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COVID-19 VACCINATION	150.017	2

1.0 Purpose:

This policy is being implemented to help prevent infection and transmission of COVID-19 within the workplace, at VTA facilities, and to members of the public who depend on VTA services. Furthermore, VTA has a responsibility to provide a safe and healthy workplace for its employees. Based on societal transmission and infection rates, it is known that unvaccinated individuals are at a greater risk of contracting and spreading COVID-19.

In March 2020, the Santa Clara County Health Officer issued a shelter-in-place order requiring all individuals in the county to stay at home to prevent further infection and transmission of a deadly virus known as COVID-19. Since it arrived in the United States, COVID-19 has quickly spread across the nation. As of November 1, 2021, in the United States alone, over 725,000 people have died from the virus and 45 million people have been infected. According to the World Health Organization (“WHO”), the Centers for Disease Control and Prevention (“CDC”), the California Department of Public Health (“CDPH”) and the Santa Clara County Health Officer (“County Health”), COVID-19 continues to pose a serious risk to public health. Variants of COVID-19 have since caused large spikes in transmission and surges of hospitalizations and deaths overwhelmingly among the unvaccinated. The WHO, CDC, CDPH, and County Health have determined that *vaccination is the most effective way of preventing the spread of COVID-19, protecting against both transmission and serious illness or death.*

2.0 Scope:

All VTA employees and Affiliates as defined by this policy.

3.0 Responsibilities:

3.1 The Human Resources Department will be responsible for:

- 3.1.1 Receiving all documentation submitted by employees showing proof of vaccination.
- 3.1.2 Reviewing all documentation submitted by employees proving vaccination to confirm the documentation meets the requirements of this policy.
- 3.1.3 Maintaining all employee vaccination records in accordance with the law and not disclose such records, except as required or authorized by local, state, or federal law.
- 3.1.4 Responding to requests for exemptions from this policy.

3.2 All managers and supervisors will be responsible for immediately contacting the Human Resources Department if they believe an employee is not in compliance with this policy.

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3.3 All employees will be responsible for:

3.3.1 Complying with the requirements of this policy.

3.3.2 Providing documentation to the Human Resources Department in accordance with this policy.

4.0 Policy:

All VTA employees and Affiliates, as defined by this policy, are hereby required to be fully vaccinated as a condition of employment or as a condition to work at VTA.

4.1 Compliance Date

All employees and Affiliates must be fully vaccinated against COVID-19, or have received an exemption pursuant to Section 4.4, by no later than April 29, 2022.

4.2 Proof of Vaccination

All employees must submit documentation to VTA's Human Resources Department, in accordance with established procedures, showing they are fully vaccinated as soon as possible following full vaccination. Affiliates must provide acceptable documentation, as set forth in Section 4.2.1, to their employer, and such proof shall be shared with VTA at VTA's request.

4.2.1 Acceptable forms of documentation include any one or more of the following:

- A record of immunization from employee's health care provider or pharmacy;
- A copy of the employee's COVID-19 Vaccination Record Card;
- A copy of the employee's medical records documenting vaccination; and/or
- A copy of documentation that contains the type of vaccine administered and the name of the health care professional or clinic that administered the vaccine.

4.3 Employer Support for Vaccination

VTA will provide employees with reasonable paid time off for receipt of the vaccine and recovery from side effects of vaccination.

4.3.1 Proof of vaccination as outlined above is required before an employee will receive paid time off for receipt of the vaccine or recovery from the side effects of vaccination.

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4.4 Exemption from Policy

Any employee who believes they are exempt from this policy due to a qualifying medical condition or restriction or based on a sincerely held religious belief may request an exemption from the vaccine requirement through the Human Resources Department in accordance with established procedures.

- 4.4.1 The Human Resources Department, or designee, will review all exemption requests on a case-by-case basis and engage in an interactive process with individuals who request an exemption.
- 4.4.2 If an employee is determined to be exempt from this policy, the employee must take a COVID-19 test every seven (7) days and provide documentation to their supervisor or dispatcher showing a negative test result before reporting back to work.
- 4.4.3 If an employee is determined not to be exempt from this policy, the employee must provide proof that they are fully vaccinated by no later than April 29, 2022.

4.5 Failure to Comply

Any employee or Affiliate who fails to comply with any of the requirements of this policy may be precluded from reporting to work at any VTA facility or property.

- 4.5.1 An employee's failure to comply with any of the requirements of this policy will result in discipline or separation from employment with VTA for failure to meet the minimum qualifications of the job.

4.6 Falsification of Documentation

Any employee or Affiliate who knowingly provides false information with respect to any of the requirements set forth in this policy may be subject to criminal penalties and/or discipline, up to and including termination of employment.

5.0 **Definitions:**

- 5.1 **COVID-19** means coronavirus disease, an infectious disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), including any variant.
- 5.2 **COVID-19 test** means a test for SARS-CoV-2 that is:
 - Cleared, approved, or authorized, including 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);
 - Administered in accordance with the authorized instructions; and

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- Not both self-administered and self-read, unless observed by the employer or an authorized telehealth proctor. Examples of tests that satisfy this requirement include tests with specimens that are processed by a laboratory (including home or on-site collected specimens which are processed either individually or as pooled specimens), proctored over-the-counter tests, point of care tests, and tests where specimen collection and processing is either done or observed by an employer or an authorized telehealth proctor.

5.3 **Fully vaccinated** means VTA has received (via submission through the vta.covid-19.rpt@vta.org email address or other means designated by the Human Resources Department) documentation showing that an employee has received, at least 14 days prior, all required doses of a vaccine. Vaccines must be FDA approved; have an emergency use authorization from the FDA; or, for persons fully vaccinated outside the United States, be listed for emergency use by the World Health Organization (WHO).

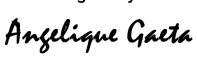
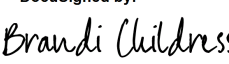
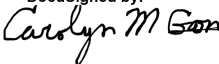
5.4 **VTA employee(s)** means all full-time, part-time, and extra-help employees.

5.5 **Affiliate(s)** means all Board and committee members, contractors, consultants, other temporary workers, vendors, interns, or volunteers working on VTA property or facility, whose duties require in person contact with any VTA employee(s).

6.0 Summary of Changes:

6.1 Section 5.5 was updated to include Board and committee members and provide more clarity for the definition of Affiliate(s).

7.0 Approval Information:

<i>Prepared by</i>	<i>Reviewed by</i>	<i>Approved by</i>
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