

Community Transit  
COVID19 Mandatory Vaccination Policy  
Adopted 9-28-2021

## **PURPOSE**

---

The prevalence of COVID-19 and highly contagious variants, including the “Delta” variant, requires Community Transit to continue to implement policies, procedures, and protocols to keep employees, their families, and our customers safe. According to public health, the “Delta” variant is at least twice as transmissible as the originally identified strain of COVID-19 virus that emerged in late 2019. This, coupled with the continued significant numbers of unvaccinated people, has caused COVID-19 cases and hospitalizations to rise sharply among unvaccinated populations and have resulted in breakthrough infections in some fully vaccinated individuals.

Delta has proven that COVID-19 vaccines are effective in reducing infection and serious disease. Widespread vaccination is the primary means to protect everyone, including persons who cannot be vaccinated for medical reasons, youth who are not eligible to receive a vaccine, and immunocompromised individuals. This includes vulnerable customers in health care facilities whom Community Transit serves. Widespread vaccination is also the primary means to protect our communities, our customers, our employees and, to avoid the return of stringent public health measures.

The United States has a long history, dating back to 1796, of making vaccinations widely available to prevent serious diseases, such as smallpox, rabies, and polio. For example, there were over 15,000 cases per year of paralysis due to polio in the U. S. in the 1950s and only 10 cases after the vaccine was administered. By contrast, COVID-19 has resulted in 677,000 deaths so far, making it one of the deadliest diseases we have faced. Vaccines are the proven method of turning the tide on this pandemic and saving countless lives.

**Community Transit’s COVID-19 Mandatory Vaccination Policy** is intended to support the health and safety of all employees. The risk to those who remain unvaccinated is real, and while we continue to provide safety practices and protocols on base, the prevalence of COVID-19 impacts not only oneself but ones’ co-workers. Community Transit employees live in and provide services to the public in King, Snohomish and other surrounding counties. Many interact with the public on a regular basis. The information that follows provides details about the procedures all employees must now follow regarding vaccines and testing protocol.

## **BACKGROUND**

---

### ***Emergency Declarations and Mandates***

- January 31, 2020, the United States Secretary of Health and Human Services declared a public health emergency in response to COVID-19.
- February 29, 2020, Washington State Governor Jay Inslee declared a state of emergency for all counties in the State of Washington due to the public health emergency posed by COVID-19.
- March 1, 2020, President Donald Trump proclaimed that the COVID-19 outbreak in the United States constitutes a national emergency.
- On March 1, 2020, King County Executive Dow Constantine declared a local emergency for King County.
- March 4, 2020, Snohomish County Executive Dave Somers declared a local emergency for Snohomish County and Snohomish County’s Health Officer Dr. Chris Spitters declared a Public Health Emergency for Snohomish County.
- On August 9, 2021, Governor Inslee declared a vaccine mandate for state employees.

Community Transit  
COVID19 Mandatory Vaccination Policy  
Adopted 9-28-2021

- On August 9, 2021, all employees of King County, including King County Metro, and the City of Seattle, including the Seattle Department of Transportation, have enacted vaccine mandates.
- On September 10, 2021, President Joe Biden declared a vaccine mandate for all employees of businesses with 100 or more employees and the Occupational and Safety, Health, and Administration (OSHA) is currently writing regulations to guide the implementation of this mandate.

Throughout this public health emergency, policies regarding face coverings, social distancing, and other safety protocols have evolved, and with every directive, Community Transit has complied with regulatory guidelines. Regulatory guidelines regarding vaccine mandates are evolving and the policy for Community Transit is evolving as well.

The worldwide COVID-19 pandemic and its persistence in Washington State and at Community Transit continue to threaten the life and health of our people as well as the economy of Washington State, and remain a public disaster affecting life, health, property or the public peace.

As of September 13, 2021, 65 Community Transit employees have contracted COVID-19, nearly 327 employees have tested negative for COVID-19 and one tragically died of COVID-19. As of September 13, 2021, 56 contractors who work on Community Transit property have contracted COVID-19.

### ***Vaccines against COVID-19***

COVID-19 vaccinations have been available in Washington State since December 2020 to the present. The U.S. Food & Drug Administration's (FDA) determined COVID-19 vaccines are safe and effective. COVID-19 vaccines were evaluated in clinical trials involving tens of thousands of participants and met the FDA's rigorous scientific standards for safety, effectiveness, and manufacturing quality needed to support emergency use authorization; and, to date, more than 346 million doses of COVID-19 vaccines have been given in the United States with 8.2 million of those doses administered in Washington, and serious safety problems and serious side effects are extremely rare.

Emergency Use Authorization (EUA) allows for FDA to grant use of products to prevent serious or life-threatening diseases in a public health emergency. To obtain Full Approval (also known as full licensure), a manufacturer must demonstrate that its product is safe and effective, which generally requires completion of rigorous clinical trials. If FDA approves the vaccine, the company is permitted to market it in the United States for use in the population for which it is approved.

- December 11, 2020, FDA issues EUA to Pfizer for individuals 16 years of age and older, and on December 18, 2020, FDA issues EUA for Moderna for individuals 18 years and older.
- February 27, 2021, FDA issues EUA for Johnson & Johnson for individuals 18 years and older.
- May 10, 2021, FDA issues EUA for Pfizer for adolescents aged 12 to 15.
- August 12, 2021, FDA amends EUA's for Pfizer and Moderna to allow for 3rd dose for individuals 18 years of age or older (ages 12 or older for Pfizer-BioNTech) who have undergone solid organ transplantation, or who are diagnosed with conditions that are considered to have an equivalent level of immunocompromise.
- August 20, 2021, the FDA grants Pfizer full approval.

