



Regular City Council Meeting Agenda

City Council Chambers & Zoom

January 10, 2022 - 6:00 p.m.

A. Virtual Participation

In response to Governor Inslee's proclamation 20-28.15 regarding Open Public Meetings during the COVID-19 pandemic, the City Council will meet in the Council Chambers and the public is encouraged to attend the meeting by clicking the link or calling the phone number below. If you have technical difficulties, please call 509-498-9255.

Join Zoom Meeting

[HTTPS://US06WEB.ZOOM.US/J/82330185974?](https://us06web.zoom.us/j/82330185974?pwd=CDVSAS9OVWHPR0ZFBMNDVROC9ODZ09)

[PWD=CDVSAS9OVWHPR0ZFBMNDVROC9ODZ09](https://us06web.zoom.us/j/82330185974?pwd=CDVSAS9OVWHPR0ZFBMNDVROC9ODZ09)

Meeting ID: 823 3018 5974

Passcode: 676831

Dial by your location

+1 253 215 8782

B. Call To Order - Pledge Of Allegiance

C. Roll Call - Excused Absences

D. Citizen Comments: Open To Public (Two Minute Limit)

Council comments may be submitted via email to

COUNCILCOMMENTS@CITYOFCHENEY.ORG or by dropping off written comments in the drop box at Cheney City Hall, 609 2nd St. All comments must be received by 5:00

p.m. the day of the meeting. If you wish to provide verbal comments at the meeting,

please email COUNCILCOMMENTS@CITYOFCHENEY.ORG by 5:00 p.m. the day of the meeting and state that you would like to speak about the vaccination policy at the special meeting.

E. Action Items

Resolutions

1. 21-110 - Resolution E-959 - COVID-19 ETS Compliant Vaccination Policy Approval

A Resolution approving a COVID-19 ETS Compliant Vaccination Policy for City Employees

Documents:

[RESOLUTION E-959 - CITY OF CHENEY COVID-19 ETS COMPLIANT VACCINATION POLICY CA FORM.PDF](#)

[RESOLUTION E-959 COVID-19 ETS COMPLIANT VACCINATION POLICY 1-10-2022.PDF](#)

[CITY OF CHENEY COVID-19 ETS COMPLIANT VACCINATION POLICY 1-10-2022.PDF](#)

F. Adjournment

CITY OF CHENEY
CITY COUNCIL ACTION REQUEST

ISSUE Resolution E-959 - COVID-19 ETS Compliant Vaccination Policy Approval **AGENDA ITEM#** 21-110
 _____ 1/10/2022

DEPT. OF ORIGIN: Administration **DATE**

EXHIBITS ATTACHED OR REFERENCED: Resolution E-959

Council Committee Recommendation Yes No None

DEPT/DEPT HEAD INITIALS	APPROVE	DO NOT APPROVE	NO COMMENT	COMMENTS
MAS				

FISCAL IMPACT EXPENDITURE REQUIRED \$ TBD AMOUNT BUDGETED \$ 0
 APPROPRIATION REQUESTED \$ TBD

SUMMARY: A Resolution approving a COVID-19 ETS Compliant Vaccination Policy for City Employees

COUNCIL ACTION REQUESTED: Passage of Resolution E-959

_____ **APPROVED FOR AGENDA**

_____ **DISAPPROVED**

1/10/2022

COUNCIL MEETING DATE

MAYOR/CITY ADMINISTRATOR

**CITY OF CHENEY
SPOKANE COUNTY, WASHINGTON**

RESOLUTION NO. E-959

**A RESOLUTION OF THE CITY COUNCIL APPROVING A
COVID-19 ETS COMPLIANT VACCINATION POLICY FOR ALL CITY EMPLOYEES**

WHEREAS, The 6th U.S. Circuit Court of Appeals lifted the stay on the implementation of the OSHA Emergency Technical Standard on December 17, 2021 requiring compliance with the federal standard for employee vaccination for employers with 100 or more employees; and

WHEREAS, City Administration developed a policy per City Council's direction and in compliance with the OSHA Federal Emergency Technical Standard; and

WHEREAS, Employers with 100 or more employees are required to have a written vaccination policy in place by January 10, 2022; and

WHEREAS, The vaccination policy for covered employers must contain a vaccination mandate and/or a weekly testing option for those employees not fully vaccinated; and

WHEREAS, COVID-19 infection and exposure among the City of Cheney employees and the related isolation periods could put public health and safety at risk due to the potential unavailability of essential personnel including law enforcement, emergency medical services personnel, certified water or sewer operators, journeymen linemen; and

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Cheney hereby approves the COVID-19 Mandatory Vaccination Policy for all City employees.

ADOPTED on this **10th day of January, 2022**, by the Cheney City Council at their Special City Council Meeting at the Cheney Council Chambers, 609 Second Street, Cheney, WA 99004.

Mayor, Chris Grover

ATTEST:

City Clerk, Cynthia L. Niemeier

City of Cheney COVID-19 Vaccination Policy

Purpose

In accordance with the OSHA Emergency Temporary Standard ("ETS") and with the intent to safeguard the health of our employees and their families, our customers and visitors, and the community at large from COVID-19 the City adopts a vaccination policy for all City employees.

