

COVID-19 Vaccination, Testing, and Masking Policy

TOWN OF GRAY

PURPOSE

In accordance with the Occupational Safety and Health Administration's (OSHA's) Emergency Temporary Standard (ETS) dated November 5, 2021, the existence of an OSHA-approved State Plan in Maine specific to state and local governments, and the Maine Department of Labor's adoption of the OSHA requirements as they relate to state and local government employers with 100 or more employees, the Town of Gray is adopting this policy, which will help to safeguard the health of our employees and their families, our customers and visitors, and the community at large from COVID-19.

SCOPE

Per the ETS, effective the same day as the OSHA standard, Town of Gray employees are required to be either fully vaccinated against COVID-19 *or* submit a negative COVID-19 test result weekly (every 7 days) and wear a face mask at all times in the workplace. This COVID-19 policy on vaccination, testing, and masking use applies to all Town employees.

All employees are required to report their COVID-19 vaccination status and, if vaccinated, provide proof of vaccination. Employees must provide truthful and accurate information about their status and, if not fully vaccinated, their regular testing results. Employees not in compliance with this policy will be subject to discipline up to and including termination of employment.

The following table outlines the requirements for submitting COVID-19 vaccination status documentation.

Vaccination Status	Instructions	Statement Deadline	Proof Deadline
Employees who are fully vaccinated.	Submit statement of vaccination status and proof of full vaccination.	TBD	TBD
Employees who are not yet fully vaccinated.	Submit statement that you are unvaccinated (or partially vaccinated) but are planning to receive a vaccination by the deadline.	TBD	TBD
Employees who are unvaccinated and do not plan to receive the vaccination.	Submit statement that you are unvaccinated and not planning to receive a vaccination.	TBD	TBD

Employees must submit their documentation in-person at the HR office or via email to HR@graymaine.org with the subject line *Vaccination Status*.

PROCEDURE

Town of Gray employees have two options under this policy: Vaccination *or* Weekly Testing and Masking.

Vaccinated Employees

Employees who choose to receive the COVID-19 vaccine must be fully vaccinated by the deadline set by OSHA.

COVID-19 Vaccination, Testing, and Masking Policy

TOWN OF GRAY

COVID-19 vaccinations are free, whether an individual has health insurance or not. While a provider may bill a patient's health insurance for administering the vaccine, there is no out-of-pocket cost to an individual.

Official documentation of vaccination status must be provided to the Human Resources Administrator and include the following:

- The type of vaccine administered.
- The date(s) of administration.
- The name of the health care professional or clinic site administering the vaccine.

Acceptable proof of vaccination status includes:

- The record of immunization from a health care provider or pharmacy;
- A copy of the COVID-19 Vaccination Record Card;
- A copy of the medical records documenting the vaccination;
- A copy of the immunization records from a public health, state, or tribal immunization information system; or
- A copy of any other official documentation that contains the type of vaccine administered, date(s) of administration, and the name of health care professional(s) or the 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 health care 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, the City 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 health care professional(s) or clinic site(s) administering the vaccine.

Employees must certify that the documentation they are submitting is true and correct. Employees found to have provided false documentation will be subject to immediate termination of employment.

COVID-19 Vaccination, Testing, and Masking Policy

TOWN OF GRAY

Supporting COVID-19 Vaccination

Employees who choose to become vaccinated may take up to four hours of duty time per dose to travel to the vaccination site, receive a vaccination, and return to work. This would mean a maximum of eight hours of duty time for employees receiving two doses. 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 or signed note documenting the reason for the additional time. Any additional time requested will be granted, if reasonable, but will not be paid; in that situation, the employee can elect to use accrued leave to cover the additional time. If an employee is vaccinated outside of their approved duty time they will not be compensated.

If an employee experiences adverse side effects from vaccination, the employee will be entitled to paid leave. Such leave will be granted where an employee is experiencing adverse side effects immediately following the vaccine dose and will not exceed two days. Employees should work with their supervisors to schedule necessary time off.

