

**Personnel and Salary Committee
Tentative Minutes
(remote attendance due to COVID)
January 11, 2022**

1. Call Meeting to Order: Chairman Kenney called the meeting to order at 9:00 a.m. Present: Heuer, Corbitt, Droege, Huber and Kenney. Via remote: Larson and McKinney. Others: Finfrock, Nordman and County Clerk and Recorder Laura Cook.
2. Approval of Minutes – December 14, 2021 - Motion by Corbitt to approve the minutes as presented, 2nd by Huber. Droege would like for the December minutes to reflect that he was present at the meeting and not remote. Motion by Corbitt to approve the minutes as corrected, 2nd by Huber. Roll Call: Heuer, Corbitt, Droege, Huber, Larson, McKinney and Kenney. Motion carried.
3. Public Comment: none
4. New Business
 - Sikich Usage Report: e-mailed to committee (attached)
 - OSHA Mandate Regulations - COVID: Kenney has Heuer present the Ogle County Vaccination, Testing, and Face Covering Policy that needs to be put in place. Heuer stated there are three documents: PowerPoint presentation, Ogle County Vaccination, Testing and Face Covering Policy and OSHA COVID-19 Vaccination and Testing ETS Fact Sheet. Heuer said there has been a Department Head meeting to inform them of the reporting procedure. Heuer stated Employers must comply with most provisions by January 10, 2022 and Employers must comply with the testing requirement by February 9, 2022. The OSHA Vaccination Status report must be filed in the employees Personnel file in a “medical” folder. There is verbiage within the first page that the Personnel Committee needs to decide if this should be left in or out of the document. There was discussion of the possibility of the Supreme Court making a decision to repeal the order, but the Governor could then mandate this for the State. There is discussion on the testing process as the Health Department does not have the means for this testing. Nordman commented there are some sites the county can possibly broker with for testing. The committee decided to remove the paragraph if the State’s Attorney reviews the document and gives his opinion.

Motion by Huber to recommend sending the OSHA COVID-19 Vaccination, Testing, and Face Covering Policy to the Executive Committee and full County Board for approval pending State’s Attorney review for the paragraph in question, 2nd by Heuer. Roll Call: Heuer, Corbitt, Droege, Huber, Larson, McKinney and Kenney. Motion carried.
 - Kenney was informed by Nordman that the Economic Development group is looking for a part-time assistant.
5. Old Business
 - Performance Review Form for Appointed Dept. Heads: Kenney asked the committee to please review the documentation you have received for discussion at next month’s meeting.
6. Closed Session: None
7. Adjournment: With no further business, Chairman Kenney adjourned. Time: 9:50 a.m.

Respectfully submitted,
Laura J. Cook
Ogle County Clerk and Recorder

Personnel and Salary Committee
January 11, 2022

OGLE COUNTY Vaccination, Testing, and Face Covering Policy

Purpose:

Vaccination is a vital tool to reduce the presence and severity of COVID-19 cases in the workplace, in communities, and in the nation as a whole encourages all employees to receive a COVID-19 vaccination to protect themselves and other employees

However, should an employee choose not to be vaccinated, this policy's sections on testing and face coverings will apply. This policy complies with OSHA's Emergency Temporary Standard on Vaccination and Testing (29 CFR 1910.501).

Scope:

This COVID-19 Policy on vaccination, testing, and face covering use applies to all employees of OGLE COUNTY.

All employees are encouraged to be fully vaccinated. Employees are considered fully vaccinated two weeks after completing primary vaccination with a COVID-19 vaccine with, if applicable, at least the minimum recommended interval between doses. For example, this includes two weeks after a second dose in a two-dose series, such as the Pfizer or Moderna vaccines, two weeks after a single-dose vaccine, such as Johnson & Johnson's vaccine, or two weeks after the second dose of any combination of two doses of different COVID-19 vaccines as part of one primary vaccination series. Employees who are not fully vaccinated will be required to provide proof of weekly COVID-19 testing and wear a face covering at the workplace.

