

**MEMORANDUM OF UNDERSTANDING
BETWEEN
IAFF 851 AND IAFF 851 BC'S
AND
THE CITIES OF EUGENE AND SPRINGFIELD**

OREGON STATE MANDATED COVID-19 VACCINE FOR HEALTHCARE WORKERS

1. This MOU covers employees represented by IAFF 851 who work in a healthcare setting for the Cities of Eugene and Springfield.
2. The provisions in this MOU are effective upon its signing by the Department and the Union and will remain in effect until December 31, 2021. This MOU was established in response to Governor Kate Brown's vaccine mandate for healthcare workers published on August 19, 2021. Per the State mandate, all healthcare workers and those working in a healthcare setting must be fully vaccinated (14 days after appropriate vaccination dose) by October 18, 2021.
3. Members of IAFF 851 who receive the COVID-19 vaccination may at their election receive the vaccination during regularly scheduled work hours.
4. Members of IAFF 851 who experience adverse effects following immunization:
 - a. May access all applicable leave provisions available to City of Springfield and City of Eugene employees including Federal and State programs.
 - b. May utilize sick leave or submit an 801 for "On the Job" injury leave with an Incident Analysis Form (IAF) Report for absence from work.
 - c. IAFF 851 members submitting 801s for injury leave will be paid at the employee's regular hourly rate not inclusive of overtime in alignment with organizational coding policies.
 - d. If the illness is not covered by a workers' compensation claim, any employee who experiences an adverse reaction from the vaccine (including a vaccine booster) will be eligible for up to three scheduled work shifts of COVID-19 related leave not to exceed three contiguous calendar days. Leave utilization exceeding one scheduled shift will require verification of adverse reaction from the employee's medical provider.
 - e. An employee must provide acceptable evidence or medical certification within 15 days of request.
5. Members of IAFF 851 who request a medical or religious exception from the COVID-19 vaccine as defined and allowed by the Governor's mandate:
 - a. Will submit required Oregon Health Authority exception form to the Human Resources Department/Employee Resource Center of the employee's City of employment by September 24, 2021.

- b. Will provide clarification on exception request to respective Human Resources Department/Employee Resource Center when requested. Member may choose to have Union representation attend any meeting required to get clarification on exception request.
 - c. Will follow the interactive process for a medical exception as defined by the Americans with Disabilities Act with their Human Resources Department/Employee Resource Center.
 - i. Administrative leave will be provided to employees whose medical exception process is delayed by the employer.
 - ii. Employees who delay the interactive process will be placed on unpaid leave
6. Members of IAFF 851 who receive confirmation of approved medical or religious exception will follow department approved guidelines to prevent the spread of the COVID-19 virus. The Department will periodically review guidelines with the Union for the purpose of responding to any questions or feedback.
7. Members subject to employer mandated regular testing will have the testing occur on duty.
8. Members of IAFF 851 who are not fully vaccinated (14 days after appropriate vaccination dose) by the mandated October 18, 2021 deadline and either do not request a medical or religious exception or have not been approved of an exception:
- a. Will go on unpaid leave through November 18, 2021 and will not accrue leave balances while on unpaid leave. Member can utilize available leave balances but may not use sick time.
 - b. Employees who utilize vacation and/or comp time leave accruals into the month of November, will still receive health care benefits through the end of November 2021, subject to normal deductions.
 - c. Will be terminated if not fully vaccinated by November 18, 2021 for being out of compliance with a State mandate. The termination will be considered a voluntary separation.
 - d. Will have the option to request voluntary separation prior to November 18, 2021.
 - e. Employees who have made good faith efforts to initiate compliance with the mandate, but who have not finalized their fully vaccinated status must make a written request for accommodation to the Fire Chief. The Fire Chief will retain full authority to grant or deny accommodation request and will make any requirements know to the employee. Employees who are granted accommodation will not be scheduled to work and placed on unpaid leave after October 18, 2021 until full vaccinated. Employees will not receive accommodations on the basis of requiring more time to apply for or obtain medical and religious exceptions.

f. Will have access to the Department's online training resources while on unpaid leave.

Agreed to this 26 day of October, 2021.

For the Union


Michael Caven (Oct 27, 2021 09:57 PDT)

For the Department

Christopher Heppel
Christopher Heppel (Oct 26, 2021 14:52 PDT)
