

COMMON COUNCIL ALDER COVID-19 VACCINATION/TESTING POLICY

Purpose: In accordance with the City of Madison's duty to provide and maintain a workplace that is free of known hazards, we are adopting this policy to safeguard the health of our employees and elected officials and their families, our customers and visitors, and the community at large from COVID-19 infections that vaccinations may reduce. COVID-19 continues to pose a risk, especially to individuals who are not fully vaccinated, and certain safety measures remain necessary to protect against the rise of COVID-19 cases. Vaccination is the most effective way to prevent COVID-19 transmissions. Unvaccinated elected officials, employees, interns, and volunteers are at greater risk of contracting and spreading COVID-19 within the workplace and City facilities and to the public that depends on City services. To best protect everyone in City facilities and fulfill its obligations to the public, alders must: (1) report their vaccination status to the Common Council Office; and (2) if not fully vaccinated, adhere to weekly COVID-19 testing protocols. The Common Council Office will only share information about an alder's vaccination status on a need-to-know basis to enforce and manage this policy. This policy will comply with all applicable laws and is based on guidance from the Centers for Disease Control and Prevention and local health authorities and will include and incorporate any changes State, Federal and Local authorities make regarding COVID-19 transmission, COVID-19 prevention, COVID-19 testing, and COVID-19 vaccinations, including any booster vaccinations, as appropriate.

Scope: This Policy applies to alders. If an alder fails to meet the vaccination or testing requirements, Council Leadership will be notified and the alder may be subject to sanction by the Common Council.

Policy:

- 1. Requirement.** All alders are required to present proof of being fully vaccinated against COVID-19. An alder shall be considered fully vaccinated: Two (2) weeks after their second dose in a 2-dose vaccine series for COVID-19 (such as PfizerBioNTech's or Moderna's vaccine) or two (2) weeks after their first dose in a single-dose vaccine series for COVID-19 (such as Johnson & Johnson's Janssen vaccine). If an alder does not provide such proof, they must provide proof of a COVID-19 polymerase chain reaction (PCR) diagnostic test (not an antibody test) once per week.
- 2. Deadlines.** Alders must present proof of being fully vaccinated to the Common Council Office no later than **January 28, 2022**. If an alder does not provide proof of their fully vaccinated status, they must provide proof of a COVID-19 PCR test **by Monday, January 31, 2022**. After that, such alders must provide proof of a COVID-19 test no later than Friday of each subsequent week.
- 3. Evidence of Being Fully Vaccinated.** Alders shall complete a City of Madison COVID-19 Vaccination Status attestation form and submit it to the Common Council Office. Along with completing this form, alders must show both sides of their CDC COVID-19 vaccination card or display proof of their COVID-19 vaccination through their personal Wisconsin Immunization Registry (WIR) or a comparable state agency if applicable. Alders may access their immunization records through WIR at the following web address: <https://www.dhfswir.org>. The Common Council Office will retain vaccination attestation forms, but will not keep supporting proof of vaccination.
- 4. COVID-19 Test Results.** Alders must deliver their test results to the Common Council Office no later than noon each Friday. When submitting test results, alders should take care to avoid submitting other medical information.
- 5. Positive COVID-19 Test Results.** If an alder tests positive for COVID 19, they shall immediately notify the Common Council Office and follow Public Health Madison Dane County quarantine guidelines.
- 6. Face Coverings.** Alders are reminded that the City will follow Public Health guidance and recommendations regardless of vaccination status.

Requesting Exemptions

Alders with a medical condition or other medical restrictions whose treating medical provider indicates vaccination is not medically recommended at this time, or those alders with a sincerely held religious belief that prohibits them from receiving a vaccine, are accommodated by their participation in the weekly testing program. The Common Council Office, in consultation with Human Resources, will review any medical or religious accommodation requests from the weekly testing requirement on a case-by-case basis and engage in an interactive process with alders who submit such requests. Exemptions are due to the Common Council Office by **January 21, 2022**. Alders are still required to report their vaccination status by **January 28, 2022**.

Medical and Religious Exemptions

A medical or religious exemption from the testing requirements of this policy may be granted if:

For medical reasons (1) the alder has a qualifying disability that prevents them from being tested, (2) the alder requests a reasonable accommodation, (3) the alder provides required medical documentation to support an exemption from testing, and (4) an exemption would not pose a direct threat to the health and safety of the alder or others that cannot be mitigated.

For religious reasons (1) the alder holds a sincere religious belief, practice, or observance that is contrary to the practice of testing, (2) the alder requests a religious accommodation, (3) the alder provides required documentation or information to support an exemption, and (4) an exemption would not pose a direct threat to the health and safety of the alder or others that cannot be mitigated.

