

Templates for CHCs Implementing a Requirement that Staff be Vaccinated Against COVID-19

The following resources are based on materials prepared by Carolina Health Centers in Greenwood, SC, in which they announce and explain their new requirement that all staff be vaccinated against COVID-19. This CHC is applying a two-phase approach which provides staff with roughly 60 days to come into compliance with the requirement or pursue other opportunities. CHCs with questions about these templates or the broader process are welcome to contact Sue Veer, CEO of Carolina Health Centers: sveer@carolinahealthcenters.org.

Sample email to CHC staff announcing vaccination requirement and timeline.

Name of CHC has a duty to provide and maintain a workplace that is free of known hazards and to safeguard the health of our employees, their families, and the patients and communities we serve. We know that the risk of transmission, infection, and death from the COVID-19 virus is significantly reduced through vaccination. We also know that increasing the number of people vaccinated will decrease the potential for future and potentially more concerning variants of the virus to emerge. Therefore, in support of our commitment to employee health and wellness, and the health of the community, we will be phasing in the following standards related to vaccination against COVID-19:

PHASE ONE

Effective August 9, 2021: New employees must have initiated the vaccination process prior to their start date or initiate vaccination upon onboarding. Vaccination must be completed 45 days following their start date in order to continue their employment with *Name of CHC*.

Effective August 16, 2021: Vaccination against COVID-19 will become an Employee Health Standard at *CHC*.

- We encourage all unvaccinated employees to initiate vaccination against COVID-19 on or before this date.
- Employees may reach out to Employee Health Coordinator (*give name*) to assist in scheduling their vaccination.
- Notice of vaccination (initiation and completion) must be provided to Employee Health Coordinator (*give name*) who will be responsible for validating the completion of the vaccination process.
- *CHC* will allow for medical and religious exemptions from the COVID-19 vaccine requirement, in accordance with all applicable laws and regulations.
 - A medical exemption may be requested through (*give name*), Chief Medical Officer, and a Medical Review Committee has been established to evaluate those requests.
 - Requests for religious exemptions may be submitted through (*give name*) and will require membership in an established religion that has publicly announced prohibition against their members receiving the COVID-19 vaccine.
 - Any employee that received a medical or religious exemption will be subject to weekly COVID-19 PCR testing.
- Any employee that has not received a medical or religious exemption and is unwilling to comply with the COVID-19 vaccine requirement will be subject to weekly COVID-19 PCR testing. Weekly testing of unvaccinated employees will be the standard at any time local infection rates are elevated.

PHASE TWO

October 31, 2021: As of this date vaccination against COVID-19 will become a Condition of Employment for all *CHC* employees excluding those with an approved medical or religious exemption. Weekly testing of exempt employees will be the standard at any time local infection rates are elevated.

In closing, we value all our employees and certainly hope that nobody will choose to leave due to this Employee Health Standard. We are hoping that providing this schedule for phasing in the COVID-19 vaccination as a condition of employment allows everyone time to address any questions and concerns that have thus far prevented you from becoming vaccinated. Please reach out to *CMO* or any member of the leadership team and we will be happy to provide you with resource material or put you in touch with other medical professionals who may help you in making this important decision.

Sample FAQs

FAQs on COVID-19 Vaccination as a Condition of Employment

As of August 6, 2021

Does *CHC* plan to continue paying the \$300 Employee Wellness Incentive to employees who complete the vaccination process?

As previously announced, up until October 31, 2021, any employee who provides documentation verifying that they are fully vaccinated will receive a \$300 Employee Wellness Incentive. Evidence of being fully vaccinated should be submitted to Employee Health Coordinator, *give name*. This Wellness Incentive will expire on October 31, 2021 when vaccination against COVID-19 becomes a condition of employment.

If an individual isn't vaccinated by October 31st and is not exempt, does that mean they can no longer be employed with *CHC*?

Yes. Once COVID-19 vaccination becomes a condition of employment (October 31, 2021), an employee who chooses not to be vaccinated against COVID-19 and has no medical or religious exemption would not be meeting that condition of employment and therefore would not be eligible for continued employment with *CHC*. We hope no one makes that choice, which is why we are allowing over 60-days for people to make their decision about vaccination.

Is there something I can sign stating that I didn't want the vaccine and only got vaccinated to stay employed?

We are not forcing anyone to get vaccinated against their will. In good conscience as a health care organization, we are implementing a policy where vaccination is a condition of employment. If an employee is not willing to become vaccinated and does not consent to that vaccination of their own free will, that is their choice. However, the consequence of that choice is that they are no longer eligible to remain employed. Given that, we would not allow an employee to sign a statement indicating that they were vaccinated against their will.

If an employee is terminated for not being vaccinated, do they qualify for unemployment?

