

ISBE COVID-19 Vaccination Policy FAQ

In order to safeguard the health and safety of ISBE employees (and those with whom they come into contact), ISBE will implement a new policy that requires all employees must be vaccinated against COVID-19 unless they qualify for certain exemptions (Vaccination Policy). We will be discussing this Vaccination Policy in detail at the upcoming All Agency meeting on October 27, 2021. We also have set up an email address, Covid19vaccination@isbe.net, where you may submit all Vaccination Policy questions. Finally, we are providing the following FAQ concerning the Vaccination Policy (which we will update from time to time as we develop procedures and try to answer questions we receive about the Policy):

When will ISBE implement the Vaccination Policy?

The Policy is effective November 15, 2021, and all employees must begin to comply with the Policy as of that date.

What does the Vaccination Policy require?

Beginning November 15, 2021, **to enter or work at or for ISBE**, an ISBE employee must be fully vaccinated against COVID-19 and submit documentation confirming full vaccination status, unless the employee qualifies for one of three exemptions and complies with the required mitigation protocols.

What does “fully vaccinated” mean?

An employee is “fully vaccinated against COVID-19” under the Vaccination Policy two weeks after receiving the second dose in a two-dose series of COVID-19 vaccine or two weeks after receiving a single dose COVID-19 vaccine authorized for emergency use, licensed, or otherwise authorized by the FDA.

Will the Agency permit employees to use paid time to get vaccinated?

The Agency will approve two hours of medical time for employees to obtain each dose of the COVID-19 vaccination, including any “booster” shots.

What if I intend to get vaccinated (or am in the process of getting vaccinated) but will not be “fully vaccinated against COVID-19” by November 15, 2021?

Beginning November 15, 2021, any ISBE employee who is not fully vaccinated against COVID-19, as defined in the Vaccination Policy, must comply with the Mitigation protocols until they can present proof that they are fully vaccinated against COVID-19. Otherwise, they cannot enter or work at or for ISBE.

What documentation must employees provide to establish they are vaccinated?

Employees should provide a copy of their vaccination card. ISBE will set up a portal where employees can upload copies of their vaccination cards. If you have lost your vaccination card, you may get a copy of your information at the IDPH “VaxVerify” portal www.dph.illinois.gov/vaxverify. The Agency has tested this portal and it takes less than five minutes to set up an account and get your information.

When can I submit my vaccination documentation?

Shortly. ISBE is setting up a portal where you can upload your information. The Agency will notify employees when that portal is operational. Until then, you need not submit documentation. But you will need to submit your documentation by November 15, 2021, or begin compliance with the Mitigation protocols, including weekly testing, until you submit sufficient documentation that you are fully vaccinated against COVID-19.

Does the Agency offer any other incentives for employees to get vaccinated?

Apart from the obvious health and safety benefits of getting vaccinated there are several incentives under the Vaccination Policy:

1. ISBE employees who present proof they are fully vaccinated (or who have received a Disability or Religious Accommodation, as explained below), shall receive one (1) additional personal day for the Fiscal Year ending June 30, 2022;
2. ISBE employees who present proof they are fully vaccinated (or who have received a Disability or Religious Accommodation, as explained below), shall receive ten (10) additional work remote days. They will receive these days if there is a COVID-19 quarantine or isolation or exclusion during which they otherwise would need to use benefit time under current ISBE policies, provided the quarantine or isolation or exclusion is documented to ISBE’s satisfaction and the employee is still able to perform his or her work duties remotely. For example, such employees could use these work remote days when he or she lives with and is caring for an individual who is under an official COVID-19 quarantine and that person has not tested positive for COVID-19. Or an employee could use such days when his or her child is subject to a COVID-19 school or daycare closing and the child has not tested positive for COVID-19. These work remote days must be used by June 30, 2022.
3. Eligible employees may receive these ten (10) additional work remote days even if they ordinarily are not eligible to work remotely under ISBE’s Work Remote Policy and ISBE will provide such employees with work they can perform remotely or, where possible, equipment to perform their duties remotely.
4. Eligible employees also may apply for the extension of another ten (10) work remote days they can use during such emergency events, provided they are eligible to work remotely under the Work Remote Policy and the extension of work remote days can be charged against future regular work remote days. These work remote days must be used by June 30, 2022 (but may be paid back after that date).

