

18 October 2021

TO: RAILS Board of Directors

FROM: Monica Harris

SUBJECT: Draft Vaccination Policy and Procedures

In an effort to streamline our personnel policies and procedures around Covid-19, we are submitting some changes to the Vaccine policy approved by the RAILS Board of Directors in June 2021. In your packet is the original policy approved by the Board in June, and draft policy and procedure documents that separate the procedural aspects of our original Covid-19 vaccine policy from the policy piece. This separation will allow RAILS personnel actions to be as responsive as possible to changes in best practice, according to the CDC and IDPH.

Changes to the policy include:

- Separation between the policy and procedural documents explaining the vaccination program (policy and procedures)
- The requirement that staff provide proof of vaccination or bi-weekly negative test results beginning November 30, 2021 (procedures)
- Additional explanation of procedures around submitting vaccination and testing documentation (procedures)
- Update in the duration of the program to indefinite based on careful monitoring of an ongoing situation (policy)

These draft documents have been reviewed by Ancel Glink.

COVID-19 VACCINATION POLICY

DRAFT

Purpose

RAILS recognizes its responsibility to provide employees a workplace free of recognized hazards. This policy is intended to help maximize the protection afforded by the COVID-19 vaccine. The goal of this program is to protect employees, employees' family members, customers, patrons, visitors, others affiliated with us and the broader community.

Participation in RAILS's COVID-19 vaccine program has many benefits. Providing a safe and healthy work environment helps employees be more productive and can reduce the number of sick days employees take due to exposure to COVID-19. But, most importantly, employee wellness is a vital aspect of building a happier workplace.

This policy will follow all applicable laws and is based on guidance from the Centers for Disease Control and Prevention (CDC) and the State of Illinois Department of Public Health (IDPH). RAILS must comply with all applicable laws, and if there is a conflict between the recommendations in this policy and applicable laws, RAILS must follow the applicable law.

Scope

This COVID-19 vaccine program policy applies to all employees. Employees are required to receive COVID-19 vaccinations by November 30, 2021. Employees who are not vaccinated by November 30, 2021 will be required to submit proof of a bi-weekly test for COVID-19, taken within 72 hours of submittal.

Procedures

All procedures related RAILS' COVID-19 vaccine program can be found in the document: COVID-19 VACCINATION PROCEDURES. These procedures reflect our best practice at time of writing and are subject to change according to CDC, state, and local health department recommendations to the greatest extent possible.

Accommodations

RAILS wants all its employees to have equal access to all benefits and resources offered by RAILS. Accordingly, RAILS can make reasonable accommodations for employees with disabilities to help them have equal access to the COVID-19 vaccine program. The same applies to employees who cannot take part in the COVID-19 vaccine program due to sincerely held religious beliefs. We encourage our employees to reach out to the Human Resources Department to discuss their need for an accommodation and options. These discussions and any relevant information will be kept confidential.

Confidentiality

Confidentiality and respect to our employees' rights are important to us. RAILS will not:

- Use any genetic information, disability status, or religious beliefs/information to disadvantage its employees in any way;
- Use incentives in exchange for genetic information, information regarding an employee's health condition or that of their family, or information about an employee's religious beliefs; or
- Try to coerce employees into supplying health/genetic/religious belief information or taking medical examinations.

Duration of COVID-19 Vaccine Program

This policy reflects our best knowledge at the time of writing. We will continue to monitor incoming COVID-19 updates from the CDC and Illinois Department of Public Health (IDPH), and amend and adjust these guidelines at regular intervals. Thank you for your understanding and patience during these turbulent times. Please direct any questions about this policy to the Human Resources Department.

COVID-19 VACCINATION PROCEDURES

DRAFT

Procedures

Due to the increase in the COVID-19 outbreak, the exposure of employees to each other, and the need to assist in stemming the spread of the pandemic, effective November 30, 2021, the following will be required of ALL employees including temporary and contractual employees:

1. RAILS requires all employees to be fully vaccinated by November 30, 2021. RAILS consider employees fully vaccinated under either of the following two circumstances:

Two weeks after receiving the second dose of a two-dose vaccine (e.g., Pfizer or Moderna).

Two weeks after receiving one dose of a single-dose vaccine (e.g., Johnson and Johnson).

RAILS requires fully vaccinated employees to submit copies of their vaccination cards or other documentation to Human Resources by November 30, 2021. A receipt e-mail will be sent back to the employee verifying that it has been received. Employees who have not provided proof of vaccination will be required to show proof of bi-weekly COVID-19 tests.

The documentation submitted showing proof of vaccination must come from a person or organization certified to administer the vaccine and should not contain any private medical, genetic or family health information (other than the vaccination status and dates). For example, an employee can present a copy of the vaccination card obtained when the vaccine is administered.

Submission of a fake or altered vaccination card will be treated the same as falsification of any other RAILS document and will subject the employee to discipline up to and including discharge.

Employees seeking to be vaccinated are entitled to one (1) hour of authorized absence for purpose of getting the vaccination.

2. If an employee has not submitted proof showing he/she is fully vaccinated, the employee will then be required to submit a bi-weekly COVID test. The test must be conducted within the last 72 hours of the start of their workday, starting on November 30, 2021. If the test is positive, the employee is NOT to go to work

and MUST contact Human Resources for further instruction. If the test is negative, the employee shall provide a copy to Human Resources, and can report to work. The test results must include the employee's name, test date, and test result.

It is suggested that employees test on their days off so that the test results can be turned in on his/her first day back at work. Employees must use their own time when testing. If an employee fails to provide results of a COVID-19 test on a bi-weekly basis, the employee will be sent home and required to use their own accrued time until the test results have been produced.

