



**Milwaukee County COVID-19 Public Health Emergency
Vaccine Mandate for Milwaukee County
Administrative Order 21-3v2**

Version 2 Issued and Effective as of 12:01 a.m. on **Friday, October 8, 2021**

The development and rollout of vaccines for COVID-19 has been a major success in the face of the worst pandemic in a century. With broad international cooperation between governments and private industry, several vaccines have been launched worldwide, with three receiving emergency use authorization in the United States and at least one receiving full approval from the U.S. Food and Drug Administration.

As of August 2021, over 200 million residents in the U.S. have received a COVID-19 vaccine, and the three vaccines authorized for use in the U.S. have been shown to be safe and effective in reducing the instance and severity of COVID-19 and in dramatically reducing the risk of death from COVID-19. As a result, organizations are making vaccination against COVID-19 a requirement for employment to protect employees and those they serve from the risk of serious illness and death from COVID-19. The Federal government, the City of Milwaukee, healthcare organizations, as well as countless businesses are now requiring vaccination for employees.

As part of its stated vision to be the healthiest County in Wisconsin, Milwaukee County is joining these organizations in making vaccination against COVID-19 a requirement, as explained in this Administrative Order. Consistent with federal and state law, Milwaukee County may grant reasonable accommodations for medical reasons or sincerely-held religious beliefs, as also outlined in the Order. Note that at present this policy does not address vaccination boosters; as health policy regarding the use of boosters becomes clearer, this Order will be amended to address them. **Changes in Version 2 of the Order are highlighted in red**, and the Order:

- Explains key terms used in the Order.
- Defines the requirements for vaccination for employees, contractors, **volunteers**, and those accepting employment with the County
- Describes the documentation process for vaccinated individuals.
- Specifies the process for employees requesting an exemption and accommodation.
- Outlines rewards and incentives for vaccination, potential consequences for non-compliance, and additional risk mitigation measures for unvaccinated employees.

If you have questions about this, or any other Administrative Order or policy, please email: [**COVID-19@milwaukeecountywi.gov**](mailto:COVID-19@milwaukeecountywi.gov)

I. Definitions

- a. Completed Vaccination:** An individual who has completed either the two-dose series of the Pfizer or Moderna vaccine or the single dose of the Johnson & Johnson vaccine. This does not include any booster vaccinations at this time.
- b. County High-risk or Congregate Living Facilities:** These facilities include the Milwaukee County Jail, the House of Correction (HOC), and within the Department of



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Health and Human Services (DHHS) the Division of Youth and Family Service (DYFS) Detention Center and facilities operated by the Behavioral Health Division (BHD) including the BHD inpatient hospital, also part of DHHS.

- c. **Non-Compliant:** An individual who has neither met the requirement of this order for Completed Vaccination nor received an approved accommodation for medical or religious reasons.

II. Policies for Current Employees, New Employees, and County Contractors

This section outlines the COVID-19 vaccination policies for current employees, new employees, and contractors.

a. Vaccine Requirements for Current Employees

All employees are required to submit required documentation verifying their Completed Vaccination status or to submit a completed medical or religious exemption and accommodation request form by no later than **October 1, 2021**. Vaccinated, exempt, or non-compliant employees will be subject to the policies and associated timelines outlined in Section V. This vaccine requirement applies to all employees,¹ regardless of current or previous COVID-19 infection status.

Employees who get vaccinated as a result of this Order may use up to one (1) hour of their Expanded Paid Sick Leave (EPSL) time bank to cover time away from work for each vaccine dose they receive. Employees should use the **payroll code “EPSL Vaccine”**.

b. Vaccine Requirements for New Employees

Effective **October 1, 2021**, with the exception of new hires by the Milwaukee County Sheriff’s Office (MCSO), only job candidates who have Completed Vaccination or who have received an approved medical or religious accommodation shall be hired by Milwaukee County. The Department of Human Resources (HR) should add vaccination status as a condition of employment for any current and future posted positions, excluding MCSO postings, as soon as is feasible. In offer letters to potential new employees after October 1, 2021, candidates will be asked to provide proof of vaccination status to HR using the verification requirements for employees in Section III. New employees hired before October 1, 2021, but after the effective date of this order, will be subject to the policies for current employees (see Section III). This vaccine requirement applies to all job candidates, regardless of current or previous COVID-19 infection status.