It is important to clarify that an employee who chooses not to be vaccinated and does not qualify for a medical or religious exemption is choosing not to fulfill a condition of employment. Therefore, the employee is not being terminated; rather, the employee is choosing not to fulfill the requirements for employment and are voluntarily relinquishing their ability to remain employed at *CHC*. An employee may file for unemployment any time they separate from an employer. Determination of eligibility will be made by the *XX state Department of Employment and Workforce/Labor & Employment*.

If an employee resigns because they are not willing to get vaccinated, can they ever be rehired?

Like any employee in good standing who voluntarily separates from *CHC* and works a two-week notice, you would be eligible for rehire; however, eligibility for rehire does not guarantee reemployment or priority

consideration in the hiring process. If rehired, like all new employees, vaccination against COVID-19 would be a condition of employment.

If a staff member chooses to give notice, will they receive a payout of their annual leave if they complete that notice?

Consistent with *CHC's* employment policies, an employee who voluntarily terminates their employment and works the required notice will be eligible for a payout of accrued annual leave up to the maximum hours allowable.

If a staff member has "natural immunity" as defined by the CDC is that acceptable in place of the vaccine until they are no longer naturally creating antibodies?

No. Studies have shown that those who had COVID early on are at higher risk of hospitalization and death. Vaccination is still recommended. The more recently you acquired COVID-19 infection, the less chance of hospitalization or death, but the best overall protection is previous infection with COVID plus the COVID vaccine.

Will students and others who do rotations in our practices be required to be vaccinated against COVID-19?

It is our expectation that individuals coming into any of our locations for educational experience would be vaccinated against COVID-19. This will be a consideration when applications are submitted to Human Resources.

Can you clarify the weekly testing requirement for those who choose not to become vaccinated or who receive medical or religious exemptions?

First, we would like to clarify that the weekly testing requirement would be a PCR test, not an antigen test. Beginning August 16, 2021 and up until the time when being fully vaccinated against COVID-19 becomes a condition of employment (October 31, 2021) the weekly testing requirement applies to all unvaccinated individuals including those who have requested or received medical or religious exemption. Beginning November 1, 2021, when vaccination is a condition of employment, the weekly PCR testing will be required for those who are unvaccinated due to a medical or religious exemption only when local infection rates are elevated.

Who can I hold responsible if I have side effects from the vaccine that require medical treatment?

All vaccines, prescription medication, OTC medicines, dietary supplements, and even some foods may result in unexpected side effects; however, through informed consent and personal choice, absent any negligence on the part of another party, an individual assumes that risk. There is no one that will be held responsible if you have an unexpected side effect. If a reaction to the vaccine required medical treatment, that cost could be processed through your insurance like any other qualifying medical expenses.

If a staff member is fully vaccinated and later develops COVID, will they qualify for FFCRA leave or will they have to use their sick time? Or can they take it without pay?

A vaccinated person who becomes infected with COVID-19 would be eligible to apply for emergency medical leave under the FFCRA. However, the FFCRA is scheduled to expire on September 31, 2021, after which employees may use any accrued paid time off – sick, annual, or floating holiday. If the employee has no remaining paid leave available, they may request leave without pay through their supervisor.

As staff are getting vaccinated if they experience side effects like fever and flu-like symptoms will they receive FFCRA paid leave?

Side effects from receiving the COVID-19 vaccination would be a qualifying event for emergency medical leave under the FFCRA. However, the FFCRA is scheduled to expire on September 31, 2021, after which employees

may use any accrued paid time off – sick, annual, or floating holiday. If the employee has no remaining paid leave available, they may request leave without pay through their supervisor.

MRNA has been around for 30 years? Why has it never been used in a vaccine before?

mRNA was first investigated as a possible alternative to conventional vaccines in a paper published in 1990. At that time, it wasn't considered very feasible for a vaccine due to problems with the mRNA breaking down and an inefficient delivery system. It took modern technological developments to make the mRNA stick around long enough in the body for it to be usable as a vaccine. Oncology was the first area to start testing mRNA vaccines (vaccines against cancer) back in 2009; 33 clinical studies using mRNA vaccines for oncology have been initiated since 2009. These studies continue but in 2019 most efforts turned towards using the technology for COVID vaccines. Phase I and phase II human trials on CMV and flu mRNA vaccines have been going on and/or completed since around 2015. COVID vaccines are the first mRNA vaccines to be produced and tested in large-scale phase III studies.

Where can *CHC* staff get vaccinated? Will there be a day set up for staff? Will they need to clock out?

CHC wants to make vaccination as convenient as possible for our employees. Efforts are underway to make sure all three vaccines are available so that an employee may receive the vaccine of their choice. If you choose to be vaccinated on a day you are scheduled to work, you may do so on work time, or "on the clock." Finally, there is no cost to the employee for being vaccinated. For assistance in scheduling your vaccination, please contact Employee Health Coordinator *give name*.