

<b>Policy Title:</b> COVID-19 Vaccination for KP Workforce Members	<b>Policy Number:</b> NATL.HR.057
<b>Owner Department:</b> Human Resources	<b>Effective Date:</b> 12/10/21
<b>Custodian:</b> Chair, National HR Policy Roundtable	<b>Page:</b> 1 of 7

## 1.0 Policy Statement

Kaiser Permanente is a leader in preventive care. In order to safeguard its members, workforce, and communities, KP is implementing a mandatory COVID-19 vaccination program for its workforce, in compliance with, and subject to exceptions required by, federal, state, and local law. Only verified members of the workforce will be treated as fully-vaccinated for purposes of this policy.

## 2.0 Purpose

The purpose of this policy is to mitigate the risk of transmission of COVID-19 between KP's workforce, KP members, and others who may be present in KP clinical and non-clinical work settings and to establish a process to verify the vaccination or exemption status of the workforce.

## 3.0 Scope/Coverage

This policy applies to all employees in all work settings, including at KP facilities (both owned and leased) and remote workplaces, who are employed by any of the following entities (collectively referred to as "Kaiser Permanente") and all other Workforce Members, as defined below:

- 3.1** Kaiser Foundation Health Plan, Inc., and Kaiser Foundation Hospitals (together, KFHP/H);
- 3.2** KFHP/H's subsidiaries;
- 3.3** The Permanente Medical Group, Inc. (TPMG) [NOTE: This policy does not apply to physicians, podiatrists, vice presidents, or Executive Staff of TPMG, who are covered by separate TPMG policies];
- 3.4** Southern California Permanente Medical Group (SCPMG) [NOTE: This policy does not apply to physicians of SCPMG]; and
- 3.5** Volunteers, interns, and students.
- 3.6** Contingent workers are not covered by this policy. *Contingent Workers, NATL.HR.035* describes protocols involving mandatory COVID-19 vaccinations for contingent workers.
  - 3.6.1** NOTE: TPMG is not covered by *Contingent Workers, NATL.HR.035* and is accountable for ensuring compliance of their contingent workers with this policy.
- 3.7** The Permanente Medical Groups, Permanente Dental Associates, and The Permanente Federation may have policies on this topic for physicians or employees not covered under Section 3.3 or 3.4. The policies approved under the authority of those entities shall govern those physicians and employees, rather than this policy.

<b>Policy Title:</b> COVID-19 Vaccination for KP Workforce Members	<b>Policy Number:</b> NATL.HR.057
<b>Owner Department:</b> Human Resources	<b>Effective Date:</b> 12/10/21
<b>Custodian:</b> Chair, National HR Policy Roundtable	<b>Page:</b> 2 of 7

## 4.0 Definitions

### 4.1 See Appendix A.

## 5.0 Provisions

- 5.1** Except where prohibited, KP requires its employees, interns, students, and volunteers to be fully vaccinated. Workforce Members must be fully vaccinated (or meet a qualifying exemption described in Section 5.11) by September 30, 2021.
- 5.1.1** Workforce Members may be required to be fully vaccinated (or meet a qualifying exemption described in Section 5.11) sooner than September 30, 2021 where required by law or local health order.
- 5.1.2** If the Centers for Disease Control and Prevention (CDC) determines that additional vaccination doses are required for individuals to maintain fully vaccinated status, Workforce Members must obtain any such additional vaccination, or otherwise receive a qualifying exemption as described in Section 5.11.
- 5.1.3** Workforce Members may be vaccinated on working time and at no cost to Workforce Member through May 1, 2022.
- 5.1.3.1** Workforce Members may use up to two hours of paid time per each dose, including recommended boosters. While KP encourages Workforce Members to be vaccinated at the worksite where available, Workforce Members can be vaccinated at the location and provider of their choice.
- 5.1.3.2** Workforce Members may take up to a maximum of 8 hours paid COVID Adverse Reaction Leave for each dose, including recommended boosters, if an employee has an adverse reaction, is unable to work, and provides confirmation of the adverse reaction from a physician.
- 5.1.3.3** Where a physician confirms an adverse reaction to a COVID-19 vaccine, an employee may be entitled to workers' compensation benefits as allowable by state law.
- 5.2** Workforce Members must verify their COVID-19 vaccination status by providing supporting documentation.
- 5.2.1** Documentation must include the following:
- 5.2.1.1** The name of the Workforce Member,
- 5.2.1.2** The birthdate of the Workforce Member,
- 5.2.1.3** The name of the vaccine manufacturer, and
- 5.2.1.4** The date(s) of vaccination.