Employees Who Choose Not to be Vaccinated

Employees who choose not to be vaccinated against COVID-19 must present a negative COVID-19 test result weekly (every seven days) to their supervisor before reporting to work **and** wear a mask at all times while at work. The supervisor must forward test results to HR the same day of receipt. If testing is done during work hours, it will be considered paid time without creating overtime. If testing is done during non-work hours, it will not be considered paid time. The schedule below outlines when testing should be done for any day of the week in which an employee starts his/her work week.

If you start work on...	You must get a COVID test on...
Monday	Wednesday prior
Tuesday	Thursday prior
Wednesday	Friday prior
Thursday	Saturday prior
Friday	Sunday prior
Saturday	Monday prior
Sunday	Tuesday prior

Employees are responsible for obtaining the COVID-19 test. This test must be a Polymerase Chain Reaction (PCR) test or a drive-through rapid antigen test. No OTC (Over-the-Counter) tests are accepted. In the event free testing is not available, testing will be at the employee's cost. The Town will not pay for weekly tests for unvaccinated employees.

Employees found to have provided false documentation will be subject to immediate termination of employment.

Employee Notification of COVID-19 and Removal from the Workplace

The Town of Gray will require employees to promptly notify their supervisor and/or HR when they have tested positive for COVID-19 or have been diagnosed with COVID-19 by a licensed healthcare provider.

COVID-19 Vaccination, Testing, and Masking Policy

TOWN OF GRAY

Medical Removal from the Workplace

The Town of Gray has also implemented a policy for keeping COVID-19 positive employees from the workplace in certain circumstances. The Town of Gray 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 working remotely must isolate and inform Human Resources of their status. Employees working remotely may continue working remotely if able to meet work goals. See the Remote Work Policy.

Return to Work Criteria

For any employee removed because they are COVID-19 positive, the Town of Gray 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, the Town of Gray will follow the guidance of a licensed healthcare provider regarding return to work. See the Personnel Policy for more information on returning from leaves of absence.

Reasonable Accommodation

Applicants and employees in need of an exemption from this policy must fall into one of the following categories:

- Those for whom a vaccine is medically contraindicated;
- Those for whom medical necessity requires a delay in vaccination; or
- Those legally entitled to a reasonable accommodation under federal civil rights laws because they have a disability or sincerely held religious beliefs, practices, or observances that conflict with the vaccination requirement.

Employees who believe they qualify for one of the above, must submit a completed request for accommodation form to Human Resources to begin the interactive accommodation process as soon as possible. Accommodations will be considered on a case-by-case basis and must not cause the Town undue hardship or pose a direct threat to the health and safety of others.

COVID-19 Vaccination, Testing, and Masking Policy

TOWN OF GRAY

Face Coverings

The Town of Gray will require all employees who are not fully vaccinated to wear a face covering. Face coverings must: (i) completely cover the nose and mouth; (ii) be 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); (iii) be 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; (iv) fit snugly over the nose, mouth, and chin with no large gaps on the outside of the face; and (v) be a solid piece of material without slits, exhalation valves, visible holes, punctures, or other openings. Acceptable 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 these criteria 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 expressions to understand speech or sign language respectively.

Employees who are not fully vaccinated must wear face coverings over the nose and mouth when indoors and when occupying a vehicle with another person for work purposes. Employees must provide their own face coverings. Policies and procedures for face coverings will be implemented, along with the other provisions required by OSHA's COVID-19 Vaccination and Testing ETS, as part of a multi-layered infection control approach for unvaccinated workers.

The following are exceptions to the Town of Gray'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 the Town of Gray 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

All new employees are required to comply with the vaccination, testing, and face covering requirements outlined in this policy by their first day of work or submit a negative test result dated no more than three days prior to their first day of work, with subsequent weekly testing as described. 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

Please direct any questions regarding this policy to the HR Department.