccinated based on procedures created by the district for

this purpose. Employees who do not test weekly or do not provide a negative test result will not be allowed to report to work onsite at any district property.

Employees not in compliance with this policy may be placed on unpaid leave and will be subject to discipline in accordance with their employee or labor agreement.

Employees may request an exception from this mandatory vaccination policy if they will not be Fully Vaccinated by January 4, 2022. Requests for exceptions must be made to the Human Resource Department as part of the process in reporting their vaccination status on the COVID-19 Vaccination Record Form by December 6, 2021 or for new employees after the offer of employment but before starting work on-site. Any person requesting an exception will be considered Not Fully Vaccinated and subject to the required weekly testing and reporting protocols.

All employees regardless of vaccination status are required to comply with the District Policy 808 COVID-19 Face Coverings.

Other References

MDH Best Practice Recommendations for COVID-19 Prevention in Schools for the 2021-22 School Year

CDC Interim Public Health Recommendations for Fully Vaccinated People

OSHA's Emergency Temporary Standard on Vaccination and Testing (29 CFR 1910.501)

St. Louis Park Public Schools Policy 808 COVID-19 Face Coverings

Mandatory Vaccination Procedures

This policy and procedures comply with OSHA's Emergency Temporary Standard on Vaccination and Testing (29 CFR 1910.501) and would remain in force as long as this OSHA Emergency Temporary Standard is in place.

Overview and General Information

All St. Louis Park Public Schools employees must be fully vaccinated no later than December 6, 2021 or for new employees prior to starting work, whichever is later.

To be fully vaccinated by January 4, 2022, a current employee must:

- o Obtain the first dose of a two dose vaccine no later than December 6 for Moderna or December 13, 2021 for Pfizer; and the second dose no later than January 3, 2022; or
- o Obtain one dose of a single dose vaccine no later than January 3, 2022.
- o New employees are required to provide vaccine status after acceptance of their job offer with the district and before starting work on site.

Employees will be considered fully vaccinated two weeks after receiving the requisite number of doses of a COVID-19 vaccine. An employee will be considered partially vaccinated if they have received only one dose of a two dose vaccine. OSHA has provided a limited exception and employees who have completed a two dose vaccination by January 4, 2022, will be considered “fully vaccinated” and not subject to weekly testing, without the additional two-week waiting period.

Vaccination Status and Acceptable Forms of Proof of Vaccination

This section provides information on how the employer will comply with 29 CFR 1910.501(e) to determine each employee's vaccination status and require vaccinated employees to provide acceptable proof of vaccination.

All vaccinated employees are required to provide proof of COVID-19 vaccination, regardless of where they received vaccination. Proof of vaccination status can be submitted via to the Human Resources secure Records portal using the COVID-19 Vaccination Record Form

Acceptable proof of vaccination status is:

1. The record of immunization from a healthcare 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 healthcare professional(s) or clinic site(s) administering the vaccine(s).

Proof of vaccination generally should include the employee’s name, the type of vaccine administered, the date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) that administered the vaccine. In some cases, state immunization records may not include one or more of these data fields, such as clinic site; in those circumstances St. Louis Park Public Schools will still accept the state immunization record as acceptable proof of vaccination.

If an employee is unable to produce one of these acceptable forms of proof of vaccination, despite attempts to do so (e.g., by trying to contact the vaccine administrator or state health department), the employee can provide a signed and dated statement attesting to their vaccination status (fully vaccinated or partially vaccinated); attesting that they have lost and are otherwise unable to produce one of the other forms of acceptable proof; and including 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.”

An employee who attests to their vaccination status in this way should, to the best of their recollection, include in their attestation the type of vaccine administered, the date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) administering the vaccine.

All current employees must inform St. Louis Park Public Schools of their vaccination status. The following table outlines the requirements for submitting vaccination status documentation.

Vaccination Status	Instructions	Deadline
Employees who are fully vaccinated.	Submit proof of vaccination that indicates full vaccination.	<ul style="list-style-type: none"> ● Existing Employees by December 6, 2021. ● New employees prior to starting work onsite.
Employees who are partially vaccinated (i.e., one dose of a two dose vaccine series).	Submit proof of vaccination that indicates when the first dose of vaccination was received, followed by proof of the second dose when it is obtained.	<ul style="list-style-type: none"> ● Existing Employees by December 6, 2021. ● New employees prior to starting work onsite.

Employees who have not yet been vaccinated.	Submit a statement that you are unvaccinated.	<ul style="list-style-type: none"> ● Existing Employees by December 6, 2021. ● New employees prior to starting work onsite.
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Employees who do not provide one of the acceptable proof of vaccination items above by the deadlines above, regardless of reason, will be considered as being “Not Fully Vaccinated” and subject to weekly testing starting effective January 4, 2022.

Any employees who knowingly provide falsified information will be subject to discipline by the employer up to and including termination of employment; and may be subject to criminal penalties and fines from OSHA prohibitions and state or federal laws.

Supporting COVID-19 Vaccination

This section provides information on how the employer will comply with 29 CFR 1910.501(f) and provide support for employee vaccination, including by providing up to four hours paid time at the regular rate of pay for each of their vaccination dose(s) and reasonable time and paid sick leave for recovery from side effects experienced following any vaccination dose.

