

WASHINGTON STATE VACCINATION REQUIREMENTS

WHAT DOMESTIC VIOLENCE & SEXUAL ASSAULT PROGRAMS NEED TO KNOW

Governor Inslee recently issued [Proclamation 21-14.1 COVID-19 Vaccination Requirement](#), requiring some Washington workers to be fully vaccinated by October 18, 2021. **What does this mean for your program?**

This FAQ is based on WSCADV's current interpretation of the Governor's order, and initial guidance available from state agencies. We will update this information as we learn more. Please contact Jake Fawcett (jake@wscadv.org) if you have more questions, or additional information to share about how these requirements will be implemented.

FREQUENTLY ASKED QUESTIONS

WHO IS REQUIRED TO BE VACCINATED UNDER THE GOVERNOR'S ORDER? DOES THIS INCLUDE WORKERS IN DV/SA PROGRAMS?

The bottom line: there are 3 categories of workers who are required to be fully vaccinated by October 18th. Workers in your program may be included in one of more of these categories:

- **Workers for a State Agency** (e.g. CSO advocates stationed in a DSHS Community Services Office)
- **Health Care Providers and Workers in a Health Care Setting** (e.g. mental health counselors)
- **Workers in an Educational Setting** (e.g. advocates working with youth in a school setting)

WHY IS THIS HAPPENING NOW? WHY ISN'T REGULAR TESTING A SUBSTITUTE FOR VACCINATION?

The [delta variant](#) has changed what it takes to protect our communities. The rate of new COVID-19 infections is high in every county across Washington state. The rates of infection and hospitalization are as high as at the peak of the pandemic in December and January. The delta variant is much more contagious than the original form of COVID-19. We now know that fully vaccinated people can transmit the delta version of the virus if they become infected, even without symptoms. Vaccines still do a very good job of protecting vaccinated individuals from getting sick, including against the delta variant. However, because this new form of the virus is so easy to transmit, current vaccination rates in Washington are not enough to prevent the virus from spreading through the community.

Even frequent testing is not enough to contain the spread of the COVID-19. By the time someone tests positive and their close contacts are notified, the people they have infected have already spread the virus to others.

WHEN DO WORKERS NEED TO BE VACCINATED IN ORDER TO BE IN COMPLIANCE WITH THE ORDER?

Workers covered by this requirement must be fully vaccinated by October 18, 2021. Individuals are considered fully vaccinated 14 days after their last dose of Pfizer or Moderna or 14 days after their only dose of Johnson & Johnson. Below is a table with deadlines by which workers must receive their vaccine to be fully vaccinated by October 18, 2021.

Vaccine	Series Dose Requirement	First Dose no Later Than	Second Dose	Completed Series	Fully Vaccinated
Pfizer	2 doses, 21 days apart	09/13/21	10/04/21	10/04/21	10/18/21
Moderna	2 doses, 28 days apart	09/06/21	10/04/21	10/04/21	10/18/21
Johnson & Johnson	Single dose	10/04/21	N/A	10/04/21	10/18/21

ARE THERE ANY EXCEPTIONS TO THE VACCINATION REQUIREMENT?

Workers are not required to be vaccinated if they are unable to do so because of a disability, or if the requirement to do so conflicts with their sincerely held religious beliefs, practice, or observance. There is no personal or philosophical exemption. Decisions to grant a disability or religious accommodation must be based on “an individualized assessment and determination of each individual’s need and justification for an accommodation.”

An employer does not have to reasonably accommodate a religious belief or disability if there is an undue hardship. Workers who receive accommodations will be required to take other COVID-19 safety measures consistent with state Department of Health recommendations.

Workers are exempt from the requirement if they are unable to be vaccinated because of their participation in a COVID-19 vaccine clinical trial or because they are too young to receive any authorized COVID-19 vaccine (currently this means anyone under 12 years old).

WHO IS A WORKER FOR A STATE AGENCY? IF OUR PROGRAM HAS A CONTRACT WITH A STATE AGENCY (E.G. DSHS, DCYF, OR COMMERCE), ARE OUR EMPLOYEES REQUIRED TO BE VACCINATED?

A State Agency is any agency that is part of the [Executive Cabinet](#), part of the [Small Cabinet](#), or under the authority of a board, council or commission listed [here](#).

According to the Governor’s order, a Worker for a State Agency is “a person engaged to work as an employee, on-site volunteer, or on-site contractor for a State Agency.”

“On-site” means the worker is physically present at a job site that is owned or controlled by a State Agency.

