

## **ORDER NO. 2021-11**

### **AN ORDER OF THE PORT OF SEATTLE COMMISSION**

to endorse the Executive Director's adoption of Policy HR-34, requiring Port employees be fully vaccinated against COVID-19.

#### **ADOPTED**

November 9, 2021

#### **INTRODUCTION**

The COVID-19 global pandemic is an unprecedented public health emergency that has threatened the health and safety of Port employees, their families, and the community. COVID-19 remains a significant threat throughout Washington and in the greater Seattle area. At the same time, the three vaccines authorized by the U.S. Food & Drug Administration (FDA) have proven highly safe and effective at reducing the spread and severity of COVID-19. These vaccines currently represent the most effective defense we have against the virus.

Consistent with the Port of Seattle's duty to provide a safe workplace and to protect the health and well-being of its employees, the Executive Director issued HR-34, making vaccination against COVID-19 a condition of employment for all Port employees. The Executive Director's adoption of HR-34 falls squarely within the Executive Director's delegated authority to manage Port staff and adopt administrative or operational rules and policies.

#### **TEXT OF THE ORDER**

In recognition of the urgency of action needed to address COVID-19, the Port Commission hereby formally endorses the Executive Director's implementation of HR-34, requiring all Port employees to be fully vaccinated against COVID-19 or be separated from employment unless they apply and qualify for religious or medical exemptions that can be reasonably accommodated.

#### **STATEMENT IN SUPPORT OF THE ORDER**

It is the duty of every employer to protect the health and safety of employees by establishing and maintaining a healthy and safe work environment and by requiring all employees to comply with health and safety measures. HR-34 is intended to protect the health and well-being of Port employees and their families, Port contractors, customers and guests, and the community at-large.

COVID-19 vaccines are safe and effective. COVID-19 vaccines were evaluated in clinical trials involving tens of thousands of participants and met FDA's rigorous scientific standards for safety, effectiveness, and manufacturing quality. That is why FDA granted emergency use authorizations to the Pfizer, Moderna, and Johnson & Johnson vaccines between December 2020 and February 2021. In August 2021, the Pfizer vaccine received full FDA approval.

COVID-19 vaccinations have been available for many Port employees since March 2021. Unfortunately, by mid-September, just 55 percent of Port employees had confirmed being fully vaccinated against COVID-19.

The Commission notes that in response to the dramatic rise in cases and hospitalizations caused by the Delta variant, many of the Port's state and local governmental partners adopted employee vaccine policies in August, including the state of Washington, King County, and the city of Seattle. So too, did major private employers in the region, including Boeing, Microsoft, and Alaska Airlines.

Following those partners' lead, on September 14, 2021, the Executive Director announced a new portwide policy requiring all employees be fully vaccinated against COVID-19. This policy was formalized as Policy HR-34. The Commissioners have previously expressed their support of HR-34 in public meetings. Through this Order, the Commission formally expresses its unanimous support for HR-34, as well as its view that in issuing HR-34 the Executive Director acted well within his delegated authority under the Commission's Delegation of Responsibility and Authority to the Executive Director, as last amended in 2017.