



LIFE CHIROPRACTIC
COLLEGE WEST

COVID-19 Prevention Program (CPP)

July, 2021

California OSHA (Cal-OSHA) has updated its COVID-19 Prevention Plan to include the most recent updates to Cal-OSHA Prevention Emergency Temporary Standards, which serves as a model for businesses including higher education institutions which incorporate the latest CDC and California Department of Public Health guidance on face coverings under Title 8 Code of Regulations 3205-3205.4. Employers and places of employment are required to establish and implement an effective written COVID-19 Prevention Program (CPP) pursuant to the Emergency Temporary Standards in place for COVID-19 (California Code of Regulations (CCR), Title 8, section [3205\(c\)](#)). Cal/OSHA has developed this model program to assist employers with creating their unique CPP tailored to their workplace.

Life Chiropractic College West (LCCW) COVID-19 Prevention Plan is designed to reduce the risk of exposure to COVID-19 and provide a healthy and safe workplace and campus for our Life West community.

LCCW acknowledges that a safety culture includes effective communication and community involvement. The responsibility for providing a safe community rests with employees, students, and visitors to Life West. Everyone is responsible for following the appropriate safety protocols during the COVID-19 pandemic.

The source of information and guidance included in this plan are from the Centers for Disease Control (CDC), the Occupational Health and Safety Administration (OSHA), and the California Department of Labor and Industrial Affairs. Since COVID-19 conditions are frequently changing, the need for modifications may occur based on further guidance provided by the CDC, OSHA, and other public officials at the state or local levels. The goal of LCCW is to control and minimize exposure to the SARS-CoV-2 virus that may occur on campus.

LCCW's COVID-19-Prevention Plan is based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has COVID-19, and a careful weighing of the identified risks and the available alternatives for responding to an employee with COVID-19. Also included is information available for those employees affected by COVID-19.

LCCW reserves the right to amend this Addendum based on changing requirements and the needs of our business operations.

Policy Against Discrimination Based on COVID-19 Status

LCCW will not discriminate against any job applicant, employee, or student based on the individual's COVID-19 status. Applicants, employees, and students shall not be denied access to the college campus solely on the grounds that they have COVID-19. LCCW reserves the right to exclude a person with COVID-19 from the campus facilities, programs, and functions if LCCW discovers that, based on a medical determination, such restriction is necessary for the welfare of the person who has COVID-19 and/or the welfare of others within the Life West community.

LCCW will comply with all applicable statutes and regulations that protect the privacy of persons who have COVID-19.

For more information, please speak with your supervisor or contact Human Resources. Students should contact the Academic Compliance Officer for more information.

Preventing the Spread of COVID-19 Infection in the Workplace

LCCW will ensure clean facilities, including the regular cleaning of frequently used areas, such as bathrooms, breakrooms, conference rooms, door handles, and railings. The COVID-19 Taskforce committee monitors and coordinates events around a COVID-19 outbreak and creates work rules that will be implemented to promote safety through infection control.

If you develop a fever and symptoms of respiratory illness, such as an atypical cough or shortness of breath, do not report to work or classes. You must also notify your supervisor immediately and consult your healthcare provider. Students should contact the Academic Compliance Officer. Life West is responsible for identifying and informing all employees and students who have close contact with individuals with COVID-19 symptoms. "Close contact" is not brief or incidental contact with a person with COVID-19 symptoms.

The CDC defines "close contact" as either:

- Being within roughly six feet of a COVID-19 infected person or a person with any symptom(s) for a "prolonged period of time;" (the CDC estimates a range from 15 minutes or more; or,
- Having direct contact with infectious secretions of a COVID-19 infected person or a person with any COVID-19 symptom(s) (i.e., being coughed on).

We ask all employees and students to cooperate to reduce the transmission of infectious diseases in the workplace. The best strategy remains the most obvious—frequent hand washing with warm, soapy water, covering your mouth whenever you sneeze or cough, and discarding used tissues in wastebaskets. We will also install alcohol-based hand sanitizers throughout the workplace and in common areas.

We will implement the following in our workplace:

- Conduct campus-specific evaluations;
- Evaluate an employee's or student's potential campus exposure resulting from all persons who enter our campus;
- Review applicable orders and general and industry-specific guidance from the State of California, Cal/OSHA, and the local health department related to COVID-19 hazards and prevention;
- Evaluate existing COVID-19 prevention controls on our campus and the need for different or additional controls;
- Conduct periodic inspections as needed to identify unhealthy conditions, work practices, and work procedures related to COVID-19 and ensure compliance with our COVID-19 policies and procedures.