An employee may take up to four hours of duty time per dose to travel to the vaccination site, receive a COVID-19 vaccination, and return to work. This would mean a maximum of eight hours of duty time for employees receiving two doses. This time will be coded as COVID-Sick Time and entered by the Human Resource Department in the online time off system. Employees must notify their supervisors and HR of the time taken so it can be properly recorded and paid. If an employee spends less time getting the vaccine, only the necessary amount of duty time will be granted. Employees who take longer than four hours to get the vaccine must send their supervisor an email documenting the reason for the additional time (e.g., they may need to travel long distances to get the vaccine). Any additional time requested will be granted, if reasonable, but will not be paid through COVID-Sick Time pay; in that situation, the employee can elect to use accrued leave, e.g., sick leave, to cover the additional time. If an employee is vaccinated outside of their approved duty time they will not be compensated.

Employees may utilize up to two workdays of sick leave immediately following each dose if they have side effects from the COVID-19 vaccination that prevent them from working. Employees who have no sick leave will be granted up to two days of additional Covid-sick leave immediately following each dose if necessary.

The following procedures apply for requesting and granting duty time to obtain the COVID-19 vaccine or sick leave to recover from side effects.

Employee Notification of COVID-19 and Removal from the Workplace

This section provides information on how the employer will comply with 29 CFR 1910.501(h), which provides that employers must (1) require employees to promptly notify the employer when they receive a positive COVID-19 test or are diagnosed with COVID-19; (2) immediately remove such employees from the workplace; and (3) keep those employees removed until they meet return to work criteria.

St. Louis Park Public Schools will require employees to promptly notify their supervisor when they have tested positive for COVID-19 or have been diagnosed with COVID-19 by a licensed healthcare provider.

Employees will communicate with their supervisor if they are sick or experiencing symptoms while at home or at work and will enter sick-personal illness in the online time off system. In the event that the employee exhausts all available sick leave due to COVID-19 related illness or quarantine, then may contact the Human Resource Department and may receive up to 10 additional days of sick leave credited back to their account.

Medical Removal from the Workplace

St. Louis Park Public Schools has also implemented a policy for keeping COVID-19 positive employees from the workplace in certain circumstances. St. Louis Park Public Schools will immediately remove an employee from the workplace if they have received a positive COVID-19 test or have been diagnosed with COVID-19 by a licensed healthcare provider (i.e., immediately send them home or to seek medical care, as appropriate). Employees will be required to quarantine away from work in accordance with the CDC and Minnesota Department of Health guidelines. Employees should work with the school nurse at their site or the Human Resource Department for guidance on the length the employee must remain away from work. If the employee's job allows for working remotely, they may arrange to work from home for some or all of the time during the quarantine.

Return to Work Criteria

For any employee removed because they are COVID-19 positive, St. Louis Park Public Schools will keep them removed from the workplace until the employee 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; meets the return to work criteria in CDC's "Isolation Guidance"; or receives a recommendation to return to work from a licensed healthcare provider.

Under CDC's "Isolation Guidance," asymptomatic employees may return to work once 10 days have passed since the positive test, and symptomatic employees may return to work after all the following are true:

- At least 10 days have passed since symptoms first appeared, and
- At least 24 hours have passed with no fever without fever-reducing medication, and
- Other symptoms of COVID-19 are improving (loss of taste and smell may persist for weeks or months and need not delay the end of isolation).

If an employee has severe COVID-19 or an immune disease, St. Louis Park Public Schools will follow the guidance of a licensed healthcare provider regarding return to work.

COVID-19 Testing for Employees who are Not Fully Vaccinated

[This section provides information on how the employer will comply with 29 CFR 1910.501(g) and address COVID-19 testing for employees in the workplace who are not fully vaccinated.]

If an employee covered by this policy is “Not Fully Vaccinated” (for any reason), the employee will be required to comply with this policy for weekly testing and reporting of results.

Employees who report to the workplace at least once every seven days:

- (A) must be tested for COVID-19 at least once every seven days; and
- (B) must provide documentation of the most recent COVID-19 test result to the Human Resource Department online secure Records portal using the COVID-19 Testing Record Form no later than the seventh day following the date on which the employee last provided a test result.

Any employee who does not report to the workplace during a period of seven or more days (e.g., if they were teleworking for two weeks prior to reporting to the workplace):

- (A) must be tested for COVID-19 within seven days prior to returning to the workplace; and
- (B) must provide documentation of that test result to the Human Resource Department upon return to the workplace.

If an employee does not provide documentation of a COVID-19 test result as required by this policy, they are not to report to work onsite. If they report to work onsite without the reported COVID-19 negative test result they will be directed to leave the workplace until they provide a test result and may be subject to discipline up to and including termination of employment.

Employees who have received a positive COVID-19 test, or have been diagnosed with COVID-19 by a licensed healthcare provider and have recovered from COVID-19 (Negative COVID-19 test or Positive Antibodies test), are still required to undergo the weekly COVID-19 testing and reporting when they are able to return to work onsite.

The district will provide weekly onsite testing options or the ability to pick up a COVID-19 test kit at no cost to the employee.

Face Coverings

All employees regardless of vaccination status are required to wear face coverings whenever indoors according to District Policy 808 COVID-19 Face Coverings

The following are exceptions to the District's requirements for face coverings:

1. When an employee is alone in a room with floor to ceiling walls and a closed door.
2. For a limited time, while an 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.
4. Where St. Louis Park Public Schools has determined that the use of face coverings 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).

New Hires after November 5, 2021:

All new employees are required to comply with the vaccination requirements outlined in this policy as soon as practicable and before starting work onsite as a condition of employment. Potential candidates for employment will be notified of the requirements of this policy prior to the start of employment.

Confidentiality and Privacy:

All medical information collected from individuals, including vaccination information, test results, and any other information obtained as a result of testing, will be treated in accordance with applicable laws and policies on confidentiality and privacy.

Questions about this Policy:

Please direct any questions regarding this policy or the procedures to the Director of Human Resources.