



EMPLOYMENT &
HUMAN SERVICES

MEMORANDUM

Kathy Gallagher, Director

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To: All Staff, Code 2A

Date: March 4, 2022

From: Debora Boutté, Departmental Human Resources Officer II

Subject: Update - Changes to Masking Requirements as of March 4, 2022

Please find the attached updated memo from Labor Relations regarding Masking Requirements.

In summary, effective immediately employees and members of the public are no longer required to wear masks in the workplace regardless of vaccination status. Exceptions include:

1. All employees and members of the public, regardless of vaccination status, must be masked in specified high risk settings.
2. Employees may be required to wear masks under certain circumstances described in the County's COVID-19 Prevention Plan such as during an outbreak.

Although no longer required, the California Department of Public Health strongly encourages employees and members of the public to wear masks indoors. As a reminder, employees should stay home if they are sick. Please refer to the attachments for further details.

For questions about this memo, please contact your assigned Departmental HR Analyst.

County Administrator

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Monica Nino
County Administrator

Contra Costa County



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March 4, 2022

Re: Update to Department Heads on Changes to Masking Requirements

Directly following the previous masking update, on February 28, 2022, Governor Newsom issued an Executive Order with changes to masking requirements for employees covered by the Cal/OSHA Emergency Temporary Standards (ETS), allowing both vaccinated and unvaccinated individuals to remain unmasked in most indoor settings in the workplace. Unvaccinated employees with an approved exemption from the County's vaccination policy will still be required to test at least once a week.

The County has amended its Mandatory Vaccination Policy to align masking requirements with the Governor's February 28, 2022 Order. Effective immediately, employees and members of the public are not required to wear masks in the workplace regardless of vaccination status, with the following exceptions:

1. All employees and members of the public, regardless of vaccination status, must be masked in specified high risk settings, including:
 - Healthcare settings. This primarily applies to locations where health care services are delivered and includes, but is not limited to, acute care facilities, long-term acute-care facilities, inpatient rehabilitation facilities, nursing homes, home healthcare, vehicles where healthcare is delivered (e.g., mobile clinics), and outpatient facilities, such as dialysis centers, physician offices and dental offices.
 - Correctional facilities and detention centers.
 - Emergency shelters and cooling and heating centers
 - See the entire list of high-risk facilities at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>

2. Employees may be required to wear masks in circumstances described in the County's COVID-19 Prevention Plan.

- All employees must wear masks in situations involving outbreaks and early return from isolation and quarantine. Departments should consult the County's COVID-19 Prevention Plan for more information.

Due to the rescission of masking rules for employees and the public, vaccine attestation postings on entrances must be removed for all non-high-risk facilities. Although no longer required, the California Department of Public Health strongly encourages employees and members of the public to wear masks indoors. Employees should stay home if they are sick.

The County's COVID-19 Prevention Plan has been updated with the above guidance. The County will continue to follow all other safety requirements in the Cal/OSHA COVID-19 Emergency Temporary Standards.

Sincerely,



David Sanford
Chief of Labor Relations

Cc. Board of Supervisors
Monica Nino, County Administrator

County Administrator

County Administration Building
1025 Escobar Street, 2nd Floor
Martinez, California 94553-1229

Monica Nino

County Administrator

Contra Costa County



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August 24, 2021

COVID-19 MANDATORY VACCINATION POLICY

AUTHORITY:

In accordance with the authority delegated by the Board of Supervisors in the Contra Costa County Ordinance Code Section 24-4.008, the County Administrator has the authority and the responsibility to establish and enforce personnel policies in County departments and agencies, including in the Crockett-Carquinez Fire Protection District, the Contra Costa County Fire Protection District, and the In-Home Supportive Services Public Agency.

PURPOSE:

Contra Costa County has a duty to provide a safe and healthy workplace, consistent with COVID-19 public health guidance and legal requirements, to protect its employees and the public as services reopen and more employees return to workplaces. According to the Centers for Disease Control (“CDC”), the California Department of Public Health (“CDPH”), and Contra Costa County’s Health Officer, COVID-19 continues to pose a risk, especially to individuals who are not fully vaccinated. Therefore, certain safety measures are necessary to protect against COVID-19 cases and deaths.