Scope

Effective January 10, 2022, all City of Cheney employees are required to be either fully vaccinated against COVID-19 or submit a negative COVID-19 test result weekly meaning every seven (7) days.

Employees hired after January 10, 2022 are required to be fully vaccinated by their first day of work or submit a negative test result dated no more than three days prior to their first day of work, with subsequent weekly testing as described below. (Council to consider requirement to be vaccinated as a qualification for employment with the City of Cheney)

Procedures

Employees have two options under this policy:

Vaccination

To be considered fully vaccinated an employee must receive both doses of the Moderna or Pfizer vaccines or a single dose of the Johnson & Johnson and be at least two weeks post final vaccination by February 9, 2022. Until fully vaccinated status is achieved, employees will be subject to the weekly testing program and these vaccination requirements may require a booster(s) shots at a later date if required by the ETS.

~~COVID-19 vaccinations are free, whether an individual has health insurance or not. While a provider may bill a patient's health insurance for administering the vaccine, there is no out-of-pocket cost to an individual.~~

The City of Cheney will provide up to four hours of paid time per vaccination that is required by the ETS. An employee experiencing side effects from the vaccination may use accrued time to cover the time off for recovery.

Employees are to work with their supervisors or managers to schedule necessary time off.

Official documentation of vaccination status must be provided to human resources and include the following:

1. The record of immunization(s) from a health care provider or pharmacy;
2. A copy of the COVID-19 Vaccination Record Card;
3. A copy of medical records documenting the vaccination;
4. A copy of immunization records from a public health, state, or tribal immunization information system; or
5. A copy of any other official documentation that contains the type of vaccine administered, date(s) of administration, and the name of the health care professional(s) or clinic site(s) administering the vaccine(s).

Proof of vaccination generally should include the employee's name, the type of vaccine administered, the date(s) of administration, and the name of the health care professional(s) or clinic site(s) that administered the vaccine. In some cases, state immunization records may not include one or more of these data fields, such as clinic site; in those circumstances the Company will still accept the state immunization record as acceptable proof of vaccination.

- ~~• The type of vaccine administered.~~
- ~~• The date(s) of administration.~~
- ~~• The name of the health care professional or clinic site administering the vaccine.~~

~~Employees must certify that the documentation they are submitting is true and correct. Employees found to have provided false documentation may be subject to termination of employment.~~

Weekly testing

Employees who choose **not** to be vaccinated against COVID-19 must present, in person, a negative COVID-19 test result weekly to the Mayor's Office at the beginning of their first shift of their schedule workweek. The test must be completed within three (3) days of the defined submittal date.

In the event free testing is not available, the City shall cover the cost of the test. (Employers are not required to pay for the testing. Covering the cost of testing is at council's discretion or through negotiation with individual bargaining units representing City employees.)

Human Resources and staff in the Mayor's office will secure a contracted testing provider or provide assistance to employees in locating testing locations.

If testing services are not available, employees will be assigned to work from home or at an alternate location if the essential functions of their respective positions can be performed. Employees not eligible for at home or work at an alternate location will be allowed to use accrued time off (vacation, sick leave, compensatory time, floating holidays, etc.) until testing supplies or services are available. Employees without accrued leave will be placed in leave without pay status until weekly tests are available.

Employees found to have provided false documentation may be subject to disciplinary action up to and including termination of employment.

Reasonable Accommodation

Applicants and employees in need of an exemption from this policy due to a medical reason, or because of a sincerely held religious belief, must submit a completed request for accommodation form to the human resources department to begin the interactive accommodation process as soon as possible. Accommodations will be granted where they do not cause the City of Cheney undue hardship or pose a direct threat to the health and safety of others. However, employees will still be required to test every seven (7) days. Exemption from the vaccine mandate does not guarantee continued employment with the City of Cheney as a reasonable accommodation may not be feasible nor remove the threat to the health and safety of others. In this case, additional safeguards will be put into place to prevent COVID-19

exposure. Applications for exemptions will be reviewed by a panel consisting of the Mayor, City Administrator, Human Resource & Benefit Specialist and the respective Department Head for the requesting employee. Appeals to the exemption determination may be submitted to the Human Resource & Benefit Specialist.

The City will seek a neutral third party with expertise in the health care field for medical exemption requests to make final decision on the merits of the medical exemption request and to determine the specific accommodations necessary for consideration of continued employment.

In the case of a religious exemption the City will seek guidance from the clergy versed in the tenants of the particular religion to make a final decision on the merits of the religious exemption request.

Vaccination Incentives

Reduction of up to \$50 per month on employee health benefit premiums for all employees verified to be fully vaccinated or receiving a medical exemption by the City until the official end of the pandemic. Those receiving a medical exemption will be required to participate in the weekly testing program. The \$50 health benefit premium reduction will begin on the February payroll period.

Council reserves the right to modify or delete this policy should regulations or laws change.

Please direct any questions regarding this policy to the human resources department.