DSHS is requiring their contractors to submit an Employer Declaration verifying that any employee(s) who will provide contracted services on-site at a DSHS location will comply with the vaccination requirement (or request and be granted a reasonable accommodation). For example: a CSO advocate stationed at a DSHS Community Services Office.

WHO IS A HEALTH CARE PROVIDER? WHAT IS A HEALTH CARE SETTING?

Health Care Providers include “individuals with credentials listed in the [Healthcare Professional Credentialing Requirements](#) list.” These include licensed social workers, mental health counselors, substance use disorder professionals, and many others. Licensed Health Care Providers are required to be vaccinated even if they provide services remotely (e.g. telehealth).

Health Care Providers also include any worker in a Health Care Setting, including administrative staff.

A Health Care Setting is “any public or private setting that is primarily used for the delivery of in-person health care services.” It may be an entire facility, or a specific area within a larger facility. Health Care Setting includes “outpatient facilities, including, but not limited to...behavioral health facilities (including offices of psychiatrists, mental health counselors, and substance use disorder professionals).”

The order does not apply to Tribal Health Care Settings, however, a DOH-licensed Health Care Provider working in a Tribal Health Care Setting would still be subject to the order.

A mental health counselor, therapist, or other licensed provider is considered a Health Care Provider. For example, a therapist in a child advocacy center is required to be vaccinated because they are an actively practicing health care provider. According to [DOH](#), “the operator of the child advocacy center is required to verify the vaccination status of a therapist who provides services there only if the child advocacy center is primarily used for delivering in-person health care services to people, making it a health care setting.”

ARE ADVOCATES ACCOMPANYING SURVIVORS IN THE HOSPITAL OR TO MEDICAL APPOINTMENTS REQUIRED TO BE VACCINATED?

According to [DOH](#), “If an advocate contracts with the hospital to provide services in the hospital, they are subject to the vaccination requirement because they are a worker in a health care setting, and thus a health care provider. Otherwise, they would not be subject to the requirement unless they hold a credential listed in the [Health Care Professional Credentialing Requirements](#) list or are permitted by law to provide health care services in a professional capacity without holding a credential.”

WHAT IS AN EDUCATIONAL SETTING? WHO IS A WORKER IN AN EDUCATIONAL SETTING?

The order defines Educational Setting broadly to include public and private universities, colleges, schools, preschools, early learning programs, childcare programs, and license-exempt youth development programs (e.g. Boys and Girls Club, YMCA or city Parks and Recreation programs).

A Worker in an Educational Setting is “a person engaged to work as an employee, on-site volunteer, or on-site contractor for...an operator of an Educational Setting. ... On-site contractors are not Workers if they do not work in places where students or persons receiving services are present.”

ARE ADVOCATES DOING PREVENTION WORK IN SCHOOLS REQUIRED TO BE VACCINATED?

Yes. Anyone working in person with others in a school setting is included in the requirement. According to [OSPI](#), “all employees under contract with a school district, private school, charter school, or educational service district and work in-person with others are included in this requirement. The order does not apply to contractors and subcontractors who are only physically present for short periods of time and any moments of close physical proximity to others on-site is fleeting.”

ARE ADVOCATES OR VOLUNTEERS PROVIDING CHILDCARE OR CONDUCTING CHILDREN’S ACTIVITIES REQUIRED TO BE VACCINATED?

According to the DSHS Contracts’ Office interpretation of the Governor’s order, staff and volunteers providing childcare or conducting children’s activities at the shelter or in a program’s service office are not included in the vaccine requirement. (Other State Agencies may have a different interpretation.)

WHO IS RESPONSIBLE FOR VERIFYING THAT REQUIRED EMPLOYEES ARE FULLY VACCINATED? WHO HANDLES WORKER REQUESTS FOR ACCOMMODATION OR EXEMPTION?

The State Agency, operator of a Health Care Setting, or operator of an Educational Setting is responsible for verifying that workers and contractors are in compliance with the Governor’s order. If your program is considered a Health Care Setting or Educational Setting under this order, you are responsible for verifying vaccination status for those workers.

If your employees are required to be vaccinated because they provide contracted services at another covered site (e.g. a school, youth program, hospital or clinic), your program could be responsible for verifying compliance with the vaccine requirements. Under the Governor’s order, a State Agency, operator of a Health Care Setting, or operator of an Educational Setting may choose to require the employer of a contractor who is subject to the vaccine requirement to assume responsibility for vaccination verification and accommodations. In that case, your program would need to submit a signed declaration, declaring that the requirements have been met. DSHS has elected to require contractors to assume responsibility for vaccination verification of any of the contractor’s employees who are subject to the vaccine requirement.

