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Agency of Administration

Frequently Asked Questions COVID-19 State Employee Vaccination Attestation/Mitigation Measures

These Frequently Asked Questions (FAQs) are intended to assist state employees in understanding the State of Vermont's COVID-19 State Employee Vaccination Attestation/Mitigation Measures. These FAQs may be periodically updated with additional questions and responses. If you have additional questions that are not answered in the below FAQs, please direct questions to your supervisor and/or Human Resources business partner.

A. Applicability		
Number:	Topic:	Question/Answer:
A.1	Applicability	<p>Q: Do the State's COVID-19 vaccination attestation/mitigation measures apply to me?</p> <p>A: Effective on September 15, 2021, all State of Vermont Executive Branch employees are required to attest that they are fully vaccinated against COVID-19 or comply with mitigation measures. State employees at 24/7 facilities may be required to comply with their specific vaccination and testing requirements and any more stringent requirements contained in the State's COVID-19 vaccination attestation/mitigation measures.</p>
A.2	Applicability	<p>Q: Are new hires required to comply with the requirements of the State's COVID-19 vaccination attestation/mitigation measures?</p> <p>A: Yes. All new employees are required to attest upon commencing work or they will be subject to the mandatory mitigation requirements (weekly testing and face covering).</p>

B. Vaccinations

Number:	Topic:	Question/Answer:
B.1	Vaccinations	<p>Q: Are state employees required to get vaccinated as a condition of employment?</p> <p>A: All state employees are encouraged to get vaccinated. At this time, state employees are not required to be vaccinated as a condition of employment. However, all state employees who have not attested to being fully vaccinated are required to comply with the State’s mitigation requirements (testing and face covering).</p>
B.2	Vaccinations	<p>Q: Can unvaccinated employees receive a COVID-19 vaccination on state time?</p> <p>A: Yes. Employees should use the time reporting code “Paid Not Worked (PDNW)” on their timesheet to account for reasonable time spent obtaining vaccination. Employees should also enter “COVID vaccination” in the comment section next to the hours coded with “PDNW.”</p>
B.3	Vaccinations	<p>Q: If I have an adverse reaction from the COVID-19 vaccination which prevents me from performing work, will I be paid for the time I miss work?</p> <p>A: Yes, you will receive pay for work time missed up to one full shift. Employees should use the time reporting code “COVID-19 Not Worked (C19NW)” on their timesheet to account for this time.</p>

C. Attestation

Number:	Topic:	Question/Answer:
C.1	Attestation	<p>Q: How do I attest?</p> <p>A: Employees should complete their attestation in VTHR by doing the following:</p> <p style="padding-left: 40px;">Main Menu → Self Service → Personal Information → COVID-19 Vaccine Attestation</p>

C.2	Attestation	<p>Q: What does “fully vaccinated” mean?</p> <p>A: Currently, to be fully vaccinated, 14 days must have passed since the employee has completed a single-dose vaccine or completed the second dose of a two-dose series vaccine. Employees who have only received the first dose of a two-dose vaccine or who have not had 14 days pass since the completion of a single-dose or two-dose series are not considered fully vaccinated. At this time, completion of a booster shot is not required to be considered fully vaccinated.</p> <p>Previously having been infected with COVID-19 or having antibodies does not constitute an employee being fully vaccinated.</p>
C.3	Attestation	<p>Q: Can employees decline to provide the attestation?</p> <p>A: Yes. Only employees who have been fully vaccinated may attest. However, even if an employee has been fully vaccinated, the employee may choose not to attest. If an employee chooses not to attest, that employee will be required to follow all COVID-19 mitigation requirements (testing and face covering), even if they have been fully vaccinated.</p>
C.4	Attestation	<p>Q: May I revoke my attestation?</p> <p>A: Yes. An employee may revoke their previously issued attestation. Employees wishing to do so should update their attestation form in VTHR. Once the attestation has been revoked, the employee will be subject to all COVID-19 mitigation requirements (testing and face covering).</p>
C.5	Attestation	<p>Q: Do I need to provide proof of my vaccination?</p> <p>A: Although proof of vaccination is not required to complete the attestation, employees may be required to furnish proof of any representation made in the Attestation, including proof of vaccination, upon request. Currently, certain employees, like those employed by certain 24/7 facilities, are required to furnish additional information or proof of vaccination with their employer.</p>
C.6	Attestation	<p>Q: Do employees who are not physically working on site (e.g., teleworking, home-based) need to complete the attestation?</p> <p>A: Yes.</p>

