

**Memorandum of Understanding
Re: COVID-19 Vaccine**

Kadlec Regional Medical Center (“Kadlec”) and Washington State Nurses Association (“the Union”) are parties to a collective bargaining agreement (“Agreement”).

It is agreed by and between the parties that FDA-approved (whether by EUA or otherwise) and available COVID-19 vaccines are safe and effective and represent the best method of preventing infection and curtailing the current pandemic. The Union and Kadlec support science-based public health directives on COVID-19 vaccination requirements for frontline health care workers, with medical and religious exemptions. We stand firmly behind vaccination as the best way to save the lives of patients, family members and members of our communities. Due to the ongoing public health crisis and consistent with Kadlec policy and orders from the Governor of Washington, healthcare employees are now required to receive vaccination against COVID-19 to maintain their employment eligibility, subject to the conditions set forth below. The Parties agree to the following:

- Nurses will be required to obtain full COVID-19 vaccination by October 18, 2021.
 - Nurses will be considered to be fully vaccinated two weeks following the final dose of an approved vaccine;
 - Nurses who have either medical contraindication or sincerely held religious beliefs related to vaccinations may sign a declination and request for exemption on an electronic form provided by Kadlec;
 - Nurses who decline vaccination on the grounds of medical contraindication will be required to submit supporting documentation from their provider. Kadlec will keep any nurse medical information obtained during the vaccination program confidential, except as permitted by law on a need-to-know basis;
 - Nurses who decline vaccination on the grounds of sincerely held religious belief will be required to submit information about their sincerely held religious belief, which will be reviewed in accordance with EEOC guidance and relevant federal and state laws and guidance on this topic.
 - Upon request, Kadlec will work to provide reasonable accommodation to nurses with verified declinations in accordance with EEOC guidance and relevant federal and state laws. Such accommodation may include COVID-19 testing, enhanced personal protective equipment, alternative work assignment, or leave of absence, based on individual circumstances.
- Nurses not vaccinated by a Providence St. Joseph Health ministry must provide proof of vaccination through a method acceptable to Kadlec (i.e., vaccine card or photograph of the same, provider records, or state immunization records).
- To the extent possible, Kadlec will continue to provide convenient on-site access to COVID-19 vaccines authorized for emergency use, licensed, or otherwise approved by the FDA at no cost to employees. Kadlec will also notify nurses of alternative means of procuring vaccines.
- Kadlec will provide one hour of pay, or as required by law, at nurses’ base rate of pay for time spent receiving the vaccine during non-scheduled work hours.

- If a nurse experiences significant side effects (e.g., fever, extreme malaise) and is scheduled to work within forty-eight (48) hours of receiving the vaccine, Kadlec will provide up to two (2) days of paid pandemic administrative leave time, so the nurse does not have to use paid time off or other accrued time-off benefits when missing a day of work in the forty-eight (48) hour period following the vaccine. Nurses experiencing significant side effects will be instructed to contact their core leader to inform their leader of the need for time-off, and also contact Caregiver Health Services to report the side effects. On a case-by-case basis, additional days of paid pandemic administrative leave may be paid if the significant side effects persist. In these cases, additional verification of side effects may be required.
- Nurses who are not fully vaccinated by October 18, 2021, and who have not otherwise received an exemption as described above, will be ineligible to work and will be removed from the schedule;
 - Nurses removed from the schedule will be provided with educational materials relating to the vaccine upon their removal from the schedule;
 - Nurses removed from the schedule for failing to fully vaccinate by or before October 18, 2021, will be voluntarily separated from their employment as of November 18, 2021. These nurses will be eligible for rehire upon full vaccination and proof of vaccination as described above. Should a nurse take action to become fully vaccinated or apply for an exemption before November 18, 2021, the nurse's employment will be extended for an additional forty-five (45) days from the date the nurse receives their first vaccination, and the nurse will be returned to the schedule upon demonstrating they are fully vaccinated or receive an approved exemption;
 - Upon rehire, if within twelve (12) months, a voluntarily separated nurse shall have all previous benefit accrual rates in place at the time of separation and bargaining unit seniority restored. A separated nurse shall not accrue benefits or seniority while separated.
 - Nurses on approved leaves of absence (of any kind) who are not scheduled to return to work until after October 18 will be required to submit proof of vaccination or sign a declination and receive an exemption prior to October 18 or returning to work, whichever is later.
- Kadlec's routine infection prevention and source control practices during the duration of COVID-19 pandemic regarding screening, PPE and testing provided at no cost shall continue after vaccination to protect patients, staff, and communities.
- Kadlec will continue to provide appropriate orientation and training for nurses to safely perform their job. Nurses who have questions related to COVID-19 should contact Caregiver Health, their core leader, or their human resources representative.
- On a bi-weekly basis through November 18, 2021, Kadlec will provide the following to the Union:
 - The number of bargaining unit nurses who are on leave.
 - The percentage of employees who are vaccinated.
- This Memorandum of Agreement is subject to the grievance and arbitration provisions of the parties' collective bargaining agreement.

The parties recognize that this is a unique, fast-developing situation, and commit to ongoing dialogue around these issues. This agreement shall be effective upon signature and shall continue while the

Proclamation is in effect. However, the parties may mutually agree to meet to modify the agreement, as necessary.

Signed and effective this 16th day of September, 2021

Laurie Johnson M
WSNA Representative

Kris Gauntt
Kris Gauntt, CHRO