¹ The terms and conditions of this Administrative Order do not currently apply to employee-members of the Milwaukee County public safety unions.



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c. Vaccine Requirements for County Contractors and Volunteers

All contractors **and volunteers** working in County High Risk or Congregate Living Facilities must have Completed Vaccination status no later than **October 11, 2021**.² Unvaccinated personnel will not be permitted to work **or volunteer** on-site at County-operated High Risk or Congregate Living Facilities after **October 11, 2021**. This vaccine requirement applies to all applicable contractors **and volunteers**, regardless of current or previous COVID-19 infection status.

Departments may require Completed Vaccination status for their contractors **and volunteers** more broadly than just those working in County High Risk or Congregate Living Facilities. Departments are encouraged to consider the risk profile of service users,³ staffing levels, the necessity of the service being open for in-person use, and other operational needs when considering broader vaccine mandates for their contractors **and volunteers**.

III. Vaccination Verification Process

Employees who have Completed Vaccination, new hires, or employees seeking an accommodation are required to submit proof of their vaccination status (described below) or an exemption and accommodation request form (see Section IV) by **October 1, 2021**. Please note that proof of vaccination status submitted for the Vaccin8 program does **not** satisfy verification requirements for this policy.

- a. To verify Completed Vaccination status, employees must submit two (2) different forms of proof from the following five (5) options into Dayforce:
 1. A copy of the CDC vaccination card provided at the vaccine appointment.
 2. A copy/screenshot of the employee's COVID-19 vaccination status from the [Wisconsin Immunization Registry \(WIR\)](#).⁴
 - a. If you were vaccinated outside of Wisconsin, vaccination records can be accessed via each State's operational [immunization information system \(IIS\)](#).⁵ Employees may upload a copy/screenshot from the IIS for the state in which they were vaccinated.
 3. A copy/screenshot from the employee's healthcare system patient profile (for example, MyChart).

² If a department operating a High Risk or Congregate Living facility determines a contractor will be out of compliance with this Order, the department head must contact the County Executive's Office to confirm planned remediation and risk mitigation measures.

³ <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>

⁴ <https://www.dhfwis.org/PR/clientSearch.do?language=en>

⁵ <https://www.cdc.gov/vaccines/programs/iis/contacts-locate-records.html>



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4. A note from the employee's healthcare provider or Milwaukee County vaccinator verifying vaccination status.
 5. A copy/screenshot of the employee's COVID-19 vaccination status from the federal [Vaccine Administration Management System \(VAMS\)](#).⁶ Please note that only people receiving vaccines from select providers will have a record in this federal system.

Please contact COVID-19@milwaukeecountywi.gov if you have questions or need assistance submitting the proper documentation, and an HR representative will contact you.

- b. Employees who fail to meet the October 1 vaccine verification deadline should submit the required documentation as soon as possible. These employees will be subject to consequences (see Section V) until they have verified their vaccination status or received an approved accommodation.
- c. **NOTE:** If photographs or screenshots are submitted, the image must be legible and must contain the following information: the vaccine recipient's name and the date(s) when COVID-19 vaccine dose(s) were administered. When submitting information, employees should take care to avoid submitting other medical information. Employees submitting fraudulent documentation are subject to corrective action up to and including termination and could be subject to prosecution under federal law.
- d. HR will verify employees' proof of Completed Vaccination on a weekly basis. If there are issues with the submission, employees will be contacted by an HR representative to resolve the issue.
- e. Employees not submitting proof of their Completed Vaccination (or a request for accommodation described in Section IV) in a timely manner will be subject to policies for non-compliance (see Section V) until they have provided the appropriate documentation.