On August 23, 2021, the Federal Food & Drug Administration (“FDA”), granted full approval to the Pfizer-BioNTech COVID-19 vaccine for people sixteen (16) and older.

Vaccination is the most effective way to prevent transmission and limit COVID-19 hospitalizations and deaths. Unvaccinated employees, interns, and volunteers are at greater risk of contracting and spreading COVID-19 within the workplace and County facilities, and to the public that utilizes County services and facilities.

To best protect its employees and others in County facilities and utilizing County services, all employees who are not subject to a more stringent vaccination mandate by the California Public Health Officer or Contra Costa County Health Officer, must, as a condition of employment:

- (1) No later than October 4, 2021, receive their final dose (either the second dose in a two shot series or the first shot in a single shot series) of a COVID-19 vaccine; and

(2) provide proof of their vaccination status to the County no later than October 4, 2021.

POLICY:

Definition of “Employees”

For the purposes of this vaccine requirement only, the term “employees” includes all full, part-time, and as-needed employees of the County and Special Districts under the administration of the Board of Supervisors regardless of appointment type, as well as paid or unpaid volunteers, interns, contractors, and student workers.

VACCINATION REQUIREMENT:

Employees in Identified Healthcare Facilities

On August 5, 2021, the California Department of Public Health (“CDPH”) issued an Order mandating that all workers who provide services or work in identified health care facilities to be fully vaccinated by September 30, 2021. County employees who work in those identified healthcare facilities are *still expected to be fully vaccinated by that date*. Affected employees must receive their first shot in a single-shot series or their second shot in a two-shot series no later than September 30, 2021.

Exemptions to this order are only granted on the basis of a sincerely held religious belief or due to a qualifying medical reason.

All other Employees

All other employees not covered under the CDPH Orders are expected to receive their final dose of a COVID-19 by October 4, 2021.

Exemptions will be granted only on the basis of a sincerely-held religious belief or due to a qualifying medical condition or restriction.

EXEMPTIONS:

A medical or religious exemption from the vaccination requirements may only be granted if:

For Medical Reasons:

The employee must provide a written statement signed by their licensed physician, licensed nurse practitioner, or other licensed medical professional acting under the license of a physician stating that the individual qualifies for the exemption (but the statement should not describe the underlying medical condition or disability) and indicating the probable duration of the worker’s inability to receive the vaccine (or if the duration is unknown or permanent, so indicate).

For Religious Reasons:

The employee holds a sincere religious belief, practice, or observance that is contrary to the practice of vaccination, and the employee provides written documentation and information to support an exemption.

Requests for medical and religious exemptions will be processed by the employee's department personnel officer or by the County's Human Resources Department and maintained as confidential medical information. Requests for an exemption as a reasonable accommodation for a medical or religious reason will be determined on an individualized case-by-case basis.

Employees for whom a medical or religious exemption is granted must be tested for COVID-19 at least once a week (or more as required by the State's Public Health Order or the County Health Officer's Order, if applicable).

REPORTING REQUIREMENT:

Employees must report their vaccination status to their department's personnel officer by October 4, 2021, which will be maintained in a confidential medical file. Access to employee's vaccination status is strictly limited only on a need-to-know basis, for the purposes of enforcing testing, quarantining in the event of a close contact, and other safety requirements.

All employees must have received their final dose of a COVID-19 vaccine as a condition of employment by October 4, 2021, unless they have been approved for an exemption from the vaccination requirement as a reasonable accommodation for a medical condition or restriction or sincerely-held religious belief. Employees on an approved leave of absence as of October 4, 2021, must comply with the requirements of this Policy prior to returning to work. Failure to comply with the requirements of this policy will result in discipline up to and including termination of employment.

CONFLICTS:

Where a conflict exists between this Policy and more permissive or restrictive standards pertaining to mandatory vaccinations or testing set forth in the law, or between this Policy and any other Health Order applicable to Employees, or between this Policy and any State Public Health Officer order or CDPH guidance pertaining to mandatory vaccinations or testing in response to the COVID-19 pandemic, the more restrictive provision controls.

This policy is subject to change based on future developments as well as guidance or orders from governmental authorities, including but not limited to the CDC, CDPH, and the Contra Costa Health Officer.

Rev. 9/21/2021, 3/3/2022