C.7	Attestation	<p>Q: The attestation form includes a provision that states: “Notwithstanding the above, I understand that should my Agency/Department, State and/or Federal regulations require more stringent mitigation measures I must comply with those measures.” What does that mean?</p> <p>A: The state and federal response to the COVID-19 pandemic is always evolving as more information is learned. As a result, health guidance and federal and state requirements are constantly changing to account for new information and new circumstances. The State of Vermont, as an employer, must maintain a safe work environment and may be required to issue additional mitigation measures as is necessary based upon legal obligations and/or the present health situation. Examples of such potential measures may include, but are not limited to:</p> <ul style="list-style-type: none"> - Universal mask mandates for all employees - More restrictive requirements for specific agencies/departments dictated by federal law - Changes in what constitutes “fully vaccinated” - Additional testing requirements
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D. Testing

Number:	Topic:	Question/Answer:
D.1	Testing	<p>Q: Am I required to test?</p> <p>A: Beginning September 20, 2021, all executive branch employees who have not completed an attestation are required to comply with the State’s mandatory mitigation requirements, including mandatory weekly testing.</p>
D.2	Testing (updated Oct. 26, 2021)	<p>Q: If I have tested positive for COVID-19, am I still required to test?</p> <p>A: In accordance with health guidance issued by the State of Vermont Department of Health and the U.S. Centers for Disease Control and Prevention, if an unattested employee provides documentation of a positive COVID-19 test, that employee will not be required to participate in the weekly testing requirement for a period of 90 calendar days (calculated from the date of the positive test). After the 90-day period, the unattested employee will again be subject to the testing requirement. If during this 90-calendar day period, the unattested employee has recovered from COVID-19 and develops new</p>

		<p>symptoms of COVID-19, the unattested employee should isolate immediately, contact their health care provider, and contact their supervisor immediately. If the unattested employee’s health care provider recommends that the employee be tested, the unattested employee must be tested prior to returning to the workplace.</p> <p>At all times, the employee must continue to follow the face covering requirements.</p>
D.3	Testing	<p>Q: Where and when do I pick up the COVID-19 test kit?</p> <p>A: All employees should have received information about the day of the week, schedule, and location that they are scheduled to pick up and return their COVID-19 test kit. You are not required to submit to testing until you receive the location, date, and time for testing. You may pick up and return the COVID-19 test kit at any time during the scheduled hours assigned for your location.</p>
D.4	Testing	<p>Q: Can I pick up and return my COVID-19 test kit from a location other than the one that I was assigned?</p> <p>A: You may only pick up and return the COVID-19 test kit at the location you were assigned, unless otherwise approved by your supervisor.</p>
D.5	Testing	<p>Q: How do I take the COVID-19 test?</p> <p>A: A site administrator will be situated at each location site.</p> <p>The site administrator will show you where to pick up the test kit.</p> <p>Instructions on how to register for your testing account will be provided at each site. The name of the software program that your account will be registered in is Binx.</p> <p>The test is self-administered. You may perform the test anywhere within your worksite where you are comfortable doing so. Detailed instructions on how to perform the self-administered test will be included in the test kit. Contact information is included in the materials provided at the test distribution location and/or within the test kit if you have questions regarding account registration, or on how to perform the self-administered test.</p>

