



**PROCLAMATION 21-14, et seq.
CONTRACTOR VACCINATION, EXEMPTION, AND
REASONABLE ACCOMMODATION VERIFICATION PROCESS**

DISCLAIMER. *This guidance is meant to be a reference for Washington employers implementing Proclamation 21-14, et seq. The state makes no representation that reliance on this guidance will satisfy an employer’s legal obligations or shield any employer from legal challenges. Every employment setting is unique, and you should carefully review your accommodation policies with legal counsel. In providing this guidance, the state is not requiring its use by private employers; rather, it is intended for Washington state agencies and is offered for general informational purposes only.*

Pursuant to Proclamation 21-14.1, state agencies may not permit a contractor to engage in on-site work for the agency after October 18, 2021, if the personnel performing the contracted work (including subcontractor personnel) will be on-site and have not been fully vaccinated against COVID-19 and provided proof as required in the proclamation, or been granted a disability or religious exemption for which a reasonable accommodation has been provided.

The proclamation provides two options for vaccination verification and the exemption and accommodation process: the state agency may verify vaccination status itself, or the state agency may elect to require the contractors to assume the responsibility for vaccination verification, exemptions, and accommodation requirements. If the state agency elects to require the contractor to verify vaccinations, grant exemptions and address accommodation requests, the following procedure applies. The process below is provided as guidance, and state agencies may modify the process based on agency-specific needs, provided that vaccination status is verified, exemptions granted, and accommodations are addressed as required in the Governor’s proclamation.

Contractor Vaccine Verification Process

1. The state agency will provide a notice letter to the contractor explaining that the agency has elected to require the contractor to assume responsibility for compliance with the Proclamation. The letter will also explain that the contractor is responsible for vaccination verification for all employees/subcontractors, and for approving or rejecting exemption requests, and for those employees/subcontractors granted an exemption, determining the reasonable accommodation. The notice should advise the contractor that the contractor and contractor employees/subcontractors are prohibited from engaging in on-site work for the state agency, and the state agency is prohibited from allowing them to engage in on-site work for the agency, unless the contractor meets the requirements in the proclamation. The contractor must sign a declaration affirming that it has performed its duties as required by the proclamation.
2. The contractor must develop and implement a vaccine verification plan consistent with the proclamation that includes the following:

Contractor will require employees/subcontractors to provide proof of full vaccination against COVID-19 by providing one of the following: CDC COVID-19 Vaccination Record Card or photo of

the card; documentation of vaccination from a health care provider or electronic health record; state immunization information system record; or for an individual who was vaccinated outside of the United States, a reasonable equivalent of any of the above.

Contractor will follow the requirements set forth in the proclamation and in applicable law for granting a disability or religious exemption from the vaccination requirement and determine an appropriate reasonable accommodation, if available.

3. Contractor will submit a declaration, under penalty of perjury, that will affirm that all employees/subcontractors who come on-site have had their vaccine status verified or an appropriate accommodation has been granted for those who have been granted a disability or religious exemption, in accordance with applicable law, understanding that the agency may conduct spot checks of the contractor's employees/subcontractors and may request a copy of the contractor's plan or any documentation of compliance with the plan.
4. Contractor will not be required to submit its vaccine verification plan unless specifically asked by the agency.
5. For lease agreements, the notice may require the landlord to inventory all contracts where the contract requires workers to perform work on-site and provide the inventory of contracts upon request of the agency.
6. A state agency may require a contractor to provide the name and contact information for all on-site subcontractors. The state agency may provide notice to those subcontractors or require the prime contractor to provide such notice. State agencies may direct the subcontractors to provide their declarations of having met the vaccination verification and accommodation requirements to the state agency or to the prime contractor to provide to the state agency.

If a contractor is also an individual subject to the vaccination requirement, and unless the state agency elects to complete the verification and accommodation process for the contractor, the contractor must include in its declaration that the contractor is fully vaccinated against COVID-19 or is unable to get vaccinated because of a disability or a conflict between the vaccination requirement and their sincerely held religious beliefs, practice, or observance, as applicable.

For existing contracts, the certification must be provided to the state agency no later than October 18, 2021. For future contracts, or additional employees/subcontractors under current contracts, the certification must be provided by the date provided by the state agency.