

COLORADO RIVER INDIAN TRIBES
Employee COVID-19 Vaccination and Testing Policy

The Colorado River Indian Tribes (“CRIT” or “the Tribes”) continue to take every reasonable measure to protect their members and employees during the ongoing COVID-19 pandemic in accordance with the goals of the CRIT Health & Safety Code, Article 5 Communicable Disease Prevention. Accordingly, the Tribes have developed the following comprehensive COVID-19 Vaccination and Testing Policy which governs COVID-19 vaccination and testing requirements and other guidance intended to help employees safely navigate through this pandemic. This Policy applies to all persons employed by the CRIT Government or any CRIT enterprise, including the BlueWater Resort & Casino (“BWRC”).

Effective immediately, to avoid the further spread of the virus, the Tribes are implementing the following steps:

A. Mandatory Vaccination

- 1) All employees must be fully vaccinated before appearing for work on-site no later than December 31, 2021. Proof of vaccination is required. In general, people are considered fully vaccinated:
 - a) 2 weeks after their second dose in a 2-dose series, such as the Pfizer or Moderna vaccines, or
 - b) 2 weeks after a single-dose vaccine, such as Johnson & Johnson’s Janssen vaccine.
 - c) However, for the purposes of this policy employees must have received the second dose of Pfizer or Moderna or the one dose of Johnson & Johnson by December 31, 2021 or the start date for new hires. It is not required to have the dosing completed two weeks prior to December 31, 2021 or the start date for new hires.
- 2) If you have been vaccinated, please send a photographed copy of both sides of your vaccination card, state immunization record, or medical immunization record to the Human Resources Department to the Attn of the Human Resources Director/Manager of CRIT or BWRC as applicable. The Human Resources Department/Manager will treat this information as a confidential medical record within HR and will maintain these records in a location separate from employee personnel files.
- 3) Employees shall receive COVID-19 administrative leave for time off to be vaccinated and up to two days to recover from side effects of the vaccine without a medical certification. Any additional time off needed and requested by the employee shall be approved under the Tribes sick leave policy and the medical disability leave policy as applicable. COVID-19 administrative leave for time-off to be vaccinated and recover also applies to booster doses or third doses required for immuno-compromised individuals.
- 4) Exemptions from the mandatory vaccination requirement will apply only for medical or religious reasons. If you believe that you are eligible for a medical or religious exemption, please contact the Human Resources Director/Manager of CRIT or BWRC as applicable. The Tribes do not intend to offer exemptions to the mandatory vaccination requirement for reasons other than the accommodation of either a disability or a sincerely held religious belief. All medical exemption

requests must be written by a licensed medical care provider that has treated or examined the patient and must include specifics about the medical contraindication or diagnostic precaution that supports the request. These requests are subject to review and approval by the Tribes contracted physician.

- 5) Exemptions requested because of a sincerely held religious belief, practice, or observance will be evaluated on a case by cases basis to ensure the request does not cause an undue hardship by compromising workplace safety or infringing on the rights of other employees, or if applicable, the clients served by the employee.
- 6) Failure to be fully vaccinated or approved for a medical or religious exemption by December 31, 2021, except where an employee requests an extension due to a recent positive case of COVID-19, will result in release from employment.
- 7) All new hires of the Colorado River Indian Tribes must be fully vaccinated, as outlined in A(1) above, or obtain an approved exemption prior to their start date. An exception may be made, if approved by the Chairperson, in the event there is an urgent need to fill a position and the new hire has received the first dose of a two-dose series prior to their start date. The employee must agree, in writing, to obtain the second dose as scheduled or the employee will be released from employment.

B. Testing Where Exemption is Permitted

- 1) Employees who are determined to have a legitimate medical or religious exemption shall be required to submit to weekly COVID-19 testing before appearing for work on-site and this does not include the use of home testing kit results. Employees have two options for testing.
 - a) Employees of CRIT can contact the Human Resources Department to be scheduled for testing weekly by Regional Center for Border Health, Inc. The cost of testing conducted at Regional Center for Border Health, Inc. shall be covered by the Tribes if not eligible for coverage by the employee's health plan. Those results will be provided and maintained in a restricted, confidential file at the Human Resources Department.
 - b) Employees of BWRC can contact the Human Resources Manager to be scheduled for testing weekly by Regional Center for Border Health, Inc. The cost of testing conducted at Regional Center for Border Health, Inc. shall be covered by BWRC if not eligible for coverage by the employee's health plan. The Human Resources Department will treat this information as a confidential medical record and will maintain these records in a location separate from employee personnel files.
 - c) Employees can schedule and complete COVID testing through a medical provider of their choice and at their own cost, including but not limited to Indian Health Services or La Paz County Regional Hospital. Test results are to be submitted to Human Resources Department, Attn of the Director/Manager. Testing must be conducted no more than seven days apart and results must be provided before appearing for work. The Human Resources Department will treat this information as a confidential medical record and will maintain these records in a location separate from employee personnel files.
- 2) Employees cannot return to the workplace if they fail to submit to testing. This will be deemed an unexcused absence and the employee will be ineligible to use any paid time off, annual leave,

or sick leave unless the employee demonstrates good cause for missing testing such as factors outside the control of the employee that caused testing to be unavailable or for missing testing due to factors such as illness, scheduled annual leave, remote working, work travel, emergency response for first responders, and performance of critical job duties that could not be delayed. The employee will remain on leave until they have submitted to COVID-19 testing.

