

Side Letter Agreement
between the
All Faculty Association
and
Sonoma County Junior College District
regarding

Effects of District Emergency Action Due to Coronavirus Pandemic:
COVID-19 Vaccination/Testing – Fall 2021
October 8, 2021

This Side Letter is made by and between the Sonoma County Junior College District (“District”) and the All Faculty Association (“AFA”). The purpose of this Side Letter is to address the effects on working conditions resulting from the District’s action to implement a vaccination/testing requirement, consistent with its authority under the EERA to act in case of business necessity. This Side Letter is anticipated to be in effect for the Fall 2021 term.

On September 14, 2021, the Governing Board of the Sonoma County Junior College District adopted a resolution that “...directs and delegates to the President/Superintendent, or designee, the authority to carry out this Resolution and develop a District program that requires the following for all employees and volunteers who are assigned to work on-site and/or who access District sites, and all students who enroll in on-site classes and/or utilize on-site services: Through December 31, 2021: either provide proof of full vaccination or submit to weekly testing...” and “...delegates to the President/Superintendent, or designee, the authority to carry out this Resolution and ensure that exceptions to the vaccination/testing policy be carefully considered, that potential partnerships and incentives be fully explored, and that all appropriate collective bargaining obligations are observed.”

1. The District will implement the Vaccine/Testing Process, incorporated for reference, for faculty members which is effective upon execution of this Side Letter.
2. The District will monitor guidance from all applicable public health authorities and, in the event a change is mandated by law, the District will negotiate with AFA the impact of implementing any changes to the Vaccine Process for faculty members.
3. The District will maintain any vaccination information that it receives as a confidential, secure medical record maintained separately from personnel files and will limit access to that information on a need-to-know basis to protect the health and safety of the college community.
4. The District may use and disclose vaccination information that it receives as part of a vaccination verification online submission or directly from faculty members for its legitimate business purposes (maintaining confidentiality provided in Paragraph 3), and where appropriate confidentiality protections

are in place, including, but not limited to: protecting the health and safety of students, employees, and college community members; managing employee leave and accommodations; ensuring compliance with District policies; managing litigation; complying with contractual obligations; and meeting legal and regulatory requirements.

5. Any faculty member working in-person from a District site and who has not submitted proof of vaccination is required to schedule and complete weekly asymptomatic testing, and as applicable, quarantine and isolation consistent with federal, state, and local protocols.
6. Faculty members who receive the vaccine during their paid working time will be compensated for actual time spent obtaining the vaccine during their regular work hours. Faculty members may take up to 3 days of paid leave for vaccination side effects. An additional day of paid leave for side effects may be granted for those receiving a two-dose vaccine protocol. Requests for this leave must comply with the process set forth in Article 18.01.B.2. Faculty members who experience an extreme reaction related to the COVID-19 vaccine may request additional days of paid sick leave without expending any accrued sick leave, by submitting such request to their Department Chair and Supervising Administrator. Extension of supplemental paid sick leave pursuant to this provision shall be at the discretion of the District. Requests for the supplemental paid sick leave must comply with the process set forth in Article 18.01.B.2.
7. Contract faculty members will also be granted up to 40 hours of COVID-19 Supplemental Paid Sick Leave if they or a family member they are caring for are subject to a COVID-19 quarantine or isolation as specified in an order or guideline by the California Department of Public Health, federal Centers for Disease Control (CDC) or a local health officer with jurisdiction over the workplace. Adjunct faculty will be entitled to a prorated amount of such leave based on their load, as per Article 18.02.A.7.
8. Faculty members working in-person from a District site who have been fully vaccinated and have shared proof of vaccination will be exempt from asymptomatic testing and quarantine protocols.
9. Faculty members will be issued and required to wear an SRJC access badge at all times while on site to identify them as an employee of the District, and to enable access to college facilities without having to go through check-in stations. Temporary identification will be provided to faculty members who have not yet received a permanent access badge.
10. Regarding District testing for faculty members who, because of a medical exemption, religious exception, or a Reasonable Accommodation, or a bargaining unit member subject to testing pursuant to Paragraph 5 above, and who have not submitted proof of vaccination, are subject to mandatory testing:
 - a. Faculty members who do not submit proof of vaccination will be subject to COVID-19 testing. Those who work 100% remotely are not required to

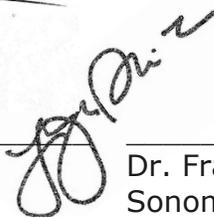
be tested. Testing will be scheduled to the extent possible, on days the faculty member is on campus.

- b. The test shall be scheduled through Student Health Services and will not result in an expense to the faculty member.
- c. Positive test results will be shared with the COVID Response Team to assess the need for contact tracing and provide health and safety notifications as legally required.

- 11. In the event a faculty member fails to provide proof of vaccination or fails to adhere to the District's public safety protocols (including, but not limited to, masking, weekly asymptomatic testing, and as applicable, quarantine and isolation consistent with District protocols for unvaccinated unit members), the faculty member's non-compliance will be addressed in accordance with the existing progressive disciplinary processes as defined by the AFA/District Contract, Article 23, up to, and including, termination.
- 12. Faculty members providing in-person instruction and services will be notified prior to the beginning of class or a scheduled in-person appointment of any student not permitted access to SRJC sites and who are enrolled in the faculty member's class or scheduled for an in-person appointment.
- 13. All vaccination records, including those for employees and students, will be authenticated by Student Health Services professionals using the California Immunization Registry or a comparable database system.
- 14. This agreement shall remain in full force and effect unless mutually amended by the parties or if changes are mandated by law. Either party may request to meet to discuss any of these items and re-negotiate at any time to be responsive as circumstances with the pandemic have proven to change and evolve quickly.
- 15. The facts and circumstances related herein and the conclusions and determinations made by the Agreement shall not establish a precedent or practice for any purpose.



