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## **HDL Research Lab Inc Vaccination, Testing, and Face Covering Policy**

*Updated on: January 8, 2022*

### **Purpose:**

This policy reflects a reasonable, good faith effort to maintain necessary compliance measures per OSHA's Emergency Temporary Standard (ETS) on Vaccination and Testing (29 CFR 1910.501).

### **Scope:**

**This COVID-19 Policy on vaccination, testing, and face covering use applies to all employees of HDL Research Lab Inc.**

**HDL Research Lab shall NOT mandate vaccinations.** HDL shall permit reasonable accommodations for all associates as permitted by law.

Employees are considered fully vaccinated two weeks after completing primary vaccination with a COVID-19 vaccine with, if applicable, at least the minimum recommended interval between doses. For example, this includes two weeks after a second dose in a two-dose series, such as the Pfizer or Moderna vaccines, two weeks after a single-dose vaccine, such as Johnson & Johnson's vaccine, or two weeks after the second dose of any combination of two doses of different COVID-19 vaccines as part of one primary vaccination series.

Employees who are not fully vaccinated will be required to provide proof of weekly COVID-19 testing. Employees who choose to withhold their vaccination status will be treated as not fully vaccinated for purposes of implementing safety measures.

All employees are required to report their vaccination status via DD Form 3150 and, if vaccinated, provide proof of vaccination. Employees must provide truthful and accurate information about their COVID-19 vaccination status, and, if not fully vaccinated, their testing results. Employees not in compliance with this policy will be subject to discipline.

Employees may request an exemption from vaccination requirements (if applicable) if the vaccine is medically contraindicated for them or medical necessity requires a delay in vaccination. Employees also may be legally entitled to a reasonable accommodation if they cannot be vaccinated and/or wear a face covering (as otherwise required by this policy) because of a disability, or if the provisions in this policy for vaccination, and/or testing for COVID-19, and/or wearing a face covering conflict with a sincerely held religious belief, practice, or observance. All such requests will be handled in accordance with applicable laws and regulations.



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## Procedures:

### Overview and General Information

#### Vaccination

**HDL Research Lab shall NOT mandate vaccinations.**

Any HDL employee that chooses to be fully vaccinated against COVID-19 will not be subject to the regular testing requirements of the policy. Fully vaccinated employees will be subject to the face covering requirements of the policy.

Any HDL employee that chooses to NOT be fully vaccinated, or chooses to not report his/her vaccination status (via DD Form 3150), will be subject to the regular testing and face covering requirements of the policy.

Employees will be considered fully vaccinated two (2) weeks after receiving the requisite number of doses of a COVID-19 vaccine as stated in the Scope above. An employee will be considered partially vaccinated if they have received only one dose of a two-dose vaccine.

An unvaccinated employee may choose to get vaccinated at any time. Once fully vaccinated, that employee may submit a new DD Form 3150 and proof of vaccination to HR for review. Upon approval, that employee will no longer be subject to the regular testing requirements of the policy.

#### OSHA Mandated Face Coverings

All employees will be required to wear a face covering in the workplace regardless of vaccination status. Policies and procedures for face coverings are described in the relevant sections of this policy.

#### OSHA Mandated Testing

All employees who are not fully vaccinated (or otherwise exempted as outlined herein) by **02/09/2022** will be required to undergo weekly COVID-19 testing. Policies and procedures for testing are described in the relevant sections of this policy.

### Vaccination Status and Acceptable Forms of Proof of Vaccination

#### Vaccinated Employees

All vaccinated employees are required to provide proof of COVID-19 vaccination, regardless of where they received vaccination. Proof of vaccination status can be submitted in person to HR Management.

Acceptable proof of vaccination status is:

1. The record of immunization from a health care provider or pharmacy;



2. A copy of the COVID-19 Vaccination Record Card;
3. A copy of medical records documenting the vaccination;
4. A copy of immunization records from a public health, state, or tribal immunization information system; or
5. A copy of any other official documentation that contains the type of vaccine administered, date(s) of administration, and the name of the health care professional(s) or clinic site(s) administering the vaccine(s).

Proof of vaccination generally should include the employee's name, the type of vaccine administered, the date(s) of administration, and the name of the health care professional(s) or clinic site(s) that administered the vaccine. In some cases, state immunization records may not include one or more of these data fields, such as clinic site; in those circumstances HDL Research Lab will still accept the state immunization record as acceptable proof of vaccination.

