

To the West Tisbury Select Board –

This pertains to “Old Business” on your June 30th agenda. I am unable to attend that meeting but ask that this communication be read into the record.

I understand that there is significant controversy about the vaccination status at the Up-Island Council on Aging (UICOA) at the Howes House. I believe it is most appropriate to err on the side of safety. In addition, employers have a legal and ethical obligation to provide a safe environment. To that end, and as the primary role of the UICOA is by definition to serve our elder population, it is more than prudent to require that all staff at the Howes House be vaccinated. My understanding of the law – cited and quoted in part below – is that this is legal. It is also common sense.

I urge you to impose such a requirement in the interest of the significant portion of the up-island population that is over 65 and therefore considered most vulnerable to COVID. I also understand that certain medical exemptions to this are allowed, but would ask that you structure a policy that would prevent any so exempt people from working inside Howes House, even if it means continuing to pay them. Again, I believe common sense dictates such action in a facility catering almost entirely to the most vulnerable.

It is less clear if those entering the building(s) as “clients” or “users” may similarly be required to be vaccinated. I urge you to exercise your authority to the fullest extent possible to require or promote that, while understanding that some exemptions do apply.

I leave to you whether this must extend to all town employees.

Finally, I want to make very clear that I am not in any way pointing fingers. I am simply requesting action be taken now.

From <https://www.mass.gov/info-details/massachusetts-law-about-vaccination-immunization>:

“It is now clear under federal employment law that employers can require workers to receive a Covid-19 vaccination. Employers have the legal right to mandate that their employees receive a COVID-19 vaccination, according to guidance released by the U.S. Equal Employment Opportunity Commission on Dec. 16, 2020.”

Thank you,
Doug Ruskin