Some employees may be required to have or obtain a COVID-19 vaccination as a term and condition of employment at [Employer Name], due to their specific job duties (e.g., public facing positions). Employees subject to mandatory vaccination requirements should follow all relevant vaccination procedures in this policy and are not given the choice to choose testing and face covering use in lieu of vaccination. [Identify specific groups of employees or job categories, if any, that are subject to a mandatory vaccination requirement.]

All employees are required to report their vaccination status and, if vaccinated, provide proof of vaccination. Employees must provide truthful and accurate information about their COVID-19 vaccination status, and, if not fully vaccinated, their testing results. Employees not in compliance with this policy will be subject to discipline.

Commented [PN1]: Remove does not apply at this time

The Ogle County Personnel Policy Manual (page 86) references standard of conduct. Employees may request an exception from vaccination requirements if the vaccine is medically contraindicated for them or medical necessity requires a delay in vaccination. Employees also, may be legally entitled to a reasonable accommodation if they cannot be vaccinated and/or wear a face covering (as otherwise required by this policy) because of a disability, or if the provisions in this policy for vaccination, and/or testing for COVID-19, and/or wearing a face covering conflict with a sincerely held religious belief, practice, or observance. Requests for exceptions and reasonable accommodations must be initiated by the employee. All such requests will be handled in accordance with applicable laws and regulations and the Ogle County Personnel Policy Manual (page 86) references standard of conduct, submitted in writing to the employee's Department Head.

Testing and Face Coverings

All employees who are not fully vaccinated as of **JANUARY 10, 2022** will be required to undergo regular COVID-19 testing and wear a face covering when in the workplace. Policies and procedures for testing and face coverings are described in the relevant sections of this policy.

Vaccination Status and Acceptable Forms of Proof of Vaccination

Vaccinated Employees

All vaccinated employees are required to provide proof of COVID-19 vaccination, regardless of where they received vaccination. Proof of vaccination status can be submitted via copy of vaccine card employees can submit vaccination information, e.g., the employer's department head.

Acceptable proof of vaccination status is:

1. The record of immunization 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).

All Employees

All employees, both vaccinated and unvaccinated, must inform and provide written documentation status to the Department Head. The following table outlines the requirements for submitting vaccination status documentation. The Department Head will maintain each employee's personnel file.

VACCINATION STATUS	INSTRUCTIONS	DEADLINE
Employees who are fully vaccinated.	Submit proof of vaccination that indicates full vaccination.	
Employees who are partially vaccinated (i.e., one dose of a two dose vaccine series).	Submit proof of vaccination that indicates when the first dose of vaccination was received, followed by proof of the second dose when it is obtained.	
Employees who are not vaccinated.	Submit statement that you are unvaccinated, but are planning to receive a vaccination by the deadline.	
	Submit statement that you are unvaccinated and not planning to receive a vaccination.	

Employee Signature/Date _____

Department Head Signature/Date _____

Copy Employee

Copy Employee file with Vaccine Card Copy (if applicable)

Employee Notification of COVID-19 and Removal from the Workplace

Department Head/designee will require employees to promptly notify their Department Head when they have tested positive for COVID-19 or have been diagnosed with COVID-19 by a licensed healthcare provider.

Employees will communicate with the Department Head/designee if they are sick or experiencing symptoms while at home or at work.

Policy Manual Leave policies (e.g., sick leave, Family Medical Leave Act, other policies) that the Department Head/designee will implement for employees who test positive for or are diagnosed with COVID-19.

Medical Removal from the Workplace

Department Head/designee will implement policy for keeping COVID-19 positive employees from the workplace in certain circumstances. Department Head/designee will immediately remove an employee from the workplace if they have received a positive COVID-19 test or have been diagnosed with COVID-19 by a licensed healthcare provider (i.e., immediately send them home or to seek medical care, as appropriate).

Return to Work Criteria

For any employee removed because they are COVID-19 positive, Department Head/designee will keep them removed from the workplace until the employee receives a negative result on a COVID-19 nucleic acid amplification test (NAAT) following a positive result on a COVID-19 antigen test if the employee chooses to seek a NAAT test for confirmatory testing; meets the return-to-work criteria in CDC's "Isolation Guidance"; or receives a recommendation to return to work from a licensed healthcare provider.