3. Should an employee be vaccinated after November 30, 2021, the record of such vaccination should be submitted as set forth in paragraph 1 above. Upon confirmation of receipt of the vaccination record, the employee will no longer be required to provide proof of bi-weekly COVID-19 tests.

Employees should visit <https://coronavirus.illinois.gov/s/vaccination-location> for a list of locations to aid in receiving vaccines on their own or contact the Illinois Public Health Department at (833) 621-1284 to schedule an appointment. Employees may also be able to obtain vaccine availability information from their own health care providers.

Incentive for Vaccination

RAILS wants to encourage all employees to take part in this COVID-19 vaccine program, and to further that goal will provide employees who receive the full COVID-19 vaccine with a ½ day of paid time off (3.75 hours) to be used by December 31, 2021. This incentive retroactively applies to those who have already been fully vaccinated.

RAILS will comply with all applicable federal, state, and/or local legal limitations on incentives and/or rewards.

Teleworking

RAILS employees are subject to these COVID-19 vaccine procedures, regardless of their remote work or teleworking arrangement.

Accommodations

Employees unable to be vaccinated or complete testing because of religious or medical reasons may submit requests for accommodations or exceptions from this Policy to Human Resources. RAILS will consider such requests on a case-by-case basis, taking into consideration whether the requested accommodation creates an undue hardship on RAILS and/or a direct threat to the safety of the employee or others. RAILS may reassign such employees at its sole discretion to temporary or permanent job assignments to

prevent the spread of the COVID-19 virus. If no such reassignments are possible, the employee cannot perform essential job duties remotely and/or RAILS cannot make other accommodations to ensure the safety of the employee and others if the employee works on-site, the employee may use available accrued paid time off while the agency explores whether it can maintain the employee's employment status.



VOLUNTARY COVID-19 VACCINATION PROGRAM POLICY

Purpose

RAILS recognizes its responsibility to provide employees a workplace free of recognized hazards. This voluntary policy is intended to help maximize the protection afforded by the COVID-19 vaccine. The goal of this program is to protect employees, employees' family members, customers, patrons, visitors, others affiliated with us and the broader community.

Participation in RAILS's voluntary COVID-19 vaccine program has many benefits. Providing a safe and healthy work environment helps employees be more productive and can reduce the number of sick days employees take due to exposure to COVID-19. But, most importantly, employee wellness is a vital aspect of building a happier workplace.

This policy will follow all applicable laws and is based on guidance from the Centers for Disease Control and Prevention (CDC) and the State of Illinois Department of Public Health (IDPH).

Scope

This voluntary COVID-19 vaccine program policy applies to all employees. Employees are strongly encouraged to receive COVID-19 vaccinations as soon as they are eligible under applicable federal, state, or local plan.

Incentive for Vaccination

RAILS wants to encourage all employees to take part in this voluntary COVID-19 vaccine program, and to further that goal will provide employees who receive the full COVID-19 vaccine with a ½ day's pay (3.75 hours) to be used by December 31, 2021. This incentive retroactively applies to those who have already been fully vaccinated.

As an additional benefit to those employees who become fully vaccinated, RAILS will not require employees who provide acceptable proof of their full vaccinations to wear masks when working at a RAILS' facility. You may continue to wear a mask, particularly if you are attending a meeting, at your option. Those who have not been vaccinated must continue to abide with our current procedures, which require wearing a mask when away from one's desk or when near another person.

RAILS will comply with all applicable federal, state, and/or local legal limitations on incentives and/or rewards.

Procedures

Employees should visit <https://coronavirus.illinois.gov/s/vaccination-location> for a list of locations to aid in receiving vaccines on their own or contact the Illinois Public Health Department at (833) 621-1284 to schedule an appointment. Employees may also be able to

obtain vaccine availability information from their own health care providers. Vaccinations should be run through employees' health insurance where applicable.

The submission to Human Resources of a copy of your CDC COVID-19 Vaccination Record Card will serve as sufficient evidence of your vaccination to receive the incentive offered by RAILS. Please do not submit any other evidence that contains any other medical or genetic history.

Accommodations

RAILS wants all its employees to have equal access to all benefits and resources offered by RAILS. Accordingly, RAILS can make reasonable accommodations for employees with disabilities to help them have equal access to the voluntary COVID-19 vaccine program. The same applies to employees who cannot take part in the voluntary COVID-19 vaccine program due to sincerely held religious beliefs. We encourage our employees to reach out to the Human Resources Department to discuss their need for an accommodation and options. These discussions and any relevant information will be kept confidential.

Confidentiality

Confidentiality and respect to our employees' rights are important to us. RAILS will not:

- use any genetic information, disability status, or religious beliefs/information to disadvantage its employees in any way;
- use incentives in exchange for genetic information, information regarding an employee's health condition or that of their family, or information about an employee's religious beliefs; or
- try to coerce employees into supplying health/genetic/religious belief information or taking medical examinations.

Voluntary participation; No Retaliation

RAILS encourages employees to participate in the voluntary COVID-19 vaccine program but any such participation is voluntary. There will not be any discrimination, harassment, retaliation, or adverse action for employees who choose not to participate in the voluntary COVID-19 vaccine program.

Duration of Voluntary COVID-19 Vaccine Program

RAILS will continue to monitor the current public health situation and reserves the right to make changes to this policy based on the most current information available by the CDC, government, or local public health officials. Likewise, RAILS may, at its discretion, implement a mandatory COVID-19 vaccine program to ensure the safety and welfare of its employees and/or its business needs.

Please direct any questions about this policy to the Human Resources Department.