

# Discalced, Inc. / Mark Morris Dance Group

## Safety Policy: COVID-19 Vaccination

### Introduction

The World Health Organization (WHO) declared COVID-19 a pandemic on March 11, 2020. Over a year later, effective July 20, 2021, the Secretary of the United States Department of Health and Human Services, renewed the public health emergency in effect nationwide. Though ongoing vaccinations and improved treatments have reduced the overall threat of COVID-19, the pandemic continues. As COVID-19 is a relatively new disease, we are still learning how it spreads, the severity of short-term and long-term illnesses that it causes, and how best to work, perform, interact with the public, and remain healthy as a dance organization.

As the Centers for Disease Control and Prevention (CDC) has explained, the main way the virus spreads is from person-to-person through respiratory droplets when people cough, sneeze, or talk. You may also be able to get COVID-19 by touching a surface or object that has the virus on it, and then touching your mouth, nose, or eyes. The virus can also be spread by people who are not experiencing any symptoms. There are several factors intrinsic to our work -- indoor versus outdoor activities, meetings, equipment use, dance practice, rehearsals, classes, and performance -- that carry a heightened risk of COVID-19 exposure and transmission.

Although current federal and state regulations and executive orders now allow us to resume operations and indoor performances in New York and other locations, we must adhere to the limits and controls established by guidance provided by the CDC, the federal Occupational Safety and Health Administration (OSHA), and local and state public health and safety authorities.

As new variants of the virus emerge, including the prevalent Delta variant, there remains an ongoing substantial threat to employee, independent contractor, and guest health. The virus has the potential to be more transmissible and more severe, magnifying the threat to others, especially those at an increased risk for severe illness, including, but not limited to elderly adults, people of any age with underlying health conditions, and those who are unable to be vaccinated. We believe that the vaccines are the most effective tool against the spread of Covid-19 and to combat the variants.

For these reasons, Discalced, Inc /Mark Morris Dance Group (MMDG) has adopted a policy of mandatory vaccination. The purpose of this policy is to minimize infection and transmission of COVID-19 in the workplace by providing occupational protection to employees and thus preventing transmission to you, your family, and your co-workers.

The health and safety of our employees, their families, and members of our community is the priority. Following the CDC's guidance, we are requiring that all employees, independent contractors, and temporary workers, including all touring personnel, who perform in-person work for MMDG must be fully vaccinated (i.e. it has been at least 2 weeks since receiving a single-dose vaccine (such as Janssen (Johnson and Johnson)), or at least 2 weeks since receiving the second dose of a two-dose vaccine (such as Pfizer-BioNTech or Moderna)). COVID-19 vaccination is mandatory for our workplace and in-person meetings and events and is a condition of continued employment with MMDG (unless an exception applies as described below). This requirement is subject only to limited exceptions where legally mandated, but only if possible to maintain safety from the direct threat of COVID-19 while being unvaccinated. This policy went into effect as of September 20, 2021.

Effective January 3<sup>rd</sup>, 2022, all employees must be boosted (i.e. a booster shot was received 2 months after receiving a single-dose vaccine (such as Janssen (Johnson and Johnson)), or 5 months after receiving the second dose of a two-dose vaccine (such as Pfizer-BioNTech or Moderna)) in order to be considered fully vaccinated.

We will continue to monitor and assess applicable health and safety directives and guidance regarding COVID-19 as that information evolves. This policy is subject to change and modification at any time, in the sole discretion of MMDG. Any and all changes will be communicated via email and posted on our standard channels and websites.

We want to clearly affirm that your decision to get a COVID-19 vaccine is a personal one and is completely voluntary. However, vaccination will be required for anyone to continue to work in-person as an employee or contractor for MMDG (see Remote Work Policy), with the exception of those who have an authorized exemption provided by law and as described further below (see Exemptions).

## General Implementation Protocols

Except as set forth below in the section titled “Exemptions,” all employees must (1) be fully vaccinated against COVID-19 (i.e., two weeks following a booster shot considered effective by the CDC and/or the WHO), and (2) provide MMDG with proof of vaccination with booster, either by (i) January 3<sup>rd</sup>, 2022, or (ii) on or before their initial start date, whichever is later.

