

**Memorandum of Understanding
By and Between
Franklin Pierce Education Association
and
Franklin Pierce Schools**

This MOU is in addition to the August COVID MOU that is posted online at:

https://resources.finalsite.net/images/v1609896616/fpschoolsorg/simm13dhxbcvgmh7t1r/FPEARTWMOUsigned_1.pdf

Reaffirmation of Safety Protocols. The District and Association reaffirms its commitment made in the August 2020 Memorandum of Understanding that states, *“District wide health and safety protocols will be designed to comply with guidance of all applicable public health agencies. Strict compliance with all relevant District safety and health rules will be an essential function of each employee’s job.”* Building Specific Safety Plans and COVID-19 Reporting Protocols will be emailed to all staff.

Vaccine Release Time. Staff will endeavor to obtain COVID-19 vaccinations outside the workday. Evaluators are authorized to work with staff to provide appropriate release time for COVID-19 vaccinations as feasible, and if needed. Employees who are granted Release Time will need to provide proof of receipt of a dose of the vaccine. The verification must identify the employee’s name, the date and time when the vaccine dose was administered, and if the employee has completed the vaccination regimen or requires an additional dose. If the vaccination receipt provides any other information pertaining to the employee’s health condition, the employee may redact that information on the receipt.

Building-Related COVID/Quarantine Leave. An employee is eligible for up to 10-days of paid District COVID leave if the employee is not able to meet their job responsibilities remotely. The leave must be as a result of contracting COVID-19 on-site or quarantine as a result of on-site exposure. The determination of on-site exposure for both cases will be determined by the Tacoma-Pierce County Health Department (TPCHD). This provision does not entitle the recipient to more leave than required to quarantine by the TPCHD.

Educators with Higher Risk Considerations Not Assigned a Fully Virtual Position:

The Association and District acknowledge that certificated educators identified as higher-risk according to the Centers for Disease Control (CDC) or living with individuals identified as higher-risk were prioritized for all available virtual assignments at the start of the 2020-2021 school year as agreed upon in the MOU Regarding Impact of the Pandemic of Coronavirus for the 2020-2021 School Year. It is further recognized that because of multiple factors, including regular job assignments and enrollment, not every employee who requested a fully virtual assignment was able to be assigned to one. For the remainder of the 2020-2021 school year, work accommodations for qualifying employees will be offered to the extent possible in consultation between the employee, the employee's supervisor, and human resources through the COVID-19 Medical Accommodation Form. Priority for consideration in work accommodations will be given to employees in the following order:

1. Certificated educators in a high-risk category as defined by the [Centers for Disease Control](#) that did not receive a fully virtual assignment or that have entered a high-risk category since the beginning of the 2020-2021 school year.
2. Certificated educators who did not receive a fully virtual assignment and live with or care for immediate family members who are at high risk as defined above, including those living in multi-generational households with family members aged 60 or older.

For all educators identified above, the following accommodations will be available for the remainder of the school year or until the effective date of any COVID-19 vaccine made available to the employee, **whichever occurs first**, regardless of whether the employee chooses to accept the vaccine.

Accommodations may include but are not limited to:

1. In-person workplace modifications, for example: Additional HEPA filters provided for the educator's workspace, higher grade air filters for workspace, plastic shields/barriers provided for workplace separations, or other accommodations as recommended by the employee's medical provider.
2. Specific mitigation measures responding to an employee's individual situation, for example: Higher grade PPE provided for the employee such as faceshields and KN-95 mask (or higher-rated PPE as warranted by the employee's assignment), specific limits to potential exposures in the workplace such as limiting interactions with other adults and/or children, preferential workspace location, etc.
3. In extraordinary circumstances and/or if necessary to avoid negative impact on the instructional program, specific assignment to perform duties in a mutually agreed upon remote setting, for example: Educators instruct and/or conduct work duties remotely while students are supervised in-person at the school site, etc.


Those employees who do not meet the criteria for High Risk as defined by the [Centers for Disease Control](#) may apply for individual accommodations through the COVID-19 Medical Accommodation Form. Each will be considered on a case-by-case basis.

An employee whose assignment requires work at a District work site and who does not feel the accommodations mentioned above meet their needs and/or are still concerned about their safety may choose to use their Personal Leave and/or request an unpaid leave of absence for the remainder of the 2020-2021 school year.

The District will continue to review current public health data, inclusive of regional and District-specific data, and may delay bringing back a grade level if warranted by conditions at each step of reopening.

Agreed to this 8th day of February, 2021.

FOR THE ASSOCIATION FOR THE DISTRICT



Pam Kruse, President—FPEA



Lance Goodpaster—Franklin Pierce Schools