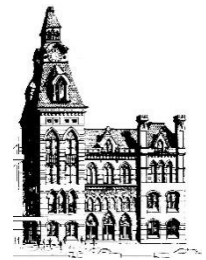




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## **Mandatory COVID Vaccination / Testing Policy**

**DATE: September 3, 2021**

### **PURPOSE:**

As widespread COVID19 community transmission continues, most recently due to the Delta variant, public health experts universally agree that vaccinations are one of the most important public health tools to mitigate the impacts of the pandemic. The CDC and FDA have determined that the COVID-19 vaccine is safe and effective and recommends that all individuals age 12 and older receive the vaccine as soon as possible to help protect against COVID-19.

The City is required to provide a safe workplace for its employees, which includes providing reasonable safeguards from infectious diseases and for the general health and safety of its employees. Furthermore, the City has an obligation to take reasonable, safe, and effective precautions to minimize the risk of spreading infectious disease to the general public who may interact with City employees. The Equal Employment Opportunity Commission (EEOC) has opined that Federal Equal Employment Opportunity Laws (EEO) do not prevent an employer from requiring all employees physically entering the workplace to be vaccinated for COVID-19, so long as employers comply with the reasonable accommodation provisions of the Americans with Disabilities (ADA) and Title VII of the Civil Rights Act of 1964 and other EEO considerations.

This Mandatory COVID Vaccination/Testing Policy is a key part of the City's overall strategy and commitment to maintaining a safe and healthy workplace during the COVID-19 pandemic. This policy is designed for use with, and not as a substitute for, other COVID-19 prevention measures including, but not limited to, face mask and social distancing mandates.

### **COVERED INDIVIDUALS:**

**Employees:** All city employees, full time, part time, probationary, contractual, temporary, interns (both paid and unpaid), and seasonal employees who are not subject to Governor Lamont's Executive Order 13D. In the event that Governor Lamont's Executive Order 13D expires during the duration of this policy, all City employees who were subject to its terms will be subject to this policy.

### **COVID-19 VACCINATION / COVID 19 TESTING REQUIREMENT:**

Beginning on Tuesday, September 7, 2021, ALL employees shall be required to register in the City of New Haven COVID Vaccination/Testing Portal. The deadline for Portal registration is Tuesday, September 14, 2021, 11:59 p.m.

Those persons who are providing proof of being Fully Vaccinated are required to upload information in the Portal as described below, by the deadline of Tuesday, September 14, 2021, 11:59 p.m.

Those persons who do not provide proof of being Fully Vaccinated shall be required to provide proof of a COVID-19 test weekly or more often as recommended by City's Department of Public Health or applicable governmental or regulatory authorities, beginning with the week of September 27, 2021. The first test result must be submitted in the Portal as described below, by Thursday, September 30, 2021, 11:59 p.m.

**Fully Vaccinated:** as defined in the Mayor's Executive Order, means at least 14 days have elapsed since a person has received the final dose of a vaccine that has received full approval or emergency use authorization against COVID-19 by the U.S. Food and Drug Administration, or as otherwise defined by the Centers for Disease Control.

**Vaccinations** are available at no cost to the Employee at a variety of locations in and around New Haven or through City provided medical insurance for those covered. Employees shall be released from work with pay for a reasonable amount of time taken to receive the vaccination. Employees are to coordinate with their managers to schedule appropriate time to receive the vaccination subject to the operational needs of their department.

**Testing:** any employee who does not present proof of being Fully Vaccinated as of the effective date of this policy, is required to be tested weekly for COVID-19 or more often as recommended by the City's Department of Public Health. Testing will be provided at no cost to the employee or through City provided medical insurance for those covered. Employees shall be released from work with pay for a reasonable amount time taken to receive testing. Employees are to coordinate with their managers or supervisors to schedule appropriate time to be tested subject to the operational needs of their department.

