



BOARD OF COUNTY COMMISSIONERS

## **POLICY**

Number: BCC-100  
Cancels:  
Approved:  
Originator: Comm. Tobia, DIST 3  
Review:

# **TITLE: Vaccination and General Immunization Necessity Act**

## **I. Objective**

To mitigate the direct threat to the health of Brevard County residents, visitors and employees posed by transmission of COVID-19 and emerging variants of COVID-19 as a result of close contact between the public and certain Brevard County employees. Specifically, those first responders whose job duties include regular close contact with citizens who are at high risk of severe complications, or death, from transmission of COVID-19, are highly likely to pose an imminent, severe, and direct threat to themselves and to the very people who these employees are responsible for safeguarding, shall be vaccinated from the virus when such vaccination is available.

## **II. Definitions and References**

- A. COVID-19 Vaccination: A vaccine approved for use by the U.S. Food and Drug Administration as effective against COVID-19. This includes vaccination approved through Emergency Use Authorization
- B. First Responder: Firefighters, Paramedics, and EMTs employed by Brevard County Board of County Commissioners.
- C. Direct Threat: A significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation.

## **III. Directives**

In order to ensure the safety of the public, the County Manager, or his/her designee/s, is directed to establish a Procedure which shall implement the following measures to mitigate the severe and ongoing threat of COVID-19:

- A. Identify First Responder Positions That Meet the Definition Of A Direct Threat To Public Health

Evaluate each First Responder Firefighter, Paramedic, and EMT position to determine whether a direct threat is posed due to transmission of COVID-19, and whether such threat would be mitigated upon vaccination. Such evaluation shall be based on a reasonable medical judgment in reliance on the current medical knowledge and/or the best available objective evidence.

Factors to be considered shall include:

1. The duration of the risk
2. The nature and severity of the potential harm
3. The likelihood that the potential harm will occur; and
4. The imminence of the potential harm

B. Administer Vaccine

For those employees identified in section A, create a system in which vaccinations are administered, as a condition of employment, at no cost to the employee

C. Allow for Reasonable Accommodation

The County Manager shall ensure that a process exists for any employee identified in Section A to request a reasonable accommodation as required by State and Federal law

D. Discipline

Any employee identified in section A, and who is not granted an accommodation under section C, and who refuses a vaccination offered by the County, shall be subject to discipline in accordance with the Merit System Policies and Procedures as well as the applicable IAFF Collective Bargaining Agreement.

In making such a determination, the County Manager shall consider, but not be limited to, the following factors

1. The proportion of the vulnerable population in Brevard County that has been vaccinated or otherwise are protected from the virus. Such population shall include, but not be limited to, elderly residents in long-term care facilities
2. The positivity rate of those being tested for COVID-19 within the County
3. The number of deaths in Brevard County attributed to COVID-19
4. The expected transmission rate among First Responders
5. Available beds at Brevard County hospitals and the surrounding areas

#### IV. Reservation of Authority

The authority to issue and/or revise this policy is reserved to the Board of County Commissioners.

Rachel M. Sadoff, Clerk

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Rita Pritchett, Chair  
Board of County Commissioners  
As approved by the Board on 02/23/2021