Unless otherwise notified, our normal attendance and leave policies will remain in place. Individuals who believe they may face particular challenges reporting to work during a COVID-19 outbreak should take steps to develop any necessary contingency plans.

AUTHORITY AND RESPONSIBILITY

The College Task Force has overall authority and responsibility for implementing the provisions of this CPP on our campus. In addition, all managers and supervisors are responsible for implementing and maintaining the CPP in their assigned work areas and ensuring employees and students receive answers to questions about the program in a language they understand.

All employees and students are responsible for using safe work practices, following all directives, policies, and procedures, and maintaining a safe work environment.

IDENTIFICATION AND EVALUATION OF COVID-19 AND OTHER RESPIRATION HAZARDS

We implement the following in our workplace:

- Conduct workplace-specific evaluation;
- Documentation of Employee and student COVID-19 Vaccination Status, which is maintained as a confidential medical record;
- Evaluate employees' potential workplace exposures to all persons at or who may enter our workplace;
- Develop COVID-19 and respiratory disease policies and procedures to respond effectively and immediately to individuals at the workplace who are a COVID-19 or Other Infectious Disease cases to prevent or reduce the risk of transmission in the workplace.

Reporting Protocol

- Report suspected disease to the Office of Academic Affairs and/or Health Center Management or Human Resources Department;
- Notify the Office of the President and Executive Vice President of the situation;
- Obtain approval to temporarily suspend individuals suspected of being infected from further class and clinical activity;

- Send suspected individuals to the appropriate health care provider or organization to confirm suspected infection;
- Confirmed reports will be sent to the Alameda Public Health Department using the proper protocol, online website that can be found at:

<http://www.acphd.org/communicable-disease/disease-reporting-and-control.aspx>.

Upon confirmation, those that may have come in contact with an infected individual are to immediately notify the Office of Academic Affairs Compliance Officer, David Straub at (510) 731-7953 or Human Resources, Director of Human Resources Tarsha Addison at (510) 320-0761.

- Institute cleaning procedures for rooms and equipment that infected individuals may have used or been present in;
- Draft notification letter to students, employees, and patients as appropriate informing them that an outbreak has occurred on campus, detailing possible symptomatology, risk, and necessary precautions;
- Implement any further instructions issued from Alameda Public Health Department.
- Inform the infected individuals that they may not return to campus or resume clinical duties until cleared by the appropriate primary health official:
 - Review applicable orders and general and industry-specific guidance from the State of California, Cal/ OSHA, and the local health department related to COVID-19 hazards and prevention.
 - Evaluate existing COVID-19 and Infectious Disease prevention controls in our workplace and the need for different or additional controls.
 - Conduct periodic inspections using Appendix B: COVID-19 Inspections form as needed to identify and evaluate unhealthy conditions, work practices, and work procedures related to COVID-19 and to ensure compliance with our COVID-19 policies and procedures.

EMPLOYEE PARTICIPATION

Employees and their authorized employees' representatives are encouraged to participate in the identification and evaluation of COVID-19 hazards by:

Employee screening

Prior to arriving on campus, each employee and student will self-assess for COVID-19 risks by using the daily self-screening best practices. By reporting to work on campus daily, employees are attesting that they have completed the Health Screening Questionnaire, feel well, do not have apparent COVID-19 symptoms, and have not been exposed to a COVID-19 positive individual.

Employees will have their temperature taken upon entering the building. Employees should use the front entrance upon arrival at work and before entering any other areas of the LCCW property.

An employee who has a fever at or above 100.4 degrees Fahrenheit will be sent home.

Time spent waiting for the health screening will be recorded as time worked for nonexempt employees.

The health screening questionnaire and daily health self-screening do not replace the judgment of healthcare professionals. Please follow recommendations from your healthcare professionals, who will also recommend COVID-19 testing when they consider it prudent or necessary.

Staying Home When Ill

Many times, with the best of intentions, employees report to work even though they feel ill. LCCW provides paid sick time and other benefits to compensate employees who are unable to work due to illness. Employees are expected to contact their supervisor if they feel unwell, are experiencing COVID-19 symptoms, or believe they have been exposed to someone with COVID-19. Human Resources is available to provide information about accommodations or medical leave.

During a COVID-19 or infectious disease outbreak, it is critical that employees do not report to work while they are ill and/or experiencing the following symptoms: fever, cough, sore throat, congestion or runny nose, body aches, shortness of breath, or difficulty breathing, loss of taste or smell, diarrhea, headache, chills and fatigue. Employees who report to work ill will be sent home.