IV. Accommodation Process

Milwaukee County recognizes that employees may be unable to have Completed Vaccination status because of specific medical conditions or sincerely-held religious beliefs.

- a. Employees seeking an accommodation should request either a "Medical Exemption and Accommodation Request Form" or "Religion or Creed Exemption and Accommodation Request Form" from their HR Business Partner. Employees should return their completed exemption and accommodation request form to their HR Business Partner as soon as possible, but no later than October 1, 2021. **Employees must also indicate their request for an exemption on the COVID-19 Vaccination Form in Dayforce.**
- b. Consistent with federal and state law, HR will consider requests for accommodation on a case-by-case basis and may engage with the employee, with medical providers, and/or with

⁶ https://vams.cdc.gov/vaccineportal/s/login/?language=en_US&startURL=%2Fvaccineportal%2Fs%2F&ec=302



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faith community leaders as allowed by law in considering requests. HR staff will review requests for accommodation weekly and will contact employees as needed.

- c. Accommodations may be granted where they are required by law and do not create undue hardship on Milwaukee County or pose a direct threat to the health and safety of others, including those working for or served by Milwaukee County.
- d. Employees who claim a medical or religious exemption but fail to submit the documents necessary to act on the request, or who fail to engage in the interactive process to address accommodations, and who do not have a Completed Vaccination shall be denied an accommodation and shall be viewed as non-compliant and subject to the actions described in Section V.
- e. Employees receiving an exemption may or may not qualify for specific rewards or incentives, as described in Section V.

V. Incentives, Consequences, and Additional Risk Mitigation Measures

With three (3) highly safe, highly effective vaccines available, the full approval of the Pfizer vaccine on August 23, 2021, and the Delta variant surging in the community, County leaders recognize that the time has come to strengthen policies and expectations around vaccines for all current employees. This policy offers incentives and rewards to employees who get vaccinated and impose consequences on non-compliant employees.

a) Rewards and Incentives for Employees with Completed Vaccination

Milwaukee County is offering a variety of incentives to increase acceptance of this vital tool in keeping one another and those we serve safe:

- 1. Employees with Completed Vaccination prior to December 31, 2021 will qualify for the Vaccin8 paid time off, as detailed in Administrative Order 21-2. Employees without Completed Vaccination by December 31 are not eligible for this additional paid time off.
- 2. New “Vax Cash” Program:
 - i. Employees will receive \$50 after they complete their full vaccine series and submit the required paperwork in Dayforce (see Section III). Payments will be made directly through payroll. This payment is taxable and will be included on employees’ W-2 tax forms.
 - 1. This reward will be available through December 31, 2021.
 - 2. All employees with Completed Vaccination status, whether obtained before or after the effective date of this order, will be eligible to receive the Vax Cash reward.
 - 3. New employees will be eligible for the reward.
 - 4. Employees who have not completed their full vaccine series, including those with approved accommodations, will not be eligible for this direct payment.



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- ii. Vax Champions: Employees who champion vaccinations and successfully encourage a colleague to receive a Completed Vaccination will receive a \$25 bonus payment for each successful referral.
1. Only people with Completed Vaccinated after the effective date of this order (in other words, people who receive their first shot on or after September 2, 2021, and who complete their vaccine series) will be able to refer a Vax Champion to receive the \$25 bonus. This program will end December 31, 2021.
 2. An employee who begins and Completes Vaccination after September 2, 2021, may report the name of the Vax Champion who encouraged their decision in the Dayforce reporting system. Only employees who have completed a full vaccination series will be able to identify a Vax Champion. The person listed as the Vax Champion in Dayforce will receive the \$25 reward via direct payment.
 3. Employees who Completed Vaccination may list only one (1) Vax Champion in Dayforce. The same Vax Champion could be named by multiple employees and will receive \$25 per successful referral.
 4. All employees are eligible to be Vax Champions and to receive the \$25 Vax Champion payment for successfully encouraging a colleague to get vaccinated, regardless of the Vax Champion's own vaccination status.

