

MEMORANDUM OF AGREEMENT IMPLEMENTATION OF PROCLAMATION 21-14

The Washington State Nurses Association (WSNA), and Whatcom County (Employer) hereby enter into the following Memorandum of Agreement regarding the implementation of the Governor's Proclamation 21-14 (Proclamation), which requires certain employees in the State of Washington including Health Care Providers to become fully vaccinated against COVID-19 by October 18, 2021. WSNA and Whatcom County support science-based public health directives on COVID-19 vaccination requirements for frontline health care workers, with medical and religious exemptions. We stand firmly behind vaccination as the best way to save the lives of patients, family members and members of our communities.

I. Agreement.

1. Bargaining unit employees (employees) who are covered by the Proclamation and are not exempted are required to be fully vaccinated by October 18, 2021.
2. Employees may use accrued paid sick time or other paid time off (compensatory time, accrued vacation, or personal holiday) as approved to receive a COVID-19 vaccine.
3. If an employee experiences any adverse side effects from receiving the COVID-19 vaccine, the employee may use accrued paid sick time or other paid time off (compensatory time, accrued vacation, or personal holiday) as approved during the recovery period, or may file a worker's compensation claim, if applicable.
4. Employees are not required to get vaccinated against COVID-19 if they are entitled under the Americans with Disabilities Act (ADA), Title VII of the Civil Rights Act of 1964 (Title VII), the Washington Law Against Discrimination (WLAD), or any other applicable law, to a disability-related reasonable accommodation or a sincerely held religious belief accommodation.
 - a. The Employer has designated Human Resources to receive requests for accommodations and shall establish a process for handling and deciding such requests. The Employer shall communicate to employees the process to be followed in requesting an accommodation, including any process for providing additional information and any applicable appeals process.
 - b. The Employer shall provide reasonable accommodations for exempt employees in accordance with all applicable laws. If possible, reasonable accommodations will be provided that allow employees to continue working without experiencing a reduction in hours or loss of pay.
5. Employees on approved leaves of absence (of any kind) beginning on or before October 18, 2021, who are not scheduled to return to work until after October 18, will be required to submit proof of vaccination or receive an exemption prior to returning to work.
6. The Employer shall continue to provide PPE to employees, including any additional PPE required to accommodate exempt employees, at no cost to employees.
7. The Employer's routine infection prevention and source control practices during the duration of the COVID-19 pandemic shall continue after vaccination to protect patients, staff, and communities. Screenings, protective equipment such as face masks and face shields will be provided at no cost to all employees.

8. The Employer shall maintain the confidentiality of employees' medical information, including vaccination status, as required by all applicable laws.
9. The Employer shall not require employees to wear any article of clothing or equipment (other than PPE provided as part of a reasonable accommodation), including buttons, stickers, etc., that would indicate their vaccination status.
10. This memorandum of agreement is subject to the grievance and arbitration provisions of the parties' collective bargaining agreement.

II. Duration.

This agreement shall be effective upon signature and shall continue through the end of the officially declared State of Emergency. However, the parties may mutually agree to meet to modify the agreement, as necessary.

Name	Signature	Date
Melissa Keeley, Human Resources	<small>DocuSigned by:</small> <i>Melissa Keeley</i> <small>38CB3D6E2C93409...</small>	9/9/2021
Hanna Welander, Nurse Representative, WSNA	<small>DocuSigned by:</small> <i>Hanna Welander</i> <small>502F9777C062482...</small>	9/9/2021
Satpal Sidhu, County Executive	<small>DocuSigned by:</small> <i>Satpal Sidhu</i> <small>1192C7C18B064E3...</small>	9/21/2021

Approved as to Form:

DocuSigned by:
George Roche
85051608562415

George Roche, Senior Civil Deputy Prosecuting

9/9/2021

Date