NYPAP COVID Vaccine and Testing Mandate

Note: Revision # should be listed in descending order starting with most recent version at the top

<table>
<thead>
<tr>
<th>Revision Date</th>
<th>Revision #</th>
<th>Description/Modification</th>
<th>Revision Section(s)</th>
<th>Author</th>
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<tbody>
<tr>
<td>10/27/2021</td>
<td>1</td>
<td>Added definition Reflex Test</td>
<td>3</td>
<td>Patricia Meehan VP</td>
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<td>Added definition Non-NYPAP Personnel</td>
<td>3</td>
<td>Environmental, Health &amp; Safety</td>
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<td>Added Non-NYPAP Personnel Applicability</td>
<td>2</td>
<td>Patricia Meehan VP</td>
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<td></td>
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<td>Moved portions of Violations section to Policy Implementation</td>
<td>5.6</td>
<td>Patricia Meehan VP</td>
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<td>Added Record Retention and Tracking</td>
<td>5.5</td>
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<td>9/22/2021</td>
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<td>Original Issue</td>
<td>N/A</td>
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1 PURPOSE AND SCOPE

Background
COVID-19 is a highly contagious communicable disease that continues to present a significant risk to public health. All COVID-19 vaccines have proven extremely effective at preventing serious illness, hospitalization, and death from COVID-19. The effectiveness of the FDA-approved vaccines remains strong even against newer strains, including variants of concern such as the Delta variant identified in India, also known as B.1.617.2. Those who are unvaccinated have the greatest risk of becoming seriously ill, which is why the New York State Department of Health urges all eligible New Yorkers to get vaccinated as soon as they are able.

2 APPLICABILITY
All NYPA Employees and Non-NYPA personnel.

3 INITIALISMS (ACRONYMS) AND DEFINITIONS
Non-NYPA personnel are defined as contingent workers, consultants, and Independent Contractors consistent with CP 3-1 - NYPA Guidelines for Procurement

Reflex Test - A reflex test is a definitive laboratory test performed after an initially ordered and resulted positive pool test.

Pool Test - Combining the same type of specimen from several people and conducting one laboratory test on the combined pool of specimens.

4 RESPONSIBILITY
Responsibility and oversight of this policy resides with the approver unless otherwise noted herein.

5 POLICY IMPLEMENTATION

5.0 New York State Mandate
On July 28, 2021, New York State announced that as of September 6, 2021, all State Employees are required to get vaccinated against COVID-19 or undergo weekly COVID-19 testing.

5.1 NYPA Mandate
On August 16, 2021, NYPA adopted this guidance and implemented measures to collect vaccination information from its employees and began testing employees on a weekly basis. NYPA also began collecting COVID-19 Vaccination Status Affirmation for Non-NYPA
personnel performing work at NYPA operating facilities. Any Non-NYPA personnel performing work on behalf of NYPA at non-NYPA operating facilities must comply with local, state, and federal guidelines.

Effective Monday, September 20, 2021, all NYPA employees are required to be fully vaccinated against COVID-19, and verify their status as such, or continue to undergo weekly COVID-19 testing until fully vaccinated to ensure fitness for duty. Employees who have an approved Reasonable Accommodation exempting them from vaccination must still undergo weekly COVID testing unless an additional Reasonable Accommodation allows the employee to work fully remote. One is considered fully vaccinated two (2) weeks after receiving one (1) dose of the Johnson & Johnson vaccine or two (2) doses of the Moderna or Pfizer vaccine. Employees must submit proof of full vaccination status to a Human Resource representative or undergo testing in accordance with established procedures.

Non-NYPA personnel must apply to their employer for Reasonable Accommodation which NYPA may or may not accept if granted by their employer.

For the Health and Safety of all employees, NYPA will hold all non-NYPA personnel who are working at NYPA facilities or along-side NYPA employees at a work site, to the same standard. This mandate is extended to all non-NYPA personnel working on NYPA property or projects, or with NYPA employees as of the date of revision 1.0 of this policy.

5.2 General

5.2.1 It is the policy of NYPA to provide and maintain a work environment that is safe and free of recognized hazards.

5.2.2 All employees, and non-NYPA personnel shall act responsibly and take ownership to achieve, adhere to and promote a safe and healthy work environment.

5.2.3 All employees and on site non-NYPA personnel will participate in this vaccine mandate/weekly testing requirement as outlined in 5.1.

5.3 Responsibilities

5.3.1 Environment Health & Safety (EH&S)
EH&S will be responsible for coordinating on-site testing of employees and non-NYPA personnel.