Requests for Medical Information and/or Documentation

If you are out sick or show symptoms of being ill, it may become necessary to request information from you and/or your healthcare provider. In general, LCCW will request medical information to confirm your need to be absent and to show whether and how an absence relates to the infection. As always, LCCW expects and appreciates your cooperation if and when medical information is sought.

Vaccination Status

LCCW has implemented a vaccine status documented process to verify and document an employee's vaccination status. This information will remain confidential in order to comply with applicable mask mandates.

Confidentiality of Medical Information

LCCW's policy is to treat any medical information as a confidential medical record. In furtherance of this policy, any disclosure of medical information will be limited as required by law.

Physical distancing and barrier requirements have been eliminated unless a hazard or outbreak occurs. During the workday, employees are required whenever possible to maintain a distance of at least six feet or more.

Hand Sanitizing

In order to implement effective hand sanitizing procedures, LCCW:

- Maintains 27 distanced handwashing sinks throughout the building, which are maintained/restocked three times daily;
- Maintains 35 hand sanitizer dispensers throughout the building which are serviced daily;
- Provides additional hand sanitizer bottles to staff upon request.

Cleaning and Disinfecting

LCCW implements the following cleaning and disinfection measures for frequently touched surfaces:

- Work areas, common areas and classrooms are disinfected daily;
- Restrooms are disinfected three times daily;
- Classroom areas are disinfected before each class;
- Work areas have sanitation stations stocked with disinfecting supplies for staff to clean their own areas more frequently if needed.

Correction of COVID-19 Hazards

In buildings or structures with mechanical ventilation, LCCW will filter recirculated air with Minimum Efficiency Reporting Value (MERV) 13 or higher efficiency filters if compatible with the ventilation system. If MERV-13 or higher filters are not compatible with the ventilation system, LCCW will use filters with the highest compatible filtering efficiency. LCCW will also evaluate whether portable or mounted High-Efficiency Particulate Air (HEPA) filtration units or other air cleaning systems will reduce the risk of transmission and implement their use to the degree feasible.

LCCW will determine the need for a respiratory protection program or changes to an existing respiratory protection program under CCR Title 8 Section 5144 to address COVID-19 hazards.

LCCW will evaluate whether to halt some or all operations at LCCW until COVID-19 hazards have been corrected as deemed necessary by Cal/OSHA.

Identification of COVID-19 Hazards

All persons, regardless of symptoms or negative COVID-19 test results, will be considered potentially infectious. Particular attention will be paid to areas where people may congregate or come in contact with one another, regardless of whether employees are performing an assigned work task or not including, but not limited to meetings, entrances, bathrooms, hallways, aisles, walkways, elevators, break or eating areas, cool-down areas, and waiting areas.

Person conducting the evaluation: Michael Baldwin, Director of Facilities and Auxiliary Services, mbaldwin@lifewest.edu; David Straub, Chair of Basic Sciences and Faculty & Compliance Officer, dstraub@lifewest.edu; or Tarsha Addison, Director of Human Resources, taddison@lifewest.edu.

CONTROL OF COVID-19 HAZARDS

Face Coverings

LCCW will provide clean, undamaged face masks and ensure they are properly worn by employees over the nose and mouth when indoors, and when outdoors and less than six feet away from another person, including non-employees, and where required by orders from the California Department of Public Health (CDPH) or local health department.

Face masks will be provided upon request or if someone loses their face mask while on campus.

The following are exceptions to the use of face coverings in our workplace:

- When an employee is alone in a room;
- While eating and drinking at the workplace, provided employees are at least six feet apart, and there is an outside air supply to the area which has been positioned to provide as much air as possible;
- Employees wearing respiratory protection in accordance with CCR Title 8 Section 5144 or other safety orders;
- Employees who cannot wear face coverings due to a medical or mental health condition or disability or who are hearing-impaired or communicating with a hearing-impaired person. Alternatives will be considered on a case-by-case basis;
- Specific tasks that cannot feasibly be performed with a face mask/covering, where employees will be kept at least six feet apart.

Any employee not wearing a face mask/covering, face shield with a drape or other effective alternative, or respiratory protection, for any reason, shall be at least six feet apart from all other persons unless the unmasked employee is tested at least twice weekly for COVID-19.

Compliance with Face Mask / Face Coverings guidelines are subject to change as mandated by the State of California or local Department of Health/ or enforcement agencies.