- 3) Employees will also be placed on leave without pay and said absence will be deemed unexcused if employees fail to provide the results of testing where they utilize a medical provider of their choice for testing. However, this will not apply if results of testing are delayed due to lab or facility processing.
- 4) Supervisors are required to verify if employees had good cause to miss testing and ensure testing has been rescheduled. Supervisors are responsible to ensure employees do not return to the workplace if they failed to submit to testing without good cause.
- 5) Human Resources is responsible to verify who attended testing and advise Supervisors or Directors/Manager as applicable if an employee missed testing.
- 6) Employees who accumulate unexcused absences are also subject to discipline in accordance with the Employee Handbook provisions applicable to attendance requirements.
- 7) In the event the Human Resources Director/Manager determines a Supervisor or Director/Manager is not enforcing this policy after advice and consultation, the matter will be forwarded to the Chairwoman or General Manager for discipline.

C. Mandatory Employee Testing Events

- 1) Periodically CRIT and BWRC will schedule mandatory employee COVID-19 testing events for ALL employees whether or not vaccinated.
- 2) Employees are required to submit to such testing unless excused for good cause. Good cause includes but is not limited to absence due to illness, scheduled annual leave, remote working, work travel, emergency response for first responders, and performance of critical job duties that could not be delayed. Employees must contact Human Resources to reschedule testing at the next available time.
- 3) Employees cannot return to the workplace if they fail to submit to testing at the time of the event or failed to reschedule if they missed with good cause. This will be deemed an unexcused absence and the employee will be ineligible to use any paid time off, annual leave, or sick leave unless the employee demonstrates good cause for missing testing.
- 4) Supervisors are required to verify if employees had good cause to miss testing and ensure testing has been rescheduled. Supervisors are responsible to ensure employees do not return to the workplace if they failed to submit to testing without good cause.
- 5) Human Resources is responsible to verify who attended testing and advise supervisors if an employee missed testing.
- 6) Employees who accumulate unexcused absences are also subject to discipline in accordance with the Employee Handbook provisions applicable to attendance requirements.
- 7) In the event the Human Resources Director/Manager determines a Supervisor or Director/Manager is not enforcing this policy after advice and consultation, the matter will be forwarded to the Chairwoman or General Manager for discipline.

D. Testing Results

- 1) Employees should continue to follow the CDC guidelines and the CRIT Policy Related to

COVID-19 Exposure in the Workplace or BWRC COVID-19 Policy, as applicable, with respect to COVID-19 exposure and testing.

- 2) If you receive a positive diagnosis of COVID-19 or are experiencing symptoms of COVID-19 you must advise your Department Head/Enterprise Manager as soon as possible and stay home from work. Please refer to the CRIT Policy Related to COVID-19 Exposure in the Workplace or BWRC COVID-19 Policy for further guidance on isolation requirements.
- 3) If you believe that you are experiencing COVID-19 symptoms while at work:
 - a) Let your Department Head/Enterprise Manager know immediately. You will be sent home as soon as possible.
 - b) We will clean and disinfect any surface areas where you worked or touched in accordance with CDC cleaning guidelines. Our primary focus is on your wellbeing, however, and we will assist you in making arrangements to go home to quarantine, arrange testing and/or to seek the services of a health care provider as necessary. Please refer to the CRIT Policy Related to COVID-19 Exposure in the Workplace or BWRC COVID-19 Policy for further guidance on exposure and quarantine requirements.

E. Exposure or Potential Exposure

- 1) If you do not exhibit symptoms, but have been exposed by a coworker or close contact¹ who is positive or shows COVID-19 symptoms and are waiting for test results inform your Department Head/Enterprise Manager if you have been or may have been exposed outside of the workplace. Please refer to the CRIT Policy Related to COVID-19 Exposure in the Workplace or BWRC COVID-19 Policy for further guidance on testing and quarantine requirements.

F. Other Requirements

While on Tribal property, all employees must:

- 1) Wash hands frequently and vigorously for at least 20 seconds, including when you arrive at work, before and after you leave for breaks, after using the bathroom, before and after you eat or drink or use tobacco products, and after you touch any surface that you suspect might be contaminated. If hand washing facilities are not available, use hand sanitizer that is comprised of at least 60% ethanol or 70% isopropanol.
- 2) Maintain a distance of at least six feet from others at all times while at work except where the duties of the positive prevent such distance.
- 3) For any employee who is unvaccinated against COVID-19 for any reason, wearing a mask is mandatory at all times while on Tribal Property, unless you have a medical condition, documented by your physician, that prevents you from wearing a mask. In such cases, we will work with you to attempt to determine a reasonable accommodation.
- 4) Vaccinated employees are not required to wear a mask unless they have been exposed to a person who tested positive for COVID-19. Please refer to the CRIT Policy Related to COVID-19 Exposures in the Workplace or BWRC COVID-19 Policy for further guidance on testing requirements.
- 5) Do not touch your eyes, nose, or mouth after you have touched surfaces in public areas of the workplace and have not yet been able to wash your hands.
- 6) If using a cloth mask, make sure to store your cloth mask properly and wash it regularly to keep

it clean. Consider having more than one mask on hand so that you can easily replace a dirty mask with a clean one. Make sure to remove your mask correctly and wash your hands after touching a used mask. Masks are a critically important tool for reducing the transmission of COVID-19 because recent studies indicate that the virus is often spread through droplets and aerosols in the air as a result of breathing, talking, coughing, or sneezing.

We are making every effort to comply with all applicable laws and to take necessary steps to protect the safety of our employees and members. We ask that each of you take your responsibilities under this Policy seriously and comply with these requirements. Failure to comply with this Policy may result in discipline up to and including termination in the most serious cases. However, it is our hope that will not become necessary and that we will all take steps to protect each other consistent with this Policy.

¹ Close Contact may include family member, coworker, roommate, significant other, friend, neighbor, or someone who was within 6 feet of an infected person for a cumulative total of 15 minutes or more over a 24-hour period* starting from 2 days before illness onset (or, for asymptomatic patients, 2 days prior to test specimen collection) until the time the patient is isolated.