

# COVID-19 Vaccination Policy (U.S.)

At Gilead, we are committed to creating a healthier world for all people by discovering, developing and delivering innovative therapeutics for those with life-threatening diseases. Since the outset of the pandemic, Gilead has focused on deploying our resources and leveraging our decades of antiviral expertise to help people and communities fighting COVID-19. As a leading virology company with a global workforce, we have a strong sense of responsibility to fight COVID-19 by adopting policies and practices – firmly rooted in science – that protect the health and safety of our workforce, workplaces, and the patients and communities we serve.

Getting vaccinated is the safest, easiest and most cost-effective way for an individual to protect themselves and their co-workers, families and communities from a deadly virus, while supporting the Company's mission of delivering life-saving therapies to patients. The overwhelming scientific evidence demonstrates that the COVID-19 vaccines authorized for use in the U.S. are the most effective means available to mitigate the transmission of COVID-19. They can prevent severe outcomes, such as hospitalization and death, for those who contract the disease. They can reduce the risk that individuals will need to quarantine after being exposed to others who have tested positive for COVID-19. And they are widely available and at no cost to the individual.

Throughout the pandemic, Gilead has prioritized the health and safety of our workforce and taken reasonable steps to maintain a safe and productive work environment. As a respected world leader in virology – and based on compelling scientific evidence and guidance provided by the Food and Drug Administration (FDA), Centers for Disease Control and Prevention (CDC), and public health and licensing authorities – we believe the safest workplace is a workplace where everyone is vaccinated to the greatest extent possible. For these reasons, and as more fully described in this policy, Gilead (the Company) will require all employees, on-site workers and visitors in the United States to be fully vaccinated against COVID-19 as of October 1, 2021, unless they qualify for a reasonable accommodation. The Company may institute additional requirement for employees and on-site workers, among others, to be up to date on their vaccination.

## Scope

This policy applies to all of the following:

- *Employees* - all Company employees based in the U.S., regardless of role, job duties or work location, including all physical location dependent, mixed location, flexible location and remote employees.
- *On-Site Contingent Workers* - all contingent workers based in the U.S. who perform services at a Company work location, regularly visit a Company work location, meet in-person with employees or meet in-person with patients on Gilead's behalf.

- *Suppliers* – any entity that provides labor or services at a Company work location.
- *On-Site Construction Contractors* – all construction contractors working on a job site located in an area occupied by, or that requires shared access with, Gilead or Kite personnel or requires routine or periodic entrance to a Company work location to attend meetings.
- *Visitors* – any business visitor, any non-U.S. employee, any remote contingent worker or any candidate who visits a Company work location in the U.S. One-time exceptions to this policy may be granted with approval from a VP and the internal Coronavirus Response Team (iCRT), or such function or role designated by iCRT, and mitigation measures deemed appropriate by the Company, such as masking and testing.

This policy does not apply to the following:

- *Remote Contingent Workers* - contingent workers who perform 100% of their services remotely and do not work at or visit a Company work location or meet in-person with employees or patients on the Company's behalf.
- *Job Site Construction Contractors* – all construction contractors working on a job site fully controlled by the general contractor (segregated via fencing from all other Gilead/Kite facilities/spaces/areas and accessed without interaction with Gilead/Kite personnel) who do not possess Gilead security badges.
- *Delivery Personnel* – individuals who work for external parcel or shipping companies, such as the U.S. Postal Service, UPS, Fed Ex and food delivery services.
- *Remote Suppliers* – any entity that provides 100% of its labor or services remotely and does not work at or visit a Company work location or meet in-person with employees or patients on the Company's behalf.

## Verifying Vaccination Status

### Employees

Employees will be required to provide their vaccination verification information, attest to their vaccination status and upload documentation to verify their up to date vaccination status. All responses will be kept strictly confidential to the maximum extent possible and will only be shared with those who have a legitimate business need to access this information. Employees should not include any other medical or sensitive information.

Employees may be required to upload further documentation in the future to verify up to date vaccination status with regard to any subsequent booster shots.

Gilead reserves the right to request additional information or documentation from employees in order to verify their vaccination status.

**Candidates**

Complying with this policy is considered a basic qualification and an employment eligibility requirement. During the application process, candidates will be required to acknowledge this policy and offer letters will include verbiage stating that employment is contingent on full vaccine verification.

