



Research Administration
Contract & Grant Administration

COVID-19 Vaccination Mandates Certifications to Sponsors Federal, County of Los Angeles and City of Los Angeles

Research Administration Forum

March 10, 2022

COVID-19 Vaccination Mandates

The story so far ...

- **Executive Order on Ensuring Adequate COVID Safety Protocols for Federal Contractors (EO 14042)**
 - Signed by President Biden on 9/9/2021
- **Los Angeles County Ordinance 2021-0066U**
 - Urgency Ordinance adopted by the Los Angeles County Board of Supervisors on 12/7/2021
- **County of Los Angeles Department of Public Health**
 - Health Care Work Vaccination Requirement issued 1/12/2022 (revised 2/25/2022)
- **City of Los Angeles Ordinance 187134**
 - Adopted by the Los Angeles City Council on 8/16/2021

Executive Order 14042 Updates

Federal Contractor Vaccination Mandate

September 9, 2021

Executive Order 14042

Federal contracts and contract-like instruments must now include a clause compelling most contractors and subcontractors (at any level) to comply with prescribed COVID-19 workplace safety requirements for the duration of contracted work.

November 30, 2021

EO Court Challenges

U.S. District Court in KY rules on a preliminary injunction* that prevents enforcement of the EO in KY, OH and TN

***Federal contractors can voluntarily comply with the EO under preliminary injunctions**

December 7, 2021

EO Enforcement Paused

U.S. District Court in GA results in a nationwide injunction on enforcing the EO

Federal government advises it will not enforce the requirements of the EO pending future court decisions

January 5, 2022

Appellate Court Ruling

U.S. Sixth Court of Appeals upheld KY ruling that President exceeded authority under statute by imposing mandate on federal contractors—No change to EO enforcement “Pause”

Los Angeles County Ordinance

COVID-19 Vaccination Mandate for County Contractors

Los Angeles County Urgency Ordinance 2021-0066U

- Adopted by the County Board of Supervisors on 12/7/2021
- **Mandate:** *County contractors to provide vaccinated contractor workers prior to interacting in person with County workforce members and members of the public, or working on County-owned or controlled property.*
- Religious and medical exemptions may be granted

Los Angeles County Ordinance

COVID-19 Vaccination Mandate For County Contractors

KEY DEFINITIONS

Contractor Personnel: All employees of a Contractor, and persons working on its behalf on a Contract with the County, including but not limited to, subcontractors of any tier

County Workforce Members: The County's employees, interns, volunteers, and commissioners

In-Person Services: Contractor Personnel coming into contact with County Workforce Members or the public while performing services under a Contract.

Fully Vaccinated: 2 weeks or more have elapsed since Contractor Personnel received:

1. Second dose in a 2-dose COVID-19 vaccine series (e.g., Pfizer-BioNTech or Moderna);
2. Single-dose COVID-19 vaccine (e.g., Johnson and Johnson's [J&J] Janssen); or
3. Final dose of any COVID-19 vaccine authorized by the World Health Organization ("WHO").

Los Angeles County Ordinance

COVID-19 Vaccination Mandate for County Contractors

Contractual Requirements

- Full compliance by 1/1/2022 is satisfied by submission to the County, its **Certification of Compliance** (per contract) signed by OCGA
- OCGA certifies that all UCLA Contractor Personnel who perform *in-person services* in the contract are fully vaccinated or when applicable, provides a list of Contractor Personnel granted a religious/medical exemption
- UCLA shall maintain records of Proof of Vaccination for Contractor Personnel or exemption status for contract retention period

