

MEMORANDUM

To: CLA Board of Representatives
From: Tricia Horan and Ellen Miller, Interim Co-Executive Directors
Re: Proposed Revisions to CLA's COVID Policy
Date: October 15, 2021

Background:

At the August Board meeting, the Board approved the following revised COVID policy to address all in-person meetings:

As a part of the registration process to hold this CLA meeting in person, every attendee is required to affirm their commitment to comply with the in-person meeting guidelines. Please review the requirements carefully prior to registering for the meeting. You will be asked to accept the following affirmations during the registration process:

- By registering for and attending the meeting, I affirm that I will comply with all CDC, federal, state, and local laws, orders, directives, and guidelines related to COVID-19 and attending a large gathering.
- By registering for and attending the meeting or any event related to the meeting, I affirm that I have read and will comply with CDC guidance related to hand sanitation, social distancing, and use of face coverings for my vaccination status. I affirm that I will follow any more stringent state, local, or venue requirements regarding hand sanitation, distancing, or face coverings in place at the location of the meeting at the time of the meeting.
- I will also follow all travel restrictions in place at the location of the meeting and my point of origin at the time of the meeting.
- I will not attend the meeting if I have tested positive for COVID-19, am experiencing symptoms of COVID-19, or have been in close contact with someone who has COVID-19. If at any time I begin to experience symptoms of COVID-19, or am in contact with someone experiencing symptoms, I will immediately leave the meeting and inform CLA.
- I understand no guests under the age of 12 are permitted at the meeting.

- If I bring a guest to the meeting or any event related to the meeting, I affirm that I will communicate the above listed requirements to each guest and secure each guest's agreement to abide by the guidelines for their vaccination status.

The policy was based on a policy developed by the ABA as the nation's largest convener of law related meetings and educational programs and their counsel would need to address multiple jurisdictional issues.

At the time CLA's Board adopted the policy, we agreed to revisit as needed as additional information became available.

Proposed Change:

This week, we learned the ABA just revised its policy to now require either proof of vaccination or negative COVID test for all live meetings and that another statewide group is moving in a similar direction. In addition, we have now heard from three CLA sections who are asking for a stronger policy that would require proof of vaccination for either in person educational or executive committee meetings.

To illustrate the issue, the Tax Section's annual conference is scheduled to take place in San Diego November 3-5. Several government speakers and attendees have indicated they will not attend the meeting unless proof of vaccination or negative COVID test is required. Our current policy follows the requirements of the local jurisdiction, and San Diego County does not have a mask mandate, or a proof of vaccination or negative COVID test requirement. Had the meeting been scheduled for San Francisco, there would be a mask mandate and a proof of vaccination requirement. To further illustrate the challenges with our current policy, at least one section is trying to plan its executive committee meetings in locations that have stronger requirements in place to address the health and safety concerns of their ex comm members.

Finally, since the Board approved the policy in August, all federal workers are now required to be fully vaccinated by November. This change in federal policy is likely having an impact on practice; we see more employers require a vaccination and more association events require either proof of vaccination and/or negative COVID test.

Given these changes and to be as responsive as possible to the varying needs of the organization, we recommend a change in COVID policy to require either proof of vaccination or a negative covid test for all in-person meetings. Below is a redlined policy that outlines the changes:

This Proposed Redlined Policy:

In accordance with state and local health and safety guidelines, all in-person meeting attendees will be required to show proof of full vaccination (at least two weeks after the last dose) or a negative COVID test (PCR and antigen tests, including rapid tests, are all acceptable within 3 days of entry into the meeting or event (unless a shorter interval is required by law). Test results must be from a test provider or laboratory and show the patient's name, type of test performed, date of test and negative test result. Acceptable proof of a negative COVID-19 viral test result: a printed document (from the test provider or laboratory) showing test result or an electronic test result (email, text message, or mobile application record) displayed on attendee's phone or mobile device. You may find a local testing site here: <https://covid19.ca.gov/get-tested/>. Along with proof of full vaccination or negative COVID-19 test, the attendee must allow show valid identification establishing proof of identity. If the local jurisdiction mandates stricter requirements for attending events or meetings (i.e., fully vaccinated persons only), CLA will follow the local jurisdiction's guidelines in accordance with applicable laws.

As a part of the registration or RSVP process to hold this CLA meeting in person, every attendee must also affirm their commitment to comply with the in-person meeting guidelines and accept the following affirmations during the registration or RSVP process:

- By registering for and attending the meeting or any event related to the meeting, I affirm that I have read and will comply with CDC guidance related to hand sanitation, social distancing, and use of face coverings for my vaccination status. I affirm that I will follow any more stringent state, local, or venue requirements regarding hand sanitation, distancing, or face coverings in place at the location of the meeting at the time of the meeting.
- I will also follow all travel restrictions in place at the location of the meeting and my point of origin at the time of the meeting.
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Administration of Policy:

At in-person educational conferences and events: Security officers will be hired to check documentation prior to any one receiving name badge or other attendee information.

At in person ex comm meetings: proof of vaccination or negative covid test must be checked by either the chair or the staff manager prior to entering the meeting room. Any attendee who does not provide this will not be allowed in the meeting room and may participate by Zoom

No copies or emails showing proof of vaccination or negative covid test will be collected or maintained by CLA.

