

**LETTER OF AGREEMENT
BETWEEN
SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1000 AND
THE DEPARTMENT OF STATE HOSPITALS
Concerning the
Order of mandatory influenza vaccination of all health care workers
Date: December 14, 2015**

This side letter represents the full and complete understanding reached by the State of California and the Service Employees International Union (SEIU), Local 1000, relating to the impacts from the mandatory influenza vaccination policy for all health care workers at the Department of State Hospitals in Impacted counties.

This policy was a result of the County Health Officers' order for mandatory influenza vaccination of all healthcare workers, and if they decline, to wear a mask for the duration of the identified influenza season while working in patient care areas of a health care facility.

THE PARTIES AGREE AS FOLLOWS

For the purpose of adhering to the Health Officers' orders, the Department of State Hospitals (DSH) shall define:

- "Patient care areas" as any area where patients are allowed within the following: Acute Psychiatric Hospital, Ambulatory Care Clinic, Skilled Nursing Facility, Intermediate Care Facility, Correctional Treatment Center and Ancillary Clinics. "Patient care areas" shall also include any area where patients are allowed within a Long Term Care Facility, but only in state hospitals in counties where it is required pursuant to the Health Officers' orders.
- "Healthcare Workers" are all persons employed or affiliated with DSH, whether paid or unpaid, including but not limited to employees, members of the medical or nursing staff, contract staff, students, visitors and volunteers who work, visit, tour, have meetings and/or deliver where they have direct patient contact or in patient care areas.

Where ordered by the County Health Officer, DSH will require healthcare workers in patient care areas to wear a mask if they decline the flu vaccine. DSH shall strongly recommend masking for those healthcare workers who have declined the influenza vaccine in counties where masking recommended by the County Health Officer, but not required unless DSH has provided notice to SEIU stating otherwise.

THE PARTIES FURTHER AGREE

In the event an employee is unable to receive the flu vaccine at their respective facility, the employee shall immediately notify their Supervisor. If an alternative vaccine cannot reasonably be made available to the employee at the facility, the employee will be permitted the use of sick leave credits for purposes of receiving vaccination at an alternate medical facility.

DSH shall be responsible for providing enough masks, in work areas, for employees.

DURATION OF AGREEMENT

This agreement will coincide with the annual Health Officer's order and will be effective for all new orders issued in counties where DSH employs healthcare workers.

Pursuant to MOU Article 4.1 this agreement is not intended to preclude any development or changes to DSH policies and/or procedures related to Influenza or masking, including but not limited to changes in the hospitals subject to such policies and/or procedures, and the definitions of "patient care area" or "health care workers." If such changes are necessary, DSH will notice the Union in accordance with MOU Article 24.1 the collective bargaining agreements between the State of California and SEIU, Local 1000.

| STATE | UNION |
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| <u>Pam Manville</u> | <u>Lincoln</u> CHAIR UNIT 7 |
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