



COVID-19 VACCINATION POLICY

Adopted August 26, 2021

Page 1 of 4

POLICY SUMMARY

Clinical trials, scientific research, and safety monitoring have demonstrated that the federally authorized COVID-19 vaccines are safe and are the most effective method of preventing people from getting and spreading the virus that causes COVID-19 and from becoming seriously ill, being hospitalized, or dying. On August 23, 2021, the Food and Drug Administration gave non-emergency approval to the Pfizer-BioNTech COVID-19 Vaccine, which will now be known as Comirnaty.

Further, both President Biden and Governor Newsom have instituted vaccination requirements as enhanced prevention measures for government employees and have encouraged local governments and private businesses to implement similar requirements.

The work that employees of the Superior Court of Alameda County (Court) do is critical to the public we serve and to the continued functioning of California's judicial branch. We owe it to our court users, our court partners, and each other to maintain an environment that is healthy and safe.

To protect these communities, the Court will require all Court Personnel, as defined below, to be fully vaccinated subject to the limited exceptions below. The Human Resources Division is responsible for ensuring that all Court Personnel comply with this policy. This policy is issued as an emergency measure, pursuant to the authority conferred by California Government Code section 71634.1(b), on the recommendation of the Alameda County Public Health Officer based on the significant rise of COVID-19 cases and hospitalizations among the unvaccinated due to the highly infectious Delta variant.

Court Personnel may obtain the COVID-19 vaccine at no cost; vaccination locations are available throughout Alameda County and the wider Bay Area. The Court will provide Court employees with a reasonable amount of compensable time so that they may receive the COVID-19 vaccine without using accrued leave. Information on COVID-19 vaccines and how to obtain vaccination is available at <https://covid-19.acgov.org/vaccines>.

The vaccine mandate is a prudent measure that will enable the Court to sustain court operations and will reduce the likelihood that the Court will be a vector for the transmission of this deadly virus. Your timely attention to ensure compliance with these requirements is essential to the Court's efforts to control the spread of COVID-19 and to comply with public health recommendations. Any questions can be directed to the Human Resource Division. This policy takes effect on August 26, 2021.



COVID-19 VACCINATION POLICY

Adopted August 26, 2021

Page 2 of 4

DEFINITIONS

“Court Personnel” means all Court (i) employees, (ii) per diem employees, (iii) contract employees, (iv) interns/externs, and (v) volunteers, whether fulltime, part-time or on a limited basis.

“COVID-19 vaccine” means a vaccine authorized to prevent COVID-19 by the federal Food and Drug Administration (FDA) or the World Health Organization (WHO), including by way of an emergency use authorization.

“Fully vaccinated” means (1) it has been at least two weeks or more since a person has completed the received the second dose in a 2-dose series (Comirnaty or Moderna or other vaccine authorized by the World Health Organization), or two weeks or more after they have received a single-dose vaccine (Johnson and Johnson [J&J]/Janssen),¹ and (2) the person has provided proof of vaccination to Human Resources in a form consistent with the requirements for verification of vaccine status in the State of California’s July 26, 2021 Public Health Officer Order, or as may be amended or supplemented.²

“Partially vaccinated” means (1) a person has received: (i) one dose of a two-dose recommended series of a COVID-19 vaccine; or (ii) the complete recommended series of a COVID-19 vaccine, but fewer than two weeks have passed since the person has received the final dose of the entire recommended series;³ and (2) the person has provided proof of vaccination to Human Resources in a form consistent with the requirements for verification of vaccine status in the State of California’s July 26, 2021 Public Health Officer Order, or as may be amended or supplemented.

“Vaccination Record Card” means a document issued by the U.S. Department of Health and Human Services, Centers for Disease Control & Prevention (CDC), or WHO International Certificate of Vaccination or Prophylaxis (“ICVP,” aka Yellow Card), that includes the name of the person vaccinated, the type of vaccine provided, and the date the last dose was administered).