### **Vaccination Status Reporting**

All employees, both vaccinated and unvaccinated, shall inform HDL of their vaccination status via DD Form 3150. All employees must return a completed form to HR Management. Employees that do not want to share their vaccination status may select "I decline to respond" when completing the form. If an employee chooses to not provide vaccination status, he/she will be treated as not fully vaccinated.

### **Supporting COVID-19 Vaccination**

The OSHA mandate states that HDL shall allow employees up to four (4) hours of paid leave per dose to travel to the vaccination site, receive a vaccination, and return to work.

OSHA assumes that the following time (estimated 55-60 minutes) will be considered a reasonable period of time to be compensated per dose:

- **Travel time** per employee of 15 minutes each way per vaccination dose (total of 30 minutes)
- **Pre-shot wait time** per employee of 5 minutes per vaccination dose
- **Post-shot wait time** per employee of 20 minutes per vaccination dose

Employees that require longer than one (1) hour to receive a vaccination dose must send HR Management an email documenting the reason for the additional time. Employees will only be paid for actual time used.

HDL shall provide paid leave for vaccination doses occurring at any time, Monday thru Sunday (6 AM – 8 PM). HDL prefers that employees get vaccinated outside of standard work hours when possible (e.g. before or after Core Hours as stated in the HDL Policy & Personnel Manual, or on a Saturday or Sunday) to avoid schedule disruptions.

HDL shall allow employees to utilize up to two days of paid time off (per dose) to recover from any side effects of the vaccine that prevent them from working. Employees must first use accrued discretionary



time when recovering from side effects. If an employee does not have any accrued discretionary time, HDL will provide up to two days of additional sick leave immediately following each dose if necessary.

The following procedures apply for requesting time to obtain the COVID-19 vaccine or sick leave to recover from side effects:

- Employees must submit a time off request in writing to HR stating their intention to obtain a vaccination. Requests must be submitted at least 24 hours in advance, or the time off request will be denied.
- Employees requiring sick leave to recover from side effects must notify HDL pursuant to the Attendance and Punctuality policy as outlined in the Employee Policy and Personnel Manual – *all employees must notify the receptionist no later than 8:30 AM if they are unable to report to work or if they will not be available for work by 9:00 AM.*
- Employees may check their accrued time off balance via the Paylocity mobile app.

### **Employee Notification of COVID-19 and Removal from the Workplace**

HDL will require employees to promptly notify HR Management when they have tested positive for COVID-19 or have been diagnosed with COVID-19 by a licensed healthcare provider. Employees must present official documentation from a test lab, pharmacy, etc. confirming the positive diagnosis.

If an employee experiences symptoms at work or feels ill, he/she should wear a mask, maintain distancing, minimize physical contact, inform their immediate supervisor and go home for the remainder of the day. Employees may return to work if they have been fever-free for 24 hours. If employees are experiencing known COVID-19 symptoms (e.g. loss of smell/taste), HDL recommends that the employee get tested for COVID-19 before returning to the workplace; however, testing is not required to return.

If an employee experiences symptoms at home or feels ill, he/she should notify the receptionist no later than 8:30am if they are unable to report to work.

All full-time active employees are eligible for discretionary time (vacation, personal, and non-FMLA sick days) after completing the 90-day probationary period. Employees must first use accrued discretionary time when recovering from illness. If an employee tests positive for COVID-19 and does not have any accrued discretionary time, HDL will provide up to 80 hours of additional sick leave (documentation verifying positive diagnosis is required (confirmatory NAAT).

### **Medical Removal from the Workplace**

HDL has implemented a policy for keeping COVID-19 positive employees from the workplace in certain circumstances. HDL will immediately remove an employee from the workplace if they have received a positive COVID-19 test or have been diagnosed with COVID-19 by a licensed healthcare provider (i.e., immediately send them home or to seek medical care, as appropriate).



