



## **Emergency Public Health Policy for Mandatory COVID-19 Vaccination or Weekly COVID-19 Testing**

### **I. Preamble**

To protect City of Pico Rivera (“City”) personnel, the community members with whom City personnel interact, and all residents of the City, the City will require all City personnel, including employees, volunteers and interns, either be fully vaccinated or submit to weekly COVID-19 testing.

Contractors who work at City worksites and facilities or interact with other City employees or members of the public in the performance of their duties on behalf of the City must either be fully vaccinated or produce proof of a negative COVID-19 test result from a test no more than seven (7) days prior to their work at a City worksite and facility or their work with other City employees.

The City adopted this vaccination and testing policy as an emergency public health response to mitigate the negative public health consequences associated with increased incidence and test positivity rates and the prevalence of new virus variants, including increased hospitalizations, intensive care unit (“ICU”) admissions, and deaths. This policy is intended to effectuate positive public health outcomes in the City of Pico Rivera and Los Angeles County by reducing the likelihood of hospitalizations at health care facilities in the City of Pico Rivera and Los Angeles County, ICU admissions to City of Pico Rivera and Los Angeles County and deaths.

City employees, contractors, volunteers and interns may obtain the COVID-19 vaccine at a vaccination site of their choosing. Information on the

COVID-19 vaccines and how to obtain vaccination is available at <https://covid19.ca.gov/vaccines/>.

City employees who elect to be vaccinated in accordance with this policy may do so during their normal working hours. Such employees will receive their normal compensation for their time spent being vaccinated.

City employees, contractors, volunteers and interns who are not fully vaccinated shall provide a negative COVID-19 test on a weekly basis and at no cost to the City. City employees will receive their normal compensation for their time spent waiting to be tested and during their testing.

## **II. Relevant Definitions**

1. “City personnel”, for purposes of this Policy and related requirements, includes: (1) City employees; (2) Non-employees, including interns, and volunteers, who provide services to the City; and (2) Contractors who are engaged by the City and who work at City worksites and facilities or interact with other City employees or members of the public in the performance of their duties on behalf of the City. City contractors who qualify as City personnel include, for example, contracted staff who work at City worksites or facilities or with City outside of such worksites or facilities, but would not include, for example, a third-party attorney who provides legal services exclusively from a remote location. The inclusion of non-employees in the definition of “City personnel” confers no employment status between such individuals and the City.

2. "COVID-19 vaccine" means a vaccine to prevent COVID-19 approved by the FDA under either the EUA or Biologics License Application ("BLA") (*i.e.*, general use) approval process.
3. "Fully vaccinated" means (1) it has been at least two weeks since a person has completed the entire recommended series of a COVID-19 vaccine, and (2) the person has provided proof of vaccination in a form consistent with the requirements for verification of vaccine status in the State of California's July 26, 2021 Public Health Officer Order which is available at the following web address:  
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Unvaccinated-Workers-In-High-Risk-Settings.aspx>.

Proof of vaccination includes the following: (1) COVID-19 vaccination record card (issued by the Department of Health and Human Services, Centers for Disease Control & Prevention ("CDC") or World Health Organization Yellow Card) which includes name of person vaccinated, type of vaccine provided and date last dose administered); (2) a photo of a vaccination record card as a separate document; (3) a photo of a vaccination record card stored on a phone or electronic device; (4) documentation of COVID-19 vaccination from a health care provider; (5) 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; and (6) documentation of vaccination from other contracted employers who follow these vaccination records guidelines and standards.

4. "Partially vaccinated" means (1) a person has received (i) one dose of a two dose recommended series of a COVID-19 vaccine or (ii) the complete recommended series of a COVID-19 vaccine but it has not been at least two weeks since the person has completed the entire recommended series, and (2) the person has provided proof of vaccination in a form consistent with the requirements for verification of vaccine status in the State of California's July 26, 2021 Public Health Officer Order.

5. “Unvaccinated” means an individual who is not partially or fully vaccinated.
6. “Worksite” means any work location, working area, or common area at work including all City buildings, stores, facilities, and fields.
7. “COVID-19 test” means a viral test for SARS-CoV-2 that is:
  - a. Approved by the FDA under either the EUA or BLA approval process. to diagnose current infection with the virus that causes COVID-19; and
  - b. Administered in accordance with the FDA approval.

### **III. Scope**

The policy applies to all City personnel.

### **IV. Effective Period**

The policy shall be effective immediately and shall remain in full force and effect until the City Manager determines that the local public health circumstances have sufficiently improved to permit the suspension of the policy.

### **V. Vaccination and Testing Requirement**

The City requires that City personnel adhere to the following requirements:

1. By January 3, 2022 all City employees, volunteers and interns must be fully vaccinated or submit weekly COVID-19 testing results no more than seven (7) days prior to their work at a City worksite and facility or their work with other City employees. This requirement applies to partially vaccinated City personnel.

2. By January 3, 2022 all newly hired City employees and any new volunteers or interns must be fully vaccinated or submit weekly COVID-19 testing results no more than seven (7) days prior to their work at a City worksite and facility or their work with other City employees.
  
3. By January 3, 2022 all contractors whose work requires that they work at City worksites and facilities or interact with other City employees or members of the public in the performance of their duties on behalf of the City must either be fully vaccinated or produce proof of a negative COVID-19 test result from a test no more than seven (7) days prior to their work at a City worksite and facility or their work with other City employees.

City personnel who fail to comply with this policy shall not be permitted to perform work at City worksites or facilities. If the City determines that such employees cannot perform their essential job duties from a remote location or that doing so would impose an undue hardship on the City or its operations, the employee will be required to take unpaid leave or use their own paid leave in order to provide for their continued compensation throughout the period during which they fail to comply with the policy.

City of Pico Rivera personnel who test negative shall be permitted to perform work at City worksites or facilities.

City personnel who test positive shall be required to return to their home or place of residence and not report back to work until such time as they have satisfied the return-to-work requirements.

## **VI. Administration of Testing Requirement**

The City will administer this policy according to the following:

Employees, volunteers, interns and contractors who are not fully vaccinated and have not submitted a vaccine record or employee self-attestation of COVID-19 vaccine status form must submit negative COVID-19 tests to the Human Resources Department no more than seven (7) days prior to their work at a City worksite and facility or their work with other City employees.

Employees may drop off paper record results to Human Resources or email them to [lnajera@pico-rivera.org](mailto:lnajera@pico-rivera.org)

## **VII. Return to Work Requirements**

In order to return to work, City personnel who test positive for COVID-19 must follow the applicable return-to-work criteria.

City personnel who test positive and present symptoms associated with COVID-19 shall not return to work until:

1. At least 24 hours have passed since a fever of 100.4 degrees Fahrenheit or higher has resolved without the use of fever-reducing medications;
2. COVID-19 symptoms have improved; and
3. At least 10 days have passed since COVID-19 symptoms first appeared.

City personnel who test positive and present *no* symptoms associated with COVID-19 shall not return to work until a minimum of 10 days have passed since the date of specimen collection of their first positive COVID-19 test.

## **VIII. Confidentiality of Vaccination Records and Testing Results**

The City will treat all vaccination records and testing results as confidential medical information and maintain such records as required by the Confidentiality of Medical Information Act (“CMIA”).

The City will not use or disclose such information, unless authorized to do so or as permitted or required under the law.