



## Lummi Nation COVID-19 Vaccination Mandate

August 17, 2021

UNDER ARTICLE VI, SEC. 1 OF THE CONSTITUTION AND BYLAWS OF THE LUMMI TRIBE OF THE LUMMI RESERVATION AND THE INHERENT AUTHORITY OF THE LUMMI INDIAN BUSINESS COUNCIL, IT IS HEREBY ORDERED:

### 1. Prohibitions

- a. No employee may engage in work for the LIBC or any of its entities after October 18, 2021 if the employee has not been fully vaccinated against COVID-19;
- b. No department or entity of the LIBC may permit any employee to engage in work for that department or entity after October 18, 2021 if the employee has not been fully vaccinated against COVID-19;
- c. Attendance of students over the age of 12 at Lummi Nation School shall be conditioned on the student becoming fully vaccinated against COVID-19 or submitting a request for exemption by October 18, 2021 or within 45 days of enrollment, whichever is later.
- d. All students at Northwest Indian College engaged in on-campus activities at the Lummi campus must become fully vaccinated by October 18, 2021.

### 2. Exemptions from the Vaccination Mandate

An individual may be exempted from the vaccination mandate by submitting sufficient documentation as provided below no later than October 18, 2021.

- a. An employee who is medically unable to receive the vaccine may submit a request for reasonable accommodation to the human resources department on a form provided by the department and accompanied by documentation from an appropriate, licensed health care professional.



- b. An employee may request an accommodation based on a sincerely held religious belief by submitting a reasonable accommodation form to the human resources department and including a statement regarding the way in which the requirements of this mandate conflict with the religious observance, practice, or belief of the employee.
- c. If a student is medically unable to receive the vaccine, the student (or parent or legal guardian if under 18) may submit a request for accommodation to the Lummi Nation School or Northwest Indian College accompanied by documentation from an appropriate, licensed health care professional.
- d. A student (or parent or legal guardian if under 18) may request an accommodation based on a sincerely held religious belief by submitting a reasonable accommodation request to Lummi Nation School or Northwest Indian College and including a statement regarding the way in which the requirements of this order conflict with the religious observance, practice, or belief of the student.

To the extent permitted under applicable federal, state, and tribal law any unvaccinated person who receives an exemption under this policy may be required to use additional personal protective equipment or take other actions such as participation in ongoing testing.

### 3. Acceptable Proof of Full Vaccination Against COVID-19

When required above, employees or students must provide proof of full vaccination against COVID-19 by providing one of the following:

- a. CDC COVID-19 Vaccination Record or photo of the card;
- b. Documentation of vaccination from a health care provider or electronic health record; or
- c. State immunization information system record.

Personal attestation is not an acceptable form of verification of COVID-19 vaccination.



4. Definitions:

- a. “Employee” means all full or part-time, permanent or temporary, employees of LIBC or any of its entities.
  - b. “LIBC and its Entities” includes all departments and divisions of the LIBC, Silver Reef Casino, Lummi Commercial Company, Northwest Indian College, Lummi Housing Authority, and all other entities of the LIBC.
  - c. “Fully Vaccinated Against COVID-19”: A person is fully vaccinated against COVID-19 two weeks after they have received the second dose in a two-dose series of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the FDA (e.g. Pfizer-BioNTech or Moderna) or two weeks after they have received a single-dose COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the FDA (e.g. Johnson & Johnson J&J)/Janssen).
5. This Order shall be subject to amendment or repeal at any time. The specific prohibitions of this order are severable and do not apply to the extent that compliance with a prohibition would violate (1) Any provision of the Lummi Constitution; (2) Any federal statutes or regulations applicable to the Lummi Nation; or (3) any conditions that apply to the Lummi Nation’s receipt of federal or state funding.
6. Nothing in this mandate prohibits a department or entity of the LIBC from implementing requirements that exceed the requirements of this mandate, if in consultation with the Public Health Team, such requirements are deemed necessary.
7. Nothing in this order limits otherwise applicable requirements related to masking, protective equipment, personnel training, and infection control as outlined in the current Shelter in Place Order and Phased Re-Opening Plan.