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### **Employee Exposure to a Positive COVID-19 Case**

Employees should follow the below guidelines if they are exposed to a known positive COVID-19 case:

- **Exposed with NO symptoms:** You do not need to quarantine if you are asymptomatic. Employees should get tested 5 days after exposure and self-monitor for symptoms. Follow all policies and procedures for face coverings as described in the relevant sections of this policy. If you tested positive for COVID-19 with a viral test within the previous 90 days and subsequently recovered and remain without COVID-19 symptoms, you do not need to quarantine or get tested after close contact.

If you develop COVID-19 symptoms at any point, you should follow recommendations from the 'Exposed With Symptoms' section below:

- **Exposed WITH symptoms:** Get tested immediately and isolate until you receive your test results. You may return to work if a COVID-19 test returns a negative result and you are fever-free for 24 hours. If your COVID-19 test returns a positive result, follow the Return to Work Criteria as described below.

Employees that are out for any period of time due to exposure must first use accrued discretionary time while quarantining. After discretionary time has been exhausted, the remainder of the quarantine period will be unpaid.

### **Return to Work Criteria After Testing Positive for COVID-19**

Employees that test positive for COVID-19 may return to work if they meet the criteria in CDC's "Isolation Guidance;" or receive a recommendation to return to work from a licensed healthcare provider.

Under CDC's "Isolation Guidance," asymptomatic employees may return to work once 5 days (as of 12/27/2021) have passed since the positive test, and symptomatic employees may return to work after all the following are true:

- At least 5 days have passed since symptoms first appeared, and
- At least 24 hours have passed with no fever without fever-reducing medication, and
- Other symptoms of COVID-19 are improving (loss of taste and smell may persist for weeks or months and need not delay the end of isolation).

If an employee has severe COVID-19 or an immune disease, HDL will follow the guidance of a licensed healthcare provider regarding return to work.

Employees isolating for COVID-19 should remain in communication with HR Management on the above details, and to coordinate a return to work date. HDL will apply current CDC Guidelines.



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## COVID-19 Testing Requirements

All employees who are not fully vaccinated (unless otherwise exempted) will be required to comply with this policy for testing.

Where COVID-19 testing is required (for employees not eligible to an exemption to testing), HDL will provide Antigen test kits (see Acceptable Test Criteria) at no cost to employees. If the employee elects to source the test on their own, they will be responsible to have results available timely.

Employees who report to the workplace at least once every seven calendar days:

- (A) must be tested for COVID-19 at least once every seven calendar days in plant; or
- (B) must provide documentation of the most recent COVID-19 test result to HR Management no later than the seventh day following the date on which the employee last provided a test result.

Any employee who does not report to the workplace during a period of seven or more days (e.g., if they were teleworking for two weeks prior to reporting to the workplace):

- (A) must have been tested (negative) for COVID-19 within seven calendar days prior to returning to the workplace; and must provide documentation of that test result to HR Management upon return to the workplace; or
- (B) must be tested for COVID-19 upon their return to the workplace.

If an employee does not provide documentation of a negative COVID-19 test result or test negative as required by this policy, they will be removed from the workplace until they provide a test result.

Employees that are removed from the workplace due to a lack of COVID-19 testing documentation will not be compensated.

Per the CDC, as the antigen testing algorithms indicate, confirmatory testing may be needed regardless of the symptom or exposure status of the person tested. HDL shall ask associates with a positive COVID-19 antigen test to have confirmatory testing as soon as possible after the antigen test and no more than 48 hours after the antigen test; this test should be a laboratory based NAAT and should be interpreted as a definitive for the purpose of clinical diagnosis.

## **Exemptions to COVID-19 Testing**

Employees who have received a positive COVID-19 test, or who have been diagnosed with COVID-19 by a licensed healthcare provider, are not required to undergo COVID-19 testing for 90 days following the date of their positive test or diagnosis provided evidence of this is given to HDL HR Management.

Employees who are fully vaccinated are exempted from all testing.



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### **Employer Compensation for Testing**

HDL will reimburse all unvaccinated employees for the cost of weekly testing and record keeping.

Where COVID-19 testing is required (for employees not eligible to an exemption to testing), HDL will provide Antigen test kits (see Acceptable Test Criteria) at no cost to employees. If the employee elects to source the test on their own, the employee shall submit cost receipts with test result documentation to HR Management on a weekly basis. Costs will be reimbursed in the following week's paycheck. Employees will be reimbursed for testing cost only (does not include mileage, gas, etc). Reimbursement will not be made if the test does not meet the requirements of this document, see Acceptable Test Criteria.

