

University Policy Number: 200.37
POLICY ON COVID VACCINATION

Responsible Administrator: Office of the President

Responsible Office: Office of Human Resources

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POLICY STATEMENT

It is the policy of Claflin University to reduce the presence and severity of COVID-19 cases in the offices, residential halls, cafeteria, and the entire University community. Effective in January 2022, a COVID-19 vaccination will be required for all faculty and staff as a condition of employment and for all students who attend the University. The University has adopted this policy on mandatory vaccination to safeguard the health of our employees and students from the hazard of COVID-19. This policy complies with OSHA's Emergency Temporary Standard on Vaccination and Testing (29 CFR 1910.501).

STATEMENT OF PURPOSE

The purpose of this policy is to establish guidelines for the mandatory vaccination of employees/students. Vaccination is a vital tool to reduce the presence and severity of COVID-19 cases in the workplace, in communities, and in the nation. Medical or religious exemption requests will be reviewed on an individual basis.

APPLICABILITY

This policy is applicable to all on-ground employees and students of Claflin University. Contract employees are required to adhere to this policy.

DEFINITIONS

- **Contraindication** - A condition that serves as a reason not to take a certain medical treatment due to the harm that it would cause the person.
- **On-ground** - Any person who comes on the campus grounds or resides on campus.
- **Vaccination** - A vital tool to reduce the presence and severity of COVID-19 cases in the workplace, in communities, and in the nation.

PROCEDURE

Overview and General Information

Special Note: The information as set forth in this policy relative to vaccination requirements, isolation guidance, and other conditions are subject to change based on federal regulations and guidelines.

All employees and students covered by this policy are required to be fully vaccinated as a term and condition of employment and enrollment at Claflin University. Employees/students are considered fully vaccinated two weeks after completing primary

vaccination with a COVID-19 vaccine, with, if applicable, at least the minimum recommended interval between doses. For example, this includes two weeks after a second dose in a two-dose series, such as the Pfizer or Moderna vaccines; two weeks after a single-dose vaccine, such as the Johnson & Johnson vaccine; or two weeks after the second dose of any combination of two doses of different COVID-19 vaccines as part of one primary vaccination series.

All students/employees are required to report their vaccination status and to provide proof of vaccination. Employees must provide truthful and accurate information about their COVID-19 vaccination status, and, if applicable, their testing results. Vaccination status must be uploaded to the Portal. Click on the vaccination upload and follow the directions.



Students who are not in compliance will be referred to the Vice President for Student Development and Services Office. Employees not in compliance with this policy will be subject to disciplinary action. Paragraph five (5) of the University contract states: "failure on the part of the employee to conform in conduct, or to such rules as the University may deem proper and necessary, or to perform his/her duties efficiently and satisfactorily to the President of the University, shall be cause upon which contract shall become null and void."

Employees/students may request an exemption from this mandatory vaccination policy if the vaccine is medically contraindicated for them or medical necessity requires a delay in vaccination. Employees may be legally entitled to a reasonable accommodation if they cannot be vaccinated and/or wear a face covering (as otherwise required by this policy) because of a disability, or if the provisions in this policy for vaccination, and/or testing for COVID-19, and/or wearing a face covering conflict with a sincerely held religious belief, practice, or observance. Requests for exemptions and reasonable accommodations must be initiated by the employee or student and submitted to the Exemption Committee. All such requests will be handled in accordance with applicable laws, regulations, and University directives.

Medical or Religious Exemptions - Employees and students seeking a medical exemption must complete the information on <https://forms.office.com/r/QjLngxvyWC>; and for consideration of a religious exemption, <https://forms.office.com/r/UsDsQZZcvr>. Completion of the forms and submission of medical documentation does not automatically grant permission for an exemption. However, each exemption will be reviewed thoroughly, and a decision will be rendered within ten days, if possible. Additional information may be requested as indicated on the forms.

Vaccine Exemptions - If you are granted an exemption, you must continue to follow the established campus COVID-19 Protocols. Weekly COVID testing, masks and social distancing will be required. If you feel ill, you will be required to stay at home and be tested at the Student Health Center or a facility near your location. Test must be uploaded to the portal.

Vaccination Status

All Claflin University employees/students must be fully vaccinated no later than January 4, 2022 (exceptions may apply). To be fully vaccinated by January 4, 2022, an employee/student must:

- Obtain the first dose of a two-dose vaccine in accordance with written communications; and the second dose pursuant with medical guidelines; or
- Obtain one dose of a single dose vaccine in accordance with written communications.

Employees/students will be considered fully vaccinated two weeks after receiving the requisite number of doses of a COVID-19 vaccine. An employee/student will be considered partially vaccinated if they have received only one dose of a two-dose vaccine.