Under CDC's "Isolation Guidance," asymptomatic employees may return to work once 5 days have passed since the positive test, and symptomatic employees may return to work after all the following are true:

At least 10 days have passed since symptoms first appeared, and

At least 24 hours have passed with no fever without fever-reducing medication, and

Other symptoms of COVID-19 are improving (loss of taste and smell may persist for weeks or months and need not delay the end of isolation).

If an employee has severe COVID-19 or an immune disease, Department Head/designee will follow the guidance of a licensed healthcare provider regarding return to work.

COVID-19 Testing

County of Ogle will comply with 29 CFR 1910.501(g) and address COVID-19 testing for employees in the workplace who are not fully vaccinated.

All employees who are not fully vaccinated will be required to comply with this policy for testing.

Employees who report to the workplace at least once every seven days:

- (A) must be tested for COVID-19 at least once every seven days; and
- (B) must provide documentation of the most recent COVID-19 test result to DEPARTMENT HEAD no later than the seventh day following the date on which the employee last provided a test result.

Any employee who does not report to the workplace during a period of seven or more days (e.g., if they were teleworking for two weeks prior to reporting to the workplace):

- (A) must be tested for COVID-19 within seven days prior to returning to the workplace; and
- (B) must provide documentation of that test result to [Department Head/designee] upon return to the workplace.

If an employee does not provide documentation of a COVID-19 test result as required by this policy, they will be removed from the workplace until they provide a test result.

Employees who have received a positive COVID-19 test, or have been diagnosed with COVID-19 by a licensed healthcare provider, are not required to undergo COVID-19 testing for 90 days following the date of their positive test or diagnosis.

Face Coverings

County of Ogle will ensure that each employee who is not fully vaccinated wears a face covering when indoors and when occupying a vehicle with another person for work purposes.

OGLE COUNTY will require all employees who are not fully vaccinated to wear a face covering.

Face coverings must: (i) completely cover the nose and mouth; (ii) be made with two or more layers of a breathable fabric that is tightly woven (i.e., fabrics that do not let light pass through when held up to a light source); (iii) be secured to the head with ties, ear loops, or elastic bands that go behind the head. If gaiters are worn, they should have two layers of fabric or be folded to make two layers; (iv) fit snugly over the nose, mouth, and chin with no large gaps on the outside of the face; and (v) be a solid piece of material without slits, exhalation valves, visible holes, punctures, or other openings. Acceptable face coverings include clear face coverings or cloth face coverings with a clear plastic panel that, despite the non-cloth material allowing light to pass through, otherwise meet these criteria and which may be used to facilitate communication with people who are deaf or hard-of hearing or others who need to see a speaker's mouth or facial expressions to understand speech or sign language respectively.

Employees who are not fully vaccinated must wear face coverings over the nose and mouth when indoors and when occupying a vehicle with another person for work purposes. Policies and procedures for face coverings will be implemented, along with the other provisions required by

OSHA's COVID-19 Vaccination and Testing ETS, as part of a multi-layered infection control approach for unvaccinated workers.

The following are exceptions to OGLE COUNTY requirements for face coverings:

1. When an employee is alone in a room with floor to ceiling walls and a closed door.
2. For a limited time, while an employee is eating or drinking at the workplace or for identification purposes in compliance with safety and security requirements.
3. When an employee is wearing a respirator or facemask.
4. Where Ogle County has determined that the use of face coverings is infeasible or creates a greater hazard (e.g., when it is important to see the employee's mouth for reasons related to their job duties, when the work requires the use of the employee's uncovered mouth, or when the use of a face covering presents a risk of serious injury or death).

New Hires:

All new employees are required to comply with the vaccination, testing, and face covering requirements outlined in this policy as soon as practicable and as a condition of employment.

Potential candidates for employment will be notified of the requirements of this policy prior to the start of employment.

Confidentiality and Privacy:

All medical information collected from individuals, including vaccination information, test results, and any other information obtained as a result of testing, will be treated in accordance with applicable laws and policies on confidentiality and privacy.

