

# COVID-19 CORPORATE POLICY UPDATE



Mold-Rite Employees,

On Thursday, November 4, 2021, The Department of Labor, by edict of President Biden, has been tasked to enforce a vaccination mandate through OSHA's "Emergency Temporary Standard" (ETS). The ETS mandates that any company with more than 100 employees must require their employees to get the COVID-19 vaccination or face significant penalties and fines. Click [HERE](#) to read the OSHA Fact Sheet regarding this mandate. Employees who choose not to get vaccinated, for any reason, must wear a mask and present a negative test result to Human Resources every week at the employee's expense.

Unfortunately, this is not optional for MRP as an employer. Our HR team will be required, December 5, 2021, to provide vaccination status of every employee to OSHA and maintain records of status. As of December 5<sup>th</sup>, all unvaccinated employees will be required to wear masks and as of January 4<sup>th</sup>, 2022, all unvaccinated employees will be required to provide weekly proof of negative COVID-19 test result or will face disciplinary action up to and including termination. This mandate recognizes that OSHA's ability to protect workers' safety and health hinges on truthful reporting, and therefore has established penalties for employees who share false statements and records. More information on these penalties can be found [HERE](#).

Mold-Rite is subjected to comply with this mandate but will allow exemptions subject to the state law in each respective location. We are aware that the Fifth Circuit Court has issued a "stay" order temporarily blocking the ETS. The outcome of legal challenges is very much unknown at this time, and could quickly be overturned, allowing the ETS to remain on the current OSHA schedule. Therefore, we need to continue to prepare as if the ETS will go into effect per OSHA's timeline outlined above.

While MRP recognizes every employee has the right to make a personal choice regarding their vaccination status, we strongly encourage each employee to get vaccinated against COVID-19 prior to January 4, 2022. Click [HERE](#) for the latest information from the CDC on the safety and efficacy of the COVID-19 vaccine. We have no choice but to uphold the ETS if it goes into effect and will fully enforce the mandate with our employees.

Please feel free to address questions and concerns with your manager and we appreciate your understanding and cooperation through yet another unusual circumstance.

Sincerely,

A handwritten signature in blue ink that reads "Brian Bauerbach".

Brian Bauerbach  
President and CEO

## FACT SHEET

# Workers' Rights under the COVID-19 Vaccination and Testing ETS



OSHA's COVID-19 Vaccination and Testing Emergency Temporary Standard (ETS) covers employers with 100 or more employees and requires them to take steps to minimize the risk of COVID-19 transmission in the workplace. The Occupational Safety and Health Act protects workers from retaliation for exercising their rights under the ETS.

### **Workplace Protections: Vaccination, Testing, and Face Coverings**

Employees of employers covered by the ETS have a right to the protections afforded by the standard's requirements. Key requirements employers must follow to protect these employees include:

**Employer Policy on Vaccination.** The ETS requires covered employers to establish, implement, and enforce a written mandatory COVID-19 vaccination policy with an exception for employers that instead establish, implement, and enforce a written policy that requires unvaccinated employees to undergo weekly COVID-19 testing and wear a face covering at the workplace instead of vaccination.

### **Determination of employee vaccination status.**

The ETS requires covered employers to determine the vaccination status of each employee, obtain acceptable proof of vaccination status, and maintain records and a roster of each employee's vaccination status.

### **Employer support for employee vaccination.**

The ETS requires covered employers to support vaccination by providing employees reasonable time, including up to four hours of paid time at the employee's regular rate of pay, to receive

each vaccination dose, and reasonable time and paid sick leave to recover from any side effects experienced following each dose.

**COVID-19 testing for employees who are not fully vaccinated.** The ETS requires covered employers to ensure that each employee who is not fully vaccinated is tested for COVID-19 at least weekly (if in the workplace at least once a week) or within 7 days before returning to work (if away from the workplace for a week or longer). *The ETS does not require employers to pay for any costs associated with testing.*

However, employer payment for testing may be required by other laws, regulations, or collective bargaining agreements or other collectively negotiated agreements. In addition, nothing prohibits employers from voluntarily assuming the costs associated with testing.

**Employee notification to employer of a positive COVID-19 test and removal.** Under the ETS, covered employers must: (1) require employees to promptly provide notice when they receive a positive COVID-19 test or are diagnosed with COVID-19; (2) immediately remove any employee from the workplace, regardless of vaccination status, who receives a positive COVID-19 test or is diagnosed with COVID-19; and (3) keep removed employees out of the workplace until they [meet the requirements for returning to work](#).

