

**UNITED STATES DISTRICT COURT
PROBATION AND PRETRIAL SERVICES OFFICES
CENTRAL DISTRICT OF CALIFORNIA**

Amended Policy Regarding COVID-19 Vaccination and Testing

INTRODUCTION¹

The United States District Court for the Central District of California is committed to ensuring that it is doing its part to combat the spread of the COVID-19 virus and its variants and to protect the health and safety of both the Court community and the Central District of California. Accordingly, the Court finds that it is necessary and appropriate to adopt this policy, entered as General Order 21-17, requiring employees, volunteers, and onsite judiciary contractors to be fully vaccinated against COVID-19. Individuals who are granted a medical or religious exemption from the vaccination requirement are required to comply with the Court’s safety protocols for unvaccinated individuals, including undergoing twice-weekly testing for COVID-19.

VACCINATION POLICY

Mandatory Vaccination Requirement

All employees (including Judges and chambers staff) and volunteers (including interns and externs) of the United States District Court and Probation and Pretrial Services Office for the Central District of California (the “Court”), regardless of telework status, and all judiciary contractors working onsite at a courthouse or Probation and Pretrial Services office (“Court Facility”) must be fully vaccinated against COVID-19.

Mandatory Vaccination Status Reporting

To facilitate effective administration of the vaccination requirement, employees, volunteers, and onsite judiciary contractors are required to report their vaccination status by completing the vaccination attestation form attached to this policy.

EMPLOYEES AND VOLUNTEERS: All employees and volunteers must complete the vaccination status attestation form, regardless of their telework status, by October 15, 2021. Future employees and volunteers must complete the attestation form at least one week before their start date. Such employees and volunteers who initially report that they are in the process of completing their primary vaccination series must submit an updated attestation form once they have completed their primary vaccination series. Individuals who decline to disclose their vaccination status will be treated as not fully vaccinated for purposes of this policy, which means they must either get vaccinated or seek an exemption to the vaccination requirement. Failure to do either will result in adverse action, including but not limited to, being placed on leave without pay. After reviewing the instructions on the attestation form, complete and submit the form promptly to Human Resources at vaccine_questionnaire@cacd.uscourts.gov.

Employees and volunteers who have already submitted the attestation form attesting that they have completed their primary vaccination series do not need to submit an additional attestation form after receiving a COVID-19 vaccine booster dose, but they must submit official

¹ This policy was last amended effective March 31, 2022.

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documentation (such as a copy of a vaccine card or an official immunization record) showing that they have received a booster dose to vaccine_questionnaire@cacd.uscourts.gov. Employees and volunteers currently eligible for booster doses per Centers for Disease Control and Prevention (“CDC”) recommendations must submit documentation that they have received a booster dose by no later than March 1, 2022. Employees and volunteers not currently eligible for booster doses must submit documentation that they have received a booster dose no later than 14 days after the recommended CDC timeframe for receiving the booster dose.

Timely return of a completed vaccination status attestation form and booster dose documentation are mandatory conditions of employment. Any employee who fails to return the completed form or booster dose documentation as required may be placed on leave without pay until the employee returns the completed form or booster dose documentation. Any volunteer who fails to return the completed form or booster dose documentation as required may be suspended until the volunteer returns the completed form or booster dose documentation. Misrepresentation about vaccination status will result in disciplinary action, including termination of employment.

CONTRACTORS: Judiciary contractors must complete and submit the vaccination status attestation form to Human Resources when working at any Court Facility. The U.S. Postal Service and other courier services delivering mail and packages to the judiciary are exempt from completing this form.

Acceptable Vaccines & Definition of “Fully Vaccinated”

Acceptable vaccines include those authorized for use in the United States by the U.S. Food and Drug Administration. Currently, this includes (1) Pfizer-BioNTech (Comirnaty), (2) Moderna, and (3) Johnson & Johnson/Jansen. Additionally, acceptable vaccines include those that the World Health Organization (“WHO”) has approved for emergency use listing (“EUL”). A list of WHO-EUL COVID-19 vaccines can be found [here](#).

For purposes of this policy, being “fully vaccinated” means that two weeks have passed since completing your primary COVID-19 vaccination series (either a two-dose COVID-19 vaccine (Pfizer or Moderna) or the single-dose COVID-19 vaccine (Johnson & Johnson)) and you have received a COVID-19 vaccine booster dose as soon as eligible per CDC recommendations. Per current CDC recommendations:

- If you received Pfizer for your primary vaccination series, you should get a booster dose at least five months after receiving your second dose of the primary vaccination series.
- If you received Moderna for your primary vaccination series, you should get a booster dose at least five months after receiving your second dose of the primary vaccination series.
- If you received Johnson & Johnson for your primary vaccination, you should get a booster dose at least two months after receiving the single dose vaccine.

Individuals who have received a WHO-EUL COVID-19 vaccine that has not been authorized for use in the United States by the U.S. Food and Drug Administration will be considered fully

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vaccinated for purposes of this policy if they have received all recommended doses, including any recommended booster doses.