Employees/Students required to wear face coverings in our workplace may remove them under the following conditions:

- When an employee is alone in a room or a vehicle;

- While eating or drinking at the workplace, provided employees are at least six feet apart and outside air supply to the area, if indoors, has been maximized to the extent feasible;
- Employees are required to wear respirators in accordance with our respirator program that meets section 5144 requirements;
- Employees who cannot wear face coverings due to a medical or mental health condition or disability, or who are hearing-impaired or communicating with a hearing-impaired person. Such employees will wear an effective, non-restrictive alternative, such as a face shield with a drape on the bottom, if their condition permits it;
- Specific tasks that cannot feasibly be performed with a face covering. This exception is limited to the time in which such tasks are being performed.

Any employee or student not wearing a required face covering or allowed non-restrictive alternative will be at least three to six feet apart from all other persons unless the unmasked employee or student is either fully vaccinated. Exceptions to this are only allowed for certain teaching situations in laboratory, technique, and clinical settings where the instruction of material cannot be performed in other ways as allowed by the CPDH. During these times of exception, the wearing of masks will be maintained unless the physical examination of specific areas is required as a part of instruction, in these cases masks can only be removed for the amount of time to perform the examination.

We will not prevent any employee or student from wearing a face-covering when it is not required unless it would create a safety hazard, such as interfering with the safe operation of equipment.

Face coverings will also be provided to any employee or student that requests one, regardless of their vaccination status.

Engineering controls

For indoor locations, using Appendix B, we identify and evaluate how to maximize, to the extent feasible, ventilation with outdoor air using the highest filtration efficiency compatible with our existing ventilation system, and whether the use of portable or mounted High-Efficiency Particulate Air (HEPA) filtration units, or other air cleaning systems, would reduce the risk of transmission by:

- Air quality is constantly monitored for AQI, particulate levels, VOC, CO2 levels, temperature and humidity levels. Data is used to regulate airflow to maximize outside air circulation in the building as long as AQI is less than 100;
- All HVAC units are regularly maintained and filters are changed out quarterly with the highest MERV rated filters the equipment will support.

Cleaning and disinfecting

We implement the following cleaning and disinfection measures for frequently touched surfaces and objects, such as doorknobs, elevator buttons, equipment, tools, handrails, handles, controls, phones, headsets, bathroom surfaces, and steering wheels:

- Frequently touched surfaces are cleaned daily;
- Cleaning supplies are available to staff on request for additional cleaning of personal workspaces.

Should we have a COVID-19 case in our workplace, we will implement the following procedures:

The cleaning and disinfection will be done of areas, materials, and equipment used by a COVID-19 case during the high-risk exposure period. Properly equipped and trained Facilities department staff will perform the work. Reference section 3205(c)(7)(B)(2) for details

Hand sanitizing

To implement effective hand sanitizing procedures, we:

- Maintain 60 hand sanitizer dispensers across campus which are serviced and checked weekly. They are stocked with non-methanol-based sanitizer;
- Maintain 49 hand washing sinks across campus, and encourage staff to wash hands often, and for at least 20 seconds.

Personal protective equipment (PPE) used to control employees' exposure to COVID-19

We evaluate the need for PPE (such as gloves, goggles, and face shields) as required by section 3380, and provide and ensure the use of such PPE as needed.

Upon request, we provide respirators for voluntary use to all employees who are not fully vaccinated and who are working indoors or in vehicles with more than one person.

Employees that request a respirator for voluntary use will be encouraged to use them in compliance with section 5144(c)(2) and will be provided with a respirator of the correct size, and provided the information required by Appendix D of section 5144.

We provide and ensure the use of respirators in compliance with section 5144 when deemed necessary by Cal/OSHA.

Testing of symptomatic employees

We make COVID-19 testing available at no cost to employees with COVID-19 symptoms who are not fully vaccinated, during employees' paid time.

Investigating and responding to COVID-19 Cases

We have developed effective procedures to investigate COVID-19 and other respiratory infectious disease cases that include seeking information from our employees and students

regarding COVID-19 or other infectious disease cases, close contacts, test results, and onset of symptoms. This is accomplished by using the Appendix C: Investigating COVID-19 Cases form.

We also ensure the following is implemented:

- Employees that had a close contact are offered COVID-19 testing at no cost during their working hours by providing a list of free testing sites or through reimbursement of the employee upon presentation of proper documentation. The following can be excluded:
 - Employees who were fully vaccinated before close contact and do not have symptoms;
 - COVID-19 cases who were allowed to return to work per our return-to-work criteria and have remained free of symptoms for 90 days after the initial onset of symptoms, or for cases that never developed symptoms, for 90 days after the first positive test;
 - The information on benefits described in Training and Instruction, and Exclusion of COVID-19 Cases, below, will be provided to employees through HR training.