FACT SHEET

COVID-19 Vaccination and Testing ETS



The Occupational Safety and Health Administration (OSHA) has issued an emergency temporary standard (ETS) to minimize the risk of COVID-19 transmission in the workplace. The ETS establishes binding requirements to protect unvaccinated employees of large employers (100 or more employees) from the risk of contracting COVID-19 in the workplace.

The ETS is necessary to protect unvaccinated workers from the risk of contracting COVID-19 at work. The rule covers all employers with a total of 100 or more employees with a few exceptions described below. Covered employers must develop, implement, and enforce a mandatory COVID-19 vaccination policy, with an exception for employers that instead adopt a policy requiring employees to elect either to get vaccinated or to undergo regular COVID-19 testing and wear a face covering at work. This fact sheet highlights some of the additional requirements of the ETS; employers should consult the standard for full details.

- Workplaces of employers who have fewer than 100 employees in total.
- Public employers in states without State Plans.

If an employer is covered by the ETS, does that mean all of its employees must follow the provisions of this ETS?

No. The requirements of the ETS do not apply to:

- Employees who do not report to a workplace where other individuals are present.
- Employees while working from home.
- Employees who work exclusively outdoors.

Which employers are covered by the ETS?

- Private employers with 100 or more employees firm- or corporate-wide.
- In states with OSHA-approved State Plans, state- and local-government employers, as well as private employers, with 100 or more employees will be covered by state occupational safety and health requirements.

Which workplaces are not covered by the ETS?

- Workplaces covered under the Safer Federal Workforce Task Force COVID-19 Workplace Safety: Guidance for Federal Contractors and subcontractors; and
- Settings where any employee provides healthcare services or healthcare support services when subject to the requirements of the Healthcare ETS (§ 1910.502).

What does the ETS require employers to do?

- Develop, implement, and enforce a mandatory COVID-19 vaccination policy, with an exception for employers that instead establish, implement, and enforce a policy allowing employees to elect either to get vaccinated or to undergo weekly COVID-19 testing and wear a face covering at the workplace.
- Determine the vaccination status of each employee, obtain acceptable proof of vaccination from vaccinated employees, maintain records of each employee's vaccination status, and maintain a roster of each employee's vaccination status.
- Support vaccination by providing employees reasonable time, including up to four hours of paid time, to receive each primary vaccination dose, and reasonable time and paid sick leave to recover from any side effects experienced following each primary vaccination dose.

- Ensure that each employee who is not fully vaccinated is tested for COVID-19 at least weekly (if in the workplace at least once a week) or within 7 days before returning to work (if away from the workplace for a week or longer).
- Require employees to promptly provide notice when they receive a positive COVID-19 test or are diagnosed with COVID-19.
- Immediately remove from the workplace any employee, regardless of vaccination status, who received a positive COVID-19 test or is diagnosed with COVID-19 by a licensed healthcare provider, and keep the employee out of the workplace until return to work criteria are met.
- Ensure that each employee who is not fully vaccinated wears a face covering when indoors or when occupying a vehicle with another person for work purposes, except in certain limited circumstances.
- Provide each employee with information, in a language and at a literacy level the employee understands, about the requirements of the ETS and workplace policies and procedures established to implement the ETS; vaccine efficacy, safety, and the benefits of being vaccinated (by providing the CDC document “Key Things to Know About COVID-19 Vaccines”); protections against retaliation and discrimination; and laws that provide for criminal penalties for knowingly supplying false statements or documentation.
- Report work-related COVID-19 fatalities to OSHA within 8 hours of learning about them, and work-related COVID-19 in-patient hospitalizations within 24 hours of the employer learning about the hospitalization.
- Make certain records available for examination and copying to an employee (and to anyone having written authorized consent of that employee) or an employee representative.

When does it take effect?

- Employers must comply with most provisions by January 10, 2022.
- Employers must comply with the testing requirement by February 9, 2022.

This fact sheet highlights some of the requirements of the ETS; however employers should consult the standard for full details. Read the full text of the ETS at: www.osha.gov/coronavirus/ets2.

Additional Information

Visit www.osha.gov/coronavirus for additional information on:

- COVID-19 Laws and regulations
- COVID-19 Enforcement policies
- Compliance assistance materials and guidance
- Worker’s Rights (including how/when to file a safety and health or whistleblower complaint).