¹ This is the definition of “fully vaccinated” adopted by the Centers for Disease Control as of the effective date of this policy. If applicable federal, state, or local health authorities adopt a different definition of “fully vaccinated” subsequent to the effective date of this policy, that later definition will control.

² [CDPH Guidance for Vaccine Records Guidelines & Standards.](#)

³ This definition of “partially vaccinated” is based on the definition of “fully vaccinated” adopted by the Centers for Disease Control as of the effective date of this policy. If applicable federal, state, or local health authorities adopt a different definition of “fully vaccinated” subsequent to the effective date of this policy that in turn alters the definition of “partially vaccinated,” the later definition will control.



COVID-19 VACCINATION POLICY

Adopted August 26, 2021

Page 3 of 4

POLICY REQUIREMENTS

A. Required Vaccination

By no later than 5:00 p.m. on September 13, 2021, all Court Personnel must be partially or fully vaccinated or must have submitted a request for exemption.

By no later than 5:00 p.m. on November 1, 2021 all Court Personnel must be fully vaccinated or have an approved or pending exemption request.

Effective November 1, 2021 all newly hired or otherwise retained Court Personnel must be fully vaccinated or must submit a request for exemption.

If a person is on an extended leave of absence (e.g., FML or pregnancy disability leave), they may contact the Human Resources Division to request a deferral of the vaccination requirements until they return to work. They must be fully vaccinated or have submitted a request for exemption by the time they return to work.

B. Consequences of Violating this Policy

Court employees who fail to comply with this policy are subject to discipline, up to and including termination.

Non-employee Court Personnel who fail to comply with this policy are subject to termination of their business relationship with the Court.

EXEMPTIONS FROM VACCINATION REQUIREMENT

A. Exemption Eligibility

Court Personnel may request an exemption from the vaccination requirement of this policy only if they:

1. Have a contraindication, recognized by the United State Centers for Disease Control or by the vaccine's manufacturer, to every authorized COVID-19 vaccine. A contraindication means a condition that makes vaccination inadvisable. Court Personnel claiming this exemption will be required to provide medical provider verification; or
2. Have a disability and are requesting an exemption as a reasonable accommodation. Court Personnel claiming this exemption will be required to provide medical provider verification; or
3. Have a sincerely held religious belief, practice or observance that does not allow them to be vaccinated.



COVID-19 VACCINATION POLICY

Adopted August 26, 2021

Page 4 of 4

B. Procedure for Requesting an Exemption

To seek an exemption from the vaccination requirements of this policy, Court Personnel shall:

1. Obtain a copy of the Request for COVID-19 Vaccination Exemption Form (Form) either by contacting the Human Resources Division or from the [Human Resources page on @ Court](#).
2. Complete and submit the Form, along with any required documentation, to the Human Resources Division. Court employees will submit the Form and accompanying documentation using Workday.

C. Handling of Exemption Requests

Requests for exemptions will be handled in the same manner as any request for an accommodation under California's Fair Employment and Housing Act, the federal Americans with Disabilities Act, and Title VII of the Civil Rights Act.

D. Testing Requirements for Exempt Court Personnel

Court Personnel whose exemption requests are approved will be required to be tested for COVID-19 regularly as required by the specific testing type, and to authorize the results of those tests to be provided to the Court.

RESOURCES

Alameda County's Vaccination Guidance & Resources web site

- [AlCoVax](#) (schedule a no-cost vaccination at any one of the many vaccination sites)
- [Replacement Vaccination Card](#)

[The Court's Safety page on at Court](#)

- Vaccine Provider Finder
- COVID-19 Testing Sites
- Employee Daily Health Self-Assessment
- Orders from Alameda County Public Health Department, California Department of Public Health, and Centers for Disease Control and Prevention

Workday Job Aids

- [Enter Your COVID-19 Vaccination Status in Workday](#)
- [COVID 19 SPSL – Manage Your Time Off](#)