**Face coverings.** The ETS requires covered employers to ensure that each employee who is not fully vaccinated wears a face covering when indoors or when occupying a vehicle with another person for work purposes, except in certain limited circumstances. Employers must not prevent any employee, regardless of vaccination status, from voluntarily wearing a face covering unless it creates a serious workplace hazard (e.g., interfering with the safe operation of equipment).

**Information provided to employees.** The ETS requires covered employers to provide employees with the following in a language and at a literacy level the employees understand: (1) information about the requirements of the ETS and workplace policies and procedures established to implement the ETS; (2) the CDC document “[Key Things to Know About COVID-19 Vaccines](#)”; (3) information about protections against retaliation and discrimination; and (4) information about laws that provide for criminal penalties for knowingly supplying false statements or documentation.

**Reporting COVID-19 fatalities and hospitalizations to OSHA.** The ETS requires covered employers to report work-related COVID-19 fatalities to OSHA within 8 hours and work-related COVID-19 in-patient hospitalizations within 24 hours of the employer learning about the incident.

**Availability of records.** The ETS requires covered employers to make available for examination and copying an individual’s COVID-19 vaccine documentation and any COVID-19 test results to that employee and to anyone having written authorized consent of that employee. Covered employers are also required to make available to an employee, or an employee representative, the aggregate

number of fully vaccinated employees at a workplace along with the total number of employees at that workplace.

## Protection from Retaliation

The Occupational Safety and Health Act (OSH Act) prohibits retaliation against employees for exercising their rights guaranteed under the Act, including filing an occupational safety or health complaint, reporting a work-related injury or illness, or otherwise exercising any rights afforded by the OSH Act.

## Who Is Protected by the OSH Act?

The OSH Act’s prohibition on retaliation (Section 11(c)) protects private sector workers, it does not cover employees of the U.S. government or State or local government employees.<sup>1</sup> However, it does cover U.S. Postal Service employees.

## What Activities Are Protected under the OSH Act?

A person may not discharge or in any manner retaliate against an employee because the employee exercised any right under the OSH Act. Here are some examples of COVID-19-related activities that are protected:

- Requesting paid time for a COVID-19 vaccination or paid time off for vaccine side effects, when paid time off is required by the ETS.
- Requesting personal protective equipment which the employee reasonably believes is required by an OSHA standard.
- Wearing personal protective equipment required or permitted by an OSHA standard.
- Reporting a COVID-19 infection or exposure to COVID-19 to an employer or OSHA.
- Reporting an unsafe condition to an employer or OSHA.

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<sup>1</sup> Federal employees are protected from retaliation for occupational safety or health activity under procedures established by their agencies pursuant to Executive Order 12196. See 29 CFR 1960.46-47. They are also protected from retaliation for whistleblowing under the Whistleblower Protection Act. For more information visit [www.osc.gov](http://www.osc.gov). Similar protections are provided by State laws in States operating OSHA-approved State Plans. For more information about OSHA State Plans, see [www.osha.gov/stateplans](http://www.osha.gov/stateplans).

- Requesting guidance on workplace safety from an employer, OSHA, or other government entity.
- Refusing to perform a work task if the employee has a reasonable apprehension of death or serious injury, refuses in good faith to perform the task, has no reasonable alternative, and there is insufficient time to eliminate the condition through regular enforcement channels and, where possible, the employee has asked their employer to correct the hazard and it was not corrected. For more information: [www.osha.gov/workers](http://www.osha.gov/workers).

A worker cannot be fired or discriminated against for filing a complaint with OSHA. If you experience retaliation, file a complaint at [www.whistleblowers.gov](http://www.whistleblowers.gov).

### Permissible Disciplinary Action

The OSH Act does not prevent employers from taking disciplinary action against employees for engaging in activities that are not protected. For example, where an employee does not comply with their employer’s policy on vaccination, that action would generally not be protected under the OSH Act. The following

examples are actions that would generally not be covered by OSHA’s anti-retaliation or discrimination protections:

- Employee failure to provide acceptable documentation of vaccination status;
- Employee failure to provide acceptable weekly COVID-19 test results, when required;
- Falsifying required vaccination documentation or test results; and
- Employee failure to properly wear required face coverings.

### How to File a Complaint

If an employee believes they have been retaliated against, in violation of Section 11(c), they, or their representative, may file a complaint with OSHA. Complaints may be filed verbally or in writing. To file a complaint verbally: Visit a local area office or call OSHA at 1-800-321-OSHA (6742). Information on local area offices is available at [www.osha.gov/contactus/bystate](http://www.osha.gov/contactus/bystate) or can be obtained by calling OSHA at the above phone number.

