



Employee Choice

COVID Vaccination or Testing and Face Covering Policy

Required by OSHA 29 CFR 1910.501.

Purpose:

Vaccination is a vital tool to reduce the presence and severity of COVID-19 cases in the workplace, in communities, and in the nation as a whole. Phyxius encourages all employees to receive a COVID-19 vaccination to protect themselves and other employees. It is also our responsibility to provide the clients we serve with the safest and best care possible. However, should an employee choose not to be vaccinated, this policy's sections on testing and face coverings will apply. This policy complies with OSHA's Emergency Temporary Standard on Vaccination and Testing (29 CFR 1910.501).

Scope:

This COVID-19 Policy on vaccination, testing, and face covering use applies to all employees of Phyxius. All employees are encouraged to be fully vaccinated. **Employees are considered fully vaccinated** two weeks after completing primary vaccination with a COVID-19 vaccine with, if applicable, at least the minimum recommended interval between doses. For example, this includes two weeks after a second dose in a two-dose series, such as the Pfizer or Moderna vaccines, two weeks after a single-dose vaccine, such as Johnson & Johnson's vaccine, or two weeks after the second dose of any combination of two doses of different COVID-19 vaccines as part of one primary vaccination series. Employees who are not fully vaccinated will be required to provide proof of weekly COVID-19 testing and wear a face covering at the workplace.

All employees are required to report their vaccination status and if vaccinated, provide proof of vaccination. Employees must provide truthful and accurate information about their COVID-19 vaccination status, and, if not fully vaccinated, their testing results.

Requests for exceptions and reasonable accommodations due to a medical disability or sincerely held religious belief can be initiated by indicating on the "Federal Required COVID Vaccine, Testing and Face Covering Compliance Form" provided to you via Adobe Sign or in paper form. Once that form has been received you will be given additional paperwork to complete to begin the interactive process. Documentation and evidence of a sincerely held religious belief and/or medical certification will be required as part of this process. All such requests will be handled in accordance with applicable laws and regulations.

Procedures:

Overview and General Information

Option 1: Vaccination

Any current Phyxius employee that chooses to be vaccinated against COVID-19 must be fully vaccinated no later than 2/9/22 to avoid the regular testing and face requirements of this policy. Any employee not fully vaccinated by 2/9/22 can still get vaccinated at a later date but you will need to follow the required testing and face covering requirements until you meet the definition of fully vaccinated.

Timeline example to be fully vaccinated by 2/9/22, an employee must:

- Obtain the first dose of a two-dose vaccine no later than 1/12/22; and the second dose no later than 1/26/22; or
- Obtain one dose of a single dose vaccine no later than 1/26/22.

You can get a vaccine through your own medical provider or from any vaccine clinic of your choice. One option that is especially convenient in our area is the Centra Care South Point Covid Vaccine Clinic. The address is 3001 Clearwater Road St. Cloud MN. Phone: 320-200-3200. They accept appointments but also allow walk-ins with no appointment needed. Phyxius may have on-site vaccination clinics if they are available to us, if so the details will be communicated to you via Deputy.

Vaccination Status and Acceptable Forms of Proof of Vaccination

All **fully vaccinated** employees are required to provide proof of COVID-19 vaccination, regardless of where they received vaccination within 3 business days of the request. Proof of vaccination status can be submitted via link sent to you on the “Federal Required COVID Vaccine, Testing and Face Covering Compliance Form” through Adobe Sign. Or you can submit them to Brandon Jensen via email (brandon@phyxiusinc.com) or in-person at the Phyxius Main Office.

Acceptable **proof of vaccination** status is:

1. The record of immunization from a health care provider or pharmacy;
2. A copy of the COVID-19 Vaccination Record Card;
3. A copy of medical records documenting the vaccination;
4. A copy of immunization records from a public health, state, or tribal immunization information system; or
5. A copy of any other official documentation that contains the type of vaccine administered, date(s) of administration, and the name of the health care professional(s) or clinic site(s) administering the vaccine(s).

Proof of vaccination generally should include the employee’s name, the type of vaccine administered, the date(s) of administration, and the name of the health care professional(s) or clinic site(s) that administered the vaccine. In some cases, state immunization records may not include one or more of these data fields, such as clinic site; in those circumstances Phyxius will still accept the state immunization record as acceptable proof of vaccination.

