

Rule # 3-90

COVID-19 Vaccination

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§ 3-90-010 Purpose

The purpose of this policy is to address the danger of COVID-19 in the workplace by establishing a workplace vaccination requirement for Multnomah County employees, interns, volunteers, and elected officials (herein referred to as “employees” collectively), unless statutorily exempt from vaccine requirements. The policy is intended to stop the spread of the COVID-19 virus and protect the community and County employees, subject to change based on State and/or Federal requirements.

§ 3-90-020 Policy

- A. Multnomah County employees (including new employees), elected officials, interns, and volunteers, are required to be fully vaccinated against COVID-19, or have an approved exception.
- B. Employees may apply for an exception from the vaccine requirement as outlined in 3-90-050 Exceptions.
- C. The following employee categories are excluded from the vaccination requirement:
 - a. Employees who are statutorily exempt from vaccine requirements;
 - b. Unpaid interns or volunteers who conduct their volunteer duties remotely/virtually and do not have in person interaction with employees, other volunteers and/or service recipients through their volunteer position; and
 - c. Volunteers and unpaid interns whose duties include only brief and infrequent interaction with County employees, volunteers and/or service recipients (E.g., to pick up or drop off equipment).

§ 3-90-030 Definitions

Booster: An additional dose of a vaccine needed periodically to 'boost' the immune system.

The Centers for Disease Control and Prevention (CDC): The national public health agency of the United States under the Department of Health and Human Services.

COVID-19 (Coronavirus Disease 2019): The disease caused by SARS-CoV-2 (severe acute respiratory syndrome coronavirus 2). SARS-CoV-2 is a highly transmissible virus that spreads primarily through the respiratory droplets that are produced when an infected person coughs, sneezes, sings, talks, or breathes.

COVID-19 Vaccination: Vaccination against COVID-19 that is approved or authorized for use (including emergency use) by the FDA.

COVID-19 Test: A diagnostic test for SARS-CoV-2 that is:

- A. Cleared, approved, or authorized, including in an Emergency Use Authorization (EUA), by the U.S. Food and Drug Administration (FDA) to detect current infection with the SARS-CoV-2 virus (e.g., a viral test);
- B. Administered in accordance with the authorized instructions; and
- C. Not both self-administered and self-read unless observed by the County's designee.

Face Covering: A covering that:

- A. Completely covers the nose and mouth;
- B. Is 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);
- C. Is 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;
- D. Fits snugly over the nose, mouth, and chin with no large gaps on the outside of the face; and
- E. Is a solid piece of material without slits, exhalation valves, visible holes, punctures, or other openings.

Facemask: A surgical, medical procedure, dental, or isolation mask that is FDA-cleared or offered or distributed as described in an FDA enforcement policy. Facemasks may also be referred to as “medical procedure masks.”

Fully Vaccinated: A person’s status two (2) weeks after completing primary COVID-19 vaccination (see definition of “COVID-19 Vaccine”) with, if applicable, at least the minimum recommended interval between doses. Fully vaccinated may include the need for required boosters based upon County policy.

Proof of Vaccination Status: Acceptable proof of vaccination status should generally include the employee’s name, type of vaccine administered, date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) administering the vaccine(s). Examples include:

- A. The record of immunization from a healthcare provider or pharmacy;
- B. A copy of the U.S. CDC COVID-19 Vaccination Record Card;
- C. A copy of medical records documenting the vaccination;
- D. A copy of immunization records from a public health, state, or tribal immunization information system; or
- E. A copy of any other official documentation that is determined acceptable by Multnomah County, and 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).

Respirator: A type of personal protective equipment that protects against respiratory hazards by removing specific air contaminants from the ambient (surrounding) air or by supplying breathable air from a safe source. Respirators that remove contaminants from the ambient air are called air purifying respirators. Respirators that supply air from a safe source other than the ambient air are called atmosphere-supplying respirators. Masks, face coverings, and face shields are not respirators."

§ 3-90-040 Vaccine Requirement

Effective October 19, 2021, the COVID-19 vaccination requirement applies to all employees, regardless of worksite, and is part of the minimum qualifications for employment with Multnomah County, unless otherwise prohibited by law. As such, the following employee responsibilities apply to employees. These responsibilities are not intended to be all inclusive and the County will communicate additional responsibilities, as needed, to stop the spread of the COVID-19 virus in the workplace and protect the community and County employees.

- A. Determination of Employee Vaccination Status

1. All employees must provide proof of vaccination status in the form of a vaccination record that includes whether they are fully or partially vaccinated, (and any boosters) by uploading an image of their most updated vaccination record into Workday. This is an ongoing requirement in which employees must update their Workday profile as they proceed through the vaccination process. Vaccination records are considered confidential information.
2. Department Human Resources will have access to individual vaccine records and will provide reports regarding vaccines status to management on an as needed basis.