EH&S will notify HR of the positive COVID-19 testing pool and subsequent positive employee and non-NYPA personnel reflex testing results.

5.3.2 Human Resources (HR)
HR will be responsible for validating the vaccination status of employees and Contingent Workers in compliance with the Health Insurance Portability and Accountability Act (HIPAA).

HR will perform contact tracing if required.
HR will be responsible for determining COVID leave and quarantine requirements with employees.

5.3.3 Strategic Supply Management (SSM)
SSM will collect COVID-19 Vaccination Status Affirmations as to the vaccination status of the non-NYPA Personnel working at NYPA facilities or alongside NYPA employees at a worksite.

SSM will share the COVID-19 Vaccination Status affirmations with EH&S and HR. SSM will follow up with the non-NYPA Personnel as appropriate.

5.4. Employee Vaccination Verification/Proof of vaccination

5.4.1 Those employees who have received a COVID-19 vaccination will verify their vaccination with HR. HR will complete a visual check of such documentation or receive a signed attestation and securely maintain this record.

5.4.2 Acceptable forms of verification include a NYS Excelsior Pass, a CDC COVID-19 Vaccination card, or a signed attestation.

5.4.3 If a vaccinated employee does not disclose their vaccination status, they will be required to submit to weekly COVID-19 testing.

5.5 Record Retention and Tracking-Vaccination Status

5.5.1 NYPA will retain proof of all submitted vaccination documentation in a secure location, separate from personal history files, and in accordance with HIPAA.

5.6 Policy Non-Compliance

In the event an unvaccinated employee, or an employee whose vaccination status is unknown, does not comply with NYPA established testing procedures, that employee will be deemed unfit for duty, and will be placed on unauthorized leave without pay. As such, they are not permitted to use any accruals (vacation, floating holidays, sick, holidays etc.). That employee will not be permitted to return to work until they have complied with the vaccination verification or COVID-19 testing requirements in effect at the time. Employees on an unpaid leave are required to pay their contributions to elected benefit plans. Contact your site HR Representative or HR Services for details. Similarly, unvaccinated non-NYPA personnel, or a non-NYPA personnel whose vaccination status is unknown, will also be considered out of compliance with NYPA established testing procedures and therefore, will be deemed unfit for duty, unless a Reasonable Accommodation on file with the employer of a non-NYPA personnel is honored by NYPA. Please refer to the violations section for more information.

NYPA employees requiring a Reasonable Accommodation should contact the Office of Civil Rights and Inclusion. If the reasonable accommodation request is denied, it is
the employees’ responsibility to provide proof of vaccination or participate in weekly COVID-19 testing.

Non-NYPA personnel that have a Reasonable Accommodation through their employer should ensure their employer shared this status with NYPA in a timely and appropriate manner to ensure proper adjustment to testing and vaccination requirements are managed as necessary.

6 VIOLATIONS

Employees and non-NYPA personnel who fail to comply with the provisions of this Policy are prohibited from working as they are unable to comply with workplace entry requirements. NYPA employees will be considered absent without authorization for which approval to charge accruals will be denied until they have been fully vaccinated as defined above, or they have undergone COVID-19 testing. Management retains its right to discipline employees who fail to comply with the directives in this Policy, up to and including termination. Exceptions to this discipline beyond 30 days will only be provided for extraordinary circumstances.

7 REFERENCES

CP 1-11 Reasonable Accommodation Policy for Applicants and Employees with Disabilities and Pregnancy-Related Conditions

CP 1-12 Title: Reasonable Accommodation of Religious Observances or Practices Policy for Applicants and Employees

Public Employee Safety and Health Act, Article 2, Section 27-a (3) of the New York State Labor Law

29 USC 654, OSH Act of 1970 General Duty Clause; Sec. 5 Duties:

a. Each employer.

1. shall furnish to each of his employees’ employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees.

2. shall comply with occupational safety and health standards promulgated under this Act.

b. Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.

8 POLICY REVIEW AND REVISION

This document will be reviewed and updated as business needs require. However, a mandatory review will be required on the anniversary date of the approved document.
Rescinding of documents is referenced in BS-IBC-01-005.

Revision cycle: Every Year

9 ATTACHMENTS

COVID-19 Vaccination Status Affirmation form for Suppliers -
https://nypant.sharepoint.com/:b:/s/SSMSharedFiles/EbvOoEpMBV5Ong_VUWgc2wgBvbE4MXb1cGqsPnYZ4cMZxg?e=2FPcNp
## E-Signature Approval History

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<td>Meehan, Patricia</td>
<td>10/27/2021</td>
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<tr>
<td>Executive Owner</td>
<td>Tartaglia, Paul</td>
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