Employees that are removed from the workplace due to a lack of COVID-19 testing documentation will not be compensated.

### **Acceptable Test Criteria**

Under the ETS, a "COVID-19 test" must be a test for SARS-CoV-2 that is:

1. Cleared, approved, or authorized, including in an Emergency Use Authorization (EUA), by the U.S. Food and Drug Administration (FDA) to detect current infection with the SARS-CoV-2 virus (e.g., a viral test);
2. administered in accordance with the authorized instructions; and
3. not both self-administered and self-read unless observed by the employer or an authorized telehealth proctor.

Examples of tests that satisfy this requirement include tests with specimens that are processed by a laboratory (including home or on-site collected specimens which are processed either individually or as pooled specimens), proctored over-the-counter tests, point of care tests, and tests where specimen collection and processing is either done or observed by HDL HR Management. Antibody tests do NOT meet the definition of COVID-19 test for the purposes of this policy.

Diagnostic tests for current infection fall into two categories: nucleic acid amplification tests (NAATs) and antigen tests. NAATs are a type of molecular test that detect genetic material (nucleic acids); NAATs for COVID-19 identify the ribonucleic acid (RNA) sequences that comprise the genetic material of the virus. Most NAATs need to be processed in a laboratory with variable time to receive results (approximately 1–2 days), but some NAATs are point-of-care tests with results available in about 15–45 minutes.

Antigen tests may also meet the definition of COVID-19 test under the standard. Antigen tests indicate current infection by detecting the presence of a specific viral antigen. Most can be processed at the point of care with results available in about 15-30 minutes. Antigen tests generally have similar specificity to, but are less sensitive than, NAATs.



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Antigen tests are the only type of diagnostic tests that can be self-administered. To be a valid COVID-19 test under this standard, an antigen test may not be both self-administered and self-read unless observed by HDL HR Management or an authorized telehealth proctor.

### **Employee Test Records**

HDL shall maintain a record of each test result provided by an employee. These records shall be maintained in accordance with 29 CFR 1910.1020 as employee medical records and must not be disclosed except as required by the ETS or other federal law. These records are not subject to the retention requirements of 29 CFR 1910.1020(d)(1)(i) (Employee medical records), but must be maintained and preserved while this ETS remains in effect. When no longer required, records shall be destroyed consistent with OSHA requirements.

### **Face Covering Requirements**

HDL will require ALL employees (vaccinated or unvaccinated) to wear a face covering inside the workplace, unless one of the below listed exceptions applies. Face coverings are not required outdoors.

Face coverings must:

1. Completely cover the nose and mouth;
2. Be made with two or more layers of a breathable fabric that is tightly woven (i.e., fabrics that do not let light pass through when held up to a light source);
3. Be secured to the head with ties, ear loops, or elastic bands that go behind the head. If gaiters are worn, they should have two layers of fabric or be folded to make two layers;
4. Fit snugly over the nose, mouth, and chin with no large gaps on the outside of the face; and
5. Be a solid piece of material without slits, exhalation valves, visible holes, punctures, or other openings.

The following are exceptions to HDL's requirements for face coverings:

1. When an employee is alone in a room with floor to ceiling walls and a closed door.
2. While an employee is eating or drinking at the workplace or for identification purposes in compliance with safety and security requirements.
3. When an employee is wearing a respirator or facemask.
4. Where HDL has determined that the use of face coverings is infeasible or creates a greater hazard (e.g., when it is important to see the employee's mouth for reasons related to their job duties; when the work requires the use of the employee's uncovered mouth; or when the use of a face covering presents a risk of serious injury or death to the employee).





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**New Hires:**

All new employees are required to comply with the vaccination, testing, and face covering requirements outlined in this policy as soon as practicable and as a condition of employment. Potential candidates for employment will be notified of the requirements of this policy prior to the start of employment.

**Confidentiality and Privacy:**

All medical information collected from individuals, including vaccination information, test results, and any other information obtained as a result of testing, will be treated in accordance with applicable laws and policies on confidentiality and privacy.

**Questions:**

Please direct any questions regarding this policy to Katrina Lichtenberg, HR Management ([katrina@hdlpower.com](mailto:katrina@hdlpower.com)).