

## Executive Summary

The Housing Authority City of Milwaukee Board of Directors  
COVID-19 Vaccination

### Summary

- Vaccination are voluntary.
- Employee incentives We have provided 2 additional hours of PTO to supplement their time away from the office to get a vaccine, with proof of vaccination. As the EEOC clarifies its directives then we will re-examine our options.
- Data Collection via employee survey.
- Informational material on HACM website.

See memo below for detailed information.

The COVID-19 pandemic continues to have its icy grip affixed on our nation and the world. We appreciate how much our staff have already done to adapt during this challenging time. We continue to take preventive measures at The Housing Authority of the City of Milwaukee (HACM) against COVID-19 as we have for the past year in an effort to help keep staff, their families, and our residents safe.

Currently, we are managing two processes as it applies to COVID-19, one being management of COVID-19 exposure and/or infection and secondly, the COVID-19 Vaccination process. As it pertains to the COVID-19 vaccination HACM is working with the City of Milwaukee to provide access to the vaccination, in conjunction with providing staff with resources to schedule appointments from various sources throughout the City.

The Authority understands that the choice to receive the COVID-19 vaccination is a personal one, and completely voluntary, for our organization, with this being said we do encourage all employees to receive the vaccination since COVID-19 vaccination is an important tool to help stop the pandemic.

Research shows that some employers across the nation, both public and private, that have not made the vaccine mandatory, are incentivizing its employees to become fully vaccinated. These efforts include everything from \$100 bonuses to free rides to the testing sites. HACM has not, as of yet, chosen to incentivize its employees to that extent because of an absence of clear legal guidelines. The challenge from a compliance standpoint is what if someone cannot get the vaccine due to their religion or health condition? Are we technically discriminating against them since others have a chance to get an extra \$100 and they cannot? The EEOC issued guidance which stated that there cannot be more than a "de minimous incentive" i.e. too trivial or minor to merit consideration but not even that is well defined; however, the EEOC then withdrew this

guidance, resulting in even more uncertainty in this area. HACM is taking the path of what appears to be a fairly low compliance risk. That is an incentive of PTO time. We have provided 2 additional hours of PTO to supplement their time away from the office to get a vaccine, with proof of vaccination. As the EEOC clarifies its directives then we will re-examine our options.

Collection of data to answer the question if employees have been vaccinated is equally a precarious subject, the EEOC does acknowledge the employers' right to query employees if they have been vaccinated, but that right includes a plethora of if then statements, to assure employers are not asking employees about a disability. If HACM decides to ask staff about their vaccination status, there are steps we can take to minimize compliance risk. For instance, we can minimize the chance of an ADA violation by (i) designing the request so it is not likely to elicit information about a disability, (ii) not asking why an individual did not receive a vaccination, and (iii) warning the employee not to provide any medical information as part of the requested proof of receipt of a COVID-19 vaccination. To this end, HACM has developed an employee survey, in an effort to legally solicit information from employees regarding their vaccination status.

HACM has also dedicated space on our website to provide educational material to our employees on COVID-19 related matters. The site contains posters, videos and links to COVID-19 educational sites. A notable tool on our website is a link that allows employees to enter their zip code and find vaccination sites.

HACM's Human Resources Department is following all guidelines and orders set forth by the federal, state, and local government as we continue to accept the challenge COVID-19 presents to our world, our staff and our families.

Despite the new challenges we face, HACM is determined provide up to date information to our staff to continue to encourage vaccination for COVID-19. As the CDC, the Milwaukee Health Department and the EEOC adapts and changes, so will we, keeping our employees in the know of developments as they occur.

Respectfully,

Crystal Reed-Hardy  
Human Resource Director