

VACCINE MANDATE PROTOCOL - NYC

Overview

Vaccine requirements have been established for NYC stores beginning December 27th, 2021. This document details the requirements.

Team Member Vaccination Status

Beginning on December 27, 2021, all part-time, and full-time Team Members, including those who are seasonal, who work in Michaels stores in the five boroughs that comprise New York City must provide proof of vaccination against COVID-19. Team Members should not be allowed to enter the workplace if they cannot provide such proof unless a religious or medical accommodation applies. Note that this vaccine mandate is separate and apart from the New York state mask mandate; both must be adhered to while operating in the covered areas as referenced below.

Action Required

Store Managers must affirm all Team Members Vaccination Status - New York City Stores

Store Managers must ensure that all Team Members provide proof of vaccination electronically.

- Team Members are required to be vaccinated against the COVID-19 virus or have an approved disability/medical accommodation or religious accommodation.
- Team Members are considered fully vaccinated after receiving their second shot of Moderna or Pfizer, or one dose of Johnson & Johnson.
 - If a Team Member submits proof of only one dose of a two-dose vaccine by December 27, 2021, that is acceptable, but the mandate requires that the Team Member must provide proof of the second dose within 45 days.
 - If the Team Member cannot provide proof of the second dose, the Team Member must be removed from the schedule and excluded from the workplace until they can provide proof of the second dose.
- Vaccination status must be submitted by each Team Member electronically.
 - Proof of vaccination must be submitted via www.MIKBenefits.com.
 - Team Members will also be provided a QR code which will be conspicuously posted at a designated location in each store.
 - This code is available for printing on page three of this document. Print and post:
 - At the Temperature Check Station
 - In the Breakroom
 - In the Office near the computers
 - Instructions on submitting proof of vaccination is available on www.MIKBenefits.com.
 - By December 27, 2021, existing Team Members must submit proof of vaccination or a written request for a religious or medical accommodation.
 - Documentation may be submitted at work using a Michaels computer. Any time spent completing this task is compensable.
 - New Team Members will be asked to submit this information as part of the on-boarding process on day one.
 - All new hires must be advised of mandatory vaccine policy before they enter any Michaels building. Hiring Managers must explain to all new hires that they will be sent home if they cannot provide proof of vaccination (no grace period).
 - If the new hire turns in a request for an accommodation, please contact your Human Resources partner and let them know the new hire knows that we will reach out to them directly to discuss accommodations.
 - The Store Managers will receive a report daily of Team Member vaccination status.
 - Information in this report is considered confidential and will be treated as such. Any conversations with Team Members regarding their status are to be held in areas where others are not able to overhear.
 - Review the FAQs below for answers to common questions.

Signage

- Store Manager must complete and post in a conspicuous location the following:
 - **Affirmation of Compliance With Workplace Vaccination Requirements** signage, created by the NYC DOHMH in each New York City store by December 27, 2021, affirming that we are in compliance with the Order. A copy of this affirmation is attached to this document and may also be provided by NYC Officials.
 - Certification is to be signed and posted after the Store Manager confirms all Team Members are vaccinated (or reasonable accommodation requests) by December 27, 2021.

Reasonable Accommodations

Team Members must request a medical or religious accommodation to the NYC vaccine mandate by December 27, 2021.

- Reasonable accommodations may be granted only for documented medical conditions or for sincerely held religious beliefs.
- Team Members who submit accommodation request on or by December 27, 2021 may continue working while the reasonable accommodation request is pending.
- If Team Member does not submit an accommodation request on or by December 27, 2021, they must be taken off the schedule until they comply with the requirements of either being vaccinated, or by submitting an accommodation request.
- Any accommodations requested after December 27, 2021, whether related to the NYC vaccine mandate must be submitted using the form found on MIKBenefits.com.
- All other reasonable accommodation requests that are unrelated to vaccinations will still be handled at the store level.

VACCINE MANDATE PROTOCOL - NYC

New York State Paid COVID Vaccine Leave Law

- Team Members will continue to receive benefits in accordance with the [NY COVID-19 Paid Sick Leave Law Memo](#).
 - Michaels must provide up to four hours of paid leave to each for each Team Member for each vaccine injection, not to exceed a total of eight hours (12 hours total if receiving a booster from a two-dose vaccine).
 - For employees receiving the authorized Moderna and Pfizer vaccinations, each of which requires two consecutive doses weeks apart, the new leave law requires employers to grant up to 12 hours of total leave for vaccination (up to four hours on two different occasions for a two-dose vaccine plus the booster).
 - For the Johnson & Johnson vaccination, which is administered in a single shot, an employee would only be entitled to one four-hour leave period, plus an additional four hour leave period for any booster.
 - Michaels must pay the employee his/her regular rate of pay; and cannot deduct this time from any other type of leave.