This Fact Sheet is intended to provide information about the COVID-19 Emergency Temporary Standard. The Occupational Safety and Health Act requires employers to comply with safety and health standards promulgated by OSHA or by a state with an OSHA-approved state plan. However, this Fact Sheet is not itself a standard or regulation, and it creates no new legal obligations.

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## COVID-19

# Key Things to Know About COVID-19 Vaccines

Updated Nov. 5, 2021

**NOTICE:** CDC now recommends that children between the ages of 5 and 11 years receive the Pfizer-BioNTech pediatric COVID-19 Vaccine. Learn more about [vaccines for children and teens](#).

## What You Need to Know

### Safety of COVID-19 Vaccine for Children 5 Years and Older

Before recommending COVID-19 vaccination for children, scientists conducted clinical trials. The FDA gave the Pfizer-BioNTech COVID-19 vaccine emergency authorization to use in children ages 5 years through 15 years old and full approval to use in people ages 16 years and older. Learn more about the [process of developing, authorizing and approving COVID-19 vaccines](#).



- COVID-19 vaccination is recommended for everyone ages 5 years and older. [Learn how to find a COVID-19 vaccine](#).
- Widespread vaccination is a critical tool to help stop the pandemic.
- COVID-19 vaccines are effective at helping protect everyone ages 5 years and older against severe disease and death from the virus that causes COVID-19, including known [variants](#) currently circulating (e.g., Delta variant).
- [People who are fully vaccinated](#) can resume activities that you did before the pandemic. However, people should wear a mask indoors in public if they are in an [area of substantial or high transmission](#). Being fully vaccinated and wearing a mask maximizes protection against COVID-19 infection and reduces the chances of spreading it to others.
- As with other routine vaccines, [side effects](#) may occur after vaccination. These are normal and should go away within a few days.
- The [benefits of COVID-19 vaccination](#) outweigh the known and potential risks, which are rare.
- People **cannot** get COVID-19 from getting vaccinated, and there is no evidence that COVID-19 vaccines cause fertility problems. Learn more about [how mRNA vaccines work](#).
- Unlike many medications, COVID-19 vaccine dosage does not vary by patient weight but by age on the day of vaccination.
- Adolescents ages 12 years and older receive the same dosage of Pfizer-BioNTech COVID-19 vaccine as adults.
- The Pfizer-BioNTech vaccine for children ages 5 through 11 has the same active ingredients as the vaccine given to adults and adolescents. However, children ages 5 through 11 years cannot get the Pfizer-BioNTech COVID-19 vaccine given to adults and adolescents. In addition, children ages 5 through 11 years receive an age-appropriate dose that is one-third of the adult dose of Pfizer-BioNTech COVID-19 vaccine. Smaller needles, designed specifically for children, are also used for children



vaccine. Smaller needles, designed specifically for children, are also used for children ages 5 through 11 years.

- People who are [moderately to severely immunocompromised](#) are recommended to get an additional primary dose of an mRNA COVID-19 vaccine (i.e., Pfizer-BioNTech or Moderna).
- Certain groups of people are recommended to get a [COVID-19 booster shot](#).
- People can get a COVID-19 vaccine and other vaccines, including flu vaccine, at the same time.

[Learn more about COVID-19 vaccination for children ages 5 and older.](#)



## COVID-19 Vaccine ChatBot

Use SmartFind chat tool to find answers to common COVID-19 vaccination questions.

[Get Started](#)

## Availability of Vaccines

COVID-19 vaccines are widely accessible in the United States. Everyone ages 5 years and older should [get a COVID-19 vaccination](#) as soon as possible. COVID-19 vaccines are [available for everyone at no cost](#), regardless of their immigration or health insurance status.

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Many doctors' offices, retail pharmacies, hospitals, and clinics offer COVID-19 vaccinations. Visit [vaccines.gov](#) to find locations that are offering vaccines to everyone ages 5 years and older. Parents can check with their child's healthcare provider, their local pharmacy, and health department about whether they offer COVID-19 vaccination. [Learn more about how to find a COVID-19 vaccine.](#)

## Effectiveness

COVID-19 vaccines are effective at protecting people from COVID-19 and help keep adults and children from getting seriously sick. COVID-19 vaccines can reduce the risk of people spreading the virus that causes COVID-19. Getting everyone ages 5 years and older vaccinated can help the entire family, including siblings who are not eligible for vaccination and family members who may be at risk of getting very sick if they are infected.