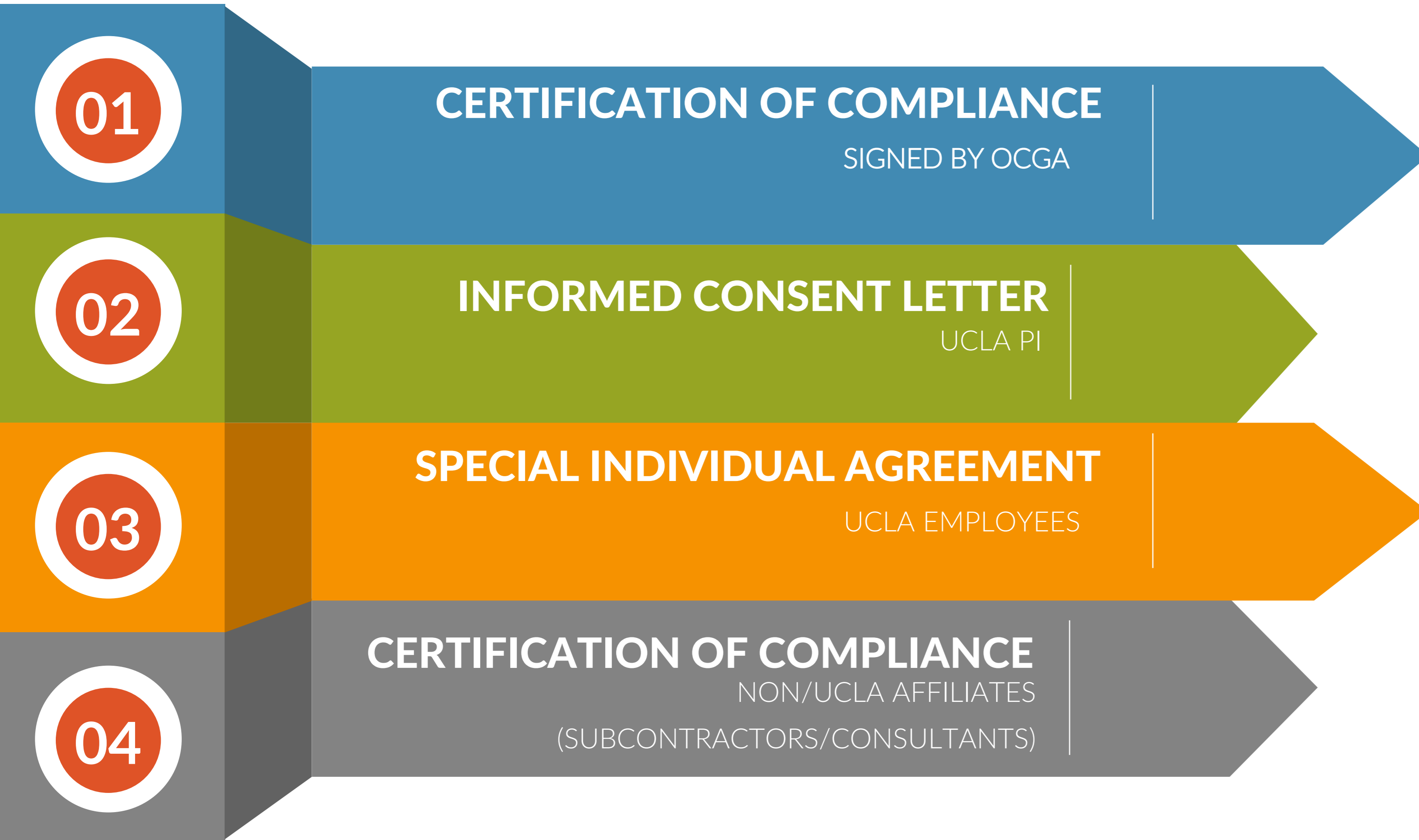
County of Los Angeles Department of Public Health

- **Health Care Worker Vaccination Requirement Order of Health Officer– Issued 1/12/22 (Revised 2/22/2022)**
 - **Vaccination Requirements for Health Care Workers:**
 - Same as LAC Ordinance (Full dose of Pfizer-BioNTech, Moderna, Johnson & Johnson/Janssen, and other specified COVID-19 vaccines)
 - **+ COVID-19 booster dose**
 - Religious and medical exemptions may be granted
 - **Contractual Requirements:**
 - Full Compliance by 3/1/2022 (extended date)
 - **OCGA signs and submits Certificate of Compliance**

What are the steps to meet the County’s certification?