- Written notice within 1 day of your knowledge of a COVID-19 case that people at the worksite may have been exposed to COVID-19 will be provided via work or student email. This notice will be provided to all employees (and their authorized representative), independent contractors, and other employers at the worksite during the high-risk exposure period. These notifications must meet the requirements of T8CCR section 3205(c)(3)(B) and Labor Code section 6409.6(a)(4); (a)(2); (c), and in a form readily understandable by employees and can be anticipated to be received by the employee.

System for Communicating

Our goal is to ensure that we have effective two-way communication with our employees and students, in a form they can readily understand, and that it includes the following information:

- Who employees/students should report COVID-19 symptoms or other infectious disease symptoms, possible close contacts and hazards to, and how
 - Employees report symptoms to the Director of Human Resources via phone or email;
 - Students report symptoms to the Academic Compliance Officer;
 - Hazards are to be reported to the Director of Facilities.
- Those employees/students can report symptoms, possible close contacts and hazards without fear of reprisal;
- Employees with medical or other conditions that put them at increased risk of severe COVID-19 illness or other infectious diseases can request accommodations

through Human Resources. Appropriate documentation should be provided at the time of the request, or upon request of the human resources department;

- Students with medical or other conditions that put them at increased risk of severe COVID-19 illness or other infectious diseases can request accommodations through Academic Counselors. Appropriate documentation should be provided at the time of the request or upon request of the Academic Counselor;
- Access to COVID-19 testing will be provided for employees by Human Resources (employees) and for student Office of Academic Affairs or Student Life.

Training and Instruction

We provide effective employee training and instruction that includes:

- Our COVID-19 and Infectious Response policies and procedures to protect employees from COVID-19 hazards, and how to participate in the identification and evaluation of COVID-19 hazards
- Information regarding COVID-19 and other infectious agents-related benefits (including mandated sick and vaccination leave) to which the employee may be entitled under applicable federal, state, or local law
- The fact that:
 - COVID-19 is an infectious disease that can be spread through the air
 - COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth
 - Infectious agents and how they are spread
 - An infected person may have no symptoms
- The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing, face coverings, increased ventilation indoors, and respiratory protection decrease the spread of COVID-19 and are most effective when used in combination.
- The right of employees that are not fully vaccinated to request a respirator for voluntary use, without fear of retaliation, and our policies for providing the respirators. Employees voluntarily using respirators will be trained according to section 5144(c)(2) requirements:
 - How to properly wear them.
 - How to perform a seal check according to the manufacturer's instructions each time a respirator is worn, and the fact that facial hair can interfere with a seal.
- The importance of frequent handwashing with soap and water for at least 20 seconds and using hand sanitizer when employees do not have immediate access to a sink or hand washing facility, and that hand sanitizer does not work if the hands are soiled
- Proper use of face coverings and the fact that face coverings are not respiratory protective equipment. Since COVID-19 is an airborne disease, N95s and more protective respirators protect the users from airborne disease, while face coverings primarily protect people around the user:
 - The conditions where face coverings must be worn at the workplace.

- That face coverings are additionally recommended outdoors for people who are not fully vaccinated if six feet of distance cannot be maintained.
- Employees can request face coverings and can wear them at work regardless of vaccination status and without fear of retaliation.
- COVID-19 symptoms, and the importance of obtaining a COVID-19 test and not coming to work if the employee has COVID-19 symptoms
- Information on our COVID-19 policies and how to access COVID-19 testing and vaccination, and the fact that vaccination is effective at preventing COVID-19, protecting against both transmission and serious illness or death

Employee Self Service Center, Everfi Training Platforms will be used to train and maintain Life Chiropractic College West COVID-19 training rosters—in addition to training conducted by the Human Resources Department.

Exclusion of COVID-19 Cases and Employees and Students who had a Close Contact

Where we have a COVID-19 case or close contact in our workplace, we limit transmission by:

- Ensuring that COVID-19 cases are excluded from the workplace until our return-to-work requirements are met.
- Excluding employees and students that had close contact from the workplace until our return-to-work/instruction criteria have been met, with the following exceptions:
 - Employees/students who were fully vaccinated before close contact and who do not develop COVID-19 symptoms;
 - COVID-19 cases who returned to work or class per our return-to-work criteria and have remained free of COVID-19 symptoms, for 90 days after the initial onset of COVID-19 symptoms, or for COVID-19 cases who never developed COVID-19 symptoms, for 90 days after the first positive test;
- The Department of Human Resources will review employee's rights, benefits, compensation and benefits available by Life Chiropractic College West and through the State of California.