Employees with questions or concerns about the vaccine should review the following resources:

- [COVID-19 Vaccination FAQs from the CDC](#)
- [COVID Know More from the NAACP](#)
- [COVID-19 Vaccine Hesitancy: 12 Things You Need to Know from Johns Hopkins](#)

In addition, MMDG’s medical advisor, Mark Horowitz, MD, is available to discuss, confidentially, any concerns about the virus or vaccines. [mhorowitz@familymednyc.com](mailto:mhorowitz@familymednyc.com)

MMDG’s Employee Assistance Provider, CCA, can provide support and counseling around vaccine hesitancy. Visit the [www.myccaonline.com](http://www.myccaonline.com) for more information and resources.

Employees based in and around New York City can find vaccination sites by using the [NYC COVID-19 Vaccine Finder](#) or scheduling an at-home vaccination through the [Vaccine Command Center](#). MMDG’s medical advisor, Mark Horowitz, MD, is also available to administer vaccinations (Moderna or Johnson and Johnson) onsite at the Dance Center for those who desire the convenience. This service can be arranged by contacting Julia Weber at [julia.weber@mmdg.org](mailto:julia.weber@mmdg.org).

For employees outside of the New York City area, you can find a vaccination site through the [CDC](#). If an employee needs assistance in scheduling a vaccination appointment, please contact Rebecca Hunt at [rebecca@mmdg.org](mailto:rebecca@mmdg.org).

Proof of vaccination (photo of vaccination card with the booster shot data) must be uploaded via the Ascentis HR portal. Instructions will be sent to all employees via email. Documentation should only include proof of vaccination and no other medical or genetic information (e.g., family medical history).

Individuals who (i) are not a current employee or contractor as of the September 20, 2021 enactment of this policy and are engaged by MMDG thereafter, (ii) do not fulfill the requirements of this policy on

or before the initial start date of their engagement, and (iii) do not qualify for an exemption will have their conditional offer of employment / contractor status revoked, and they will not be employed or engaged by MMDG.

Employees and those already engaged by MMDG as of the September 20, 2021 enactment of this policy (i.e., they are a current employee or contractor), (b) do not fulfill the requirements of this policy within the time frame specified, and (c) are not eligible for an exemption from this policy may be placed on unpaid leave as a grace period until they can demonstrate that they have met the requirements and/or MMDG otherwise determines that their engagement with MMDG can no longer practically continue.

An employee who has timely requested and has been granted an exemption pursuant to the section below shall be considered to have met the requirements of this policy.

## Exemptions

Any employee who cannot receive a COVID-19 vaccination because of a qualifying disability or sincerely held religious belief should contact Rebecca Hunt at [rebecca@mmdg.org](mailto:rebecca@mmdg.org) to request an accommodation as soon as possible and no later than September 20, 2021 to avoid being noncompliant with this policy. MMDG will assess whether such employees are eligible for an exemption from the vaccination requirement in accordance with MMDG's policy as well as applicable federal, state, and local law. Any medical information obtained in connection with a request for a reasonable accommodation will be kept confidential in accordance with and to the extent required by applicable law, regulations, and guidance.

Those who are exempted from being vaccinated against COVID-19, as well as those who have received a vaccine that the CDC and/or WHO has not determined to be effective, will be required to undergo COVID-19 testing as recommended by public health authorities and MMDG's medical advisors in order to access the worksite.

If your exemption is approved, documentation of the exemption must be uploaded via the Ascentis HR portal.

## Time Off for Vaccination

All employees are eligible for up to four (4) hours of paid leave to receive each dose of the vaccine received during working hours. If the employee must be absent during work hours to receive and/or recover from any side effects of receiving the vaccine, the employee must notify their manager at least twenty-four (24) hours before the start of their shift or workday, if practicable. This time off is in addition to an employee's existing paid time off plan and employees do not need to use their current sick leave.

## Additional Information

This policy is an essential component of MMDG's overall strategy and commitment to maintaining a safe and healthy workplace during the COVID-19 pandemic. This policy is designed for use together with, and not as a substitute for, other safety measures to prevent the transmission of COVID-19 in the workplace. Please reference our [full safety plan](#).

Policies and guidelines for students, renters and visitors to the Mark Morris Dance Center will be addressed via a separate policy. This policy will remain in effect until further notice. Any questions regarding this policy should be directed to Rebecca Hunt at [rebecca@mmdg.org](mailto:rebecca@mmdg.org).