This Fact Sheet is intended to provide information about the COVID-19 Emergency Temporary Standard. The Occupational Safety and Health Act requires employers to comply with safety and health standards promulgated by OSHA or by a state with an OSHA-approved state plan. However, this Fact Sheet is not itself a standard or regulation, and it creates no new legal obligations.

COVID-19 Vaccination and Testing Emergency Temporary Standard (ETS)

December 2021

Background

OSHA has determined that:

- Many employees in the U.S. who are not fully vaccinated against COVID-19 face grave danger from exposure to SARS-CoV-2 in the workplace
- An ETS is needed to protect employees through the most effective and efficient workplace control available - vaccination

Purpose of the ETS

- Establish minimum vaccination, vaccination verification, face covering, and testing requirements to address grave danger of COVID-19 in the workplace
- Preempt state and local laws that interfere with the employer's authority to require vaccination, face covering, or testing

ETS Effective Dates

- Effective immediately upon publication in Federal Register
- Compliance dates:
 - January 10, 2022: Provisions other than testing for employees who have not completed the entire primary vaccination
 - February 9, 2022: Testing for employees who have not received all doses required for a primary vaccination

Scope and Application of § 1910.501

Applies to

- General Industry
- Shipyard Employment
- Marine Terminals
- Longshoring
- Construction
- Agriculture

Employers Covered

- All employers with ≥ 100 employees firm or corporate-wide at any time this section is in effect



Where § 1910.501 Does Not Apply

Workplaces Not Covered

- Workplaces covered under Safer Federal Workforce Task Force COVID-19 Workplace Safety: Guidance for Federal Contractors and Subcontractors
- Settings where any employee provides healthcare services or healthcare support services when subject to the requirements of § 1910.502

Employees Not Covered

- Not reporting to a workplace where coworkers or customers are present
- Working from home
- Working exclusively outdoors



Select Definitions

- COVID-19 test
- Fully vaccinated



(d) Employer Policy on Vaccination

- Must establish, implement, and enforce a mandatory vaccination policy
- Requires all existing and new employees to be fully vaccinated other than employees with medical contraindications, for whom medical necessity requires a delay in vaccination, or who are legally entitled to a reasonable accommodation (disability, sincerely held religious belief)
- In writing
- EXEMPTION – Mandatory vaccination policy not required if employer has a written policy permitting each employee to choose between vaccination or providing proof of regular testing and wearing a face covering



(e) Determination of Vaccination Status

- Required to determine the vaccination status of each employee
- Failure to provide acceptable proof – employee treated as not fully vaccinated
- Required to preserve acceptable proof of vaccination and roster of each employee’s vaccination status
- Proof of vaccination and roster considered to be and maintained as employee medical records (29 CFR 1910.1020) while the ETS in effect



Acceptable Proof of Full or Partial Vaccination

- Record of immunization from a health care provider or pharmacy
- Copy of COVID-19 vaccination record card
- Copy of medical records documenting the vaccination
- Copy of immunization records from a public health, state, or tribal immunization information system
- Copy of other official documentation containing type of vaccine, date(s) of administration, and name of health care professional or clinic administering the vaccine
- Signed and dated attestation ONLY where employee has lost or is otherwise unable to produce other acceptable proof



Employer Determination of Vaccine Status Prior to ETS Effective Date

- EXEMPTION – If employer has asked employees about their vaccination status prior to the effective date of the ETS AND retained records of employee responses, the employer is
 - NOT required to re-evaluate vaccination status for fully vaccinated employees
 - Permitted to use any record of response, even if it is not listed as acceptable proof under the ETS
 - Required to create a roster of each employee’s vaccination status
 - Required to maintain proof of vaccination and roster as employee medical records (29 CFR 1910.1020) while the ETS is in effect



(f) Employer Support for Vaccination

- Up to 4 hours paid time for each primary vaccination series dose – includes travel time
- Reasonable amount of paid sick leave to recover from any side effects experienced following each primary vaccination series dose



(g) Testing Requirements for Employees Who Are Not Fully Vaccinated

Each employee who is not fully vaccinated and:

1. Reports at least once every 7 days to a workplace where coworkers or customers are present
 - Must be tested at least once every 7 days and provide test result documentation
 - Must be removed from the workplace for not providing test result documentation; return upon providing test result documentation
2. Does not report during a period of ≥ 7 days to a workplace where coworkers or customers are present
 - Must be tested within 7 days prior to returning to workplace
 - Must provide documentation of test result upon return to the workplace



Costs of Testing

- Employer not required to pay for any costs associated with testing
- Employer payment for testing may be required by other laws, regulations, or collective bargaining agreements or other collectively negotiated agreements
- Employer not prohibited from paying for costs associated with testing



Exemption from Testing

- Employers are prohibited from requiring regular COVID-19 testing of employees who are not fully vaccinated for 90 days after
 - Positive COVID-19 test, *or*
 - Positive diagnosis by a licensed health care provider



Records of Test Results

- Test results considered to be employee medical records and maintained as such records (29 CFR 1910.1020) while the ETS is in effect



(h) Employee Notification to Employer of COVID-19 Positive Status and Removal

- Employers must require each employee to promptly notify the employer that they are COVID-19 positive
- The employer must immediately remove the employee from the workplace
- Return to work allowed
 - When an employee receives a negative result on a confirmatory COVID-19 NAAT following a positive result on a COVID-19 antigen test, **or**
 - When CDC criteria in "Isolation Guidance" is met, **or**
 - When recommended by a licensed health care provider
- Employers are not required to provide paid time for removal
- Paid time may be required by other laws, regulations, or collective bargaining agreements or other collectively negotiated agreements



(i) Face Coverings

- Employers must ensure employees who are not fully vaccinated wear a face covering when
 - Indoors
 - When occupying another vehicle with another person for work purposes
- Exceptions
 - When alone in a fully enclosed room with door closed
 - When eating or drinking or for safety and security identification purposes
 - When wearing respirators or facemasks
 - Where use of face coverings is infeasible or creates a greater hazard



Face Coverings - Employers

- Must ensure proper use of face coverings
 - Fully cover nose and mouth
 - Replaced when wet, soiled, or damaged
- Must permit employees to
 - Voluntarily wear face coverings or facemasks unless doing so would create a risk of serious injury or death
 - Wear respirators instead of face coverings whether required or not (must comply with § 1910.504)
- May provide respirators to employees (must comply with § 1910.504)
- Must not prohibit wearing of face coverings by customers or visitors



(j) Information Provided to Employees

- Appropriate language and literacy level
- Contents
 - Requirements of § 1910.501
 - Employer policies and procedures
 - COVID-19 vaccine efficacy, safety, and benefits by providing the CDC document, "[Key Things to Know about COVID-19 Vaccines](https://www.cdc.gov/coronavirus/2019-ncov/vaccines/keythingstoknow.html)," available at <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/keythingstoknow.html>
 - Non-discrimination requirements of Section 11(c) and 29 CFR 1904.35
 - Prohibitions of 18 U.S.C. § 1001 and Section 17(g) of the OSH Act providing for criminal penalties associated with knowingly supplying false statements or documentation



(k) Reporting COVID-19 Fatalities and Hospitalizations to OSHA

- Work-related fatality – within 8 hours of learning of the fatality
- Work-related in-patient hospitalization – within 24 hours of learning of the in-patient hospitalization
- Follow instructions in § 1904.39 except for 39(a)(1) and (a)(2) and (b)(6)



(l) Availability of Records

- Individual vaccine information and test results - to that employee and anyone having written consent, by the end of next business day after request
- Aggregate number of fully vaccinated employees at a workplace and the total number of employees at that workplace –
 - To any employee or employee representative, by the end of next business day after request
 - To the Assistant Secretary, within 4 business hours of request
- Employer’s written vaccination policy – to the Assistant Secretary, within 4 business hours of request
- All other records and documents – to the Assistant Secretary, by the end of next business day after request



Additional Information

Visit the OSHA website - www.osha.gov/coronavirus

- *Fact Sheets*
- *Compliance assistance materials*
- *FAQs*
- *Enforcement policies and information*

