

May 25, 2022

**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN THE PALOMAR COMMUNITY COLLEGE DISTRICT &**  
**THE PALOMAR FACULTY FEDERATION**

This Memorandum of Understanding (“MOU”) is entered by and between the PALOMAR COMMUNITY COLLEGE DISTRICT (“District”) and the PALOMAR FACULTY FEDERATION (“PFF”), collectively “the parties.”

The parties agree to the following in relation to the sunseting of the COVID-19 facial covering and vaccination requirements on May 31, 2022:

1. In order to help ensure the safety of employees returning to campus, the District acknowledges its statutory obligation to provide a reasonably safe working environment in conformance with COVID-19 guidelines issued by the Centers for Disease Control and Prevention (“CDC”), the California Department of Public Health (“CDPH”), the California Chancellor of Community Colleges Office (“CCCCO”), the California Department of Industrial Relations Division of Occupational Safety and Health (“Cal/OSHA”), the District’s COVID-19 Recovery Plan, and the San Diego County Department of Health and Human Services, as well as other health orders from state and local public health officers. These guidelines may include, but are not limited to, items such as maximum occupancy of classrooms; physical distancing requirements; screening of all persons coming on campus by District-trained personnel; limits on the number of classes/students allowed on campus and within each building at any given time; limits on hallway and bathroom use; cleaning and disinfecting requirements; tracing and notification of exposure; ensuring the appropriate open ventilation and air circulation; and the provision of personal protective equipment (“PPE”) for staff and students.
2. The District will continue to provide facial coverings, N-95 respirators, personal protective equipment (PPE), portable air filtration systems, and other requests such as the installation of acrylic barriers. Such requests may be made via email to [FacilitiesRemedy@palomar.edu](mailto:FacilitiesRemedy@palomar.edu). Any safety concerns about the work environment should be brought to the immediate attention of the appropriate administrator and fill out the Hazard Identification Form: [Hazard Identification Form – Facilities Department \(palomar.edu\)](#).
3. Faculty with their own qualifying medical conditions may engage the accommodation process which shall be held in accordance with the provisions of Section VI Accommodations Process of the attached Vaccination and Immunization Plan, the Americans with Disabilities Act (ADA), Title VII of the Civil Rights Act, the Fair Employment and Housing Act (FEHA), and all other applicable state and federal laws.

The District is obligated to meet with faculty with vulnerable household members to discuss individualized accommodation consideration such as remote worksites or alternative classroom environments.

4. Faculty who miss work, to a COVID-19 exposure, or positive COVID-19 test, may utilize the following leaves in lieu of using personal leave:
  - a. COVID-19 Paid Sick Leave – this state-provided benefit offers up to 80 hours of leave to care for yourself, for vaccination related issues, and for family member care. Details of the program can be found by following this link: [2022 COVID-19 Supplemental Paid Sick Leave Effective February 19, 2022 \(ca.gov\)](#). This leave expires on September 30, 2022. The District will inform the campus community of any extension of this program.
  - b. Exclusion Pay – An employee who was excluded from work because of a workplace COVID-19 exposure will receive Exclusion Pay if: (1) the employee was not assigned to telework during the time; and (2) the employee did not receive Disability Payments or Workers' Compensation Temporary Disability Payments during the exclusion period. This leave is available until removed from the Cal/OSHA Emergency Temporary Standards.
5. The District will provide signs upon request for classrooms and common areas stating that facial coverings are highly recommended. Following guidance from the US Secretary of Education, the District may determine it is necessary for faculty or students in a particular class to mask indoors depending on the specific health needs or disability of an individual faculty member or student in the class.
6. The District will continue to provide faculty with antigen testing kits upon request. Such requests may be made via email to [FacilitiesRemedy@palomar.edu](mailto:FacilitiesRemedy@palomar.edu). Antigen tests will be available via pickup onsite or intercampus mail.
7. The District will ensure that communication is clear to all faculty members about the health and safety conditions planned for Spring 2023 and future semesters BEFORE staffing/scheduling of those semesters is complete. The parties agree that the endemic remains fluid and while changes to safety conditions may be required, the District will communicate these changes as soon as practical and in good faith.

The District agrees to negotiate changes in working conditions in the event that direction from the CDC, CDPH, Cal/OSHA, or any other relevant agency requires the District to change its facial covering or vaccine requirement enforcement.

This MOU is non-precedent setting.

Dated: May 25th, 2022

*David Joseph Montoya III*  
David Joseph Montoya III (May 25, 2022 14:13 PDT)

David Montoya  
Assistant Superintendent/Vice President, Human  
Resource Services

Dated: May 25th, 2022

*Jenny Fererro*

Jenny Fererro  
Lead Negotiator, PFF

Dated: May 25th, 2022

*Teresa LC Laughlin*

Teresa Laughlin  
Co-President, PFF

Dated: May 25th, 2022

*Barbara Baer*  
Barbara Baer (May 25, 2022 14:33 PDT)

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Co-President, PFF











# PCCD-PFF MOUreVaccineandMasks (5.25.22) FINAL

Final Audit Report

2022-05-25


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