D.6	Testing (updated Oct. 28, 2021)	<p>Q: Can I submit my test without completing registration with Binx?</p> <p>A: No. The State has contracted with Binx to provide the mandatory testing services and registering an account with Binx is a required condition of the State’s testing measures. Tests cannot be processed by Binx without registration. Since employees who choose not to provide a vaccination attestation are required to participate in the State’s mitigation testing measures, they are also required complete all registration requirements to create an account with Binx. Failure to do so will result in a determination that the employee has either refused to test or missed a test because Binx will be unable to process the test.</p> <p>We understand that there has been some concern expressed about certain language included in the Binx registration process. As of October 28, 2021, the Binx informed consent form has been updated to address those concerns and to reflect that the test is being conducted at the request of the State.</p>
D.7	Testing (updated Oct. 26, 2021)	<p>Q: What do I do when I complete the test?</p> <p>A: You will place the tube in the kit box, seal it up, and return it to the site administrator prior to the scheduled end time of the test kit distribution schedule for the day.</p>
D.8	Testing	<p>Q: How will I be notified of my test results?</p> <p>A: You will be notified of the results of your test electronically.</p>
D.9	Testing	<p>Q: Is time spent complying with the State’s testing requirement paid?</p> <p>A: Yes. All time spent completing the mandatory testing requirement should be coded as regular work hours.</p>
D.10	Testing	<p>Q: What if I am on authorized leave on the day I am required to test?</p> <p>A: Employees that are on an authorized leave on the day that they are required to test are not required to test on that day. Employees may not utilize leave in an improper manner to avoid compliance with the testing requirements. For instance, if an employee’s scheduled test day is Tuesday of each week, the employee may not take annual leave every Tuesday to avoid the testing requirement. Employees utilizing leave in an improper manner to avoid compliance with the testing requirements will be subject to disciplinary action, up to and including termination.</p>

		<p>Employees who have been placed on Temporary Relief from Duty are not excused from the testing requirement and are required to comply. Information for how such employees should comply with the testing requirement will be issued directly to those employees.</p>
D.11	<p>Testing (updated Nov. 10, 2021)</p>	<p>Q: What if I do not take the weekly COVID-19 test?</p> <p>A: Participation in the mitigation requirements, including testing, is mandatory for employees who have not attested to being fully vaccinated.</p> <p>Any employee who is subject to the mitigation requirements but refuses to participate in testing will be placed on Authorized Off-Payroll status for up to five (5) workdays to allow them an opportunity to reconsider complying with the requirement. Should the employee continue to refuse to be tested they will be placed on an unpaid Administrative Leave of Absence until such time as the employee complies or mitigation requirement measures are lifted. Employees placed on an unpaid Administrative Leave of Absence will be responsible for 100% of any health plan premium.</p> <p>Any employee who misses required COVID-19 weekly testing will be subject to disciplinary action, up to and including dismissal from employment.</p> <p>Supervisors are responsible for monitoring compliance with all mitigation requirements, including mandatory weekly testing.</p>
D.12	<p>Testing</p>	<p>Q: How long are employees subject to the mandatory mitigation testing requirements?</p> <p>A: All unattested employees must comply with the State testing requirement until that employee completes the vaccination attestation form indicating that they are vaccinated, or until the COVID-19 vaccination attestation/mitigation measures have officially been rescinded.</p>
D.13	<p>Testing</p>	<p>Q: Can an employee provide their own negative COVID-19 test results to comply with the mandatory testing requirement?</p> <p>A: No. All required testing must be completed through a state-provided test and the State’s contracted provider.</p>

D.14	Testing	<p>Q: May an employee who has been fully vaccinated elect to participate in the state provided testing?</p> <p>A: Yes.</p>
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E. Face Covering

Number:	Topic:	Question/Answer:
E.1	Face Covering	<p>Q: Am I required to wear a face covering?</p> <p>A: Beginning September 20, 2021, all executive branch employees who have not completed an attestation are required to comply with the State’s mandatory mitigation requirements (and other requirements as applicable), including wearing an appropriate face covering at a worksite.</p>
E.2	Face Covering	<p>Q: How do I appropriately wear a face covering?</p> <p>A: Any type of cloth face covering that has more than one layer (including bandanas or neck gaiters) is acceptable. Face covering should be worn over the nose and mouth and have no gaps around the sides of the face or nose. Face coverings may not have exhalation valves, vents, or other openings. Face shields are not an acceptable alternative to a mask in a work setting.</p> <p>Additional guidance can be obtained here: Improve How Your Mask Protects You CDC</p>
E.3	Face Covering (updated Nov. 10, 2021)	<p>Q: What if I do not wear appropriate face covering?</p> <p>A: Participation in the mitigation requirements, including properly wearing appropriate face coverings, is mandatory for employees who have not attested to being fully vaccinated.</p> <p>Any employee who is subject to mitigation requirements but refuses to wear face coverings will be placed on Authorized Off-Payroll status for up to five (5) workdays to allow them an opportunity to reconsider complying with the requirement. Should the employee continue to refuse to wear a face covering they will be placed on an unpaid Administrative Leave of Absence until such time as the employee complies or mitigation requirement measures are lifted. Employees placed on an unpaid Administrative Leave of Absence will be responsible for 100% of any health plan premium.</p>