If an employee is unable to produce one of these acceptable forms of proof of vaccination, despite attempts to do so (e.g., by trying to contact the vaccine administrator or state health department), the employee can provide a signed and dated statement attesting to their vaccination status (fully vaccinated or partially vaccinated); attesting that they have lost and are otherwise unable to produce one of the other forms of acceptable proof; and including the following language:

“I declare (or certify, verify, or state) that this statement about my vaccination status is true and accurate. I understand that knowingly providing false information regarding my vaccination status on this form may subject me to criminal penalties.”

An employee who attests to their vaccination status in this way should to the best of their recollection, include in their attestation the type of vaccine administered, the date(s) of administration, and the name of the health care professional(s) or clinic site(s) administering the vaccine.

Employees who are **partially vaccinated** will not provide the above proof of vaccination until they have received both shots. Once the 2nd shot has been given, please provide proof as specified above within 3 business days.

Employees who have **not started** the vaccine process but intend to, will indicate so on the “Federal Required COVID Vaccine, Testing and Face Covering Compliance Form” via Adobe Sign or the paper form. Once the 2nd shot has been given, please provide proof as specified above within 3 business days.

Option 2: Testing and Face Coverings

All employees who are not fully vaccinated as of 2/9/22 will be required to undergo regular COVID-19 testing and wear a face covering when in the workplace.

Employees who have not started the vaccine process and do not intend to, will indicate so on the “Federal Required COVID Vaccine, Testing and Face Covering Compliance Form” via Adobe Sign or the paper form.

Policies and procedures for testing and face coverings are described in the relevant sections of this policy.

COVID-19 Testing

All employees who are not fully vaccinated will be required to comply with this policy for testing.

Employees who report to the workplace at least once every seven days:

(A) must be tested for COVID-19 at least once every seven days; and

(B) must provide documentation of the most recent COVID-19 test result to Program Leader/Director no later than the seventh day following the date on which the employee last provided a test result. To assist us in this process, Phyxius will be asking all not fully vaccinated employees to turn their test result in to their PL/Director or Brandon Jensen by 12pm every Wednesday.

Any employee who does not report to the workplace during a period of seven or more days:

(A) must be tested for COVID-19 within seven days prior to returning to the workplace; and

(B) must provide documentation of that test result to Program Leader/Director upon return to the workplace. To assist us in this process, Phyxius will be asking all not fully vaccinated employees to turn their test result in to their PL/Director or Brandon Jensen by 12pm Wednesday that is the closest to their next shift.

If an employee does not provide documentation of a COVID-19 test result as required by this policy, they will be removed from the workplace until they provide a test result.

Employees who have received a positive COVID-19 test or have been diagnosed with COVID-19 by a licensed healthcare provider, are not required to undergo COVID-19 testing for 90 days following the date of their positive test or diagnosis.

In our area, CentraCare (several locations), Walgreens, CVS, Coborn’s are the main testing providers. Most COVID tests are offered to you free of charge but if the test you choose has a cost you will be responsible.

A “COVID-19 test” must be a test for SARS-CoV-2 that is:

1. cleared, approved, or authorized, including in an Emergency Use Authorization (EUA), by the U.S. Food and Drug Administration (FDA) to detect current infection with the SARS-CoV-2 virus (e.g., a viral test);
2. administered in accordance with the authorized instructions; and
3. not both self-administered and self-read unless observed by the employer or an authorized telehealth proctor.

Examples of tests that satisfy this requirement include tests with specimens that are processed by a laboratory (including home or on-site collected specimens which are processed either individually or as pooled specimens), proctored over-the-counter tests, point of care tests, and tests where specimen collection and processing is either done or observed by an employer.

To be a valid COVID-19 test under this standard, a test may not be both self-administered and self-read unless observed by the employer or an authorized telehealth proctor. If an OTC test is being used, it must be used in accordance with the authorized instructions. The employer can validate the test through the use of a proctored test that is supervised by an

authorized telehealth provider. Alternatively, the employer could proctor the OTC test itself. OTC tests that feature digital reporting of date and time stamped results are not considered to be “self-read” and therefore do not require observation by the employer or an authorized telehealth proctor to satisfy the standard. If you require Phyxius to supervise an OTC test please let your Program Leader/Director know.

Face Coverings

Phyxius encourages all our team members to wear face coverings and other company provided PPE.