Employees and volunteers currently eligible for booster doses per CDC recommendations must receive their booster dose by no later than March 1, 2022. Employees and volunteers not currently eligible for booster doses must be in compliance no later than 14 days after the recommended CDC timeframe for receiving the booster dose.

For purposes of this policy, unvaccinated refers to anyone who is not fully vaccinated.

UNVACCINATED INDIVIDUALS

Exemptions from Vaccination Requirement

Employees and volunteers who are not vaccinated due to a documented medical condition or a sincerely held religious belief may seek an exemption from the vaccination requirement. Exemption requests will be individually assessed based on the particular circumstances of the request. Individuals granted an exemption from the vaccination requirement or awaiting a decision on an exemption request must comply with the Centers for Disease Control and Prevention's guidance for unvaccinated individuals and the Court's safety protocols for unvaccinated individuals, including complying with the travel restrictions, testing requirements, and mask requirements outlined in this policy.

To request an exemption, employees and volunteers must submit a letter requesting the exemption and providing sufficient details and supporting documents to permit full consideration of the request. A request for a medical exemption should include documentation from a medical provider. Anyone submitting an exemption request is required to provide accurate information and sign the request.

Exemption requests should be submitted by email to Human Resources at vaccine_questionnaire@cacd.uscourts.gov with "Vaccination Exemption Request" in the subject line of the email. Exemption requests must be submitted by October 15, 2021. Future employees and volunteers who seek an exemption must submit the request at least one week before their start date. Exemption requests will be reviewed by the Chief Judge or his designee, in consultation with the Clerk of Court or appointing Judge as needed.

Travel Restrictions for Unvaccinated Employees and Volunteers

Unvaccinated employees and volunteers are prohibited from work-related travel outside the district without Court Unit Executive or Chief Judge approval.

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Mandatory COVID-19 Testing for Unvaccinated Employees and Volunteers

Any employee or volunteer with an approved exemption or awaiting a decision on an exemption request who has not yet returned to work at a Court Facility must provide proof of a negative COVID-19 test taken within three days before the date they need to physically return to work in a Court Facility. Once onsite work has resumed, they must submit to and report the results of twice-weekly testing for COVID-19. Any employee or volunteer with an approved exemption or awaiting a decision on an exemption request who has already resumed work at a Court Facility must submit to and report the results of twice-weekly testing for COVID-19 beginning on October 15, 2021.

Free testing is widely available in the State of California, and resources are available to find local testing sites [here](#).

Test results must be submitted by email to Human Resources at vaccine_questionnaire@cacd.uscourts.gov with “Confidential COVID-19 Test Results” in the subject line of the email.

An employee or volunteer who receives a positive test must notify the Court as described in the [COVID-19 Incident Response Protocol](#).

Inability to obtain a required COVID-19 test on time will not, on that ground alone, entitle an employee to telework.

Undergoing twice-weekly COVID-19 testing if required under this policy is a mandatory condition of employment. Any employee who fails to comply with the testing requirements may be placed on leave without pay, and any volunteer who fails to comply with the testing requirements may be suspended. Misrepresentation about test results may result in disciplinary action, including termination of employment.

Acceptable Tests

Polymerase Chain Reaction (PCR) tests and “rapid tests” administered at a pharmacy, health department, doctor's office, or other healthcare provider are acceptable. “At home” tests are not acceptable.

ADMINISTRATIVE LEAVE AVAILABLE FOR VACCINATION OR REQUIRED TESTING

Employees may request up to one hour of administrative leave to receive each dose of the COVID-19 vaccine or complete required testing, but under no circumstances should such leave interfere with work assignments or duties.

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MASK WEARING

All individuals seeking entry to, or occupying, a Court Facility must follow the [CDC](#)'s most recent guidance regarding face coverings and masks.

DAILY HEALTH SCREEN

Regardless of vaccination status, all employees, volunteers and judiciary contractors reporting for duty at a Court Facility are required to conduct a daily self-assessment for any COVID-19 symptoms. Any individual exhibiting symptoms must remain away from the office and notify the Court as described in the [COVID-19 Incident Response Protocol](#). Individuals exhibiting symptoms are expected to be tested for COVID-19, and proof of testing and/or test results shall be provided to management upon request.

COMPLIANCE

Compliance with this policy is a mandatory condition of employment and of continued employment. Failure to comply with this policy may result in disciplinary action.

CONFIDENTIALITY

The Court will maintain the confidentiality and security of information provided in accordance with applicable federal laws. Attestation forms and exemption requests, along with the information contained within those documents, as well as any booster dose documentation, will only be shared with individuals who have a need to know, will be maintained separate from individual employee personnel files, and will be properly secured to protect the confidentiality of the information. This information may be stored electronically with restricted access to safeguard confidentiality. Employee information collected on the attestation form is a federal record under 44 U.S.C. § 3301 and is covered by the *Guide to Judiciary Policy*, Vol. 10, Ch. 6, § 615.40.10 (Notification Requirement for Unscheduled Records).

DURATION

This vaccination policy will remain in effect until the Court determines otherwise. Mandatory testing and reporting of testing results will be required until further notice.