b) Consequences for Non-Compliance

Milwaukee County views non-compliance with this vaccine mandate, that is, employees who are not vaccinated and do not have an approved accommodation in place, as a decision inconsistent with our vision of becoming the healthiest county in Wisconsin and inconsistent with our responsibilities as public servants. As a result, the County will impose escalating consequences on employees who fail to comply with this vaccine mandate. Failure to comply with vaccination requirements outlined in this Order may result in corrective action, up to and including termination.⁷

Employees who report Completed Vaccination status or who receive an approved accommodation before October 11, 2021, will not be subject to consequences for non-compliance with this Order. Employees who report Completed Vaccination or receive an approved accommodation on or after October 11, 2021, will be subject to consequences until such time as they Complete Vaccination or receive an approved accommodation. The consequences for non-compliant employees include:

⁷ Employees who claim a medical or religious exemption, but who have failed to submit documentation in accordance with the established deadlines, and/or any additional requested support for their request, and who are not vaccinated, shall be denied an accommodation and shall be subject to the actions described in this order.



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1. Effective October 11, 2021

- i. Employees will not be eligible for voluntary overtime.
- ii. Employees will not be eligible for Risk Recognition Pay, when it is available.
- iii. **(OPTIONAL DEPARTMENT POLICY)** Employees failing to comply with the terms of this Order may be placed on unpaid suspension for up to 10 days.
 1. **Departments are encouraged to pursue unpaid suspensions for non-compliant employees as strictly as possible** without: a) exceeding 10 days per employee, or b) impeding service delivery or operations, or c) triggering overtime.
 2. Unpaid suspensions may be scheduled at the discretion of the Department Head or designee(s), consistent with operational needs.
 3. Unpaid suspensions should occur between October 11 – December 31, 2021.
 4. A suspension policy should be evenly applied across non-compliant employees within the department or subunits, as determined by department heads.
- iv. **(OPTIONAL DEPARTMENT POLICY)** Department Heads or designee(s) may use an employee's compliance or non-compliance with this Order as a factor when making decisions about promotions, hiring current employees into new positions at the County, or giving a Temporary Assignment to a Higher Classification (TAHC).
- v. **(OPTIONAL DEPARTMENT POLICY)** Department Heads or designee(s) may use an employee's compliance or non-compliance with this order as a factor when making decisions about Departmental Other Salary Adjustment Allocation (DOSAA).

2. Effective January 1, 2022

- i. Employees enrolled in Milwaukee County health insurance will incur a **\$20 per pay period surcharge**. If an employee opts to Complete Vaccination in 2022, the surcharge will be eliminated after they submit their documentation for the full vaccine series (see Section III), effective the following pay period.
- ii. Any employees working in the Behavioral Health Division (BHD) who do not meet the requirements of this policy by January 1, 2022, may be restricted from work until vaccination requirements are completed. Non-compliance may lead to separation.



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c) Additional Risk Mitigation Measures for Unvaccinated Employees

In order to mitigate the risk of spread of COVID-19, all unvaccinated employees, including those with an approved accommodation, will be subject to the following additional risk mitigation measures:

1. Effective October 11, 2021

- i. Employees working in any County healthcare setting will be required to wear a fitted N95 mask whenever a face mask is required per the current version of the Universal Face Mask Policies and Procedures Administrative Order (20-14).
- ii. All employees working in person in a non-healthcare setting will be required to wear a KN95 mask whenever a face mask is required per the current version of the Universal Face Mask Policies and Procedures Administrative Order (20-14).
- iii. Employees working in-person full- or part-time at the HOC, the County Jail, or the DYFS Detention Center will be subject to COVID-19 testing on a bi-weekly basis, **that is, every other week**, consistent with current policy.