

LBCCD-LBCCE/AFT
Memorandum of Understanding
COVID-19 Mandated Vaccinations/Boosters
December 16, 2021

This following Memorandum of Understanding (“Agreement”) is made by and between the Long Beach Community College District (“District”) and the Long Beach City College Council of Classified Employees (“LBCCE/AFT”). Where appropriate, The District and LBCCE/AFT will collectively be referred to as “parties.” This Memorandum of Understanding shall supersede any other agreement, either oral or written, previously agreed to by the parties related to the following:

1. The LBCC Board of Trustees approved a Board Vaccine Resolution on Wednesday, October 20, 2021. As such, employees are required to be fully vaccinated against the Covid-19 virus or be exempt through a medical or religious accommodation, effective January 3, 2022.
 - a. This vaccine mandate includes a requirement that employees provide documented proof of vaccination booster doses, within 40 Business days from the date of notification to employees by local, state, and/or federal health department agencies that a booster dose is available.
 - i. Vaccine shots, including boosters for eligible recipients, are complementary through a partnership between LBCC and city of Long Beach at two locations: Liberal Arts College and Pacific Coast Campus.
 - ii. For more information, visit <https://www.lbcc.edu/vaccination-clinics>
 - b. Religious and medical accommodation requests must be submitted to Human Resources no later than December 6, 2021.
 - i. The District is working with a third party to help review exemption requests.
 - ii. If approved, the exempt employees are required to submit to weekly Covid-19 testing.
 - c. Vaccine records, demonstrating vaccinated status, must be uploaded to the LBCC employee portal no later December 17, 2021.
 - i. Employees completing the first shot, of a vaccine requiring two doses, will be required to perform weekly testing 2 weeks after the initial shot before the vaccine reaches efficacy.
 - ii. Free testing is available through the following sites: <https://longbeach.gov/health/diseases-and-condition/information-on/coronavirus/covid-19-testing/>

2. Employees experiencing side effects, caused by a vaccine or vaccine booster, shall be paid under 13.2.12, Quarantine, of the Master Agreement between LBCCD and LBCCE/AFT/AFL-CIO.
 - a. Employees absent from duty for more than two (2) days are required to provide a confidential health report, completed by the employee’s examining physician, to be submitted to Human Resources.
3. Employees, who fail to upload the vaccine/booster records demonstrating fully vaccinated status by the deadline outlined in this document, and without any authorized exemption or accommodation will be placed on a leave without pay and the District will initiate a progressive disciplinary process, up to and including dismissal.

Remediation steps

Nature of Action Requiring Remediation	Steps Involved in Addressing Remediation Need
<ul style="list-style-type: none"> • 1st step – failure to submit vaccine/booster by January 3, 2022 deadline. • The verbal warning phase will be followed for the first two weeks of noncompliance. Employees who remain noncompliance after the first two weeks will enter into the written warning state of the remediation process. 	<ul style="list-style-type: none"> • Verbal warning – <ul style="list-style-type: none"> ○ Week one – Supervisor discusses with employee the importance of following protocol and reminds employee of the process and that they cannot be at work and must be off work in unpaid status until they comply with protocol. Human Resources reaches out to employee and outlines all of this information in an email. ○ Week Two - Supervisor discusses with employee the importance of following protocol and reminds employee of the process and that they cannot be at work and must be off work in unpaid status until they comply with protocol. ○ <u>Second Step in this process for week two:</u> Supervisor must also follow up this discussion with the employee with an email to the employee outlining the discussion that occurred. HR reaches out to employee and outlines all of this information in an email.
<ul style="list-style-type: none"> • 2nd step - failure to submit vaccine /booster information for three weeks after the required policy deadline (~3 week). 	<ul style="list-style-type: none"> • Written warning - Supervisor meets with employee, reminder of 1st and 2nd failure to submit vaccine information by the deadline and reminder of the conference summary and review of written warning; submit written warning to HR with the conference summary copied to the written warning.

	<ul style="list-style-type: none"> • HR reaches out to employee and reminds employee of their noncompliance and unpaid leave status.
<ul style="list-style-type: none"> • 3rd step - failure to submit vaccine/booster information for four weeks after the required policy deadline (~4 week). 	<ul style="list-style-type: none"> • Written warning in employee file – supervisor meets with employee to review all incidents; written letter into employee’s file, with previous documentation copied to the letter and placed in the file. • HR reaches out to employee and reminds employee of their noncompliance and unpaid leave status.
<ul style="list-style-type: none"> • 4th step - failure to submit vaccine/booster information after the required policy deadline (~5 week). 	<ul style="list-style-type: none"> • Suspension – 10 days; employee will be provided a charge letter for a 10-day suspension; inform employee of due process rights; all information placed in employee’s file.
<ul style="list-style-type: none"> • 5th step - failure to submit vaccine/booster information after the required policy deadline. 	<ul style="list-style-type: none"> • Employee termination – employee will be provided a charge letter and due process rights; all information placed in employee’s file.

For the District:

Loy Nashua

Loy Nashua
Vice President, Human Resources

Date Dec 17, 2021

For the Long Beach City College
Council of Classified Employees:

Robert Remeta

Robert Remeta
President

Date Dec 17, 2021