<b>Policy Title:</b> COVID-19 Vaccination for KP Workforce Members	<b>Policy Number:</b> NATL.HR.057
<b>Owner Department:</b> Human Resources	<b>Effective Date:</b> 12/10/21
<b>Custodian:</b> Chair, National HR Policy Roundtable	<b>Page:</b> 3 of 7

- 5.2.2** Acceptable documents for verification of COVID-19 vaccination status include:

- 5.2.2.1** CDC-issued COVID-19 vaccination card, photo of card, or copy of card,
- 5.2.2.2** State-issued vaccination record showing vaccination status,
- 5.2.2.3** KP.org immunization record, photo of record, or copy of record, or
- 5.2.2.4** Equivalent documentation from an outside provider of vaccination.

- 5.3** Except as described in 5.3.1 below, KP employees who do not verify full vaccination status or otherwise receive a qualifying exemption by September 30, 2021 will be presumed unvaccinated and, except where prohibited by law, placed on an unpaid leave of absence for up to 60 days. Failure to provide proof of vaccination or receive a qualifying exemption during the 60-day period will result in termination of employment. Before processing an involuntary termination, employees will be provided the opportunity to resign in lieu of termination.

- 5.3.1** Between September 30, 2021 and December 1, 2021, an employee who has verified receiving the second dose in a 2-dose series (e.g., Pfizer and Moderna vaccines) or has verified receiving a single-dose vaccine (e.g., Johnson & Johnson's Janssen vaccine), will be permitted to work, even if a 2-week period has not elapsed following the last dose of vaccine, except where otherwise prohibited by federal, state, or local order or regulation.

- 5.3.1.1** Employees permitted to work after completion of the vaccine series but before the 2-week period necessary to be considered fully vaccinated has elapsed will be treated as unvaccinated and must follow the safety protocols (e.g., masking, testing, and social distancing) required of unvaccinated employees. Stickers indicating full vaccination status (as described in 5.7) will not be provided to these employees until they are fully vaccinated.

- 5.3.2** Employees placed on an unpaid leave of absence will not be permitted to use paid time off benefits to be compensated during this period.

- 5.3.3** Employees who are terminated from employment because of their unvaccinated status should not be designated ineligible for rehire due to their unvaccinated status. These employees will be eligible for rehire with proof of vaccination or approved medical or religious exemption.

- 5.4** Other Workforce Members (including volunteers, interns, and students) who do not verify full-vaccination status or otherwise receive a qualifying exemption by 60-days from September 30, 2021 will be released from their assignment with KP.

<b>Policy Title:</b> COVID-19 Vaccination for KP Workforce Members	<b>Policy Number:</b> NATL.HR.057
<b>Owner Department:</b> Human Resources	<b>Effective Date:</b> 12/10/21
<b>Custodian:</b> Chair, National HR Policy Roundtable	<b>Page:</b> 4 of 7

## 5.5 Roles and Responsibilities

### 5.5.1 National Environmental Health and Safety

- 5.5.1.1** In collaboration with markets' Employee Health departments, develops, implements, and maintains a vaccination verification program and associated processes to ensure effective administration of this policy.

### 5.5.2 Local Employee Health

- 5.5.2.1** Local Employee Health departments oversee the process for recording Workforce Members' vaccination documentation in the Employee Health system or HR system used in the market and oversee sticker security and distribution in accordance with the implementation workflow in the market.

### 5.5.3 Verifiers

- 5.5.3.1** Where a market utilizes verifiers, the verifiers record required validation information, provide stickers only to Workforce Members who provide complete documentation of vaccination, and attest to such.

### 5.5.4 Managers

- 5.5.4.1** Where required by a market's workflow, managers distribute vaccination stickers only to Workforce Members whose names are provided to the manager by Employee Health or recorded in the HR system. In work settings where fully vaccinated Workforce Members may participate in different COVID-19 workplace rules appropriate to the setting, managers are required to monitor their employees' badges for compliance.

### 5.5.5 HR Consulting

- 5.5.5.1** Partners with managers and Disability Management (where applicable) to facilitate interactive process to determine availability of reasonable accommodations as described in 5.11.
- 5.5.5.2** Partners with managers to facilitate the unpaid administrative leave and corrective action process described in 5.3.

### 5.5.6 Workforce Members

- 5.5.6.1** Workforce Members should follow the vaccination documentation process outlined in their market and adhere to applicable COVID-19 safety practices.

- 5.6** Each market's Employee Health Department, in collaboration with National Employee Health, implements a workflow to document the vaccination status of each Workforce Member in a confidential employee record within KP's Employee

<b>Policy Title:</b> COVID-19 Vaccination for KP Workforce Members	<b>Policy Number:</b> NATL.HR.057
<b>Owner Department:</b> Human Resources	<b>Effective Date:</b> 12/10/21
<b>Custodian:</b> Chair, National HR Policy Roundtable	<b>Page:</b> 5 of 7

Health or HR systems. KP follows all applicable privacy laws in the collection, documentation, retention, disclosure, and use of vaccination status information.