External candidates for open roles in the U.S. will not be required to be vaccinated to be considered for employment at Gilead or Kite. However, any candidate being interviewed at a Company work location in the U.S. will need to be fully vaccinated and up to date on any subsequent booster shots required by Gilead and will need to provide proof of vaccination. If a candidate is not fully vaccinated and up to date on any boosters, they must be interviewed either virtually or at an off-site location. Candidates who are hired must be fully vaccinated prior to their start date unless they qualify for an extension or accommodation.

**On-Site Contingent Workers and On-Site Construction Contractors  
(collectively, “On-site workers”)**

On-site workers are required to cooperate with their supplier or general contractor to verify full vaccination status or request a reasonable accommodation, if necessary, as well as verify up to date vaccination status with regard to any subsequent booster shots as required by Gilead. Gilead reserves the right to seek attestations or similar documents from on-site workers and/or their suppliers verifying vaccination status.

**Visitors**

Visitors seeking access to a Company work location are required to provide proof of full vaccination, including up to date vaccination status with regard to any subsequent booster shot(s) required by Gilead. This includes trainers, speakers, candidates and others.

Exceptions to this Policy may be granted with the functional vice president, general manager or site head’s approval, along with iCRT approval (or such function or role designated by iCRT), to allow for unplanned visitors who are not fully vaccinated and up to date on their vaccination with any subsequent boosters required by Gilead or Kite. This exception will be open only to emergency, unplanned situations where other vendors are not able to perform the service desired onsite.

## **Reasonable Accommodations**

**Employees**

Employees who have a medical condition, disability or sincerely held religious belief that prevents them from getting vaccinated may seek an exemption from the vaccination requirement in the form of a reasonable accommodation. Employees in need of an exemption from this policy must request an accommodation to begin the interactive accommodation process. To request a reasonable accommodation, please contact the following based on your situation:

- Medical Condition, Disability and/or Pregnancy Accommodation: contact AbsenceOne at 844-974-2201 (Press 6) or by visiting <https://absenceone.gilead.com>. If you have any questions, AbsenceOne representatives are available Monday through Friday between 5 a.m. and 5 p.m. PT.
- Religious Accommodation: contact Employee Relations by submitting your request in Workday.

Gilead will review the requests for accommodation and engage in an interactive process to determine whether it is appropriate to provide the requested accommodation. Employees may be required to provide documentation regarding their need for a reasonable accommodation as part of this process.

For more details on the accommodations process, please refer to Gilead's [Reasonable Accommodations Policy](#).

### **Candidates & New Hires**

From time to time, candidate interviews may occur in-person at a Company work location. Candidates must be fully vaccinated and up to date with any subsequent boosters that Gilead requires to visit a Company work location. If unvaccinated, the interview will be conducted virtually.

Any newly hired employee who is unable to be fully vaccinated and boosted, either because of a sincerely held religious belief or a medical condition or disability, should ask to attend new hire orientation virtually and request a reasonable accommodation within five business days of their start date. In the interim period, new hires awaiting the disposition of their accommodation request should ask their manager for a short-term arrangement that enables them to continue performing the essential duties of their job.

### **On-Site Workers**

On-site workers seeking an exemption to this vaccine requirement should contact their supplier or general contractor to request an accommodation based on medical condition or disability or a sincerely held religious belief. On-site workers can contact [supplier.relations@gilead.com](mailto:supplier.relations@gilead.com) with questions. The supplier will engage in its own process to determine if the individual is eligible for an accommodation (e.g., does the person have a medical condition/disability or a sincerely held religious belief that prevents them from being vaccinated). If that individual is eligible for an accommodation, then the Gilead or Kite manager will be engaged to discuss whether the accommodation recommended by the supplier is reasonable based on the role and in light of the responsibilities they perform on behalf of Gilead or Kite.

## **Time Off for Vaccination**

Non-exempt, hourly employees will be provided paid time off to obtain a COVID-19 vaccine and booster(s), as required, including any time traveling, waiting for the vaccination to be performed, or

recovery from the vaccine and booster. Exempt, salaried employees will be provided scheduling flexibility. Employees should work with their manager to schedule time away from work to obtain the vaccination and agree on any flexible scheduling needs.

Employees who live or work in a jurisdiction that provides for separate paid time off for COVID-19 vaccines may be entitled to additional benefits. The benefits provided under this policy are intended to run concurrently and in conjunction with, rather than in addition to, any benefits available under local law related to obtaining a COVID-19 vaccine or boosters.

## Employee Expense Reimbursement

To the extent employees are required to pay any out-of-pocket costs for the vaccination and booster shot(s) and/or travel to and from the vaccination location, Gilead will reimburse employees for these costs.