Contact tracing is a core disease control activity. It has been used for decades by state and local health departments to slow or stop the spread of infectious disease (CDC). If you are exposed to COVID-19:

- You will be immediately notified by Human Resources who will provide guidance if you are on or off campus;
- The Department of Facilities will be notified. Your work location and the offices surrounding your work areas will be deep cleaned and disinfected. Please be assured that confidentiality measures will be taken to protect your privacy;
- You may also receive a call, text or email from your local public health department to inform you of the exposure;

- Your supervisor and the Human Resources Department will not share information about who may have exposed you. This information is confidential;
- Your personal information is confidential and will not be shared;
- Free advice and testing may be provided by the county;
- You may be questioned about the places you have been and the people you have spent time with;
- If you have symptoms, please partner with your medical provider to get tested. Please update your supervisor and/or the Department of Human Resources.

Notifications to the Local Health Department

Immediately, but no longer than 48 hours after learning of three or more COVID-19 cases in our workplace, Life West will contact the local health department for guidance on preventing the further spread of COVID-19 within the workplace.

LCCW will provide to the local health department the total number of COVID-19 cases and for each COVID-19 case, the name, contact information, occupation, workplace location, business address, the hospitalization and/or fatality status, and any other information requested by the local health department. LCCW will continue to give notice to the local health department of any subsequent COVID-19 cases at our workplace.

Employees who had potential COVID-19 exposure at LCCW will be directed to local testing centers that offer free testing for COVID-19.

BENEFITS

COVID-19 Paid Sick and Expanded Family and Medical Leave Policy

Purpose

The Purpose of the COVID-19 Paid Sick and Expanded Family and Medical Leave policy is to assist employees affected by the COVID-19 outbreak with paid sick leave and expanded Family and Medical Leave (EFMLA), where applicable. This policy will be in effect from April 1, 2021, until September 30, 2021.

Reasons for Leave:

1. The employee is subject to a federal, state or local quarantine or isolation order related to COVID-19;
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. The employee is obtaining a COVID-19 vaccination;

5. The employee is recovering from an illness related to receiving a COVID-19 vaccination.
6. The employee is seeking or waiting for test results or a medical diagnosis for COVID-19, including results or diagnosis requested by the employer;
7. The employee is experiencing another substantially similar condition specified by the Secretary of Health and Human Services;
8. The employee is caring for an individual who is subject to either number 1 or 2 above.
9. The employee is caring for his or her child whose primary or secondary school or place of care has been closed, or the child care provider is unavailable due to COVID-19 precautions; and,
 - a. No other suitable person is available to care for the child during the requested period of leave;
 - b. Special circumstances exist requiring the need for leave to care for a child age 15-17.

Increments and Intermittent Use of Leave

Employees may request up to 10 days of paid sick leave and up to 12 weeks of FMLA leave.

When working from home, employees may take emergency paid sick leave and FMLA intermittently and in any increment agreed to with their manager. Managers and employees are expected to be flexible in scheduling wherever possible.

Employees who are currently working onsite may only take intermittent leave to care for his or her child when the school or place of care is closed, or the caregiver is unavailable due to COVID-19-related reasons, or to obtain a COVID-19 vaccination. Employees taking leave for all other qualifying reasons above must take leave in full-day increments until the reason for leave is over and it is safe for the employee to return to work.

Procedure for Requesting Leave

All employees requesting paid sick leave or FMLA leave must provide written notice of the need for leave to the HR manager as soon as practicable. Verbal notice will otherwise be accepted until written notice can be provided.

Documentation supporting the need for paid sick or FMLA leave must be included with the leave request form, such as:

- A copy of the federal, state or local quarantine or isolation order related to COVID-19 applicable to the employee or the name of the government entity that issued the order;
- Written documentation by a health care provider advising the employee to self-quarantine due to concerns related to COVID-19 or the name of the provider who advised the employee;

- The name and relation of the individual the employee is taking leave to care for who is subject to a quarantine or isolation order or is advised to self-quarantine;
- The name and age of the child or children being cared for; the name of the school, place of care, or child care provider that closed or became unavailable; and a statement that no other suitable person is available to care for the child during the period of requested leave;
- For children over age 14, a statement indicating the special circumstances that requires the employee to provide care during daylight hours;
- Leave request forms are available from the Human Resources Department.

