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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10 IN RE:) GENERAL ORDER NO. 21-17
11)
12 CORONAVIRUS PUBLIC)
EMERGENCY)
13 ORDER CONCERNING POLICY)
14 REGARDING COVID-19)
VACCINATION AND TESTING)
15 _____)

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17 WHEREAS, COVID-19 continues to spread in the Central District of California
18 and nationwide;

19 WHEREAS, the Centers for Disease Control and Prevention (“CDC”) and other
20 public health authorities recommend COVID-19 vaccines to maximize protection
21 against COVID-19 and to minimize the spread of the virus that causes COVID-19 and
22 its variants, including the highly transmissible Delta variant;

23 WHEREAS, the CDC and other public health authorities recommend specific
24 health and safety protocols for fully vaccinated people and unvaccinated people,
25 respectively; and

26 WHEREAS, implementing a vaccination and testing policy is necessary to
27 combat the spread of COVID-19 and protect the health and safety of the Court’s
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1 employees, volunteers, and contractors, as well as members of the public and others
2 within the Court community;

3 Upon unanimous vote of the Executive Committee, to protect public health and
4 safety, the Court orders as follows:

- 5 1. The attached “Policy Regarding COVID-19 Vaccination and Testing” is
6 adopted and shall be effective October 1, 2021.
- 7 2. As circumstances may change, the Chief Judge and/or Clerk of Court may
8 modify the attached policy without further order of the Court.

9
10 IT IS SO ORDERED.

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12 _____
13 CHIEF UNITED STATES DISTRICT JUDGE

14 *Date of Approval by the Court:* September 30, 2021

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16 *Date of Filing by the Clerk:* October 1, 2021

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

Policy Regarding COVID-19 Vaccination and Testing

INTRODUCTION

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. Those employees and volunteers who initially report that they are in the process of being vaccinated must submit an updated attestation form once fully vaccinated. Future employees and volunteers must complete the attestation form at least one week before their start date. 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.

Timely return of a completed vaccination status attestation form is a mandatory condition of employment. Any employee who fails to return the completed form as required may be placed on leave without pay until the employee returns the completed form. Any volunteer who fails to return the completed form as required may be suspended until the volunteer returns the

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

Policy Regarding COVID-19 Vaccination and Testing

completed form. 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

Acceptable vaccines include only 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/Janssen. For purposes of this policy, being “fully vaccinated” means that two weeks have passed after receiving the second dose of a two-dose COVID-19 vaccine (Pfizer or Moderna) or after receiving the single-dose COVID-19 vaccine (Johnson & Johnson). 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.

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

Policy Regarding COVID-19 Vaccination and Testing

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.

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.

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

Policy Regarding COVID-19 Vaccination and Testing

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.

MASK WEARING

All individuals seeking entry to, or occupying, a Court Facility must follow the [Centers for Disease Control and Prevention](#)'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, 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.

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

COVID-19 Vaccination Status Attestation Form

Please complete and sign this attestation form concerning your COVID-19 vaccination status. 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 are required to return this form by email to Human Resources at vaccine_questionnaire@cacd.uscourts.gov no later than October 15, 2021. All onsite judiciary contractors must complete and submit this form to Human Resources when working at any courthouse or Probation and Pretrial Services Office in the Central District of California.

For purposes of this form, being “fully vaccinated” means that two weeks have passed after receiving the second dose of a two-dose COVID-19 vaccine (Pfizer or Moderna) or after receiving the single-dose COVID-19 vaccine (Johnson & Johnson).

Employees and volunteers who initially report that they are in the process of being vaccinated must submit an updated attestation form once fully vaccinated to Human Resources at vaccine_questionnaire@cacd.uscourts.gov.

- I am fully vaccinated.
 - Employees of the U.S. District Court and Probation and Pretrial Services Offices must attach official documentation of vaccination, such as a copy of your vaccine card or an official immunization record (typically obtained by your health care provider or found in your medical records).

- I received my second dose of the Pfizer or Moderna vaccine or my single dose of the Johnson & Johnson vaccine less than two weeks ago on _____ (date).

- I received my first dose of the Pfizer or Moderna vaccine, and my second appointment is scheduled for _____ (date).

- I have not been vaccinated, but I have scheduled an appointment to receive my first dose of vaccine on _____ (date).

- I intend to seek an exemption from the vaccination requirement.

I sign this document under penalty of perjury that the above is true and correct, and that I am the person named below. I understand that a knowing and willful false statement on this form can be punished by fine or imprisonment or both (18 U.S.C. § 1001). I understand that if I am a Federal employee or contractor that making a false statement on

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

COVID-19 Vaccination Status Attestation Form

this form could result in administrative action, including an adverse personnel action up to and including removal from my position or removal from a contract.

Print Name

Court Unit

Signature

Date