

City of Winston-Salem COVID-19 Vaccination Policy
Implementation Date: October 25, 2021

The City remains committed to the safety and wellbeing of its employees. Despite our best efforts both collectively and individually, COVID-19 continues to ravage our workplace with increased costs, lost time away from work, loss of accrued personal time, and continued impacts on employee physical and mental health. We are now moving more expeditiously to increase safety in the workplace. Recently introduced initiatives are in direct response to the rising numbers of infected and exposed employees which in turn lead to employee isolation and impacted operations. Mask mandates have been reinstated and we have offered a paid time off incentive for those showing proof of full vaccination, which ended on September 10, 2021. We are now looking to implement additional measures to incentivize safety in our workplace.

The City is instituting a policy to further protect City employees while at work and that will serve to subsequently impact the health of their families at home. To that end, the City is implementing a vaccination policy as follows:

- The City of Winston-Salem will offer a one-time lump sum incentive payment of \$1,000.00, minus the required deductions, for each full-time City and full-time temporary agency employee, and a one-time lump sum incentive payment of \$500.00, minus the required deductions, for each part-time City and part-time temporary agency employee, who provides evidence of full vaccination within six weeks from the implementation date of this policy. The incentive will also be available to City and temporary agency employees who were fully vaccinated prior to the implementation date of the policy, on the same schedule established in this policy. After that six-week incentive period, full-time City and full-time temporary agency employees who become fully vaccinated and provide evidence of the same, will only be eligible for a one-time lump sum incentive payment of \$500.00 during the four-week testing period referenced below, minus the required deductions. After that six-week incentive period, part-time City and part-time temporary agency employees who become fully vaccinated and provide evidence of the same will only be eligible for a one-time lump sum incentive payment of \$250.00 during the four-week testing period referenced below, minus the required deductions. Full vaccination or fully vaccinated means that employees must have either two shots of the FDA approved Pfizer vaccine, or the Moderna vaccine, or one shot of the Johnson and Johnson vaccine. There will not be any partial credit or partial payment given to any temporary agency or City employee who has only one shot of either the Pfizer or the Moderna vaccines.
- The one-time lump sum payments, minus the required deductions, are collectively referred to as the vaccination incentives (“Vaccination Incentives”).
- City employees who cannot be vaccinated due to medical or religious reasons that are subject to the reasonable accommodation provisions of the ADA and Title VII must provide proof of said reasons to Human Resources for consideration. A disability determination must be an individualized assessment based on a reasonable medical judgment about the employee’s disability—not the disability in general—using the most current medical knowledge and/or the best available objective evidence. Religious

exemptions are defined in Title VII as “sincerely held religious beliefs, practices, or observances.” These employees will be required to adhere to reasonable accommodations, including but not limited to: wearing a face mask, working at a social distance from coworkers or non-employees, working a modified shift if approved for such, getting periodic tests for COVID-19, teleworking if approved for such, or accepting a reassignment if offered such. Reasonable accommodations continue to be governed by the ADA and must not pose an undue hardship on City operations.

- Six weeks after the institution of this policy, all unvaccinated City employees must submit to weekly tests that will be paid for by the City. This constitutes a mandatory four-week testing period. City employees will be allowed to get tested on City time during working hours, provided such does not interfere with City operations or the provision of City services. The City Manager shall have the discretion to determine the necessity of overtime and pay the same, where warranted for nonexempt City employees. Exempt employees are not eligible for overtime. Exempt employees may be required to be tested on their own time, if the City’s operational needs dictate such, as determined by the department head. City employees may not be late to work or miss shifts to get tested, without permission of their supervisor. The City will accept rapid test results as proof of a negative test result. However, the PCR test is the best indicator of whether or not the City employee has tested positive for COVID-19. The City will not accept negative test results from home testing kits as proof of weekly testing. Antibody testing will not be accepted in lieu of vaccination or mandatory COVID-19 testing. City employees will be required to show when they arrived for the test and when they were tested and left the facility.
- Weekly Testing Protocols for all unvaccinated City employees: If you are asymptomatic, you may come to work as regularly scheduled while you await your test results. If your test result is negative prior to your next shift, return to work on your regular schedule. If you test positive, **do not** come to work at all. Follow the existing protocols for positive COVID-19 test results.
- City employees who miss or refuse a week of COVID-19 testing will be subject to disciplinary action, as follows:

First Missed/Refusal Week	Written Reprimand
Second Missed/Refusal Week	One-Day Suspension Without Pay
Third Missed/Refusal Week	Three-Day Suspension Without Pay
Fourth Missed/Refusal Week	Five-Day Suspension Without Pay

- City employees, who have a medical or religious exemption that has been reviewed and approved by Human Resources, will be required, as a part of that approval process, to execute an affidavit attesting to the information provided regarding the requested exemption (“Exemption Affidavit”).
- Newly hired City employees are required to provide proof of full vaccination as defined above as a condition of employment or provide their medical or religious reasons to Human Resources and commit to weekly testing. The reasons must be reviewed by Human

Resources, and if a reasonable accommodation and thus an exemption are approved by Human Resources, said newly hired employees will be required as a part of that approval process to execute an Exemption Affidavit. Since vaccination is a condition of employment, newly hired City employees will not receive the Vaccination Incentives. Newly hired City employees are employees hired on or after this policy has been implemented.

- City employees who submit false records will be subject to disciplinary action up to and including termination of employment. All terminations will be preceded by a five-day suspension in accordance with existing policies.
- Any grievances filed regarding this policy, including the enforcement and implementation thereof, shall be filed directly with the Human Resources Department and heard at the City Manager level only.

The City Manager reserves the right to take additional measures including but not limited to applying an increase to health insurance premiums for unvaccinated employees. At the December 14, 2021 meeting of the Community Development/Housing/General Government committee, the City Manager will provide an update to the committee regarding the effectiveness of this policy. The City Manager will seek direction from City Council with respect to the next course of action which could include but is not limited to termination.

The mask mandate and social distancing policy remain in effect. The City anticipates that this vaccination policy will motivate City employees to protect themselves and others to the greatest extent possible. The City is going to do everything possible, within reason, to attempt to move the needle on safety forward within the organization.

This policy is in response to the impacts of COVID-19 and its variants on the City's workforce. The implementation of this policy and the provision of Vaccination Incentives does not obligate the City to provide a similar response with respect to any other virus that may arise in the future.

Adopted this 18th day of October 2021.