

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

1177 Alakea Street, Room 602
Honolulu, Hawaii 96813

MAX N. OTANI
DIRECTOR

Maria C. Cook
Deputy Director
Administration

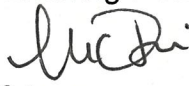
Tommy Johnson
Deputy Director
Corrections

Jordan Lowe
Deputy Director
Law Enforcement

No. _____

September 10, 2021

TO: Contractors and Visitors Entering PSD Facilities and Worksite

FROM: Max N. Otani, Director 
Department of Public Safety

SUBJECT: **EXECUTIVE ORDER NO. 21-07 – ACCESS TO STATE PROPERTY BY CONTRACTORS AND VISITORS**

This directive is being issued to implement Governor Ige's Executive Order No. 21-07 ("Order"), dated September 8, 2021. Effective September 13, 2021, all contractors and visitors accessing all PSD correctional facilities and worksites must provide verification of being fully vaccinated, or if not fully vaccinated, their negative test result. The test must be taken not more than seventy-two (72) hours prior to entry to any PSD facility or workplace.

All contractors and visitors must review the attached Executive Order No. 21-07 and comply with all the applicable terms of the Order. Contractors who fail to comply with the Order shall be precluded from entry to any PSD and State facility and may also be subject to contractual remedies or other remedies as allowed under the law. Similarly, visitors who are not in compliance with the Order shall be precluded from entry to any PSD and State facility.

The term "Contractor" means any of its employee, contractor, volunteer, or vendor providing goods, equipment, construction, consulting, or any other materials or services to the PSD/State whether paid or unpaid; concessionaire, permittee, or commercial operator in any PSD facility; or anyone employed by the contractor or providing service for or on behalf of the contractor who enters, works, or provides services in any PSD facility under any type of subcontract or other agreement.

The term "Visitor" means any person entering a PSD facility or worksite who is not a PSD employee, volunteer, vendor, contractor, or employee of a contractor, but shall not include: inmates at State correctional facilities or individuals making deliveries to PSD facilities who will leave within ten (10) minutes of entry.

In relevant part, the Order as adopted to PSD, provides:

I. Contractors.

- A. All contractors entering, working, or providing service in any PSD facility, as defined below, shall comply with the following:
1. The contractor shall identify all employees accessing PSD facilities and attest as to each employee whether they are: (1) fully vaccinated for COVID-19; (2) partially vaccinated for COVID-19 (including receipt of one dose of a two-dose course of vaccination); or (3) not vaccinated for COVID-19;
 2. The contractor will ensure and provide weekly verification that any unvaccinated or partially vaccinated employee is subject to regular COVID-19 testing that shall occur either once or twice per week as determined by the State agency receiving the goods or services of the contractor;
 3. The contractor will ensure that any unvaccinated or partially vaccinated employee does not enter, work, or provide services in any PSD facility or worksite unless the employee obtains a negative test result of a COVID-19 test as a condition to being allowed to enter or remain in any PSD facility or worksite; and
 4. If not otherwise required by State or County orders, the contractor will ensure that all employees, whether fully vaccinated, unvaccinated, or partially vaccinated, will wear a mask the entire time they are present in any PSD facility and physically distance themselves from others;
- B. Any unvaccinated or partially vaccinated contractor or contractor's employee not in compliance with the Order or found to have submitted falsified information pursuant to the Order shall be precluded from entry to any PSD/State facility.
- C. Any violation of the Order by a contractor or contractor's employee may also be subject to contractual remedies or other remedies as allowed under the law.

II. Visitors.

- A. All visitors to PSD facilities where contact with PSD employees is possible shall comply with the following:
1. Each visitor shall provide verification of being fully vaccinated or, if not fully vaccinated, shall produce a negative test result of a COVID-19 test as a condition to being allowed to enter or remain in any PSD facility; and
 2. Visitors will be allowed to provide verification of being fully vaccinated or, if not fully vaccinated, their negative test result by:
 - i. showing official documentation evidencing their vaccination status or negative test result of a COVID-19 test;
 - ii. the use of various publicly available health status applications provided by the State of Hawai'i Smart Health Card, CommonPass applications, CLEAR Health Pass, Azova, IBM Digital Health Pass, and other similar products available to the public, although nothing contained herein shall be construed as an endorsement of any of these products, which are listed for illustrative purposes only; and
 3. If not otherwise required by State or County orders, all visitors, whether fully vaccinated, unvaccinated, or partially vaccinated, shall wear a mask the entire time they are present in any PSD facility and physically distance themselves from others;
- B. Visitors shall not be allowed to remain in any PSD facility unless they are in compliance with the Order.
- C. Any unvaccinated or partially vaccinated visitor not in compliance with the Order or found to have submitted falsified information pursuant to this Order shall be precluded from entry to any PSD/State facility.

Enclosure: **Executive Order 21-07**

