



COUNTY OF LOS ANGELES DEPARTMENT OF HUMAN RESOURCES

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LISA M. GARRETT
DIRECTOR OF PERSONNEL

September 22, 2021

To: All County Employees

From: Lisa M. Garrett
Director of Personnel

COVID-19 VACCINATION MANDATE EXEMPTION PROCESS AND REQUESTS FOR REASONABLE ACCOMMODATION

The Board of Supervisors recently mandated that all County employees be vaccinated against COVID-19 and show proof of their vaccination status by October 1, 2021. This memorandum is to provide additional information, resources, and guidance on the County's COVID-19 Vaccination Mandate Exemption/Reasonable Accommodation process.

In compliance with state and federal laws, the Department of Human Resources (DHR), in consultation with County Counsel, has implemented a process for employees who cannot be vaccinated and need to request an exemption from the vaccination mandate as a reasonable accommodation.

Employees may request an exemption from the vaccination mandate due to the following two reasons **only**:

- A medical condition or disability that does not allow an individual to get vaccinated against COVID-19; OR
- A sincerely held religious belief, practice, or observance that conflicts with an individual's ability to receive a COVID-19 vaccine.

Personal or philosophical objections to a COVID-19 vaccine are **not** sufficient justification for granting an exemption under this mandate.

Employees must use the process outlined in this memorandum to request an accommodation. If you have already submitted a request for an accommodation we kindly ask that you resubmit your request using the forms and process outlined in this memorandum.

AN IMPORTANT FIRST STEP

All employees, other than DHS employees, must verify their vaccination status at lac.fulgentgenetics.com. DHS employees do not need to submit their vaccination status in Fulgent. Even employees who cannot be vaccinated and will be requesting an accommodation must register on the Fulgent site. Employees who submit requests for accommodation will be required to test weekly for COVID-19 before and after any accommodation is approved.

PROCESSES FOR REQUESTING AN ACCOMMODATION

Medical Accommodation Request Process

1. To request a medical exemption from the COVID-19 vaccination mandate, you must complete and sign the **Request for Medical Accommodation** form and submit the completed form to your Departmental Human Resources Manager (DHRM) or your DHRM's designee. You can find your DHRM's contact information by clicking on this [link](#). DHS employees, please submit your form to MedVaccineAccomodation@dhs.lacounty.gov.
2. You are encouraged to submit your request for accommodation ten (10) business days following the implementation of the vaccination mandate policy. You will have ten (10) business days from submitting your request form to submit a completed **Healthcare Provider Certification** form from your licensed healthcare provider to support your request. If you need additional time to obtain the completed form from your healthcare provider, you may submit a written request to your DHRM asking for additional time.
3. Your department will acknowledge receipt (via email) of your request for an accommodation within ten (10) business days of receipt. You may request that your DHRM send a hard copy of the acknowledgement to your mailing address.

If the need for an exemption from the COVID-19 vaccination mandate as a medical accommodation is not clearly established by your submitted forms, designated department personnel must engage you in a timely, good-faith interactive process meeting (IPM). More information on the IPM can be found in the section below, titled **Interactive Process**.

4. Your DHRM, or their designated departmental personnel, will notify you of your department's determination within thirty (30) business days from receipt of your complete accommodation request.
 - a. If your request is approved, your designated departmental personnel will send you an **Approval of Accommodation** notice. This form will document and communicate your department's approval of a medical accommodation to the vaccination requirement, and will outline safety protocols which must be followed in order to remain compliant.

- b. If your request is denied, your designated departmental personnel will send you a ***Denial of Exemption*** notice. The reason for the denial will be stated on the form. The denial form will also include information on how you can file a request for reconsideration of your department's decision (see section below, titled **Request for Reconsideration**).

Religious Exemption Request Process

1. To request a religious exemption, from the COVID-19 vaccination mandate, you must complete and sign the **Request for Religious Accommodation** form and submit the completed form to your DHRM, or your DHRM's designee. You can find your DHRM's contact information by clicking on this [link](#). DHS employees, please submit your form to religiousaccomodation@dhs.lacounty.gov.
2. You are encouraged to submit your request for accommodation ten (10) business days following the implementation of the vaccination mandate policy.
3. Your department will acknowledge receipt (via email) of your request for an accommodation within ten (10) business days of receipt. You may request that your DHRM send a hard copy of the acknowledgement to your mailing address.

