

RESOLUTION 22-069

RESOLUTION COMPREHENSIVELY REVISING RVRSA RESOLUTION 21-105 TO ACCOUNT FOR REVISED COVID-19 GUIDANCE ISSUED BY THE UNITED STATES CENTERS FOR DISEASE CONTROL

WHEREAS, on September 9, 2021, the RVRSA Board of Directors enacted Resolution 21-105, Adopting a Vaccination/Weekly COVID Testing Mandate for RVRSA Employees, Adopting a Financial Incentive Program for Non-Union RVRSA Employees and Authorizing Negotiation of the Same Financial Incentive for Unionized RVRSA Employees; and

WHEREAS, Resolution 21-105 was based upon the best available information and guidance offered by the New Jersey Department of Health and the United States Centers for Disease Control (CDC) pertaining to the spread of COVID-19 and the measures recommended for preventing spread; and

WHEREAS, in the eight months since the adoption of Resolution 21-105, the recommendations of the New Jersey Department of Health and the CDC have changed in light of the emergence of the Omicron variant and related subvariants, and the need and desirability of persons who are fully vaccinated to receive booster vaccinations to maintain optimal protection against COVID-19; and

WHEREAS, among the changes in the CDC guidance and recommendations are (a) the replacement of the term, "fully vaccinated," with the phrase, "fully vaccinated and up to date," and (b) clarification of the distinction between "quarantine" due to exposure to COVID-19 and "isolation" due to positive COVID-19 status; and

WHEREAS, while the best information and guidance available at the time of the adoption of Resolution 21-105 demonstrated that mandatory weekly testing of RVRSA employees who were not fully vaccinated was necessary and appropriate at that time, neither the New Jersey Department of Health nor the CDC currently recommends the weekly testing of unvaccinated employees; and

WHEREAS, the most recent updates in CDC guidance and recommendations, adopted during the week of May 23, 2022, require repeal of Resolution 22-046 adopted April 14, 2022, and its replacement with the terms set forth below; and

WHEREAS, the RVRSA Board of Commissioners therefore deems it appropriate to keep Resolution 21-105 in effect, but also to make amendments thereto in accordance the foregoing and as more fully set forth below.

NOW, THEREFORE, BE IT RESOLVED by Rockaway Valley Regional Sewerage Authority on this **9th day of June, 2022**, as follows:

1. The Recitals set forth above are incorporated into this Resolution by reference.
2. Effective immediately, the weekly COVID-19 testing requirement for unvaccinated employees set forth in Paragraph 5 of Resolution 21-105 is suspended. However, the Executive Director may reinstate the aforesaid weekly testing requirement should conditions warrant it. Such conditions include, but are not limited to, among other relevant considerations: an increase in positive COVID-19 cases in Morris County, New Jersey, in the State of New Jersey, and/or the United States; as may be recommended by the CDC or the New Jersey Department of Health; and, as may be required or recommended by Gubernatorial Executive Order.
3. Effective immediately, the term, "fully vaccinated," as utilized in Resolution 21-105 shall be deemed amended to read, "fully vaccinated and up to date." In accordance with current CDC definitions, "fully vaccinated" means a person has received all recommended doses in their primary series of COVID-19 vaccine. "Up to date" means a person has received all recommended doses in their primary series COVID-19 vaccine and all recommended booster doses when eligible. The Executive Director and/or her designee are hereby instructed and authorized to monitor current and future CDC recommendations regarding being "fully vaccinated" and "up to date" on an ongoing basis, to incorporate same into the application of this Resolution, and to communicate same to RVRSA employees as needed.
4. Effective immediately, the term, "quarantine," as utilized in Paragraph 7 of Resolution 21-105, shall be deemed amended to read, "quarantine or isolation" or "quarantine or isolate," as appropriate. In accordance with current CDC definitions, "quarantine" is defined as absence made necessary due to an employee's exposure to COVID-19, such as close contact with another person who tests positive for COVID-19. "Isolation" is defined as absence made necessary due to the employee him/herself testing positive for or displaying symptoms of COVID-19. Whether an employee is required to quarantine or isolate, and for how long, shall be in accordance with the relevant CDC guidance then in effect; provided, however, that any employee who quarantines or isolates shall be required to produce a negative COVID-19 PCR test result before being permitted to return to work.
5. Effective immediately, an employee who seeks to receive full pay without charge against accumulated paid time off under Paragraph 7a of Resolution 21-105 will be required to present adequate proof, as defined in Paragraph 4 of Resolution 21-105, at the time of such request, that the employee is fully vaccinated and up to date.
6. The Executive Director is hereby authorized to negotiate the provisions set forth above with the authorized representative of IBT Local 125 to the extent any such provisions require negotiation under applicable law.
7. Resolution 22-046, adopted April 14, 2022, is hereby repealed.

8. The provisions of Resolution 21-105 remain in full force and effect except as expressly stated otherwise herein. In case of conflict between Resolution 21-105 and the express terms of this Resolution that cannot otherwise be reconciled, the express terms of this Resolution shall control, but only to the extent of said conflict.
9. This Resolution shall take effect immediately, and shall remain in effect until amended, modified, or repealed.

I hereby certify that this Resolution was adopted at a meeting of Rockaway Valley Regional Sewerage Authority held on the 9th of June, 2022.

On motion of: Commissioner Corbett

Second by: Commissioner Howarth

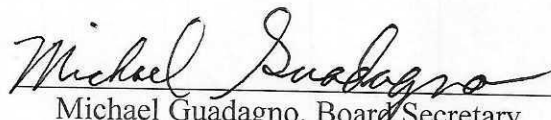
and a Roll Call vote as follows:

Yeas: (7) Andes, Corbett, Farrell, Howarth, Isselin, Lavery, and Zuppa.

Nays: (1) Guadagno

Abstain: (0)

Absent: (2) Cegelka and Schorno


Michael Guadagno, Board Secretary