Sean Martin, President
All Faculty Association



Dr. Frank Chong, Superintendent/President
Sonoma County Junior College District



COVID PROOF OF VACCINATION AND TESTING PROTOCOLS FOR FALL 2021

Purpose

- To implement a District vaccination/testing program for employees, volunteers, and students who are on District sites.
- All employees, volunteers, and students must submit proof of vaccination or proof of weekly negative COVID-19 test.

Vaccination and testing are currently available in Student Health Services. Expanded access to these services will be available at the Santa Rosa Campus, Petaluma Campus, Southwest Center, Shone Farm, and the Windsor PSTC.

Vaccination and Testing Protocols

All employees, volunteers, and students who are on District sites must submit proof of full COVID-19 vaccination¹, or if they decline to provide proof of COVID-19 vaccination, submit to weekly COVID-19 testing provided by the District.

This procedure does not apply to employees and students who work or are learning remotely and do not access the college for more than 10 minutes or via drive-through services.

Proof of Vaccination Submission Process

Employees and Volunteers:

- Web-based encrypted process to submit one of the following forms of proof of vaccination:
 - Scan/Photo of paper vaccine card
 - Documentation of COVID-19 vaccination from a healthcare provider
 - Digital record obtained from the State of CA COVID Vaccine Registry
 - Documentation of vaccination from another employer subject to Sonoma County Health Order C19-26.

While electronic submission of the above is strongly encouraged, hard copies of proof of vaccination may be dropped off in the HR office, by appointment.

Vaccination records will be housed in HR as other medical records are.

¹ “Fully vaccinated” means the employer has documented that the person received, at least 14 days prior, either the second dose in a two-dose COVID-19 vaccine series or a single-dose COVID-19 vaccine. Vaccines must be FDA approved; have an emergency use authorization from the FDA; or, for persons fully vaccinated outside the United States, be listed for emergency use by the World Health Organization (WHO). Cal OSHA Emergency Temporary Standards Sec. 3205(b)(9)

Students:

- Student Health Services will oversee the collection and verification of student proof of vaccination records via the Cleared4 secured web portal encrypted process to submit one of the following forms of proof of vaccination:
 - Upload photo of paper vaccine card
 - Upload documentation of COVID-19 vaccination from a healthcare provider
 - Upload a digital record obtained from the State of CA COVID Vaccine Registry (<https://myvaccinerecord.cdph.ca.gov/>)
 - Documentation of vaccination from employer subject to Sonoma County Health Order C19-26.
 - The system will scan digital vaccination QR codes to ensure they match the student's information. Other vaccination records will be reviewed and verified using all available means.
 - Technical vaccination record support will be provided to assist students

Testing Process

Those who opt-out of providing proof of vaccination are required to submit to weekly COVID-19 testing provided by the District.

Reporting

Supervisors will be provided regular updates on those employees in compliance and able to work on campus.

Students who fail to meet their weekly testing requirement will receive a notification informing them that they are not allowed to attend class or visit the campus.

Faculty will be provided regular updates on students not in compliance and therefore not allowed in class and on campus.

COVID-19 Vaccine Booster

Should local, state, or federal health authorities recommend a vaccine booster, the District and bargaining units shall meet and confer on the impacts and effects prior to a vaccine booster being added to the requirements of these proof of vaccination/test protocols.

Safety Monitor and Student Check-ins

Effective October 11, 2021, oversight of the COVID-19 Safety Monitor Program will transition from Student Services to Finance and Administrative Services. This will include the following adjustments to align with the expansion of the safety monitor duties to include the vaccination/testing program rollout:

- **COVID-19 Safety Supervisor**
 - The District will hire a full time COVID-19 Safety Supervisor (1-year appointment to be extended at the District's discretion) to provide on-site administrative oversight of the District's COVID-19 safety protocols. Key responsibilities will include:

- i. Monitoring and directing the use of the District COVID-19 safety monitor check-in stations.
 - ii. Serving as the District liaison to communicate safety protocols and address questions or concerns from employees, students, external contractors, visitors or members of the community.
- **District COVID-19 Signage**
 - An increase of directional and cautionary signage will be posted around District sites and throughout active campus facilities.
 - Students will be informed that a wristband, unique to them and issued each day they are on campus, is required to access District facilities and masking protocols/requirements
 - Measures will be put in place to direct those required to check-in towards safety monitor stations.
- **Safety Monitors**
 - Safety monitors will be deployed at the ingress points and other key areas throughout District sites to ensure compliance with the District's safety and health protocols.
 - Safety monitors key responsibilities will be clarified to include:
 - i. Assessing and distributing facial masks to individuals entering campus facilities as needed.
 - ii. Issuing a daily admission wristband to students entering campus facilities after verifying they have completed the CLEARED4 health survey and received a digital clearance pass.
 - iii. Monitoring access of buildings to collect information required for contact tracing and reporting.