- 5.7** Upon validation that a Workforce Member has been fully vaccinated, KP provides the individual a vaccination sticker to be worn on the Workforce Member's KP badge.
- 5.8** Workplace safety rules (e.g., masking, social distancing) for fully vaccinated Workforce Members may differ from those of unvaccinated workers based on federal, state, and local regulation and KP policies. KP Workforce Members who choose not to affix the sticker to their badge prior to September 30, 2021 will be treated as unvaccinated.
  - 5.8.1** Workforce Members who are not fully vaccinated may be required to submit to routine COVID-19 testing, as permitted or required by federal, state and local law, and KP policies.
- 5.9** Where rules differ for unvaccinated and fully vaccinated Workforce Members, Workforce Members with stickers affixed to the front of their badge may follow less restrictive rules in place for fully vaccinated Workforce Members.
- 5.10** Standard precautions such as hand hygiene and respiratory etiquette should be used regardless of whether an employee has been vaccinated and/or is wearing a mask. Nothing herein prohibits a fully vaccinated Workforce Member from taking additional safety precautions, (e.g., wearing a face covering,) even when not required to do so.
- 5.11 Accommodations**
  - 5.11.1** KP complies with the Americans with Disabilities Act, Title VII of the Civil Rights Act, and other applicable federal and state laws.
  - 5.11.2** KP will engage in the interactive process to determine if a reasonable accommodation can be provided to Workforce Members who have a qualifying medical condition or sincerely held religious belief that prevents them from being fully vaccinated.
    - 5.11.2.1** Workforce Members may be required to submit supporting documentation and receive educational training about COVID-19 safety to be eligible for job accommodation.
    - 5.11.2.2** Workforce Members who receive a reasonable accommodation will not receive a sticker.
  - 5.11.3** KP prohibits any form of retaliation against any Workforce Member who in good faith asserts their rights under the Americans with Disabilities Act, Title VII of the Civil Rights Act, and other applicable federal and state laws.
- 5.12** While this policy remains in effect, it is expected that federal, state, and local regulations and operational needs will frequently change. This policy will be updated to accommodate changing conditions as required.

<b>Policy Title:</b> COVID-19 Vaccination for KP Workforce Members	<b>Policy Number:</b> NATL.HR.057
<b>Owner Department:</b> Human Resources	<b>Effective Date:</b> 12/10/21
<b>Custodian:</b> Chair, National HR Policy Roundtable	<b>Page:</b> 6 of 7

- 5.13** Unless otherwise prohibited, any entity covered by this policy may institute additional sticker requirements related to COVID-19 vaccination requirements or safety protocols that are consistent with the provisions of this policy.

## 6.0 References/Appendices

- 6.1** Appendix A – Glossary of Terms
- 6.2** Americans with Disabilities Act
- 6.3** Title VII of the Civil Rights Act
- 6.4** Contingent Workers, NATL.HR.035
- 6.5** Job Accommodation, NATL.HR.027
- 6.6** Religious Accommodation, NATL.HR.040

## 7.0 Approval

This policy update was approved by the following representative of Kaiser Foundation Health Plan, Inc., Kaiser Foundation Hospitals, and their subsidiaries.

Approver: Arlene Peasnall SVP, Human Resources

Approved Date: 12/8/2021

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<b>Policy Title:</b> COVID-19 Vaccination for KP Workforce Members	<b>Policy Number:</b> NATL.HR.057
<b>Owner Department:</b> Human Resources	<b>Effective Date:</b> 12/10/21
<b>Custodian:</b> Chair, National HR Policy Roundtable	<b>Page:</b> 7 of 7

**Appendix A**  
**Glossary of Terms**

- 1. Fully vaccinated** – Means fully vaccinated against the virus that causes COVID-19 as defined by the CDC. As of the effective date, this means receipt of the second dose in a 2-dose series (e.g., Pfizer and Moderna vaccines) **OR** receipt of a single-dose vaccine (e.g., Johnson & Johnson’s Janssen vaccine) **AND** a 2 week period having passed since the administration of the last vaccine dose. (This definition may change to include the requirement for vaccine booster shots in the future.)
- 2. Sticker** – A sticker provided to a Workforce Member by an authorized KP entity to be affixed to the individual’s KP identification badge to affirm their fully vaccinated status. Sticker text is “KP 2021.”
- 3. Verifiers** – Individuals assigned by the market to validate vaccination documentation provided by Workforce Members.
- 4. Workforce Members** – All individuals referenced in the Scope and Coverage section of this policy.