

# COVID-19 Policy Update Agenda Item 7

April 7, 2022



# CURRENT POLICY

- **Caltrain employees:** Required to show proof of vaccination or submit to weekly testing
- **JPB Contractors:** Required to verify that employees who work onsite at Caltrain facilities are vaccinated or submit to weekly testing (policy does not apply to employees who work outdoors)
- **Contractor Policy effective date:** April 1, 2022

# AUTHORITY

- JPB may impose onsite safety protocols to protect its employees and the public
- JPB may require contractors to comply with its onsite safety protocols

# CURRENT STATUS

- 66 percent of TASI employees working onsite for JPB are fully vaccinated (as of March 28)
- TASI has shared information about current policy with employees and unions
- Requirement for weekly testing beginning April 1

# FEDERAL AND STATE MANDATES

- January 2022: US Supreme Court stayed the enforcement of the OSHA rule imposing a vaccine-or-test mandate for employees in companies with more than 100 workers
- March 2022: State legislature has delayed consideration of AB 1993, which would require workers in California to provide proof of COVID vaccination by January 2023

# OTHER TRANSIT AND RAIL POLICIES

Agency	Policy
Amtrak	Issued a memorandum requiring all employees and contractors to be fully vaccinated. Rescinded vaccination mandate on December 14, 2021, allowing workers to submit to weekly testing if unvaccinated in order to avoid service cuts
BART	Requires all employees and contractors to be vaccinated or have received an exemption by December 13, 2021
SacRT	Requires testing, but not vaccination
SFMTA	Requires all employees and contractors to be fully vaccinated or receive an exemption by December 31, 2021
VTA	Requires all employees and contractors to be fully vaccinated or receive an exemption by no later than April 29, 2022
Metrolink	Does not require testing or vaccination (Metrolink is operated by Amtrak, which rescinded its original vaccination policy)
NCTD	Does not require testing or vaccination for contractor operating service
ACE	Does not require testing or vaccination for contractor operating service

# FUTURE POLICY CONSIDERATIONS

- **Staff capacity issues:** Potential reduction of workforce could lead to service cuts and loss of long-term, experienced employees, need to suspend or halt policy to maintain service
- **Longer timeframe for implementation:** Negotiations with unions will take time and may require concessions
- **Substantial risk of litigation:** Unions have filed suit against railroad employers in other jurisdictions; consequences for non-compliance must be negotiated with unions

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