

Board Action Request

SUBJECT: Discussion and possible action to rescind the onerous policy named MANDATORY COVID-19 SCREENING, TESTING AND VACCINATION.

A copy of the two-page document is herewith

DATE: August 18, 2023; for the August 30, 2023 Board Meeting

FROM: Treasurer Pete Benequista

TO: Tubac Fire District Board of Directors

Background:

One year ago, well after proclamations by the Supreme Court, the CDC and Arizona Governor Ducey which supported it, this motion was presented by me and not passed.

In May, 2023, the Biden Administration announced the end of the COVID-19 public health emergency declaration.

Impact:

A palpable reduction in the expenditure of staff time and money for screening, testing, vaccines, sick leave, and posters.

A reduction in the costly risk of lost employees and lost employee candidates.

Proposed Motion:

I move to rescind the TFD policy named MANDATORY COVID-19 SCREENING, TESTING AND VACCINATION and remove from TFD premises any remaining related postings.

Respectfully submitted,

Peter R Benequista

MANDATORY COVID-19 SCREENING, TESTING AND VACCINATION

I. PURPOSE

To protect employees by minimizing the significant risk of substantial harm that is posed by having someone with COVID-19, or symptoms of such, present in the workplace; additionally, to provide for the protection of public health in the communities we serve.

II. SCOPE

This policy applies to all employees of Tubac Fire District.

III. POLICY

Recognizing that an individual with the COVID-19 virus will pose a direct threat to the health or safety of others, it is the policy of TFD that employees shall be mandated to undergo daily COVID-19 screening and/or periodic COVID-19 testing in order to minimize the risk of substantial harm to fellow employees and the public we serve. Additionally, upon final approval by the U. S. Food and Drug Administration (FDA), employees shall be required to receive the COVID-19 vaccination(s).

IV. GUIDELINES

Mandatory Screening/Testing

- A. Throughout the duration of the COVID-19 pandemic, employees shall be required to undergo daily screening, including body temperature checks and questioning regarding any potential COVID-19 symptoms and/or COVID-19 exposure.
- B. Throughout the duration of the COVID-19 pandemic, employees may be required to undergo periodic COVID-19 testing.
- C. The screening and testing requirements shall be continued for the duration of time determined by the Fire Chief, in accordance with guidelines provided by the Center for Disease Control (CDC), the Arizona Department of Health Services, and/or the District's base hospital.
- D. In the event that an employee reports to work and is found to have a fever or other COVID-19 symptoms, he shall be sent home on administrative leave and scheduled for COVID-10 testing.

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- E. Any costs associated with the COVID-19 testing shall be covered by the District.
- F. In the event that an employee receives a positive COVID-19 test result, he shall be required to follow the CDC guidelines for self-isolation/quarantine. The employee shall be permitted to return to work 10 days following the onset of symptoms or the date of the positive test result (whichever is sooner), if the employee meets all of the following criteria:
 - He has had no fever (without medication) for 24 hours, and
 - Other symptoms have been improved for a period of 72 hours, and
 - He has received a negative result on a follow-up COVID-19 test.

Mandatory COVID-19 Vaccinations

- G. Upon FDA approval of the COVID-19 vaccination, the vaccination shall be a condition of initial and continued employment for all TFD employees.
- H. If the COVID-19 vaccination protocol requires a series of vaccinations, employees shall be required to complete the protocol by receiving the initial and any required subsequent vaccinations.
- I. Any costs associated with the COVID-19 vaccination shall be covered by the District.
- J. In the event that an employee has a disability covered under the Americans with Disabilities Act (ADA) that would prevent him from taking the COVID-19 vaccination, he shall report such to the Fire Chief. Through interactive dialogue, the Fire Chief shall determine whether a reasonable accommodation might be provided that would enable the employee to perform the essential functions of the job without posing a threat of harm to himself or others.
- K. In the event that an employee believes the COVID vaccination may conflict with his sincerely held religious beliefs and practices, he shall report such to the Fire Chief, who shall determine whether it is possible to reasonably accommodate such beliefs and practices without an undue hardship to the District.

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