## Non-Compliance

Effective October 1, 2021, all employees, on-site contingent workers, on-site construction contractors and visitors are required to comply with this policy. For employees, compliance with this policy is a condition of employment. Employees who do not meet the vaccination requirement, which includes any subsequent booster shots that Gilead may require, and are not granted an accommodation will be in violation of this policy and may be subject to disciplinary action, up to and including termination of employment.

## Local Laws

This policy is based upon guidance provided by the CDC and public health and licensing authorities, as applicable, and should be interpreted to comply with all federal, state and local laws. To the extent there are any local laws or regulations that provide additional rights, protections, obligations and/or responsibilities, those laws or regulations will apply in the locality. To the extent anything in the applicable local laws or regulations conflict with this policy, the applicable local laws or regulations shall govern.

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## Definitions

*Candidate* – an individual who has applied to become an employee of the Company. To be considered for employment, candidates will be required to verify that they are fully vaccinated, will become fully vaccinated by their start date or intend to comply with this policy by requesting a reasonable accommodation.

*Company Work Location* – an office, site or facility owned, operated, occupied or controlled by the Company and/or any of its subsidiaries or affiliates, e.g., El Segundo, Foster City, Morris Plains, Oceanside, San Dimas/La Verne, Santa Monica, etc.

*Construction Contractor* - any individual working on a job site located in a Company work location or that requires access to a Company work location, or that requires contact with employees regardless of whether the project is fully controlled by a general contractor.

*Contingent Worker* – any individual hired by a supplier to provide services to Gilead but not employed directly by Gilead, including but not limited to temporary agency workers, professional services, managed service providers, functional service providers, outsourced services, and independent contractors or consultants.

*Company, Gilead, or Kite* – Gilead Sciences, Inc., Kite Pharma, Inc. and/or any of their subsidiaries or affiliates operating in the U.S. To the extent this policy refers to Gilead employees, it applies equally to Kite employees and the employees of any Gilead or Kite subsidiary or affiliate based in the U.S.

*Delivery Personnel* – individuals who work for external parcel or shipping companies, such as USPS, Fed Ex and food delivery services. Delivery Personnel are not subject to this policy.

*Employee or Employees* – any individual on the U.S. dollar payroll of Gilead Sciences, Inc., Kite Pharma, Inc., and/or any of their subsidiaries or affiliates where the United States is the individual's country of employment. The definition of an employee excludes any individual who is considered by the Company in its sole discretion to be a contingent worker or independent contractor, regardless of whether the individual is in fact a common law employee of the Company.

*Fully Vaccinated (or Full Vaccination)* – a person is considered to be “fully vaccinated” two weeks or more after the receipt of the second dose in a two-dose vaccine or one dose of a single-dose vaccine.

*iCRT* – an acronym referring to Gilead's Internal Coronavirus Response Team.

*On-Site Contingent Workers* – all contingent workers based in the U.S. who perform services at a Company work location, regularly visit a Company work location, meet in-person with employees or meet in-person with patients on Gilead's behalf.

*On-Site Construction Contractors* – all construction contractors working on a job site located in an area occupied by or that requires shared access with Gilead or Kite personnel or requires routine or periodic entrance to a Company work location to attend meetings (collectively with on-site contingent workers referred to as “on-site workers”).

*On-Site Workers* – collectively refers to all on-site contingent workers and on-site construction contractors.

*Remote Contingent Workers* – contingent workers who perform 100% of their services remotely and do not work at or visit a Company work location or meet in-person with employees or patients on the Company's behalf.

*Supplier* – a company contracted to provide services to Gilead via contingent workers who are employed by or contracted directly with the supplier.

*Up to Date (or Up to Date Vaccination Status)* – a person is considered to be “up to date” with their vaccinations after having received their booster(s) as recommended by public health authorities and agencies and/or required by Gilead and Kite

*Vaccine* – any COVID-19 vaccination or booster shot that has been approved for use (full approval or on an emergency use basis) by the FDA, such as the two-dose vaccines offered by Pfizer-BioNTech and Moderna and the single-dose vaccine offered by Johnson & Johnson.

*Visitor* – any business visitor, any contingent worker who visits a Company work location or any non-U.S. employee who visits a Company work location in the U.S., including candidates who participate in on-site interviews at a Company work location.

*Job Site Construction Contractors* – all construction contractors working on a job site fully controlled by the general contractor (segregated via fencing from all other Gilead/Kite facilities/spaces/areas and accessed without interaction with Gilead/Kite personnel) who do not possess Gilead security badges.