B. Candidates and New Employees

1. The vaccination requirement will be listed on all applicable job postings and will be included as a qualification of employment in candidate offers. Candidates who receive an offer of County employment must attest that they are fully vaccinated (or planning to seek an exception) in their offer letter response and return to their Department of Human Resources Manager prior to their start date.
 - a. Candidates who are eligible to apply for an exception may request a COVID-19 Vaccine Medical or Religious Exception Request Form from their Department Human Resources Manager. The pertinent form(s) must be submitted and processed prior to the candidate's start date. Failure to establish an eligible exception, in the absence of the required vaccination, will result in rescinded employment offer.
2. New employees will upload an image of their most updated proof of vaccination into Workday within three (3) business days of their official start date. Failure to upload vaccination documentation in this time frame will result in not meeting the minimum qualifications for employment and are subject to release or discharge.

§ 3-90-050 Exceptions

- A. The following employees may apply for an exception from the vaccine requirement by submitting a COVID-19 Vaccine Medical or Religious Exception Request Form to their Department HR Manager within thirty (30) days of presumed eligibility for an exception:
 1. Employees for whom a vaccine is medically contraindicated;
 2. Employees for whom medical necessity requires a delay in vaccination;

3. Employees who have sincerely held religious beliefs, practices, or observances that conflict with the vaccination requirement; or
 4. Employees with a physical or mental impairment that prevents them from receiving the COVID19 vaccine.
- B. Depending upon the duties performed, employees who are not vaccinated (i.e., those who are entitled to reasonable accommodation) may be required to wear specific masks, engage in social distancing, undergo COVID-19 testing, be reassigned, or other accommodations deemed appropriate as advised by public health officials.
- C. Department Human Resources will engage employees in additional follow-up if the employee does not submit sufficient supporting documentation or if exception eligibility cannot be established from the employee's initial request.
- D. If an exception is denied, and an employee has additional or clarifying information to provide, or they have had a change in circumstances, they may resubmit the exception request.

§ 3-90-060 Employer Support for Employee Vaccination

A. Time Off for Vaccination

Employees will have reasonable time, including up to four (4) hours of paid administrative leave time, to receive each primary vaccination dose, independent of any other leave that the employee has accrued. Employees must code the time as administrative leave and notify their supervisor of their vaccine appointment and the time they will be away from work.

B. Time Off for Side Effects Related to Vaccination

Employees may use their accrued sick leave to recover from side effects experienced following each primary vaccination dose or booster. Employees covered under this rule have been granted an accrual bank equaling sixteen (16) hours of leave to use if an employee experiences a medical side effect from taking a COVID-19 vaccine, including a booster, that prevents the employee from performing their job duties. Employees may also use any Emergency Paid Sick Leave (EPSL) hours in their bank through June 30, 2022.

C. Cost of Vaccine

Currently the vaccine is free to employees. If this changes and the employee receives any charge not covered by insurance, the County will reimburse the employee.

§ 3-90-070 Employee Notification of Positive COVID-19 Test and Removal

- A. Employees must promptly notify their Department Human Resources Manager and/or supervisor if they have been exposed to COVID-19, received a positive COVID-19 test or are diagnosed with COVID-19 by a licensed healthcare provider. This notification must occur regardless of employee vaccination status.
- B. Employee notification of a positive COVID-19 test or diagnoses may result in the employee's immediate removal from the workplace as a temporary measure while that employee is infectious and/or experiencing symptoms, and additional steps will be communicated by the employee's supervisor/HR Manager.
- C. Removal from the workplace may include telework or work in isolation (at County worksite but away from other employees) if suitable work is available and if the employee is not too ill to work. If an employee is unable to work due to illness, accrued sick leave or other leave may be used by the employee.
- D. Employees shall comply with all applicable government regulations/guidelines, as communicated by County management. As such, should new guidelines be released by public health, OHA, CDC, OR-OSHA or any governing body, these requirements will be promptly communicated and enforced.

§ 3-90-080 Face Coverings

- A. All employees, regardless of vaccination status, are subject to face covering requirements, in accordance with County policy.
- B. Employees who are not fully vaccinated due to an eligible exception must wear N95 respirators (unless otherwise directed by the County), as designated by the County in accordance with County policy.
- C. Employees may submit medical or religious accommodation requests relating to face coverings or other protective gear (E.g., N95 Respirators) by submitting a COVID-19 Face Covering [Medical](#) or [Religious](#) Exception Request Form to their Department HR Manager.

§ 3-90-90 Enforcement of Policy

- A. County employees, interns, and volunteers who fail to comply with this policy are subject to release or discharge from County employment for failure to meet the minimum qualifications for employment with Multnomah County. County volunteers who fail to comply will be released from their volunteer service.

- B. This rule shall be revisited and/or repealed in the event Multnomah County Public Health officials no longer recommend-mandatory COVID-19 vaccinations.