Phyxius will require all employees who are not fully vaccinated to wear a face covering. Face coverings must: (i) completely cover the nose and mouth; (ii) be made with two or more layers of a breathable fabric that is tightly woven (i.e., fabrics that do not let light pass through when held up to a light source); (iii) be secured to the head with ties, ear loops, or elastic bands that go behind the head. If gaiters are worn, they should have two layers of fabric or be folded to make two layers; (iv) fit snugly over the nose, mouth, and chin with no large gaps on the outside of the face; and (v) be a solid piece of material without slits, exhalation valves, visible holes, punctures, or other openings. Acceptable face coverings include clear face coverings or cloth face coverings with a clear plastic panel that, despite the non-cloth material allowing light to pass through, otherwise meet these criteria and which may be used to facilitate communication with people who are deaf or hard-of-hearing or others who need to see a speaker’s mouth or facial expressions to understand speech or sign language respectively.

Employees who are not fully vaccinated must wear face coverings over the nose and mouth when indoors and when occupying a vehicle with another person for work purposes. Policies and procedures for face coverings will be implemented, along with the other provisions required by OSHA’s COVID-19 Vaccination and Testing ETS, as part of a multi-layered infection control approach for unvaccinated workers.

Face coverings provided by Phyxius are located in the PPE Tote at each location. All employees are also provided with a Phyxius double layer cloth mask at new hire orientation.

The following are exceptions to Phyxius’ requirements for face coverings:

1. When an employee is alone in a room with floor to ceiling walls and a closed door.
2. For a limited time, while an employee is eating or drinking at the workplace or for identification purposes in compliance with safety and security requirements.

All Employees

All employees, both vaccinated and unvaccinated, must inform Phyxius of their vaccination status. The following table outlines the requirements for submitting vaccination status documentation. You were given the “Federal Required COVID Vaccine, Testing and Face Covering Compliance Form” via Adobe Sign or the paper form. **You must have this completed and returned by 1/17/22.**

Supporting COVID-19 Vaccination

An employee may choose to get the vaccine during their normal paid work hours or an employee may choose to get the vaccine outside their normal work hours which is unpaid. If you choose to get your vaccine during your normal work shift, please contact your Program Leader/Director in advance to make arrangements to assist with scheduling to ensure our client to staff ratios can be safely maintained and necessary business operations can continue. If you experience side effects from the COVID-19 vaccination that prevents you from working please notify your Program Leader/Director as soon as possible. You may utilize Phyxius paid time off to recover.

Employee Notification of COVID-19 and Removal from the Workplace

Review Phyxius Covid Preparedness Prevention Plan for guidance in this area.

New Hires:

All New Hires are required to comply with the vaccination, testing, and face covering requirements outlined in this policy and as a condition of employment. Potential candidates for employment will be notified of the requirements of this policy prior to the start of employment.

All new hires will fill out the “Federal Required COVID Vaccine, Testing and Face Covering Compliance Form” at New Hire Orientation.

New Hires who are vaccinated will be asked to provide proof of vaccination at New Hire Orientation with the rest of their required documentation such as I-9 verification within 3 business days.

New Hires who are partially vaccinated will not provide the above proof of vaccination until they have received both shots. Once the 2nd shot has been given, please provide proof as specified above within 3 business days.

New Hires who have not started the vaccine process but intend to, will indicate so on the “Federal Required COVID Vaccine, Testing and Face Covering Compliance Form” via Adobe Sign or the paper form. Once the 2nd shot has been given, please provide proof as specified above within 3 business days.

New Hires who have not started the vaccine process and do not intend to, will indicate so on the “Federal Required COVID Vaccine, Testing and Face Covering Compliance Form” via Adobe Sign or the paper form.

New Hires who are not fully vaccinated will need to follow the same testing and mask procedures that all employees must follow prior to working a scheduled in-person training or regular shift.

Confidentiality and Privacy:

All medical information collected from individuals, including vaccination information, test results, and any other information obtained as a result of testing, will be treated in accordance with applicable laws and policies on confidentiality and privacy.

Compliance:

This is a very difficult time for everyone. We are asking for your cooperation and compliance to make this process go as smoothly as possible to do our part to respond to this pandemic. Employees not in compliance with this policy will be subject to disciplinary action including being reduced from the schedule and/or termination.

Certified:

Certified by Amy Larson, COO, 1-10-22. The COVID situation continues to be ever changing. This policy will continue to be maintained and updated by Brandon Jensen/Amy Larson. Please direct any questions regarding this policy to one of them.

Attached:

“CDC- Key Things To Know about COVID-19 Vaccines”

https://www.cdc.gov/coronavirus/2019-ncov/vaccines/keythingstoknow.html?s_cid=10493:cdc%20covid%20vaccine:sem.ga:p:RG:GM:gen:PTN:FY21

Phyxius “Federal Required COVID Vaccine, Testing and Face Covering Compliance Form”