County of Los Angeles

COVID-19 Vaccination Certification of Compliance for County Contractors



PI Responsibilities

- Ensures all Contractor Personnel performing In-Person services complies with LAC Ordinance/County DPH Health Orders vaccination mandate
- Leverages UCLA online COVID-19 Symptom Monitoring and Vaccination Verification System
- Ensures Contractor Personnel granted religious/medical exemptions complies with LAC Ordinance/County DPH Health Orders (mandatory COVID testing enforced)
- Coordinates with UCLA COVID Ctr/HR representative, as needed
- Coordinates consent and other certification documents with OCGA

City of Los Angeles Ordinance 187134

For City of Los Angeles Contractors

- **Adopted by the Los Angeles City Council on 8/16/2021**
- **Mandate:** *Effective 10/20/21, any new contract executed by the City shall include a clause requiring employees of the contractor and/or persons working on their behalf who interact with City employees, are assigned to work on City property for the provision of services, and/or come into contact with the public during the course of work on behalf of the city to be fully vaccinated. [Religious and medical exemption may be permitted]*
- **Key Definitions**
 - **Contractor Personnel:** Employees of Contractor and/or persons working on its behalf, including, but not limited to, subcontractors
 - **In-Person Services:** Performing services under this Agreement and prior to interacting in person with City employees, contractors, volunteers, or members of the public
 - **Fully Vaccinated:** 14 or more days have passed since Contractor Personnel have received the final dose of a two-dose COVID-19 vaccine series (Moderna or Pfizer-BioNTech) or a single dose of a one-dose COVID-19 vaccine (Johnson & Johnson/Janssen) (Boosters required only for High-Risk Settings—follow County of Los Angeles Health Care Worker Vaccination Requirement (LA County DPH Health Officer Order) issued 1/12/22).

City of Los Angeles Ordinance 187134

For City of Los Angeles Contractors

- **UCLA PI Responsibilities (Outlined Informed Consent letter)**
 - PI is responsible for all staff performing/will perform in-person services to comply with the City's mandate
 - PI should leverage UCLA's online COVID-19 Symptom Monitoring System for UCLA staff and coordinate with local COVID or HR representative, as needed
 - Notify City and OCGA when Contractor Personnel performing in-person services, test positive or have COVID, immediately remove and shall not assign such personnel to perform in-person services
 - PI shall retain, for the retention period of the contract, proof that such Contractor Personnel (performing in-person services) comply with the City mandate

KEY TAKEAWAYS

- ***Dynamic Environment***
- ***Federal Enforcement of COVID Vaccination Mandate: “paused”***
- ***Compliance Challenges***
- ***Key Responsibilities:***
 - PI/Department**
 - Ensures all assigned contractor staff complies with local ordinances/COVID 19 vaccination mandates
 - Coordinates with OCGA in securing all consent and other certification documents (including changes) needed to comply with the local ordinances/COVID 19 vaccination mandates
 - OCGA**
 - Signs the County Certification of Compliance on behalf of University
 - Provides general guidance on certification process

Resources/Links

COVID-19 Vaccination Mandates

- **Presidential Executive Order on Ensuring Adequate COVID Safety Protocols for Federal Contractors (EO 14042)** <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/09/09/executive-order-on-ensuring-adequate-covid-safety-protocols-for-federal-contractors/>
- **County of Los Angeles Ordinance** http://file.lacounty.gov/SDSInter/isd/dbw/1116588_Ordinance.pdf
- **County of Los Angeles Department of Public Health Order of the Health Officer – Health Care Worker Vaccination Requirement** [2022.02.25 HOO HealthCareWorkers \(lacounty.gov\)](https://www.lacounty.gov/healthcareworkers/2022.02.25_HOO_HealthCareWorkers)
- **FAQs COVID-19 Vaccinations of County Contractor Personnel**
http://file.lacounty.gov/SDSInter/isd/dbw/1116875_Final_Contractor_VAX_Mandate_FAQs.pdf
- **City of Los Angeles Ordinance 187134** https://clkrep.lacity.org/onlinedocs/2021/21-0921_ord_187134_8-24-21.pdf
- **UCLA COVID-19 Symptom Monitoring and Vaccination Verification System**
https://uclasurveys.co1.qualtrics.com/jfe/form/SV_3qRLtouCYKzBbH7

