

Policy to Require Vaccine Reporting & Weekly Testing for Unvaccinated Staff

The Trial Court strongly encourages all employees to be vaccinated against COVID-19 and has determined that in the interest of overall health and safety we will implement mandatory vaccination reporting or a testing requirement in light of data on the contagiousness of the COVID-19 Delta and other emerging variants. We believe that our strong commitment to follow medical and public health guidance since the beginning of the pandemic successfully curtailed the spread of the virus to date within the courts.

Consistent with our duty to provide and maintain a safe workplace, the Trial Court now adopts this policy to continue to safeguard the health and well-being of our employees and their families. This policy is intended to comply with all applicable federal, state and local laws and is based on guidance from the Centers for Disease Control and Prevention (CDC) and state and local health authorities.

POLICY

Beginning September 8, 2021, the Trial Court will require regular COVID-19 testing for all employees who have not provided proof of vaccination to Human Resources.

As of that date, all employees will need to submit either proof of one dose of vaccination or a weekly COVID-19 test result administered no more than 72 hours prior to a designated report-to-work date.

Proof of the second dose of vaccination must be submitted to Human Resources by October 13, 2021. Employees who do not provide timely proof of vaccination will be required to adhere to the COVID-19 weekly testing requirement outlined below.

For the purposes of this policy, an employee is considered “fully vaccinated” if it has been at least 14 days since the employee received two doses of the Moderna or Pfizer COVID-19 vaccines or one dose of the Janssen (Johnson & Johnson) COVID-19 vaccine.

To establish that the employee is fully vaccinated, employees may provide their completed COVID-19 Vaccination Card to Human Resources at benefits.onboarding@jud.state.ma.us or to their Department Head. The Trial Court will treat all vaccination information as confidential. **Employees who have already provided proof of vaccination to the Human Resources Department will not be required to resubmit their documentation.**

SCOPE

This policy applies to all full-time and part-time employees, including judges, contractors, 960 hour/post-retirees, per diems, interns, consultants and/or vendors, of the Trial Court.

Employees who have not been vaccinated, regardless of the reason for their unvaccinated status, will be required to submit a COVID-19 test result on a weekly basis.

WEEKLY COVID-19 TESTING REQUIREMENT

Test results of a COVID-19 PCR or rapid test administered no more than 72 hours prior to the designated report-to-work date will need to be provided. Employees will not receive paid release time for COVID-19

testing but may use accrued personal, vacation or compensatory time, if approved by their Department Head. The Trial Court will treat test result information as confidential.

Employees who choose to get vaccinated will receive 4 hours of paid release time on the date of their first dose and another 4 hours of paid release time on the date of their second dose, if applicable.

Employees who fail to submit their test result on their designated day will be placed on leave without pay until the test result is received and they may not report to any Trial Court worksite nor work remotely.

Employees will not be permitted to use accrued leave during this period. Failure to comply with the testing requirements may subject an employee to further discipline, up to and including termination from employment.

POSITIVE COVID-19 TEST RESULTS

Vaccinated or unvaccinated employees who test positive for COVID-19 must isolate in accordance with CDC guidance and Trial Court protocols and cannot report to work until all clearance criteria have been met.

VACCINE VERIFICATION TIMELINE

- Require proof of full vaccination or proof of first vaccination to HR or Department Head on or before 9/8/21;
- Those who submit proof of first vaccination by 9/8/21 must show proof of second vaccination by 10/13/21 or submit to testing;
- Weekly testing results must be reported to HR. HR will track and report to Department Heads which employees are not allowed to report to work.

Questions can be e-mailed to: benefits.onboarding@jud.state.ma.us.

Amended August 30, 2021