Adults and children 5 years and older who are fully vaccinated can resume activities that they did before the pandemic. [Learn more about what people can do when they have been fully vaccinated.](#)

Studies show that COVID-19 vaccines are effective, especially at keeping adults and children from getting seriously ill even if they do get COVID-19. [Learn more about the benefits of getting vaccinated.](#)

COVID-19 vaccines teach our immune systems how to recognize and fight the virus that causes COVID-19. It typically takes **2 weeks after vaccination for the body to build protection** (immunity) against the virus that causes COVID-19.

People are considered fully vaccinated 2 weeks after their second dose of the Pfizer-BioNTech or Moderna COVID-19 vaccines, or 2 weeks after the single-dose Johnson & Johnson's Janssen COVID-19 vaccine. To receive the most protection, people should **receive all recommended doses** of a COVID-19 vaccine. [Learn more about who is recommended to get an additional primary dose or a booster dose.](#)

[primary dose](#) or a [booster dose](#).


People can sometimes get COVID-19 after being fully vaccinated. However, this only happens in a small proportion of people, even with the Delta variant. When these infections occur among vaccinated people, they tend to be mild.

Learn more about the [effectiveness of COVID-19 vaccines](#).



## Safety

COVID-19 vaccines are [safe and effective](#). Vaccines cannot give you COVID-19. You may have side effects after vaccination. These are normal and should go away within a few days.

COVID-19 vaccines are [safe and effective](#). Millions of people in the United States have received COVID-19 vaccines. COVID-19 vaccines have undergone and continue to undergo the most intensive safety monitoring in U.S. history, which includes studies about adolescents and children. This monitoring includes using both established and new safety [monitoring systems](#)  to make sure that COVID-19 vaccines are safe.

COVID-19 vaccines cannot give you COVID-19. There is no evidence that COVID-19 vaccines cause fertility problems. Read more to [bust myths and learn the facts about COVID-19 vaccines](#).

CDC has developed a tool, **v-safe**, to help monitor how people are feeling after getting COVID-19 vaccines. **V-safe** is a free, easy-to-use, and confidential smartphone-based tool that uses text messaging and web surveys to provide personalized health check-ins after vaccination. Parents and caregivers can enroll themselves and their children ages 5 years and older in **v-safe** and report how they are feeling after they have been vaccinated for COVID-19. Learn how the federal government is using **v-safe** and other systems to monitor and [ensure the safety of COVID-19 vaccines](#).

While COVID-19 vaccines were developed rapidly, [all steps have been taken to ensure their safety and effectiveness](#).

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## You may have side effects after vaccination, but these are normal

After COVID-19 vaccination, you may have some [side effects](#). These are normal signs that your body is building protection. The side effects from COVID-19 vaccination, such as tiredness, headache, or chills, may affect your ability to do daily activities, but they should go away within a few days. Learn more about [what to expect after getting vaccinated](#).

### Possible Side Effects in Children Ages 5 Years and Older

Children may have some [side effects](#), which are normal signs that their body is building protection. These side effects may affect a child's ability to do daily activities, but they should go away in a few days. Some children have no side effects. Severe allergic reactions (like anaphylaxis) and complications (like [myocarditis and pericarditis](#)) are rare. Learn more about [possible side effects in children](#).

## Population Immunity

Population immunity, also known as herd immunity or community immunity, means that enough people in a community are protected from getting a disease because they've already had the disease or because they've been vaccinated.

Population immunity makes it hard for a disease to spread from person to person. It even protects those who cannot be vaccinated, like newborns or people who are allergic to a vaccine. The percentage of people who need to have protection to achieve population immunity varies by disease.

We are still learning how many people need to be vaccinated against COVID-19 before the population can be considered protected.

As we know more, CDC will continue to update our recommendations for both vaccinated and unvaccinated people.

## Variants and Vaccines

- COVID-19 vaccines approved or authorized by the U.S. Food and Drug Administration (FDA) help protect against [Delta and other known variants](#).
- These vaccines are especially effective at keeping people from getting very sick or dying from COVID-19.
- To maximize protection against COVID-19 and prevent possibly spreading it to others, you should wear a mask indoors in public if you are in an [area of substantial or high transmission](#) even if you are fully vaccinated.
- We don't know how effective the vaccines will be against new variants.

### For Healthcare and Public Health

[Clinical and Professional Resources](#): Toolkits and resources for healthcare workers and public health professionals.

### Related Pages

- › [When You've Been Fully Vaccinated](#)
- › [COVID-19 Vaccines for Children and Teens](#)
- › [Myths and Facts about COVID-19 Vaccines](#)
- › [Frequently Asked Questions about COVID-19 Vaccination](#)
- › [Benefits of Getting a COVID-19 Vaccine](#)

Last Updated Nov. 5, 2021