

### **3.10 Contagious Disease Exposure**

#### 3.15.001 COVID-19 Mandatory Vaccination Policy

In the wake of the COVID-19 pandemic, CCHD wants to assure its employees, and the community we serve, of its continued commitment to maintaining a safe and healthy workplace and that we are taking additional measures to protect our employees, and their families from contracting and spreading COVID-19. With COVID-19 vaccines readily available to the general public, we are implementing a mandatory vaccination policy, subject to the exceptions in this policy (explained below), effective September 30<sup>th</sup>, 2021.

This policy is based on guidance from the Centers for Disease Control and Prevention (CDC) the Equal Employment Opportunity Commission, CalOSHA and is designed to comply with all applicable federal, state, and local laws. This policy does not apply to individuals for whom the COVID-19 vaccine has not been fully authorized by the CDC, such as individuals under 12 years of age. Compliance with this policy is a condition of continued employment. Please read this policy carefully.

(a) Purpose - The purpose of this policy is to be consistent with CCHD's duty to provide and maintain a workplace that is free of recognized hazards, CCHD has adopted this policy to safeguard the health and well-being of employees and their families, visitors, others who spend time in our facilities and members of the community from infectious conditions that may be mitigated through an effective vaccination program. This policy is intended to comply with all federal, state and local laws. It is based upon guidance provided by the Centers for Disease Control and Prevention (CDC) and public health and licensing authorities, as applicable.

(b) Exposure Determination - The State of California (Cal/OSHA) requires employers to perform an exposure determination concerning which employees may incur occupational exposure to infectious pathogens or Other Potentially Infectious Materials (OPIM). The exposure determination is made without regard to the use of personal protective equipment (i.e. employees are considered to be exposed even if they wear personal protective equipment). This exposure determination is required to list all job classifications in which employees may be expected to incur an occupational exposure, regardless of frequency. At this agency the following job classifications are in this category:

- (1) Emergency Medical Technician - Paramedic (EMT-P)
- (2) Emergency Medical Technician (EMT)
- (3) Administrative Staff
- (4) Volunteer Staff
- (5) Board of Directors

## (c) COVID-19 Vaccine Procedure

### General

As of May 12, 2021, all individuals over the age of 12 are eligible to receive at least one of the COVID-19 vaccines in the United States, per the CDC.

The District has been relying on voluntary compliance. Now that all employees are eligible to receive the vaccine, the District has determined that it is in the best interest of all employees and the public to require those who will interact with the public and/or co-workers to be vaccinated. As a result, all individuals covered by this policy must:

- (1) obtain the vaccination and/or provide proof of vaccination or;
- (2) request an accommodation as detailed below.

Proof of vaccination includes the date employees receive the dose(s) of the vaccine, and the type of vaccine received. Employees may get any of the COVID-19 vaccines that are approved in California at the time of vaccination. As of the date of this policy, the available vaccines in California are Pfizer, Moderna and Johnson & Johnson.

Employees will be paid for time taken to receive vaccinations and the cost of the vaccine, if it is not covered by Employee's insurance. Employees must work with their managers to schedule appropriate time to comply with this policy.

Employees not in compliance with this policy will be placed on unpaid leave until their employment status is determined by the Administrator.

### Reasonable Accommodation

Employees in need of an exemption from this policy due to a medical reason, or because of a sincerely held religious belief, must request an accommodation to begin the interactive accommodation process. The Administrator will engage in an interactive process to determine if a reasonable accommodation can be provided so long as it does not create an undue hardship for the District and/or does not pose a direct threat to the health or safety of others in the workplace and/or to the employee.

To request an accommodation for one of the above reasons, please notify the Administrator in writing of your accommodation request. Once the Administrator is aware of the need for an accommodation, the Administrator will engage in an interactive process to identify possible accommodations. If an employee believes that they have been treated in a manner not in accordance with this policy, they should notify the Administrator immediately. An employee may request an accommodation without fear of retaliation.

Accommodated employees will be required to be tested twice per week until vaccinated. These records will be available to any appropriate regulatory agency, including but not limited to the San Luis Obispo Public Health Department.

Please direct any questions regarding this policy to the Administrator.

#### (d) Recordkeeping

##### Medical Records

The Administrator is responsible for maintaining medical records related to occupational exposure as indicated below. These records will be kept in the locked employee's confidential file in the CCHD office.

Medical records shall be maintained in accordance with T8 California Code of Regulation Section 3204 and the Confidentiality of Medical Information Act. California Civil Code Sections 56-56.16. 56. (CMIA). These records shall be kept confidential, and not disclosed without employee's written consent and must be maintained for at least the duration of employment plus 30 years. The records shall include the following:

- 1) The name of the employee;
- 2) A copy of the employee's COVID-19 vaccination status, including the dates of vaccination and ability to receive vaccination;
- 3) A copy of all results of examination, medical testing, and follow-up Procedures, related to COVID-19;
- 4) A copy of the information provided to the healthcare professional, including a description of the employee's duties as they relate to the exposure incident, and documentation of the routes of exposure and circumstances of the exposure; and
- 5) A confidential copy of the healthcare professional's opinion.

##### Availability

The employee's records shall be made available to the employee or to his designated representative for examination and copying upon request in accordance with T8 CCR- GISO Section #3204.

All employee records shall be made available to the Chief of the Division of Occupational Safety and Health (DOSH) and the National Institute for Occupational Safety and Health (NIOSH).

##### Transfer of Records

If this agency is closed or there is no successor employer to receive and retain the records for the prescribe period, the Chief of DOSH shall be

contacted for final disposition in accordance with the Section 3204.

(e) Continued Applicability of Other Infection Control Policies and Protocols]

This Mandatory Vaccination Policy is a key part of the District's overall strategy and commitment to maintaining a safe and healthy workplace in light of the COVID-19 pandemic. This policy is designed for use together with, and not as a substitute for, other COVID-19 prevention measures, including the District's:

- Face Mask Policy.
- Social Distancing Policy.
- Temperature Check and Health Screening Protocols.
- Cleaning and Sanitation Policy.
- Health and Safety Policy.
- Other COVID-19 Prevention Policies or Protocols.

The District expects full cooperation and compliance with this and other health and safety workplace policies to make them effective.

(f) Policy Modification

Government and public health guidelines and restrictions and business and industry best practices regarding COVID-19 and COVID-19 vaccines are changing rapidly as new information becomes available, further research is conducted, and additional vaccines are approved and distributed. The District reserves the right to modify this policy at any time in its sole discretion to adapt to changing circumstances and business needs, consistent with its commitment to maintaining a safe and healthy workplace.

(g) Evaluation and Review

The Administrator is responsible for annually reviewing this program, and its effectiveness, and for updating this program as needed.