If the need for an exemption from the COVID-19 vaccination mandate based on a sincerely held religious belief(s), practice(s), or observance(s) that conflict(s) with your ability to receive a COVID-19 vaccine is not clearly established by your submitted forms, designated departmental personnel must engage you in a timely, good-faith IPM. More information on the IPM can be found in the section below, titled **Interactive Process**.

4. If additional information is required to evaluate your request for a religious accommodation, you may be asked to submit a completed ***Religious Statement*** form from your religious official, religious scholar, or person knowledgeable regarding your religious belief(s), practice(s) or observance(s) to support your request.
5. Your DHRM, or designee, will notify you of your department's determination within thirty (30) business days from receipt of your complete accommodation request.
 - a. If your request is approved, your designated department personnel will send you the ***Approval of Accommodation*** notice. This form will document and communicate your department's determination on your request for religious accommodation to the vaccination requirement, and will outline safety protocols to remain compliant.
 - b. If your request is denied, your designated department personnel will send you the ***Denial of Exemption*** notice. The reason for the denial will be stated on the form. The denial form will also include information on how you can file a request for reconsideration of your department's decision (see section below, titled **Request for Reconsideration**).

Interactive Process

An interactive process is a good-faith exchange between the department and an employee requesting an exemption or reasonable accommodation due to a disability; in this case, it will also include requests for exemption or accommodation for religious reasons. As part of this process, an interactive process meeting (IPM) can be held to review the information submitted and to consult with the employee to determine if an exemption request is appropriate and the employee can be reasonably accommodated. If additional information is needed by your department to make a decision on your request, your department will contact you to schedule an IPM.

Safety Protocols

If your request for accommodation is approved, you will be required to follow the safety protocols as indicated by the California Department of Public Health, the Centers for Disease Control and Prevention (CDC), and the County's Department of Public Health. These may include but are not limited to:

- Wearing a mask at all times while working at a County site or facility;
- Participating in daily COVID-19 symptom screening;
- Observing social distancing requirements; and,
- Engaging in recurring regular COVID-19 testing.

If your request for exemption is denied, you will have fourteen (14) calendar days from date of your department's denial notice to submit proof through the Fulgent system that you have received your first dose of a COVID-19 vaccine. You will then have eight (8) weeks from the date of your department's denial notice to submit proof through the Fulgent system that you are fully vaccinated.

Request for Reconsideration

If your request for exemption from the COVID-19 vaccination mandate is denied by your department, you may submit a request for reconsideration to the Department of Human Resources (DHR).

Requests for reconsideration must be submitted to DHR within ten (10) business days of receiving notice of your department's denial. DHR will acknowledge receipt of your reconsideration request within five (5) business days of receipt, and will issue a Final Determination Notice within thirty (30) days from receipt of a complete request for reconsideration.

To submit a request for reconsideration, you must submit a completed **Request for Reconsideration** form to reconsideration@hr.lacounty.gov, or you can mail the request to:

County of Los Angeles
Department of Human Resources
Attention: Reconsiderations
510 South Vermont Avenue, 12th Floor
Los Angeles, CA 90020

Process and Forms

You can find all the forms, along with additional information and resources, by clicking [here](#). Copies of the following forms are attached for your convenience:

- Request for Medical Accommodation
- Healthcare Provider Certification
- Request for Religious Accommodation

The forms are PDF fillable and may be submitted electronically, or can be printed as needed if you wish to file your request via hard copy. In addition, we have included an [infographic](#) that provides you with a step-by-step overview of the request for accommodation process; we hope that this infographic will give you a simplified view of how accommodation requests will be managed Countywide.

These forms are being provided to help ensure consistency in the processing of requests for accommodation related to the County's vaccination mandate, which the County has a legal obligation to undertake. However, the details of the policy underlying that mandate are still subject to ongoing effects bargaining between the County and its labor partners. Accordingly, these forms may be updated at a later time to reflect changes agreed to in those discussions.

Should you have questions on the administration of the request for accommodation related to the COVID-19 vaccination mandate, please visit <https://employee.hr.lacounty.gov/covidvaccinations/>, contact your respective DHRM, or my team at vaxexemption@hr.lacounty.gov.

LMG:PAM:MGM
SAS:RW:tdb

Attachments

c: Department Heads
Chief Deputies
Administrative Deputies
Departmental Human Resources Managers