

# PARA LOS NIÑOS for the children

## **PARA LOS NIÑOS MANDATORY COVID-19 VACCINATION POLICY**

*This disclosure is made pursuant to the California Consumer Privacy Act and applies to California residents. Please note that Para Los Niños (“PLN”) is collecting personal information in connection with your employment relationship with PLN. PLN’s business purpose for collecting this information is to provide for the health and safety of employees and individuals at our premises, to reduce the risk of COVID-19 in the workplace, and where necessary, to comply with any local, state, and federal legal obligations. Please note that we will not share your identity or vaccination status without your explicit consent unless required to do so in order to comply with PLN’s legal obligations.*

### **I. Purpose:**

Consistent with its duty to provide and maintain a safe and healthy workplace, PLN has adopted this policy to protect the well-being of our employees, consumers and their families, and the overall community from COVID-19, which 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 Centers for Disease Control and Prevention (CDC) and public health authorities, such as the California Department of Health, as applicable. This policy may be updated and/or revised based on such guidance.

### **II. Policy and Scope:**

#### **A. PHASE 1**

Effective **August 23, 2021**, all employees who perform services on behalf of PLN *outside of telework* are required to be tested weekly for COVID-19 regardless of their vaccination status. This means that no employee may enter a PLN facility or perform services on behalf of PLN outside a remote environment without first providing PLN a negative COVID test dated within the prior seven (7) days.

Employees who do not fulfill this requirement starting August 23, 2021 will be terminated, absent the need for a reasonable accommodation or exigent or extraordinary circumstances and at the sole discretion of PLN.

#### **B. PHASE II**

Effective **September 30, 2021**, all employees are required to be fully vaccinated against COVID-19 or obtain a reasonable accommodation due to a disability or sincerely held religious belief. Employees who do not fulfill one of these two requirements by September 30, 2021 will be terminated, absent exigent or extraordinary circumstances and at the sole discretion of PLN

### **III. Procedures:**

PLN's Covid-19 Task Force & Human Resources Department administers this Policy. This policy pertains solely to the COVID-19 vaccine ("Designated Vaccine").

#### A. VACCINE PROCEDURES

PLN will provide employees either onsite access to the vaccines or a list of locations to assist employees in receiving the vaccine on their own. Such locations must provide Food and Drug Administration (FDA) authorized and recommended vaccines against COVID-19 infection as set forth by local health departments and/or Los Angeles County.

#### B. HOW TO VERIFY YOU ARE FULLY VACCINATED

Only the following modes may be used as proof of vaccination:

- a) COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services Centers for Disease Control & Prevention or WHO Yellow Card) which includes name of person vaccinated, type of vaccine provided and date last dose administered); OR
- b) a photo of a Vaccination Record Card as a separate document; OR
- c) a photo of the client's Vaccination Record Card stored on a phone or electronic device; OR
- d) documentation of COVID-19 vaccination from a health care provider; OR
- e) digital record that includes a QR code that when scanned by a SMART Health Card reader displays to the reader client name, date of birth, vaccine dates and vaccine type. The QR code must also confirm the vaccine record as an official record of the state of California; OR
- f) documentation of vaccination from other contracted employers who follow these vaccination records guidelines and standards.

The documentation noted above must be submitted to Mayra Flores, Human Resources Coordinator at [mfllores@paralosninos.org](mailto:mfllores@paralosninos.org). If you have already provided Mayra Flores with one of the modes of vaccine verification outlined above, you do not need to take any action under this policy.

**Please do not provide more information than is contained on one of the acceptable modes of proof. Please do not submit any additional medical or family history information in response to this inquiry, including a reason for deciding to be vaccinated or not to be vaccinated. If you have already verified that you are fully vaccinated pursuant to PLN's prior vaccination status policy, you do not need to take further action.**

The aforementioned documentation will be placed in a confidential file. Vaccination status will be tracked via a confidential record accessed by only key Human Resources personnel who require such access. All documentation collected will be maintained in compliance with all applicable law and PLN's policies and practices as pertaining to confidential records.

### C. TESTING PROCEDURES

Unvaccinated or incompletely vaccinated workers ***must be tested at least once weekly*** with either PCR testing or antigen testing. Workers may choose either antigen or molecular tests to satisfy this requirement. Any PCR (molecular) or antigen test used must either have Emergency Use Authorization by the U.S. Food and Drug Administration or be operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services.

