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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.

<b>A. Applicability</b>		
<b>Number:</b>	<b>Topic:</b>	<b>Question/Answer:</b>
A.1	Applicability	<p><b>Q: Do the State's COVID-19 vaccination attestation/mitigation measures apply to me?</b></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><b>Q: Are new hires required to comply with the requirements of the State's COVID-19 vaccination attestation/mitigation measures?</b></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>B. Vaccinations</b>		
<b>Number:</b>	<b>Topic:</b>	<b>Question/Answer:</b>
B.1	Vaccinations	<p><b>Q: Are state employees required to get vaccinated as a condition of employment?</b></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><b>Q: Can unvaccinated employees receive a COVID-19 vaccination on state time?</b></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><b>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?</b></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>

<b>C. Attestation</b>		
<b>Number:</b>	<b>Topic:</b>	<b>Question/Answer:</b>
C.1	Attestation	<p><b>Q: How do I attest?</b></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><b>Q:What does “fully vaccinated” mean?</b></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><b>Q: Can employees decline to provide the attestation?</b></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><b>Q: May I revoke my attestation?</b></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><b>Q: Do I need to provide proof of my vaccination?</b></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><b>Q: Do employees who are not physically working on site (e.g., teleworking, home-based) need to complete the attestation?</b></p> <p>A: Yes.</p>

C.7	Attestation	<p><b>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?</b></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"> <li>- Universal mask mandates for all employees</li> <li>- More restrictive requirements for specific agencies/departments dictated by federal law</li> <li>- Changes in what constitutes “fully vaccinated”</li> <li>- Additional testing requirements</li> </ul>
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## D. Testing

Number:	Topic:	Question/Answer:
D.1	Testing	<p><b>Q: Am I required to test?</b></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	<p><b>Q: If I have tested positive for COVID-19, am I still required to test?</b></p> <p>A: If an unvaccinated employee provides proof of a positive COVID-19 test, the Vermont Department of Health will be consulted to determine whether a 90-day exception to the weekly testing requirement is appropriate. If VDH approves the exception, the unvaccinated employee will not be required to test for a period of 90 calendar days. The employee will remain subject to face covering requirements. After the 90-day period, the unvaccinated employee will again be subject to the testing requirement.</p>

D.3	Testing	<p><b>Q: Where and when do I pick up the COVID-19 test kit?</b></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><b>Q: Can I pick up and return my COVID-19 test kit from a location other than the one that I was assigned?</b></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><b>Q: How do I take the COVID-19 test?</b></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	<p><b>Q: Can I submit my test without completing registration with Binx?</b></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</p>

		that the employee has either refused to test or missed a test because Binx will be unable to process the test.
D.7	Testing	<p><b>Q: What do I do when I am complete the test?</b></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><b>Q: How will I be notified of my test results?</b></p> <p>A: You will be notified of the results of your test electronically.</p>
D.9	Testing	<p><b>Q: Is time spent complying with the State’s testing requirement paid?</b></p> <p>A: Yes. All time spent completing the mandatory testing requirement should be coded as regular work hours.</p>
D.10	Testing	<p><b>Q: What if I am on authorized leave on the day I am required to test?</b></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	Testing	<p><b>Q: What if I do not take the weekly COVID-19 test?</b></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>
D.12	Testing	<p><b>Q: How long are employees subject to the mandatory mitigation testing requirements?</b></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	Testing	<p><b>Q: Can an employee provide their own negative COVID-19 test results to comply with the mandatory testing requirement?</b></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><b>Q: May an employee who has been fully vaccinated elect to participate in the state provided testing?</b></p> <p>A: Yes.</p>

<b>E. Face Covering</b>		
<b>Number:</b>	<b>Topic:</b>	<b>Question/Answer:</b>
E.1	Face Covering	<p><b>Q: Am I required to wear a face covering?</b></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><b>Q: How do I appropriately wear a face covering?</b></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: <a href="#">Improve How Your Mask Protects You   CDC</a></p>
E.3	Face Covering	<p><b>Q: What if I do not wear appropriate face covering?</b></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>



E.4	Face Covering	<p><b>Q: How long do I have to comply with the face covering requirement?</b></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><b>Q: What constitutes a worksite for purposes of the face covering requirement?</b></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>

## F. Miscellaneous

Number:	Topic:	Question/Answer:
F.1	Miscellaneous	<p><b>Q: Can a vaccinated employee receive a COVID-19 vaccination booster on state time?</b></p> <p><b>A:</b> 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>