If a State Agency, Health Care Setting, or Educational Setting has not delegated that responsibility to your program, you are not required to verify vaccination status, unless your program is also itself a

Health Care Setting or Educational Setting. However, workers themselves are responsible for complying with the order and providing proof of vaccination to the operator of the setting where they are providing services.

DOES THIS REQUIREMENT APPLY TO CLIENTS AND SURVIVORS?

No. The order does not apply to people receiving services in any of the covered settings.

HOW CAN WE MAKE IT EASIER FOR WORKERS WHO MAY BE HESITANT TO GET VACCINATED?

Make sure employees know they can use paid sick leave to get the vaccine, and to recuperate after getting the vaccine. Encourage employees who have questions about the vaccine to use paid sick leave to schedule an appointment with a trusted health care provider who can answer their questions. If employees don't have sufficient sick leave time, consider offering additional paid leave specifically for getting vaccinated.

Consider offering incentives for employees to get vaccinated. This could be a monetary incentive, paid time off, or something else that your employees would find meaningful.

Listen with empathy and without judgment. Offer information and be open to dialogue. Create opportunities for staff to learn about the vaccines from trusted sources, such as your local health department, health care providers, community leaders, elders, or faith leaders. [Reach out to WSCADV](#) for support and information. Find resources to support these conversations in the resource list below.

MORE RESOURCES AND INFORMATION

WASHINGTON STATE VACCINATION REQUIREMENT

- [Governor's Proclamation 21-14.1 – COVID-19 Vaccination Requirement](#)
- [Vaccine Mandate Frequently Asked Questions](#) – Governor's Office
- [Vaccination Requirement FAQ for Child Care, Early Learning, and Youth Development Providers](#) – Department of Health
- [Guidance on vaccine requirement for health care workers and health care settings](#) - Department of Health
- [COVID-19 Vaccination Requirement for K–12 School Employees: FAQ](#) – Office of Superintendent of Public Instruction
- [Guidance for school districts on evaluating religious accommodation requests](#) – Office of Superintendent of Public Instruction
- [Vaccine Requirements Guidance for Local Government Employers](#) – Municipal Research and Services Center

FOR EMPLOYERS

- [COVID-19 Vaccines Toolkit for Businesses and Employers](#)
- [Pandemic Preparedness in the Workplace and the Americans with Disabilities Act](#) - Equal Employment Opportunity Commission
- [What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws](#) - Equal Employment Opportunity Commission
- [Requirements and Guidance for Preventing COVID-19](#) (updated 8/23/21) – WA Labor & Industries
- [COVID-19 Vaccines and Paid Sick Leave Common Questions](#) – WA Labor & Industries
- [COVID-19 Vaccination FAQs](#) for employers in non-healthcare settings (updated 4/14/21) – WA Department of Health
- Sample exemption forms for Washington Employers, from the Office of the Governor
 - [Religious Exemption Request Form Template for Washington Employers](#)
 - [Employer Guidance for Religious Exemption Requests](#)
 - [Disability-Related \(Medical\) Exemption Request Form Template for Washington Employers](#)
- Sample vaccination policy & forms for requesting accommodations from the YWCA of Central Virginia (note these example forms may not meet WA state law requirements)
 - [YWCA of Central VA Voluntary Vaccination Policy](#)
 - [YWCA of Central VA Request for Medical Accommodation](#)
 - [YWCA of Central VA Request for Religious Accommodation](#)
- [Ask Rita: We Can Require Employees to Receive the Covid-19 Vaccine—But Should We?](#)
- [Ask Rita: How Do I Navigate Requests for Religious Exemptions from a Requirement to Receive the Covid-19 Vaccine?](#)

VACCINE INFORMATION & VACCINE CONFIDENCE

- [COVID-19 Vaccine Information](#) – WA Department of Health
- [Vaccine Booster Doses FAQ](#) – WA Department of Health
- [Discussion Guide for Building Confidence in COVID-19 Vaccines](#) – WA Department of Health
- [Answering Your Questions About the Safety and Effectiveness of COVID-19 Vaccines](#) - CDC
- [Is it true? COVID-19 Vaccines Fact Checking](#) – King County Public Health
- [Spread the Facts: How to Verify COVID-19 Vaccine Information](#) – DSHS
- [How to talk about COVID-19 Vaccines with Friends and Family](#) - HHS
- [Talking About Vaccines](#) – Immunity Community
- [Messages from Washington faith leaders](#) – Faith Action Network
- [The Virus, the Vaccines & You](#) - This recorded webinar for WSCADV programs covers how the vaccines were developed and how they work.