LCCW may require an employee on leave to report periodically on his or her status and intent to return to work.

Definitions

“Child” means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is:

- Under 18 years of age;
- 18 or older and incapable of self-care because of a mental or physical disability.

“Child care provider” means a provider who receives compensation for providing child care services on a regular basis, including:

- A center-based child care provider;
- A group home child care provider;
- A family child care provider (one individual who provides child care services for fewer than 24 hours per day, as the sole caregiver, and in a private residence);
- Other licensed providers of child care services for compensation.

A child care provider that is 18 years of age or older who provides child care services to children who are either the grandchild, great-grandchild, sibling (if such provider lives in a separate residence), niece or nephew of such provider, at the direction of the parent.

“Individual” means an immediate family member, roommate or similar person with whom the employee has a relationship that creates an expectation that the employee would care for the person if he or she self-quarantined or was quarantined. Additionally, the individual being cared for must: a) be subject to a federal, state or local quarantine or isolation order as described above; or b) have been advised by a health care provider to self-quarantine based on a belief that he or she has COVID-19, may have COVID-19 or is particularly vulnerable to COVID-19.

“School” means an elementary or secondary school.

Extended Family and Medical Leave: Employee Eligibility

All current employees who have been employed with LCCW for at least 30 days and are actively scheduled for work are eligible for FMLA leave under this policy.

Employees laid off or otherwise terminated on or after March 1, 2020, who are rehired on or before September 30, 2021, are eligible for leave upon reinstatement if they had previously been employed with LCCW for 30 or more of the 60 calendar days prior to their layoff or termination.

Duration of Leave

The total amount of FMLA leave available under this policy is 12 weeks. Absences for reasons that qualify for traditional FMLA leave will be designated as such. Child care leave taken under this policy will count as traditional FMLA leave.

FMLA leave under this policy will not be provided beyond September 30, 2021. Any unused FMLA leave will not carry over to the next year or be paid out to employees.

Pay During Leave

Leave will be paid at two-thirds of an employee's regular rate of pay for the number of hours the employee would otherwise be scheduled to work. Pay will not exceed \$200 per day and \$12,000 in total. Any unused portion of this pay will not carry over to the next year.

Employees will be required to use any accrued vacation or personal paid leave for the number of hours the employee would otherwise be scheduled to work. Should an employee's accrued company paid leave exhaust, any additional leave taken will be paid at two-thirds of an employee's regular rate of pay. Pay will not exceed \$200 per day and \$12,000 in total.

For employees with varying hours, one of two methods for computing the number of hours paid will be used:

- Employees may also supplement the two-thirds pay with accrued vacation, personal or sick (not required) not to exceed 100% of regular pay.

Employee Status and Benefits During FMLA Leave

While an employee is on leave, LCCW will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. During any unpaid portions of leave, the employee must continue to make this payment.

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. During any portion of unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the employer may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the employer may discontinue coverage during the leave. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

Employee Status After FMLA Leave

Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. If the position the employee held before leave no longer exists due to economic conditions or operational changes that are made because of the public health emergency, and no equivalent position is available, the employee will not be returned to employment. However, for the period of one year after the qualifying leave under this policy ends, LCCW will make reasonable efforts to contact the employee if an equivalent position becomes available.

2021 COVID-19 Supplemental Paid Sick Leave

Employee Eligibility

Effective March 29, 2021, all current full-time and part-time employees are eligible for paid sick leave under this policy.

Amount of Paid Sick Leave

All eligible full-time employees will have up to 10 days (80 hours) of paid sick leave available to use for the qualifying reasons above. Eligible part-time employees are entitled to the number of hours worked, on average, over a two-week period.

Covered employees may take leave if the employee is unable to work or telework for any of the following reasons:

- **Caring for Yourself:** The employee is subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidelines of the California Department of Public Health, the Centers for Disease Control and Prevention, or a local health officer with jurisdiction over the workplace, has been advised by a healthcare provider to quarantine, or is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
- **Caring for a Family Member:** The covered employee is caring for a family member who is subject to a COVID-19 quarantine or isolation period or has been advised by a

healthcare provider to quarantine due to COVID-19, or is caring for a child whose school or place of care is closed or unavailable due to COVID-19 on the premises;

- Vaccine-Related: The covered employee is attending a vaccine appointment or cannot work or telework due to vaccine-related symptoms.

