

DRAFT EMPLOYER VACCINATION POLICY INFORMATION REQUEST

(NOTE: In December 2020, The U.S. Equal Employment Opportunity Commission issued updated guidance on employers adopting vaccine requirements for employees. The new guidance says, "If an employee cannot get vaccinated for COVID-19 because of a disability or sincerely held religious belief, practice, or observance, and there is no reasonable accommodation possible, then it would be lawful for the employer to exclude the employee from the workplace."

This information request seeks information on an Employer's vaccination policy for bargaining unit employees.)

Date

NAME AND TITLE

Dear [NAME]:

New Guidance issued by the U.S. Equal Employment Opportunity Commission on December 16th, 2020 regarding the adoption of Employer vaccination policies raises questions about ____EMPLOYER____ plans or current COVID-19 vaccination policy.

The IAM is seeking information from ____EMPLOYER____ about its COVID-19 vaccination policies effecting the IAMAW bargaining unit employees whose contract expires on ____EXPIRATION DATE OF CBA____. In order to understand the Employer's vaccination policy and fully represent our members, we are requesting that the Employer provide the Union with the following information:

1. Identify all COVID-19 safety measures implemented at work site(s) of bargaining unit employees, including: social distanced workspaces, personal protection equipment availability, sanitized workspaces, and ability for frequent hand washing for employees.
2. Is the Employer aware of COVID-19 safety measures not regularly practiced or fully implemented at its work site(s)?
 - a. For any safety measures above not regularly practiced or not fully implemented at the employer's worksite, please explain in detail the reason(s) why a safety measure is not met.
3. Please explain in detail the Employer's COVID-19 vaccination policy, including:
 - a. When vaccines are available for its employees, does the Employer have or plan to implement a COVID-19 vaccination requirement for bargaining unit employees?
 - b. Does the Employer plan to provide the vaccine to the employees or require that employees obtain the vaccine on their own?
 - i. If you plan to provide the vaccine, who will administer the vaccine?

- ii. Provide a full explanation of how making the required medical inquiries before administering the vaccine are “job related and consistent with business necessity” for each position in the bargaining unit.
 - c. Provide any time and dates associated with any requirements.
 - d. Will employees be asked to submit proof of vaccination?
4. List and explain in detail the specific Employer health and safety concern(s) that led to any vaccine requirement above and how it relates to the bargaining unit work.
5. Does the Employer’s vaccination policy and associated vaccine requirements provide accommodation for employees who are unvaccinated or choose to forego vaccination?
 - a. How do employees make accommodation requests to the Employer;
 - b. How will the Employer consider accommodation requests? Please explain the process in detail;
 - c. Please explain in detail any and all possible accommodations for unvaccinated employees included in the Employer’s vaccination policy.
6. Please provide a detailed explanation on how the Employer’s vaccination policy and requirements will address situations in which an employee chooses to forgo vaccination and the Employer determines that no reasonable accommodations are available.
 - a. Please list any eligible leave available to the employee including paid leave.
7. Does the Employer’s vaccination policy and any associated mandatory vaccination requirements distinguish between vaccines approved by the FDA for Emergency Use Authorization and vaccines approved through FDA licensure? If so, please provide a detailed explanation.

IF there are any questions regarding the above request, please notify me as soon as possible.

Thank you in advance for your timely assistance.

Sincerely,

cc: {Territorial GVP}
{GLR, Coordinator, DBR/DGC, Strategic Resources as appropriate}