Employees are encouraged to use PLN's testing site, administered by CoVerify. Testing will be administered weekly, during a predetermined day and time.

All unvaccinated or incompletely vaccinated workers will be required to submit a negative PCR test to Mayra Flores in Human Resources at [mflores@paralosninos.org](mailto:mflores@paralosninos.org). Unvaccinated or incompletely vaccinated workers are not permitted to come to work if they have not submitted a negative PCR COVID-19 test to Mayra Flores. Employees may be subject to discipline, including but not limited to termination, for failing to comply.

**If the employee tests positive for COVID-19, they must immediately report such result to Mayra Flores in Human Resources and may not come into work.** Paid time off may be available to such employee (*see Paid Sick Time and Paid Time Off policies*). PLN shall comply with its plan in connection with contact tracing and reporting, as required by state and/or local government agencies, Cal OSHA, and/or local public health departments.

Unvaccinated or incompletely vaccinated workers are not exempted from the testing requirement even if they have a medical contraindication to vaccination. Previous history of COVID-19 from which the individual recovered more than 90 days earlier, or a previous positive antibody test for COVID-19, do not waive this requirement for testing.

### D. REQUESTS FOR REASONABLE ACCOMMODATIONS

PLN provides reasonable accommodations to employees and job candidates who object to vaccination on the basis of disability or sincerely-held religious belief or practice. To assist any employee who has a disability, who has a qualifying medical condition that contraindicates the vaccination, or who objects to being vaccinated on the basis of sincerely held religious beliefs and practices, PLN 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 PLN 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 Mayra Flores in writing at [mflores@paralosninos.org](mailto:mflores@paralosninos.org). Although not required, PLN asks that the employee complete a "COVID-19 Mandatory Vaccine Program: Reasonable Accommodation Request Form, available via employee links page on PLN's website to assist with the interactive process. Once PLN is aware of the need for an accommodation, PLN will engage in an interactive process to identify possible accommodations.

### E. NO DISCRIMINATION OR RETALIATION

PLN prohibits discrimination and harassment on the basis of a protected characteristic. As such, this vaccine policy and PLN's practices do not and shall not discriminate or harass employees or job applicants based on a protected characteristic, including but not limited to disability, perceived

disability, or religion. Furthermore, PLN will not retaliate against any employee or job candidate for requesting a reasonable accommodation pursuant to this policy. You may request an accommodation without fear of retaliation. Please see PLN's anti-retaliation policy for more information in that regard. If you believe that you have been treated in a manner not in accordance with this policy or the anti-retaliation policy, please notify PLN immediately by speaking to Human Resources or any manager.

#### **F. COMPENSATION AND REIMBURSEMENT**

For hourly staff, time travelling to and from the test or vaccination site, as well as the time to get the test or vaccination will be considered time worked. As such, non-exempt Employees should remain clocked in while travelling to, receiving, and travelling from the vaccination or testing site. PLN will reimburse employees for the cost of the vaccination or test, if any. Employees may also be entitled to reimbursement for necessary expenses incurred to travel to and from the vaccination or testing location. *Please see PLN's travel reimbursement policy as set forth in the Handbook.* If an employee cannot work or telework after receiving the vaccine due to vaccine-related symptoms, they may be eligible to use paid sick leave (in addition to other reasons for taking leave). *Please see COVID-19 Paid Sick Leave Policy in connection with using Paid Sick Leave.*

#### **IV. Definitions, for purposes of this policy:**

- “Fully Vaccinated” means individuals who are considered fully vaccinated for COVID-19: two weeks or more after they have received the second dose in a 2-dose series (Pfizer-BioNTech or Moderna or vaccine authorized by the World Health Organization), or two weeks or more after they have received a single-dose vaccine (Johnson and Johnson [J&J]/Janssen). COVID-19 vaccines that are currently authorized for emergency use:
  - By the US Food and Drug Administration, are listed at <https://www.fda.gov/emergency-preparedness-and-response/coronavirus-disease-2019-covid-19/covid-19-vaccines>.
  - By the World Health Organization, are listed at <https://extranet.who.int/pqweb/vaccines/covid-19-vaccines>
- “Incompletely vaccinated” means persons who have received at least one dose of COVID-19 vaccine but do not meet the definition of fully vaccinated.
- “Unvaccinated” means persons who have not received any doses of COVID-19 vaccine or whose status is unknown.