

Memorandum of Understanding
By and Between
Thurston County, Thurston County District Court
And
AFSCME/WSCCCE Local 618-District Court

RE: District Court Administrative Order 2021-004, "COVID-19 Vaccine Requirement"

On August 27, 2021, in response to the on-going crisis brought on by the global COVID-19 pandemic and increasing concerns for the safety and health of county employees and the public it is our mission to serve, the Thurston County District Court adopted administrative order 2021-004, "COVID-19 Vaccination Requirement." This order requires all Thurston County District Court employees to get fully vaccinated against COVID-19 no later than November 15, 2021.

The parties met on September 15th, 23rd, and 24th, 2021, to bargain the order's impacts in good faith, coming to the following agreement:

Agreement

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1. Employees covered by this agreement are subject to Court's order of August 27, 2021 and must be fully vaccinated by November 15, 2021.
2. "Fully vaccinated" means the employee received their final shot at least two (2) weeks prior to the November 15, 2021 deadline.
3. Proof of vaccination must be provided on or by November 15th. Employees provide proof by showing the Court Administrator or their designee one of the acceptable records, as specified by the administrative order.
4. All unvaccinated employees covered by this agreement are authorized to use up to two (2) hours of paid work time to obtain each dose of their preferred vaccination (Pfizer, Moderna, Johnson & Johnson). Employees must arrange use of this time with their supervisor. Work time includes reasonable travel time to and from the vaccination site when the travel time occurs during the employee's assigned work hours. The Court may require the time be supported by documentation.

5. Employees are provided one (1) work day of paid administrative time off following a 2nd dose of a two-dose vaccination for recovery from side effects. Employees must request and use this leave within seventy-two (72) hours of receiving the 2nd shot.
6. If an employee has received the first dose of the vaccination but fails to become fully vaccinated by the November 15th deadline, the employee may request up to fifteen (15) calendar days to achieve fully vaccinated status. The Court Administrator may, at the Court Administrator's discretion, authorize:
 - a. leave without pay,
 - b. paid vacation/alternative leave, or
 - c. allow the employee to continue working with appropriate temporary accommodations, if available,

as long as the employee can achieve full vaccination status within the fifteen (15) day time frame. This provision expires November 30, 2021.

7. Employees may submit a request for a medical or religious accommodation to the Court Administrator. For employees who in good faith request an accommodation or exemption before **October 4, 2021** and fully cooperate with the process, if the request is still being reviewed on the vaccination deadline, the employee will be kept on paid administrative leave from November 15th until a determination is made on the employee's request.

Employees who submit a request after October 4, 2021, and fully cooperate with the process may use vacation/alternative leave after November 15th until a determination is made.

If the request is denied or an accommodation is not available, the employee has ten (10) days from the date of the determination to provide proof they have initiated the vaccination process. The employee may use vacation/alternative leave (or, at the Court Administrator's sole discretion, continue working if appropriate, temporary accommodations are available) for 35-days (45 days total from date the request is denied) after the November 15th deadline to meet the "fully vaccinated" requirement. Employees may be authorized to use leave-without-pay if vacation/alternative leave balances are exhausted.

8. Termination from employment solely for failure to meet the vaccine mandate will be non-disciplinary.

