



Faculty/Staff Health and Safety Protocols Noncompliance & Discipline



Compliance with the University's COVID-19 vaccination mandate and other health and safety protocols is our most effective mechanism of mitigating the spread of COVID-19 on our campus. The guidance below provides further details and compliance expectations for such health and safety protocols as applied to faculty and staff.

Requirements for Faculty/Staff Vaccination Mandate

Faculty and staff who are on campus this Fall 2021 should have received their first dose of a COVID-19 vaccine (or the single- dose Johnson & Johnson vaccine) by **September 3, 2021**. The second dose of a two-dose regimen must be completed by **October 1, 2021**. New hires are already required to be vaccinated against COVID-19 prior to their start date. Masks are still required indoors and outdoors while on campus regardless of vaccination status.

Medical and religious exemptions from vaccination will be granted in accordance with federal and local law. Employees must request an exemption via the instructions provided [here](#).

All faculty and staff must show proof of vaccination by uploading the front and back of your vaccination card to Workday.

Use the following [instructions](#) to upload your vaccination documentation:

- On the desktop version of Workday, click the COVID vaccination card upload icon.
- Click the "maintain my worker documents" hyperlink and follow the instructions to add your COVID-19 vaccination card. The front and back of the card must be uploaded for a submission to be complete. Save the image of the vaccination card on your computer prior to uploading the files to the portal.

****Note that falsifying human resources document submission is a violation of the University's policies and will trigger disciplinary actions.****

Requirements for Faculty/Staff Who are Not Fully Vaccinated

All faculty and staff who are unvaccinated or only partially vaccinated, including those who have a medical or religious exemption, following the October 8 deadline for uploading vaccination documentation are required to follow these health and safety requirements:

- Wear a mask indoors at all times and in all other areas designated for mask wearing;
- Adhere to the University's testing protocol outlined [here](#) ;
- Complete regular daily symptom screening using the Self-Assessment Tool through the Bison Safe app; and
- Follow all other health and safety protocols established by the University and applicable to individuals who are not fully vaccinated.

Consequences for Unvaccinated Faculty/Staff Who do Not Have Exemption

In addition to mandatory compliance with the noted health/safety protocols, a faculty or staff member who does **not** have a valid medical or religious exemption and who has **not** complied with the vaccine requirement following the deadline will also be subject to the following:

- Unvaccinated faculty/staff will not be approved for institution-sponsored travel.

- Unvaccinated faculty/staff will not be granted the privilege of submitting a telework request.
- Unvaccinated faculty/staff will not be eligible for compensation increases, as stated on the vaccine mandate FAQ page.
- may be required to utilize leave for time they will not be working
- Unvaccinated faculty/staff who remain noncompliant will be subject to discipline as outlined below.. This action is in recognition of failure to comply with the mandate, but will not be used as a basis for subsequent discipline unless there is additional failure to comply with the required health/safety protocols. The University reserves the right to rescind this action upon proof of full vaccination.

Health and Safety Noncompliance for Faculty/Staff

While all health/safety protocols are important and will be enforced, compliance with the testing protocol will be strictly monitored by daily reports provided to OHR. Accordingly, beginning Monday, October 11, 2012 faculty/staff can expect any failure to schedule a test or provide proof of off-campus testing in accordance with the University’s testing protocol in effect to be considered an occurrence of noncompliance. The Bison Safe Self-Assessment and masking compliance will be monitored concurrently, and supervisors/managers must consult with their appropriate OHR contact to determine if individual Bison Safe Self-Assessment or masking infractions will constitute an occurrence of noncompliance.

For the purpose of this guidance, noncompliance is further defined as any behavior that fails to comply with the University’s COVID-related health and safety requirements for the workplace (e.g., Vaccination, masking, Bison Safe Self-Assessment, testing), which, if continued, could undermine the University’s ability to safeguard the health and safety of the University community.

Noncompliance does not include inadvertent or isolated deviations from the established rules, except for failure to adhere to the University’s testing protocol in effect, which will be strictly enforced. In the case of inadvertent or isolated instances, the supervisor should first listen to the staff member’s reasoning for not complying. The supervisor should re-state the health and safety requirement and the consequences for noncompliance.

Schedule of Progressive Discipline

For continued occurrences of noncompliance, the University will typically follow the schedule of disciplinary action below:

Staff

- 1st occurrence - Verbal notice (documented to file)
- 2nd occurrence - Written reprimand (which may include a suspension)
- 3rd occurrence – Termination

Faculty

- 1st occurrence - Verbal Warning
- 2nd occurrence - Written reprimand
- 3rd occurrence – Recommendation for Suspension
- 4th occurrence – Recommendation for Termination

Contingent workers (e.g. consultants/contractors etc.) who work on campus

- 1st occurrence - Verbal notice (documented to file)
- 2nd occurrence - Written reprimand (which may include a suspension)
- 3rd occurrence – Termination on contract

*****Note that the University reserves the right to bypass steps in this progressive disciplinary schedule in the event of severe noncompliance, including, but not limited to failure to complete consecutive required tests*****

*****The University will comply with all applicable collective bargaining agreements in issuing discipline.*****

OHR will centrally administer and enforce the noncompliance directives, but department managers and

supervisors should also work with appropriate OHR personnel to address noncompliance. Supervisors should remind their teams that following health and safety rules helps to ensure the safety of all members of the campus community as well as their families and friends.

OHR will assist departments with drafting disciplinary action documents for issuance to employees and otherwise reviewing cases of noncompliance.

Any disciplinary action taken may be reviewed through the applicable grievance/appeal or review procedure.

Reporting of Noncompliance

Any member of the University community may report deviations from safety practices. Reports should be directed to the appropriate supervisor or department contact for follow up. If an employee prefers to make an anonymous report, they may access the University's NAVEX Global (EthicsPoint) anonymous ethics and compliance hotline, (Website: howard.ethicspoint.com;

Mobile: howardmobile.ethicspoint.com; and Telephone: 844-944-3408) which is available 24/7.

No Retaliation

There will be no retaliation against any member of the University community for good faith reporting of perceived noncompliance by University faculty or staff members.