

## **8.8 COVID-19 VACCINATION AND TESTING POLICY**

Approved by the County Board: October 12, 2021

Effective Date: October 12, 2021

### **SECTION I - OVERVIEW**

In accordance with Lake County's ("County") duty to provide and maintain a workplace that is free of known hazards, the County has adopted this mandatory SARS-CoV-2 ("COVID-19") vaccination policy to safeguard the health of County employees, our visitors, and our communities. Public Health authorities have determined that unvaccinated individuals are more likely to contract, transmit, and experience more severe symptom of COVID-19 than individuals who are vaccinated. Those who are vaccinated are less likely to contract and transmit COVID-19. Lake County's vaccine policy is critical for the health of employees and a requirement to maintain safe in-person, essential operations.

This policy complies with applicable state and federal laws and is based on relevant public health guidance.

### **SECTION II - PURPOSE**

The purpose of this policy is to establish guidelines to mitigate the impact of COVID-19 by increasing the percentage of vaccinated employees in the workplace.

### **SECTION III – INTENT**

This policy is intended to be interpreted consistent with and subject to applicable law. It supersedes all previous policies and/or memoranda that may have been issued from time to time on subjects covered in this policy. This policy is not intended to supersede or limit the County from enforcing programs or provisions in any applicable collective bargaining agreement. Should any provision in this policy conflict with a specific provision in the Personnel Policies, the provisions in this policy shall take precedence.

### **SECTION IV – AUTHORITY**

The County Administrator, through the Department of Human Resources, is authorized to develop and issue procedures for the effective implementation of this policy and management of Lake County employees that fall under this policy.

### **SECTION V – SCOPE**

This policy applies to all County employees in Departments or Offices supervised by the County Administrator or employees that fall under the authority of the Lake County Board's Employee Policies and Procedures Manual.

**SECTION VI – POLICY AND PROCEDURES**

Active employees must be fully vaccinated or shall provide weekly COVID-19 test results herein by January 15, 2022. New employees who start after the effective date of this policy must be either fully vaccinated or submit to weekly testing.

Those employees whose requests for reasonable accommodation are granted, employees whose requests for accommodations are pending, and employees who have not been vaccinated must submit to PCR based tests once weekly and are required to wear a facemask at the work site.

Employees who are in inactive status or on a leave of absence will be required to comply with this policy upon returning to active status.

Failure to obtain required additional vaccinations, boosters, or treatments or comply with testing and mask requirements shall be considered a violation of this policy.

Lake County employees will receive a copy of this policy and will sign an acknowledgement form stating that they have read and understand the policy and its deadlines. The original copies of the acknowledgement forms will be sent to Human Resources to be included in the personnel file of the employee.

Department Heads or other supervisory personnel are required to enforce this policy. Consult Human Resources for further guidance on enforcement.

Employees may request accommodations from the vaccination requirement for medical or religious reasons.

**ITEM A: EMPLOYEE ATTESTATION AND PROOF OF VACCINATION**

Employees must attest to their vaccination status by January 15, 2022 and provide proof of vaccination to the Department of Human Resources by submitting their CDC COVID-19 Vaccination Record Card.

An employee who is no longer in possession of a CDC COVID-19 Vaccination Record Card may use the Illinois Resident Immunization Portal for proof of vaccination or submit documentation from their vaccination provider. The documentation should include the following information:

- Full Name
- Date of Birth
- Vaccine Manufacturer (i.e. Pfizer, Moderna, Johnson & Johnson, etc.)
- Lot Number
- Date(s) of Vaccination
- Site Location or Signature of Vaccine Administrator

**ITEM B: REASONABLE ACOMMODATION**

Requests for reasonable accommodations due to medical reasons or religious beliefs will be evaluated consistent with the County's Reasonable Accommodation Policy for Employees and Applicants with Disabilities, The Americans with Disabilities Act ("ADA") as amended, 42 U.S.C. 12101, et seq. and the County's Religious Accommodation Policy under Title VII (42 U.S.C. SECTION 2000e et. seq).

Anyone requesting an accommodation must complete and submit a request for medical or religious accommodation to Human Resources. Employees may be required to provide supporting information to substantiate their request for an accommodation.

**SECTION VII – ENFORCEMENT & PENALTIES**

Employees who do not receive the vaccine or are granted a reasonable accommodation from the vaccine requirement must follow a routine testing schedule to detect cases early and prevent further spread. Testing will be required a minimum of once per week. The frequency of testing may be required to increase in the event of positive cases. Employees who fail to comply with the vaccine requirement or the required testing schedule will be subject to discipline up to and including unpaid suspension.

The County prohibits any form of retaliation for reporting a violation of this policy.

**SECTION VIII – POLICY MODIFICATION**

Public health guidance, restrictions, and industry best practices regarding COVID-19 and related vaccines are changing rapidly as more information becomes available, further research is conducted, and additional vaccines are approved. The County reserves the right to modify this policy at any time in its sole discretion to adapt to changing circumstances and business needs, consistent with its commitment to maintaining a safe and healthy workplace.

Should guidance be updated to require additional vaccinations, boosters, or treatments, the deadline for obtaining such vaccinations, boosters, or treatments shall be communicated to employees at least thirty (30) days prior to the compliance deadline.

**SECTION IX – SEVERABILITY**

If any section or provision of this document should be held invalid by operation of law, none of the remainder shall be affected.

**SECTION X – NON-DISCRIMINATION**

Lake County prohibits the discriminatory application, implementation, or enforcement of any provision of this policy on the basis of race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of

income, gender identity housing status, or any other protected category established by law, statute, or ordinance.

## **SECTION XI – DEFINITIONS**

For the purposes of this policy, the following terms shall be given the following meanings as set forth below:

***Fully Vaccinated*** – Two weeks after the second dose of a two-dose COVID-19 vaccine or two weeks after one dose of a single-dose vaccine.

***PCR Test*** – A polymerase chain reaction (“PCR”) test detects genetic material from a specific organism, such as the virus. The test detects the presence of a virus if a person is infected at the time of the test. The PCR test is the “gold standard” test for diagnosing COVID-19.

## **SECTION XII – CONFIDENTIALITY**

All documentation, including any confirmation of vaccination, is considered confidential medical information and will be housed only in employee’s medical file in the Human Resources Department. Supervisors will only be provided with a list of employees and vaccination status. This information is not part of an employee’s general personnel file. All information received in connection with the mandatory vaccination/accommodation process will be treated confidentially and only disclosed to the extent required in order to allow for its enforcement or as required by law.