		<p>Any employee who fails to follow appropriate face covering requirements shall be subject to progressive disciplinary action in the following order: (1) verbal reprimand; (2) written reprimand; (3) 30-day unpaid disciplinary action; and (4) termination.</p> <p>Supervisors are responsible for monitoring compliance with all mitigation requirements, including wearing an appropriate face covering.</p>
E.4	Face Covering	<p>Q: How long do I have to comply with the face covering requirement?</p> <p>A: Until you are fully vaccinated and have completed the vaccination attestation form, or until the COVID-19 vaccination attestation/mitigation measures have officially been rescinded.</p>
E.5	Face Covering	<p>Q: What constitutes a worksite for purposes of the face covering requirement?</p> <p>A: Any employee performing work for the State, except for work performed while teleworking, is required to wear an appropriate face covering at their worksite (while not teleworking). This extends to being physically present in a State building, traveling in a State vehicle, field work, and in person interactions with clients, customers, or members of the public while performing work duties.</p>
E.6	Face Covering (updated Oct. 26, 2021)	<p>Q: Am I required to wear a face covering while in a State vehicle?</p> <p>A: Whether a face covering is required when using a State vehicle depends on the period of vehicle use as set forth below:</p> <p><i>Singular Use Vehicle:</i> If an unattested employee is assigned a State vehicle for an entire day and no other employee will be utilizing that vehicle for that day, the unattested employee is not required to wear a face covering so long as the unattested employee is the only person in the vehicle at all times. If at any point, another person enters the vehicle, or if the employee is speaking with another person through an open vehicle window, the unattested employee is required to wear a face covering immediately.</p> <p><i>Multiple Use Vehicle:</i> If an unattested employee is assigned a State vehicle for a period less than one entire day, the unattested employee is not required to wear a face covering if: (1) the windows to the vehicle can be left open either during the period of use or between separate uses of the vehicle; and (2) the unattested employee is the only person in the vehicle at all times. If at any point, another person</p>

		<p>enters the vehicle, or if the employee is speaking with another person through an open vehicle window, the unattested employee is required to wear a face covering immediately.</p> <p>Regardless of how long the vehicle is being used, any employee (attested or unattested) who has passengers in a State vehicle, must: (1) avoid using the recirculated air option for the vehicle’s ventilation and instead use the vehicle’s vents to bring in fresh outside air; (2) lower the vehicle windows (when weather permits); and (3) utilize spacing in the vehicle (e.g., use of back seat).</p>
E.7	Face Covering (updated Oct. 26, 2021)	<p>Q: Am I required to wear a face covering while using a personal vehicle for State business (e.g., traveling to a meeting in another work location)?</p> <p>A: If an unattested employee is using their personal vehicle for State business, and is the only person in the personal vehicle, the unattested employee is not required to wear a face covering in that vehicle. However, if the unattested employee is using a personal vehicle for State business and has other passengers in the vehicle (e.g., carpool while traveling to different meeting locations), the unattested employee is required to wear a face covering.</p>
E.8	Face Covering (updated Oct. 26, 2021)	<p>Q: Am I required to wear a face covering while in my personal/private office?</p> <p>A: An unattested employee is not required to wear a face covering while located in their private office if all of the following conditions are met:</p> <ol style="list-style-type: none"> 1. The private office has a door, and the door is closed at all times when the unattested employee is unmasked; and 2. The private office is not shared (i.e., the unattested person is the only person who uses the private office); and 3. The unattested employee is the only person present in the private office. <p>If any of these three conditions are not met, the unattested employee must wear a face covering at all times that the employee is located in the private office. Further, if at any point, another employee enters the private office, the unattested employee is required to wear a face covering immediately.</p>

