



TIMELY NEWS AND TIPS TO HELP REDUCE RISK

February 2021

COVID-19 Vaccine Update for Oregon Public Employers

By Kurt Chapman, CIS Public Safety Human Resources Consultant

We have all been looking forward to the arrival of the COVID-19 vaccine. After a long summer and fall, two vaccines (Pfizer and Moderna) were authorized for emergency use by the FDA.

Distribution of the two vaccines to the states began in mid-December 2020. Oregon received and began distribution of the vaccines on Dec. 18. The State's goal was to have 100,000 persons in Group 1a be given the first phase of the vaccine by year's end (2020). However, due to logistical and other distribution issues, only about a third of the 100,000 got vaccinated.

Both vaccines require two shots, an initial one and then a follow-up 'booster' (21-28 days apart to be effective).

WHAT TO EXPECT WITH VACCINATION ROLLOUT

According to the most recent updates as of Jan. 21, 2021 from the Oregon Health Authority and Governor's Office, the expected vaccine rollout is outlined below.

According to the Oregon Health Authority (OHA), Group 1a is the first group of people to receive the vaccines. They include hospital staff and health care providers; regional health clinics; emergency health providers; public safety

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personnel (law enforcement and fire); acute care facilities; long-term care facilities; and group homes for children/adults with intellectual, cognitive, and developmental difficulties.

Since the initial roll out Dec. 18, Governor Brown has stated that effective Jan. 25, 2021, K-12 employees as well as childcare and pre-school workers will be eligible to receive the vaccine. This will be followed by a tiered schedule beginning Feb. 8, 2021 for state residents age 80 and above followed weekly by lowering the age eligibility weekly until residents age 65 and older are included in the vaccination schedule March 1, 2021.

An additional vaccine manufactured by Johnson & Johnson is expected to receive FDA authorization within a few weeks.

In order to facilitate this increase in expected vaccinations, Governor Brown has activated the Oregon National Guard to assist. Field vaccination sites at the Oregon State Fairgrounds in Salem as well as other high population areas in the state will be forthcoming. Some County Health Departments are also planning using County Fairgrounds for mass vaccination sites in a similar manner.

Early reports from the first three weeks indicate about half of personnel eligible for the vaccine nationally are currently declining. It is expected that these numbers will improve as time goes on.

In a talk with members of the International Association Chiefs of Police (IACP) late last week, Dr. Fauci stated that the voluntary vaccination numbers were beginning to climb and that there were several people wanting to know more about the vaccines and possible side effects.

As more people become aware of the high-efficacy rate of the vaccine, that it is offered at no cost to employees, and that there are relatively few negative potential adverse reactions — it is anticipated that the numbers of voluntary vaccinations will increase substantially.

For more information on how your County may be approaching vaccination distribution, contact your County Public Health Offices.

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VACCINE AVAILABILITY AND ADMINISTRATION

All COVID-19 vaccines will be provided at no charge to individuals. As it looked like the two vaccines would become more available, CIS members began asking questions about the availability and administration in their workplaces. They had pertinent questions as they continue to balance providing a safe and healthy workplace, and employees rights.

The most frequent questions and CIS recommendations are listed below:

Can an Oregon employer require employees to receive the vaccine?

Under general guidance from the EEOC, the short answer is yes. However, under Oregon statute (ORS 433.416 (3)) certain named employees may not be subject to a vaccine mandate unless required by a federal or state law/ rule, regulation. Currently no such rule or regulations exists.

The statute defines “Worker” to include those licensed or certified as a healthcare provider; an employee of a healthcare facility; of a licensed healthcare provider or of a clinical laboratory; a firefighter or law enforcement officer; and corrections officer or parole and probations officer.

What is CIS recommendation regarding mandatory vaccinations for other, non-excluded employees (above)?

CIS does not recommend requiring employee vaccinations or offering incentives to employees to get vaccinated. However, if an employer wants to encourage a voluntary vaccine program that includes education from the agency providing the vaccine, that would be considered an acceptable practice for identified employees — as long as all employees are given the same opportunity and consideration in line with the Oregon Pay Equity Act.

May an employee ‘opt out’ of, or decline the vaccine?

Again, CIS does not recommend a mandatory vaccination program. CIS recommends a non-mandatory vaccine program. In that type program, an employee would receive education from the agency administering the vaccine and make an informed decision as to whether they will take the vaccine or not.

What are the published side effects or potential adverse reactions to the vaccine?

Allergic reaction. The CDC recommends that any person who has had a severe (requiring epinephrine treatment) allergic reaction to any of the ingredients of the COVID-19 vaccine, other vaccines or injectable therapies not get the vaccine. They have also provided guidance and recommended [safeguards](#) for those providing the vaccine.

Common side effects. Like many vaccines, the [CDC states](#) it is not uncommon to experience some residual pain and swelling in the arm receiving the shot. Other residual effects may be similar to the flu such as fever, chills, tiredness and headache.

Few adverse reactions. Currently, there are very few documented adverse reactions that are known. There have been some adverse reactions reported in those individuals with a history of silicone injections in their lips/ cheeks. This following [PBS report](#) answers common questions about the vaccines.



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In the event the employee declines the vaccine, they should be aware that if they change their mind in the future, they may be able to then get the vaccine (depending on availability in your area). A model Declination Form, the OHA vaccine Fact sheet and Fact Sheets from both Pfizer and Moderna have been posted on the CIS webpage in the [Workers' Compensation Coronavirus Resources Section](#).

CONSIDERATIONS REOPENING OFFICE SPACES

As our employees become vaccinated and Oregon approaches 'herd immunity,' what should be considered in reopening office spaces?

Currently, the Governor's State of Emergency Orders remain in effect through March 3, 2021. Multnomah County's State of Emergency Order is in effect through July 30, 2021.

As of this writing, 26 of the 36 counties in Oregon are in the 'Extreme Risk' category due to COVID-19 infection and hospitalization rates.

CIS recommends that before further opening of work offices, that members contact their local Public Health Offices and follow their recommendations. For CIS Workers' Compensation members, there are linked resources under the Workers' Compensation tab of the [website](#), with detailed resources for reopened workplaces, including:

- A link to the OR-OSHA COVID-19 Temporary Standard and workplace poster
- A copy of the OR-OSHA Model Policy for Notifying Employees When a COVID-19 Exposure Occurs
- A sample COVID-19 Risk Assessment Form

CIS is committed to working together to help keep Oregon cities and counties safe, strong and healthy. CIS remains your partner through these rapidly changing times. Be assured of our continued support and commitment to providing you with the most updated information regarding COVID-19 as it becomes available.

If you need assistance, please contact your Risk Management Consultant or myself, [Kurt Chapman](#).