If I qualify to receive an additional personal day under this Policy, when would I receive it?

As soon as you present proof you are fully vaccinated or qualify for a Disability Exemption or Religious Exemption you will receive the additional personal day.

What are the three exemptions from the vaccination requirement under the Vaccination Policy?

An employee is exempt from the vaccination requirement of the Vaccination Policy if:

- (1) vaccination is medically contraindicated, including any individual who is entitled to an accommodation exempting them from such vaccinations under the Americans with Disabilities Act or any other law applicable to a disability-related reasonable accommodation (Disability Accommodation); **or**
- (2) vaccination would require the individual to violate or forgo a sincerely-held religious belief, practice, or observance (Religious Accommodation); **or**
- (3) the employee elects to submit to weekly testing for COVID-19; **and**
- (4) the employee complies with the Mitigation protocols of the Vaccination Policy.

How will ISBE assess requests for Disability and Religious Exemptions?

An employee who seeks an exemption as a disability accommodation must complete and submit to HR ISBE’s Request for Accommodation forms, including documentation of the medical reasons, an estimated date on which the circumstances requiring the exemption are expected to end (if applicable), and the certification form completed and signed by his or her physician. In assessing such requests, ISBE will apply the standard used by courts in assessing such claims under the Americans with Disabilities Act (or other applicable laws).

An employee who seeks an exemption based on religious grounds must complete and submit to HR the COVID-19 Vaccination Exemption Request Form. In assessing an employee’s request for an exemption based on a religious belief, practice, or observance, ISBE will apply the standard used by courts to assess such claims under Title VII of the Civil Rights Act of 1964, as amended.

Who will have access to information employees submit in support of their requests for Disability or Religious Exemptions?

ISBE will treat any information submitted by employees in support of their requests for Disability or Religious Exemptions as strictly confidential in the same manner it currently treats employee medical information as protected confidential information. The information will be stored securely and only a limited number of HR and Legal Department personnel will have access to such information and then only when necessary.

What are the Mitigation protocols with which unvaccinated employees must comply?

1. ISBE employees who are not fully vaccinated against COVID-19 must undergo testing for COVID-19 once per week and present proof to HR that they have tested negative for COVID-19 within the immediately preceding 72 hours before they may begin their scheduled work week in pay status (regardless of whether they are in the office or working remotely) – thus, for example, if your scheduled work week in pay status begins on Monday at 8:30 a.m., you must present acceptable COVID-19 test results for a test that was administered after 8:30 a.m. on the preceding Friday; if you are on vacation or using benefit time on Monday, the 72-hour window would start on Saturday at 8:30 a.m. with the results submitted to COVID-19 portal by Tuesday at 8:30 a.m.;
2. The testing must be done using a test that either has Emergency Use Authorization by the FDA or be operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services;
3. ISBE employees who are not fully vaccinated against COVID-19 must wear masks at all times inside ISBE facilities except in personal workspaces, whether or not a mask-wearing mandate is in effect, and adhere to any physical distancing requirements set forth in ISBE’s COVID-19 Office Protocols; and
4. ISBE employees who are not fully vaccinated against COVID-19 must comply with the testing requirements on their own time, either outside regular work hours or using approved benefit time.

Will ISBE accept home testing results as in compliance with the Mitigation protocols?

No.

Can I work for ISBE if I fail to timely comply with the testing requirements of the Mitigation protocols?

No. Employees cannot enter or work at or for ISBE until they are in compliance with the Vaccination Policy. Until you are in compliance, you must use benefit time to cover your absence or you will be docked.

What happens if I fail or refuse to comply with the Vaccination Policy?

ISBE will treat an employee’s failure or refusal to comply with the Vaccination Policy in the same manner it would treat an employee’s failure or refusal to comply with any Agency policy or managerial directive – depending on the circumstances, the failure or refusal to comply with the Vaccination Policy might result in progressive discipline up to and including termination. And, again, in the meantime, employees who are out of compliance with the Vaccination Policy cannot enter or work at or for ISBE until they are in compliance with the Vaccination Policy and must use benefit time to cover their absences or they will be docked.

How long with the Vaccination Policy remain in force?

The Vaccination Policy shall remain in force until the expiration or rescission of Governor Pritzker’s Executive Order 2021-22 or upon the expiration or rescission of any future Executive Order reissuing or extending Executive Order 2021-22, whichever is later.