Reference Materials

COVID-19 Vaccination Mandates

- **LAC Ordinance Certification of Compliance (signed by OCGA)**
- **City of Los Angeles COVID 19 PSC 44 (Contract Term)**

Los Angeles County Ordinance

Certification of Compliance Signed by OCGA

Certification of Compliance
Urgency Ordinance, County Code Title 2 – Administration, Division 4 –
Miscellaneous – Chapter 2.212 (COVID-19 Vaccinations of County Contractor
Personnel)

I, _____, on behalf of The Regents of the University of California by and on behalf of the Department of _____ (the "Contractor"), certify that on County Contract _____.

____ All Contractor Personnel on this Contract are fully vaccinated as required by the Ordinance.

____ Most Contractor Personnel on this Contract are fully vaccinated as required by the Ordinance. The Contractor or its employer of record, has granted a valid medical or religious exemption to the below identified Contractor Personnel. Contractor will certify weekly that the following unvaccinated Contractor Personnel have tested negative within 72 hours of starting their work week under the County Contract, unless the contracting County department requires otherwise. The Contractor Personnel who have been granted a valid medical or religious exemption are [LIST ALL CONTRACTOR PERSONNEL]:

I have authority to bind the Contractor, and have reviewed the requirements above and further certify that I will comply with said requirements.

Signature Date

Title

Company/Contractor Name

City of Los Angeles COVID-19 Contract Term (10/20/21)

COVID-19 Vaccination Mandate

PSC – 44. COVID-19

Employees of Contractor and/or persons working on its behalf, including, but not limited to, subcontractors (collectively, “**Contractor Personnel**”), while performing services under this Agreement and prior to interacting in person with City employees, contractors, volunteers, or members of the public (collectively, “**In-Person Services**”) must be fully vaccinated against the novel coronavirus 2019 (“COVID-19”).

“**Fully vaccinated**” means that 14 or more days have passed since Contractor Personnel have received the final dose of a two-dose COVID-19 vaccine series (Moderna or Pfizer-BioNTech) or a single dose of a one-dose COVID-19 vaccine (Johnson & Johnson/Janssen) and all booster doses recommended by the Centers for Disease Control and Prevention. Prior to assigning Contractor Personnel to perform In-Person Services, Contractor shall obtain proof that such Contractor Personnel have been fully vaccinated. Contractor shall retain such proof for the document retention period set forth in this Agreement. Contractor shall grant medical or religious exemptions (“Exemptions”) to Contractor Personnel as required by law. If Contractor wishes to assign Contractor Personnel with Exemptions to perform In-Person Services, Contractor shall require such Contractor Personnel to undergo weekly COVID-19 testing, with the full cost of testing to be borne by Contractor. If Contractor Personnel test positive, they shall not be assigned to perform In-Person Services or, to the extent they have already been performing In-Person Services, shall be immediately removed from those assignments. Furthermore, Contractor shall immediately notify City if Contractor Personnel performing In-Person Services (1) have tested positive for or have been diagnosed with COVID-19, (2) have been informed by a medical professional that they are likely to have COVID-19, or (3) meet the criteria for isolation under applicable government orders.

Any Questions?

UCLA/OCGA

Website URL

<http://ocga.research.ucla.edu>

Flora O'Brien, CRA
Contract and Grant Officer

Phone: (310) 206-0807

Email: flora.obrien@research.ucla.edu

Jim Fong
Assistant Director
Contracts and Incoming Subawards

Phone: (310) 794-0608

Email: jim.fong@research.ucla.edu



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Thank You!

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