

# Section 5C: Risk Control Methods

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<b>Policy #9:</b>	<b>Smallpox Vaccination Policy</b>
<b>Effective Date:</b>	<b>December 15, 2016</b>
<b>Last Revision Date:</b>	<b>Original Policy</b>

## I. Purpose

To comply with North Carolina General Statutes regarding sick leave and salary continuation for employees who receive smallpox vaccinations. Chapter 160A of the North Carolina General Statutes mandates all municipalities that employ firefighters and police officers shall enact a policy regarding sick leave and salary continuation for those employees absent from work due to an adverse medical reaction resulting from the employee receiving an employment vaccination against smallpox pursuant to Section 304 of the Homeland Security Act.

## II. Scope

This policy applies only to employees employed as firefighters and police officers who receive an employment vaccination against smallpox in accordance with Section 304 of the Homeland Security Act.

## III. Workers' Compensation

Infection with smallpox or an adverse medical reaction resulting from an employee receiving an employment vaccination against smallpox in accordance with Section 304 of the Homeland Security Act is considered an occupational disease that is governed by Workers' Compensation. Any eligible employee, who voluntarily receives a job related smallpox vaccination and subsequently develops an infection, or any other adverse reaction as a direct result of receiving the vaccination shall be covered by worker's compensation insurance (N.C. General Statute §97-53(29)). On June 12, 2003, the State of North Carolina passed Session Law 2003-169- Adverse Reactions to Smallpox Vaccination. As a result, workers' compensation benefits now specifically include infection with smallpox, infection with vaccinia (the virus in smallpox), or any adverse medical reaction when the infection or adverse reaction is due to the employee receiving, in the course of employment, a vaccination against smallpox as an occupational disease for purposes of workers' compensation leave.

Employees who participate in the Smallpox Vaccination Program by receiving the vaccine and as a result becomes ill such that absence from work is required, the employee shall be granted additional paid sick leave days for such absence, up to seven (7) days, to cover the waiting period under the Workers' Compensation Act (N.C. General Statute §97-28 and Workers' Compensation Rule 401).

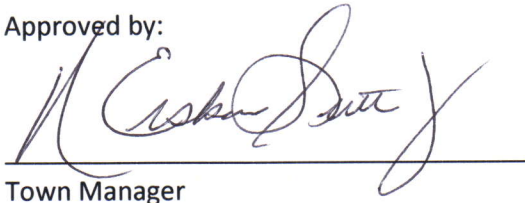
Should an employee contract vaccinia (the virus in the smallpox vaccine) by living in the same house as someone who has been vaccinated as part of the program, such employee shall be permitted to use available sick and/or vacation leave for any time away from work necessitated by the same (N.C. General Statute§97-53(29)). If an employee is absent from work due to an adverse reaction to the vaccination, that absence will be treated like any other workers' compensation absence for purposes of salary continuation and sick leave.

**IV. Revisions**

A. December 15, 2016: Original policy approval and implementation.

**V. Authorization**

Approved by:

  
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Town Manager

DECEMBER 15, 2016

Date