Medical Exemption Procedure

1. Alders must complete and sign an Alder Request for Reasonable Accommodation Form (COVID-19 Testing Exemption) and submit it to the Common Council Office. The Common Council Office must consider any request for a disability-related accommodation that provides sufficient notice of an alder's purported inability to comply with testing requirements due to a medical condition.
2. Alders must answer relevant questions regarding the medical condition that prevents getting tested but should not disclose their diagnosis or underlying medical condition.
3. Alders must submit a completed form, or equivalent writing regarding the request for a medical exemption from the COVID-19 weekly testing requirement, with medical verification of the alder's disability and how it prevents them from being tested weekly directly to the Common Council Office.
4. The Common Council Office must acknowledge receiving an alder request for a medical exemption from the testing requirements within three (3) business days. Medical requests that do not contain the required information from 1-3 above are not a complete request and may be returned to the alder for additional information. The three (3) day business day requirement only applies to completed requests. Acknowledgments may be via email stating the request has been received or by returning a copy of the Alder Request for Reasonable Accommodation Form (COVID-19 Vaccination/Testing Exemption) stamped "Received" with the receipt date on the face of the document.
5. The Common Council Office must engage alders in the interactive process if the need for a medical exemption from the testing requirements is not established by the alder's completed request and supporting medical information.
6. The Common Council Office shall follow the City's Reasonable Accommodation Procedures and may use the Health Care Provider Certification Form (COVID-19 Testing Exemption) for requesting information from health care providers in support of a request for exemption from the testing requirements.

7. The Common Council Office shall communicate final determinations on alder requests for a medical exemption from this policy within ten (10) business days of receiving a completed request. The reason for any denial must be stated on the form.
8. The Common Council Chief of Staff will be made aware of testing exemptions. Copies of approved Accommodation Exemption Determination Forms will be held in the Common Council Office.

Religious Exemption Procedure

1. Alders must complete and sign an Alder Request for Religious Accommodation Form (COVID-19 Testing Exemption) and submit it to the Common Council Office. H the Common Council Office must consider any request for a religious accommodation that provides sufficient notice of an alder's declared inability to comply with the testing requirements for religious reasons.
2. Alders must answer all relevant questions regarding the religious belief, practice, or observance that prevents them from adhering to weekly testing.
3. Alders must submit a completed form, or equivalent writing regarding the request for a religious exemption from the related COVID-19 weekly testing requirements, with any relevant statements, documents, or information pertaining to the religious belief, practice, or observance and how that prevents them from being tested weekly directly to the Common Council Office.
4. The Common Council Office must acknowledge receiving alder requests for religious exemptions from the testing requirements within five (5) business days. Requests that do not contain the required information from 1-3 above are not a completed request and may be returned to the alder for additional information. The alder will have five (5) business days to supply the additional information. If the alder does not provide the information – the request is incomplete and will not be processed. The five (5) business day requirement only applies to completed requests. Acknowledgments may be via email stating the request has been received or by returning a copy of the Alder Request for Religious Accommodation Form (COVID-19 Testing Exemption) stamped "Received" with the receipt date on the face of the document.
5. Relevant information for the purposes of 1-3 above may include:
 - a) Letters from a religious leader explaining the nature of the religious belief(s), practice(s), or observance(s) and the need for an exemption from the COVID-19 testing requirements;
 - b) Articles from religious scholars that describe the nature of the religious belief(s), practices(s), or observance(s) and the need for an exemption from the COVID-19 testing requirements;
 - c) Excerpts from religious or sacred texts explaining religious belief(s), practices(s), or observance(s) that prohibits COVID-19 testing;
 - d) Written materials describing the religious belief(s), practice(s), or observance(s) that prohibits COVID-19 testing; or
 - e) Statements, affidavits, or other documents from the alder describing their beliefs, practices, or observances, including information regarding when the alder embraced the belief(s), practice(s), or observance(s), as well as when, where and how the alder has adhered to the belief, practice, or observance that prohibits COVID-19 testing.
6. The Common Council Office shall communicate a final determination on alder requests for a religious exemption from this policy within five (5) business days of receiving a completed request. The reason(s) for any denials must be stated on the form.

7. The Common Council Chief of Staff will be made aware of testing exemptions. Copies of approved Accommodation Exemption Determination Forms will be held in the Common Council Office.

Failure to follow this policy may result in sanction by the Common Council.

Authority: The Common Council Office and Common Council Chief of Staff shall maintain and interpret this policy.