FAQs

Question	Answer
How long is the vaccination status valid for?	<ul style="list-style-type: none"> • Once A Team Members' completed vaccination status has been verified, additional vaccination documentation is not required unless required by local, state/provincial, federal law, or by Michaels.
Is sharing vaccination status a violation of HIPAA law?	<ul style="list-style-type: none"> • No, this is not covered by HIPAA. The ADA requires an employer to maintain the confidentiality of employee medical information. Like all medical information, vaccination information must be kept confidential and stored separately from the employee's personnel files under the ADA.
Who does a store contact if City Inspectors visits the store to request records and ensure compliance?	<ul style="list-style-type: none"> • Managers on Duty may provide officials the records they have access to in order to provide compliance information. Otherwise, Managers need to request additional information to their respective HR Business Partners. • Managers on Duty should also immediately notify Human Resources AND Legal if a City Inspector arrives in the store.
Are Stores required to confirm vendors provide proof of vaccination?	<ul style="list-style-type: none"> • Unless a vendor is in and out of the store for a quick, limited purpose (i.e.: a delivery or other purpose that lasts less than 10 minutes), stores are required to confirm a vendor's vaccination status. • This can be done by contacting the vendor's employer and getting a verbal confirmation. • The person requesting the verification should document the vendor's name, vaccination status and employer's name. • They should also document the name and title of the person with whom they spoke to obtain the verification and the date and time they obtained the verification.
Does this law apply to minors?	<ul style="list-style-type: none"> • Yes, minors are also required to provide proof of vaccination.
How will a Store Manager be notified of an accommodation?	<ul style="list-style-type: none"> • Store Managers will receive an email that Team Member has an accommodation. • A daily report will also be sent to the Store Managers email notifying of exempt Team Members.
What is the weekly deadline for negative test submission?	<ul style="list-style-type: none"> • The deadline to submit a negative COVID test is Saturday at 12pm EST. • This allows Stores time to potentially cover the shifts on the upcoming schedule of any Team Member that has not submitted a test or tested positive for COVID.
How many days in advance of the deadline can a vaccine test result be submitted?	<ul style="list-style-type: none"> • The ability for Team Members to upload testing results to VRS will start at 5pm EST on Thursday through the deadline of Saturday 12pm EST. • This will allow stores to have enough time to find coverage of any Team Member that has not submitted a test or tested positive for COVID, without having a "stale" COVID test
When does the week start? (When are the previous week's tests no longer valid?)	<ul style="list-style-type: none"> • The week begins on Saturday at 12pm EST of each week. • The NYC mandate states a Team Member cannot enter a store without testing every seven (7) days. • It is extremely important to maintain regular communication with these Team Members as trouble obtaining COVID tests or receiving COVID test results may impact their ability to submit a test every seven (7) days, or by the Saturday 12pm EST deadline.

VACCINE MANDATE PROTOCOL - NYC

Question	Answer
Is there a cutoff during the week after which tests are no longer accepted for that week?	<ul style="list-style-type: none"> The cutoff is Saturday 12pm EST. If the Team Member's test has not been received and uploaded into the system, or there is more than seven (7) days between negative tests, the Team Member can not work.
Is there a period during which a test is valid for both this week and next?	<ul style="list-style-type: none"> No since the schedule starts on Sunday.
Is there a limit to how long after the test is performed that it can be reported?	<ul style="list-style-type: none"> No, the NYC mandate states that the employee needs to test every seven (7) days. If the Team Member does not submit a negative test that time frame, or by the deadline, the Team Member is to be removed from the schedule until a negative test can be submitted. Once a negative test is submitted, the Team Member can continue working. It is extremely important to maintain regular communication with these Team Members as trouble obtaining COVID tests or receiving COVID test results may impact their ability to submit a test every seven (7) days, or by the Saturday 12pm EST deadline.
I have weekend only Team Members. How should I build timing for their submissions?	<ul style="list-style-type: none"> This is the reason why the company is aligning with a deadline of Saturday 12pm EST with a larger submission period. Remember, the NYC mandate states that a Team Member can not enter a store without testing every seven (7) days. It is extremely important to maintain regular communication with these Team Members as trouble obtaining COVID tests or receiving COVID test results may impact their ability to submit a test every seven (7) days, or by the Saturday 12pm EST deadline.
Will the Company pay for my weekly COVID 19 tests?	<ul style="list-style-type: none"> The costs of weekly COVID 19 tests are paid by health insurance for Team Members covered under the Company health insurance plan. <ul style="list-style-type: none"> For Team Members not covered under the Company health insurance plan, the Company will reimburse them for the cost of testing. Team Members are encouraged to utilize free testing sites such as those offered by local public health clinics, or ones that accept the Company's health insurance if they are covered by the Company's health insurance plan. Team Members not enrolled in a Michaels medical plan can also receive up to four FREE COVID-19 OTC test kits per household by ordering kits online at: http://www.covidtests.gov/.
What type of COVID 19 test must be used?	<ul style="list-style-type: none"> Team Members are permitted to use a COVID 19 test that has been: <ul style="list-style-type: none"> Cleared, approved, or authorized, including (EUA), by the FDA to detect current infection with the SARS-CoV-2 virus (i.e.: a viral test); Administered in accordance with the authorized instructions; and Not both self-administered and self-read unless observed by the Company or an authorized telehealth proctor in real time. NOTE: Antibody tests look for antibodies in the immune system produced in response to SARS-CoV-2 and are NOT used to diagnose an active COVID 19 infection. Antibody tests are NOT an acceptable COVID 19 test.
What if a Team Member misses their weekly test?	<ul style="list-style-type: none"> Failure to show proof of a negative test by the deadline or seven (7) days from their last test will result in their removal from the schedule and being placed on an unpaid leave of absence for 45 days. If Team Member does not comply with the requirements of the Company's testing policy, Michaels may proceed with separation of their employment in accordance with the NYC Mandate and Michaels' policies. Before proceeding with any separation, partner with your HR Business Partner or Team Member Services.

VACCINE MANDATE PROTOCOL - NYC

Question	Answer
Is there a report that tells me if the Team Member submitted their COVID test?	<ul style="list-style-type: none">• Yes, a report will be published on Saturday at 1pm EST of any Team Members that have not submitted weekly test results. This should allow Stores time to cover any shifts, if needed.

- For additional information, or if you have additional questions, contact your HR Business Partner or Team Member Services.



Print this QR code and place:

- At the Temperature Check Station
- In the Breakroom
- In the Office near the computers