



# CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES



## MEMORANDUM

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**Date:** July 1, 2020

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**To:** ASSOCIATE DIRECTORS, Division of Adult Institutions  
CHIEF EXECUTIVE OFFICERS, CCHCS  
WARDENS

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**From:**

CONNIE GIPSON  
Director  
Division of Adult Institutions

VINCENT S. CULLEN, Director  
Corrections Services  
California Correctional Health Care Services

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**Subject:** **STAFF WEARING FACIAL COVERINGS IN INSTITUTIONS**

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The intent of this memorandum is to clarify the expectations outlined in the June 11, 2020, memorandum authored by Ralph M. Diaz, Secretary, and J. Clark Kelso, Receiver, California Correctional Health Care Services, regarding the wearing of face barrier coverings. It is vital that staff adherence to that directive is necessary to protect the health of the staff, their families, the inmate population, and the public.

For individuals who do not adhere to this directive, it is expected that supervisors and managers utilize the progressive discipline process as outlined in the Department Operations Manual (DOM), Article 22, Employee Discipline policy, in addressing staff who fail to comply with the June 11, 2020, directive. Supervisors and managers must also be cognizant that staff may have a medical condition that precludes the wearing of facial coverings. In those cases, staff should be directed to the Return to Work Coordinator for consideration of a Reasonable Accommodation.

While working in institutions is challenging; working in an institution during the COVID-19 pandemic intensifies these challenges and adds pressures resulting from the demands. In recognition of these unprecedented times, supervisors and managers must be vigilant in the enforcement of the face covering directive, while understanding that the wearing of face coverings is difficult or uncomfortable for some individuals and in some cases precluded by a medical condition of the perception by some staff that the wearing of face coverings is difficult or uncomfortable.

As a reminder, supervisors and managers should utilize DOM Sections 33030.8, Causes for Corrective Action, and 33030.9, Causes for Adverse Action, as a guideline in the application of progressive discipline

# MEMORANDUM

and should work with your Employee Relations Officer for additional guidance. The steps towards progressive discipline typically are:

- Verbal counseling
- Employee Counseling Record (CDCR 1123)
- Letter of Instruction
- Adverse Action or Rejection During Probation, dependent on the employee's tenure

However, supervisors and managers should be advised that it may not always be necessary for each step of the progressive discipline process to be followed. In consultation with their Hiring Authority and Employee Relations Officer/Health Care Employee Relations Officer, supervisors and managers must address each issue based on its own factual set of circumstances before making a decision on the appropriate action to take.

cc: R. Steven Tharratt  
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