Community Transit  
COVID19 Mandatory Vaccination Policy  
Adopted 9-28-2021

- September 22, 2021, The FDA amended the EUA for boosters to allow boosters for individuals 65 years of age and older; individuals 18 through 64 years of age at high risk of severe COVID-19; and individuals 18 through 64 years of age whose frequent institutional or occupational exposure to SARS-CoV-2 puts them at high risk of serious complications of COVID-19 including severe COVID-19.

As of August 4, 2021, nearly 4.4 million Washingtonians, about 70% of those eligible and 58% of the total population, had initiated their vaccine series, leaving 2.1 million eligible Washingtonians who were unvaccinated.

On May 17, 2021, Community Transit announced a new vaccine incentive program that provided every employee a cash award based on the percent of employees being vaccinated. Community Transit provided paid COVID-19 supplemental leave for employees to recover from any side effects of the vaccine.

As of September 13, 2021, nearly 65.9% of Community Transit employees had initiated their vaccine series and this number has remained flat for six weeks. At this time it appears the incentive program will be unlikely to result in a fully vaccinated workforce.

#### **COMMUNITY TRANSIT COVID-19 MANDATORY VACCINATION POLICY**

---

Vaccines have been proven safe and effective by the FDA in preventing disease and death from COVID-19 and therefore, the following **Community Transit COVID-19 Mandatory Vaccination Policy** is adopted:

- Effective, January 1, 2022 all Community Transit employees are required to provide proof of being fully vaccinated against COVID-19 as a condition of employment, unless granted an accommodation as outlined in this policy.
- Effective October 18, 2021 until January 1, 2022 all Community Transit employees who have not provided Community Transit with proof of being fully vaccinated against COVID-19 are required to submit a negative COVID-19 test on a weekly basis as a condition of employment. Testing alone has not proven to be adequate to mitigate the spread of the disease. Allowing the testing alternative for the first 10 weeks will allow more time for vaccines to be fully approved and for employees to get the information they need and get vaccinated.
- Effective immediately, all new Community Transit employees must be fully vaccinated against COVID-19 within 60 days of hire or be granted an accommodation as outlined in this policy. Effective January 1, 2022, all new employees must provide proof of fully vaccinated status on or before their first day of work
- Effective immediately, all Contractors who work on property that is owned, controlled, leased or operated by Community Transit are required to provide written proof of complying with the United States Department of Labor's Occupational Safety and Health Administration's issuance of emergency temporary standards for COVID-19 vaccination and testing to protect employees from coronavirus issued or as subsequently amended.

Community Transit  
COVID19 Mandatory Vaccination Policy  
Adopted 9-28-2021

- **Proof of Full Vaccination:**
  - Where required above, employees must provide proof of full vaccination against COVID-19 by providing one of the following:
    - CDC COVID-19 Vaccination Record Card or photo of the card;
    - Documentation of vaccination from a health care provider or electronic health record;
    - State immunization information system record; or
    - For an individual who was vaccinated outside of the United States, a reasonable equivalent of any of the above.
  - Employee Engagement must obtain a copy of or visually observe proof of full vaccination against COVID-19 for every employee required to provide such proof under this policy.
  - Personal attestation is not an acceptable form of verification of COVID-19 vaccination.
  
- **Accommodation for Medical Condition or Religious Belief**
  - On a case-by-case basis, Community Transit may provide an accommodation in compliance with laws protecting individuals with disabilities for any known medical condition or disability which prevents an employee from being fully vaccinated against COVID-19, provided that the accommodation is reasonable and does not create an undue hardship for Community Transit and/or pose a direct threat to the health or safety of others in the workplace and/or to the requesting employee.
  - On a case-by-case basis, Community Transit may provide an accommodation from being vaccinated against COVID-19 based on an employee's sincerely held religious belief, provided that the accommodation is reasonable and does not create an undue hardship for Community Transit and/or pose a direct threat to the health or safety of others in the workplace and/or to the requesting employee. Philosophical, political, scientific, or sociological objections to immunization do not justify an accommodation.
  - Upon receiving an employee's request for medical or religious accommodation, Community Transit will engage in an interactive process with the employee to evaluate whether reasonable accommodation is feasible. An employee requesting accommodation will be required to submit appropriate documentation supporting their request. Reasonable accommodation may include reassignment to a different position and/or requiring the employee to observe additional safety protocols, such as frequent COVID-19 testing. Even if approved, all accommodations will be provisional and will be subject to modification or revocation based on evolving public health guidance and workplace safety considerations.
  
- **Definitions:**
  - "Contractor" includes any person who provides goods, services, or public works services pursuant to a contract with Community Transit. The term includes subcontractors.
  - "Fully Vaccinated against COVID-19" A person is fully vaccinated against COVID-19 two weeks after they have received the second dose in a two-dose series of a COVID-19 vaccine (e.g., Pfizer-BioNTech or Moderna) or a single-dose COVID-19 vaccine (e.g., Johnson & Johnson (J&J/Janssen) authorized for emergency use, licensed, or otherwise approved by the FDA or listed for emergency use or otherwise approved by the World Health Organization. This includes maintaining any booster dose within 60 days of being eligible, as authorized by the FDA.

Community Transit  
COVID19 Mandatory Vaccination Policy  
Adopted 9-28-2021

The CEO has authority to implement this policy based on Board of Directors' Resolution No. 01-20, which authorizes the Chief Executive Officer (CEO) or designee to take all action reasonably needed to protect life and property in an emergency.

Nothing in this policy limits otherwise applicable requirements related to personal protective equipment, personnel training, and infection control policies and procedures.

Adopted by:



Date: 9-28-2021

Ric Ilgenfritz  
Chief Executive Officer  
Community Transit