#### **VALIDATION OF VACCINATION:**

Employees who are Fully Vaccinated may submit proof of vaccination beginning the week of September 7, 2021 using the New Haven COVID Vaccination/Testing Portal. To be considered Fully Vaccinated, employees must register in the Portal, and submit proof of vaccination by uploading into the Portal, no later than Tuesday, September 14, 2021, 11:59 p.m., one of the following: (1) CDC COVID-19 Vaccination Record Card or photo of the Vaccination Record Card; (2) Documentation from a health care provider or electronic health care records; or (3) State Immunization Information record. Personal attestation will not be accepted as an acceptable form of proof of a COVID-19 vaccination. Detailed instructions on how to upload necessary documents are available on the Human Resources page of the City website, <https://www.newhavenct.gov/gov/depts/hr>. Vaccination status will then be validated by the Health Department.

#### **UNVACCINATED EMPLOYEES AND VALIDATION OF TESTING:**

Employees who do not submit proof of being Fully Vaccinated must register in the New Haven COVID Vaccination/Testing Portal by Tuesday, September 14, 2021, 11:59 p.m. Beginning the week of September 27, 2021 those employees must submit results of their COVID-19 test no later than Thursday, September 30, 11:59 p.m., and by each and every Thursday, 11:59 p.m. thereafter as long as this policy remains in effect, or until proof of being Fully Vaccinated is provided as detailed above. Results of a test may be one of the following: (1) Documentation from a health care provider indicating a "Negative" or "Not Detected" result from a COVID-19 test, collected no longer than five calendar days prior to the date of Portal submission; or (2) Documentation from a health care provider indicating a "Positive" or "COVID-19 Detected" result from a COVID-19 test, collected no longer than five calendar days prior to the date of Portal submission. Personal attestation will not be accepted as an acceptable form of proof of COVID-19 test results. Detailed instructions on how to upload necessary documents are available on the Human Resources page of the City website, <https://www.newhavenct.gov/gov/depts/hr>.

## **EMPLOYEES ON LEAVE:**

Employees who are on a medical, military, or other approved leave of absence will be required to provide proof of being Fully Vaccinated prior to their return to work or be required to submit to testing immediately upon their return to work, consistent with this policy.

## **NEW HIRES:**

All employees who receive a Conditional Offer of Employment on or after September 7, 2021 must register in the New Haven COVID Vaccination/Testing Portal and provide proof of Full Vaccination as described above, prior to beginning employment with the City. An exemption or deferment may be granted to this requirement if the new hire can provide proof that they (1) have received the first dose and have an appointment for the second dose in a two-dose series vaccination, such as Pfizer or Moderna vaccines, (2) have an appointment for a one-dose vaccination, such as Johnson & Johnson's Janssen vaccine, or (3) are exempt from this requirement because a physician, physician's assistant, or advanced practice registered nurse determined that the administration of COVID-19 vaccine is likely to be detrimental to the covered worker's health, or the individual objects to vaccination on the basis of a sincerely held religious or spiritual belief. Failure to meet these requirements will result in a rescission of a job offer or termination.

Once employed, those new employees who are not Fully Vaccinated will be required to submit COVID-19 test results no later than Thursday, 11:59 p.m. of each week thereafter as long as this policy remains in effect as detailed above, or until proof of being Fully Vaccinated is received and validated.

Detailed instructions on how to upload necessary documents are available on the Human Resources page of the City website, <https://www.newhavenct.gov/gov/depts/hr>

## **NON-COMPLIANCE:**

Employees who are found to be non-compliant with this policy shall be barred from physically entering the workplace and allowed twenty-four (24) hours to provide proof of compliance through the New Haven COVID Vaccination/Testing Portal as described above. Employees shall be placed on leave without pay unless they choose to use their accrued time for any time they are absent from work for non-compliance with this policy.

Those approved for telecommuting are not exempt from this policy and must comply with all requirements and/or deadlines as detailed above.

Failure to comply with this policy may result in disciplinary action up to and including dismissal.