Paid emergency sick leave under this policy will not be provided beyond September 30, 2021. Any unused paid sick leave will not carry over to the next year or be paid out to employees.

Pay During Leave

Emergency sick leave will be paid at the employee's regular rate of pay, or minimum wage, whichever is greater.

A total of up to 80 hours is allocated to those considered full-time employees.

A part time employee's hours will be calculated as follows:

- For part-time employees with a regular weekly schedule, the number of hours the employee is normally scheduled to work over two weeks;
- For part-time employees with variable schedules, 14 times the average number of hours worked per day over the past 6 months.

Rate of Pay for COVID-19 Supplemental Paid Sick Leave

Non-exempt employees must be paid the highest of the following for each hour of leave.

This includes either:

- a. The regular rate of pay for the workweek in which leave is taken;
- b. The state minimum wage;
- c. The local minimum wage;
- d. The average hourly pay for preceding 90 days (not including overtime pay).

Exempt employees will be paid the same rate of pay as wages calculated for other paid leave time.

Interaction with Other Paid Leave

The employee may use paid sick leave under this policy before using any other accrued paid time off for the qualifying reasons stated above.

Job Protections

No employee who appropriately utilizes paid sick leave under this policy will be discharged, disciplined or discriminated against for use of this leave.

COBRA

Beginning April 1, through September 31, 2021, free COBRA coverage is available for employees (and their covered family members) who lost group health insurance due to an involuntary termination or reduction in hours. [This subsidy](#) does not apply to those who voluntarily quit their employment.

Individuals covered by COBRA during this period will not be charged any premiums. Instead, self-insured employers will cover the COBRA premiums and take a dollar-for-dollar tax credit by retaining the amount of payroll taxes equal to the amount of COBRA premiums paid, rather than deposit them with the IRS. For fully insured plans, the credit is claimable by the insurer.

Within 60 days of April 1, or before May 31, a notice of a special enrollment period must be sent to all eligible participants who have not yet elected COBRA coverage by April 1, or who elected COBRA coverage but then discontinued it. Due to former COBRA election [deadline extensions](#), this group will include those who lost coverage at the start of the pandemic; however, the duration of COBRA coverage will still be measured from the date of the original qualifying event. Please contact the Human Resources with any questions regarding this policy.

Recordkeeping and Access

It is our policy to:

- Report information about COVID-19 or other infectious disease cases and outbreaks at our workplace to the local health department whenever required by law, and provide any related information requested by the local health department;
- Maintain records of the steps taken to implement our written COVID-19 and other infectious disease Prevention Programs in accordance with section 3203(b);
- Make our written COVID-19 Prevention Program available at the workplace to employees, authorized employee representatives, and representatives of Cal/OSHA immediately upon request;
- A record is maintained in Human Resources of and track all COVID-19 cases for employees. Record of Employee cases for reportable diseases will be maintained by Human Resources;
- Record of Student cases for reportable diseases will be maintained by the Academic Compliance Officer.

Return-to-Work/Class Criteria

COVID-19 cases with symptoms, as well as other respiratory infectious agent-based cases, will not return to work or classroom until all the following have occurred:

- At least 24 hours have passed since a fever of 100.4 °F. or higher has resolved without the use of fever-reducing medications, and;
- COVID-19 symptoms have improved, and;

- At least 10 days have passed since COVID-19 symptoms first appeared.
- COVID-19 cases who tested positive but never developed symptoms will not return to work or class until a minimum of 10 days has passed since the date of specimen collection of their first positive COVID-19 test.
- A negative COVID-19 test will not be required for an employee to return to work once the requirements for “cases with symptoms” or “cases who tested positive but never developed symptoms” (above) have been met.
- Persons who had close contact may return to work or the classroom as follows:
 - Close contact but never developed symptoms: when 10 days have passed since the last known close contact.

Close contact with symptoms: when the “cases with symptoms” criteria (above) have been met, unless the following are true:

- The person tested negative for COVID-19 using a polymerase chain reaction (PCR) COVID-19 test with specimen taken after the onset of symptoms; and;
- At least 10 days have passed since the last known close contact, and;
- The person has been symptom-free for at least 24 hours, without using fever-reducing medications.
- Reference section 3205(c)(10)(D)(3) for situations involving patient care in a healthcare setting.
- If an order to isolate, quarantine, or exclude an employee is issued by a local or state health official, the employee will not return to work until the period of isolation or quarantine is completed or the order is lifted.

Life Chiropractic College West, July, 2021