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I.58 - VACCINATION

Employee and volunteer safety and wellbeing are a primary concern of the AGO.

AGO POLICY

VACCINATION

I.58

Contact: Human Resources Office

Cross References:

Approved: September 20, 2021

I. POLICY STATEMENT:

Employee and volunteer safety and wellbeing are a primary concern of the AGO.

The AGO is committed and obligated to provide a safe and healthy workplace for all of its employees and volunteers. The AGO has protected employee and volunteer safety throughout the COVID-19 pandemic by requiring all employees and volunteers to telework since March 2020, with limited exceptions. With the widespread availability of highly effective COVID-19 vaccines, all AGO workers are required to be vaccinated by October 18, 2021. While much progress has been made in battling the pandemic in our state, COVID-19 and the emergence of concerning new variants remain a serious public health threat. As we return to in-person operations, we are particularly concerned with the health and safety of our employees and volunteers who are unable to receive the vaccine because of a disability or a sincerely held religious belief. The best way to ensure the safety of these, *and all*, AGO employees and volunteers and the safety of the people they interact with in the course of their duties is to implement a policy requiring all AGO employees and volunteers, as a qualification of fitness for continued employment, and all visitors to AGO facilities to be fully vaccinated against COVID-19 and provide proof thereof before entering the office. An employee, volunteer, or visitor with a disability or religious belief, practice, or observance that prevents them from getting vaccinated against COVID-19 may request an accommodation or modification ([Medical Exemption Request Form](#) and [Religious Exemption Request Form](#)). Failure to meet this fitness for duty qualification will lead to termination of employment. This policy is subject to and shall be construed in compliance with all applicable collective bargaining agreements and state and federal laws.

Employees on miscellaneous leave shall receive their basic salary and, in addition, shall be allowed to retain any compensation paid to them while on civil duty leave.

If the purpose for which leave is granted occupies only a portion of the workday, the employee is expected to report to work and complete the balance of the shift.

II. DEFINITIONS:

A. Fully Vaccinated Against COVID-19

An individual is fully vaccinated against COVID-19 two weeks after they have received a single-dose COVID-19 vaccine (e.g., Johnson & Johnson (J&J)/Janssen) or the second dose in a two-dose COVID-19 vaccine (e.g., Pfizer-BioNTech or Moderna). The COVID-19 vaccine must be authorized for emergency use, licensed, or otherwise approved by the U.S. Food & Drug Administration.

B. Proof of Full Vaccination Against COVID-19

Proof of full vaccination against COVID-19 is a CDC vaccination card, documentation from a health care provider, or a state immunization information system record showing that the employee, volunteer, selected candidate, or visitor is fully vaccinated against COVID-19.

C. Face Covering

A face covering is anything that completely covers one's mouth and nose, and fits securely on the sides of one's face and under one's chin. It is made of two or more layers of tightly woven fabric with ties or straps that go around one's head or behind one's ears. A face covering also includes more protective coverings, such as masks or respirators.

III. Vaccine Access and Workplace Safety

Time spent traveling to the vaccination site and time spent receiving the vaccine are considered hours worked. The employer may require that the time be supported by documentation.

If the employer requires an employee to get a COVID-19 test, it shall be done on the employer's time and expense.

IV. RESPONSIBILITIES:

All employees and volunteers must be fully vaccinated against COVID-19 and provide verification thereof to their Division Chief or designee by October 18, 2021, as a qualification of fitness for continued employment. The AGO will maintain the minimal amount of information necessary to ensure compliance with this policy, while ensuring that an individual's health information is protected.

All candidates selected for employee and volunteer positions who start with the AGO after the date this policy is approved must be fully vaccinated against COVID-19 and provide verification thereof to the Human Resources Office (HRO) before starting with the AGO, as a qualification of fitness for employment or volunteer position.

An employee, volunteer, or selected candidate who has a disability that prevents them from safely being vaccinated against COVID-19 may request a reasonable accommodation as provided in [AGO Policy - Reasonable Accommodation of Persons with Disabilities](#).

An employee, volunteer, or selected candidate who has a sincerely held religious belief, practice, or observance that prevents them from getting vaccinated against COVID-19 may request an accommodation by notifying a supervisor in their chain of command or the Human Resources Office. The employee, volunteer, or selected candidate must participate in the interactive accommodation process and provide all information reasonably needed to evaluate the request.

An employee, volunteer, selected candidate, or visitor who is entitled to an accommodation or modification under this policy must wear a face covering while in an AGO facility. This requirement may be waived if a disability would prevent them from wearing a face covering.

An employee, volunteer, or selected candidate must provide proof of full vaccination against COVID-19 by showing it to their Division Chief or designee on a video conference call.

All visitors to AGO facilities must provide proof of full vaccination against COVID-19 before being permitted to proceed beyond the facility lobby, in accordance with the practice implemented by the Chief Financial Officer or designee and subject to any reasonable modifications the AGO is required by law to provide.

All Division Chiefs shall ensure that every employee and volunteer in their divisions as of the date this policy is approved provides proof of full vaccination against COVID-19 by October 18, 2021. **Division Chiefs** may designate supervisors to obtain proof of vaccination. **Division Chiefs and designated supervisors** must track, as directed by the Chief Financial Officer or designee, which employees and volunteers in their divisions have and have not provided the required proof.

The **Human Resources Office** shall ensure that every selected candidate who starts with the AGO after the date this policy is approved provides proof of full vaccination against COVID-19 before starting with the AGO. The **Human Resources Office** will track which selected candidates have and have not provided the required proof.

The **Human Resources Office** shall develop a system for tracking which employees, volunteers, and selected candidates have and have not provided proof of full vaccination against COVID-19. The tracking system must comply with any legal requirements to maintain the confidentiality of the information entered therein. The **Human Resources Office** shall provide instructions to Division Chiefs and designated supervisors as to how to implement the tracking system.

The **Chief Financial Officer or designee** shall develop a plan and implement a practice of requiring all visitors to AGO facilities to provide proof of full vaccination against COVID-19 before being permitted to proceed beyond the facility lobby, subject to any reasonable modifications the AGO is required by law to provide. These practices shall be available on InsideAGO for all employees to reference and shall also include alternatives to in-person meeting should a visitor not meet the vaccination requirements.

The **Chief Deputy** shall review and make the final determination on requests for accommodations and modifications where questions exist concerning undue hardship or reasonableness of the requested accommodation or modification. Any employee who is currently under an appeal to the Chief Deputy shall not be terminated until said appeal is completed. If an appeal is denied the employee shall

be afforded two (2) weeks to provide proof that they have received their first dose of a two-dose series or a dose of the single-dose series of a COVID-19 vaccine. An employee who has received one dose of a two-dose series COVID-19 vaccine must provide proof of having received a second dose.

In the event that the Washington State Department of Health recommends that individuals receive booster doses of a COVID-19 vaccine, the **Chief Deputy** will announce a date by which all employees, volunteers, selected candidates, and visitors who took that vaccine must provide proof of having received recommended booster doses. This date will take into account any restrictions or phased eligibility for a booster dose of a COVID-19 vaccine. The above requirements and procedures for providing and tracking proof of initial vaccination and requesting accommodations and modifications shall also apply to the requirement to receive booster doses.

The **AGO** will implement a face covering requirement in AGO facilities as required by law and informed by guidance from the Department of Health, Center for Disease Control (CDC), Department of Labor and Industries, and local health jurisdictions. Current masking requirements will be posted on InsideAGO.

/s/ Bob Ferguson

BOB FERGUSON
Attorney General

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For corrections and questions on this page, please contact **Elaine L Ganga**

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