

CORONAVIRUS DISEASE 2019 (COVID-19)

Staffing Vaccine Clinics During the Public Health Emergency



Audience: CHROs, Vaccine Clinic Coordinators

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COVID-19 Response Team Owner: Planning

Purpose

The purpose of this document is to provide guidance for Health Ministry (HM) Human Resources teams and Vaccine Clinic Coordinators for staffing COVID-19 vaccine clinics (Clinic(s)) during the Public Health Emergency (PHE). The options available in this guidance are limited to vaccine clinic sites, whether on site at an HM or an off-site mass vaccination Clinic administered by an HM, and only during the PHE. These options are not to be utilized in any other location in the HM, and they end as soon as the PHE ends.

Guidance:

I. Staffing of the Clinics:

- A. Volunteers:** Defined as individuals who are not employed by any Trinity Health HM.
- a. Volunteers must have proof of a flu vaccine or complete a medical/religious exemption.
 - b. Any volunteer administering vaccines must provide clinical qualifications and proof of, or undergo, training on vaccine administration for the applicable vaccine prior to assignment as a vaccinator.
 - c. Providers who are otherwise required to be credentialed to provide their particular scope of practice are limited to vaccine administration only in the Clinics. Physicians and Advanced Practice Providers (APPs) are not permitted to enter orders in the EMR or give verbal orders at the Clinics.
 - d. The Fair Labor Standards Act (FLSA) regulations contain an exception for individuals who undertake volunteer activities for non-profit organizations for their own "personal, civic, charitable, humanitarian, religious, or public service reason." The work involved with volunteering to administer the COVID vaccine is humanitarian in nature, conducted for the general public, as well as non-commercial. Therefore, under the FLSA, engaging volunteers such as retired clinicians to administer the COVID vaccine is permissible, particularly under the present circumstances, provided the following guidelines are met:

- Volunteers must perform duties without expectation of any compensation. This includes the provision of nominal fees or rewards for their services. Even non-cash items may be construed as compensation.
- Volunteers should also acknowledge understanding that they are not an employee, are not eligible for compensation or employee benefits, and that their status as a volunteer is not a step toward employment.

B. Term/Temporary Colleagues: HMs may choose to utilize term/temporary colleagues to staff the Clinics and may use the options below to expedite their onboarding. Hiring of term/temp clinical staff is limited to those clinical staff who do not require credentialing through the medical staff credentialing process.

1. Expedited Onboarding. Recognizing the need for expedited hiring to staff the Clinics, HM may choose to utilize the following processes for onboarding only the group of colleagues described in this section B:
 - a. Background Check: Term/Temporary colleagues may begin work in their position in the Clinic pending receipt of the full background check **ONLY IF:**
 - i. The OIG Excluded Person list is checked first by HR or the background check provider and any excluded or sanctioned individuals are disqualified from consideration under the standard process, and
 - ii. The Term/Temporary applicant has responded to the following questions in writing (including electronically) and the HM has determined the answers do not require additional information from the completed background check:
 - Are there any criminal charges pending or being considered against you?
-If yes, state the charge(s) pending and the Name and Location of the Court in which pending.
 - Have you ever been convicted of a misdemeanor or a felony? (Do not answer yes if the conviction involved a crime for which the records have been judicially ordered sealed, expunged, or statutorily eradicated (e.g., juvenile offense records that have been sealed).
 - If yes, state circumstances, place(s), date(s).

Please include felonies, misdemeanors, nolo contendres, and withheld judgements. DO NOT include crimes adjudicated in juvenile proceedings. Note: Answering "yes" to this question WILL NOT automatically disqualify you from consideration. Misstatements and/or omissions on this question may disqualify you from consideration.
 - iii. If the HM determines that the applicant's answers to the above questions require additional information from the completed background check, the onboarding process should be paused until the results of the background check are received, reviewed and dispositioned pursuant to the standard process.
 - iv. A Term/Temporary colleague's continued employment in the Clinic is contingent upon receipt and retention of the results of a satisfactory background check.

- b. Drug Screen: Term/Temporary colleagues may not start work in their position in the Clinic until the drug screen result is received. If crisis staffing becomes required as the result of drug screen wait times longer than seven days, HMs may start a term/temp colleague in the clinic pending the outcome of the drug screen.

All other HM requirements for onboarding colleagues and volunteers remain unchanged. This includes but is not limited to signature of confidentiality agreements, proof of immunizations (including the flu shot) or medical/religious exemption, and primary source verification of licensure (if applicable). HIPAA training is also required; however, this [overview presentation](#) and [tips sheet](#) may be used in lieu of the HealthStream module. HMs who choose this option should maintain a log with signatures affirming receipt and understanding of the information.

2. Transfer to positions outside the vaccine clinic. Term/Temporary colleagues who are hired into the Clinic must have all new hire requirements for regular positions in the HM satisfactorily completed prior to being eligible to transfer to positions outside the Clinic.

C. Compensation:

Colleagues currently employed by Trinity Health who staff a Trinity Health supported vaccine clinic must be compensated as detailed below:

- o Non-exempt staff who volunteer to work extra shifts to staff a Clinic must be paid in accordance with their hourly rate of pay and HM policies and procedures regarding pay, including overtime compensation.
- o Exempt staff who volunteer to work in a Clinic do not require additional compensation, but block pay may be provided for exempt colleagues under certain circumstances. Please also see Guidance for Redeploying Exempt Colleagues distributed to CEOs, CFOs and CHROs on 11-19-20.
- o If colleagues are shared across multiple Trinity Health ministries, such as a colleague on the System Office payroll staffing the vaccine clinic at a local ministry, the Primary Employer Policy and associated procedures should be followed and the Primary Employer should be maintained as the payroll company of record.

II. Additional Considerations for Employed Colleagues Assigned to Clinics:

A. Staffing

- For re-deployed team members, review physical demands and essential functions in job description to determine if any modifications or accommodations are needed.
- Plan for breaks, restrooms, meal periods, nursing mothers, etc., in accordance with state and federal requirements.
- Consider utilizing team members who have restricted duty (STD, LTD, WC), if appropriate. Consult with Employee Health and Leave Partner prior to making such assignments. Review the descriptions for [RN/MA](#) and [clerical/registration](#) roles. Note the physical requirement sections at the end of each document.
- Consider returning colleagues from severance or furlough, as volunteers or employees. Consult local employment legal counsel (EPG group) to review options. In general, former employees currently receiving severance benefits can "volunteer" to work in COVID vaccine clinics through the cooperation clause in the severance agreement. In other words, the severance payment is their "pay" for assisting with the vaccine administration, so these colleagues technically would not be "volunteering." (This may require an addendum to the current severance agreement documents, and EPG counsel should be consulted to review the severance agreement provisions).

B. Travel time

- Refer to travel policy regarding payment for commute time, mileage and parking, paying particular attention to any impact on non-exempt colleagues.
- Consider impact to colleagues who may rely on public transportation.

C. Benefits

- Consult with Total Rewards Benefits & Well-being, Payroll and Risk Management teams if the vaccination location is different than an existing Trinity Health location and / or if colleagues are traveling outside of their normal work location (county, city, etc.) as there may be tax, insurance, or paid leave considerations.
 - Paid leave requirements can sometimes be city or municipality specific.