E.9	Face Covering (updated Oct. 26, 2021)	<p>Q: May I remove my face covering to eat meals in the workplace?</p> <p>A: Unattested employees may remove their face covering to eat meals in the workplace if the employee remains socially distanced (at least 6 feet apart) from all other employees.</p>
E.10	Face Covering (updated Oct. 26, 2021)	<p>Q: May I removed my face covering to drink beverages throughout the day?</p> <p>A: Unattested employees may pull their face covering down/up in order to drink a beverage, but that employee must immediately place the face covering back on when the act of drinking a beverage is complete. Unattested employees may not keep their face covering off during the entire time they are consuming a beverage at the workplace—they may only do so when they are actively drinking the beverage.</p>
E.11	Face Covering (updated Oct. 26, 2021)	<p>Q: May I remove my face covering to speak on the phone or video calls?</p> <p>A: Unattested employees must comply with the face covering requirements even when they are utilizing a telephone or a video call. The only instances in which an unattested employee is not required to wear a face covering when utilizing the phone or a video call is: (1) when the unattested employee is teleworking; or (2) when the unattested employee is alone in their private office (see FAQ E.8).</p>
E.12	Face Covering (updated Oct. 26, 2021)	<p>Q: Am I required to wear a face covering when working alone outdoors?</p> <p>A: Unattested employees do not need to wear a face covering when working alone outdoors. However, if the unattested employee comes into contact with any person, the unattested employee is required to wear a face covering during that interaction.</p>
E.13	Face Covering (updated Oct. 26, 2021)	<p>Q: Am I required to wear a face covering when working outside as part of a crew?</p> <p>A: Unattested employees who are outside, in the presence of others, and cannot socially distance (at least 6 feet apart) must wear a face covering.</p>

F. Miscellaneous

Number:	Topic:	Question/Answer:
F.1	Miscellaneous	<p>Q: Can a vaccinated employee receive a COVID-19 vaccination booster on state time?</p> <p>A: Yes. Employees should use the time reporting code “Paid Not Worked (PDNW)” on their timesheet to account for reasonable time spent obtaining vaccination. Employees should also enter “COVID vaccination” in the comment section next to the hours coded with “PDNW.”</p>
F.2	Miscellaneous (updated Oct. 26, 2021)	<p>Q: I tested positive for COVID-19, can I continue to work?</p> <p>A: If employees are teleworking and able to work, employees who have tested positive may continue to telework. If employees are required to physically come to a worksite, the employee cannot enter the worksite and must follow the isolation and return to work guidance set forth by the Vermont Department of Health. That guidance can be found here: What to Do if You Test Positive for COVID-19 Vermont Department of Health (healthvermont.gov).</p>
F.3	Miscellaneous (updated Nov. 3, 2021)	<p>Q: Am I eligible for paid leave if I have tested positive for COVID-19?</p> <p>A: If an employee is approved to telework and able to do so, they should telework. If symptoms prevent an employee from teleworking, absence from work is treated as follows:</p> <p>If an employee has attested, upon receipt of a documented COVID-19 positive result, that employee will be paid for their absence from work and should utilize the time reporting code C19NW or FC19S on their timesheet. Employees should contact their HR Business Partner assigned to support their department to determine the appropriate code.</p> <p>If an employee has not attested, upon receipt of a documented COVID-19 positive result, that employee may either use their own earned paid leave balances (sick, annual, personal, comp) or be placed on an unpaid leave status.</p>

F.4	Miscellaneous (updated Nov. 10, 2021)	<p>Q: I have been informed that I am a close contact of someone with COVID-19, can I continue to work?</p> <p>A: If employees are teleworking and able to work, employees who are a close contact of someone with COVID-19 may continue to telework. All employees who are a close contact of someone with COVID-19 should follow the Vermont Department of Health guidance located here: What to do if you are a close contact web page.</p>
F.5	Miscellaneous (updated Nov. 3, 2021)	<p>Q: Am I eligible for paid leave if I am a close contact of someone who has tested positive for COVID-19?</p> <p>A: Employees who have attested and who remain asymptomatic may continue to report to work without the need to quarantine as determined by the employing department. Employees who have not attested and are required to quarantine, may either use their own earned paid leave balances (sick, annual, personal, comp) or be placed on an unpaid leave status.</p>
F.6	Miscellaneous (updated Nov. 3, 2021)	<p>Q: What should I do if I am feeling unwell and showing respiratory symptoms or a fever?</p> <p>A: All employees are required to monitor their symptoms daily. Employees should stay home if they are unwell or have a fever, regardless of vaccination status.</p>