Acceptable Forms for Proof of Vaccination

All vaccinated employees/students are required to provide proof of COVID-19 vaccination, regardless of where they received their vaccination.

Acceptable documentations for proof of vaccination status are:

1. The record of immunization from a healthcare provider or pharmacy.
2. A copy of the COVID-19 Vaccination Record Card.
3. A copy of medical records documenting the vaccination.
4. A copy of immunization records from a public health, state, or tribal immunization information system; or
5. A copy of any other official documentation that contains the type of vaccine administered, date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) administering the vaccine(s).

Additionally, proof of vaccination should include the name of the student/employee, the type of vaccine administered, the date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) that administered the vaccine. In some cases, state immunization records may not include one or more of these data fields, such as clinic site; in those circumstances, Claflin University will still accept the state immunization record as acceptable proof of vaccination.

If an employee/student is unable to produce one of these acceptable proof of vaccination forms, despite attempts to do so (e.g., by trying to contact the vaccine administrator or state health department), the employee may provide a signed and dated statement attesting to their vaccination status (fully vaccinated or partially

vaccinated); attesting that they have lost and are otherwise unable to produce one of the other forms of acceptable proof; and include the following language:

“I declare (or certify, verify, or state) that this statement about my vaccination status is true and accurate. I understand that knowingly providing false information regarding my vaccination status on this form may subject me to criminal penalties.”

An employee/student who attests to their vaccination status in this manner, should to the best of their recollection, include in their attestation the type of vaccine administered, the date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) administering the vaccine.

Leave for COVID-19 Vaccination

Students who use class time to travel to the vaccination site, receive a vaccination, and experience side effects from the COVID-19 vaccination that prevent them from attending class will be governed by the Student Handbook.

The following procedures apply to employees who request and are granted work time to obtain the COVID-19 vaccine or sick leave to recover from side effects:

An employee may take up to four hours of work (duty) time per dose to travel to the vaccination site, receive a vaccination, and return to work. This would mean a maximum of eight hours of work time for employees receiving two doses.

If an employee spends less time getting the vaccine, only the necessary amount of work time will be granted. Employees who take longer than four hours to get the vaccine must contact their supervisors and follow-up with an email documenting the reason for the additional time (e.g., they may need to travel long distances to get the vaccine). Any additional time requested will be granted, if reasonable, but will not be paid; in that situation, the employee can elect to use accrued leave (e.g., sick leave) to cover the additional time. If employees are vaccinated outside of their approved work time they will not be compensated.

Employees may utilize up to two workdays of sick leave for recovery immediately following each dose if they experience side effects from the COVID-19 vaccination that prevent them from working. Employees who do not have accrued sick leave will be granted up to two days of additional sick leave with pay immediately following each dose if necessary. Employees must use the “Request for Leave Application - Leave of Absence & FMLA Form” to report all COVID-19 leave on the line designated as Other.

Notification of COVID-19

Clafin University will require employees to promptly notify their immediate supervisor and the Student Health Center when they have tested positive for COVID-19, have been diagnosed with COVID-19 by a licensed healthcare provider, or have been in contact with a person who has tested positive for Covid-19. Students who test positive for COVID-19

must notify the Student Health Center and the Vice President for Student Development and Services Office.

Medical Leave of Absence

The University will immediately advise employees to leave the workplace and to seek medical care, as appropriate, if they have received a positive COVID-19 test or have been diagnosed with COVID-19 by a licensed healthcare provider. Based on the medical condition and the position, the employee may be allowed to telework. Employees may be granted up to 10 additional days per fiscal year. Students will be placed in quarantine and monitored by the University Nurse.

Return to Work Criteria

Employees on leave because they are COVID-19 positive will not be allowed to return to the workplace until they receive a negative result on a COVID-19 nucleic acid amplification test (NAAT) following a positive result on a COVID-19 antigen test if the employee chooses to seek a NAAT test for confirmatory testing; meets the return-to-work criteria in CDC's "Isolation Guidance;" or receives a recommendation to return to work from a licensed healthcare provider.

Under CDC's "[Isolation Guidance](#)," asymptomatic employees may return to work once 10 days have passed since the positive test, and symptomatic employees may return to work after all the following are true:

- At least 10 days have passed since symptoms first appeared, and
- At least 24 hours have passed with no fever without fever-reducing medication, and
- Other symptoms of COVID-19 are improving (loss of taste and smell may persist for weeks or months and need not delay the end of isolation).

The University will follow the guidance of a licensed healthcare provider regarding the return-to-work status of employees with severe COVID-19 or an immune disease. All employees/students must be cleared by the Student Health Center before they return to work or school.

COVID-19 Testing

Employees/students who are covered by this policy and are not fully vaccinated, but have been granted an exemption, (except where specified) must meet the following requirements:

- Upload a COVID-19 test (rtPCR) weekly. Even when the University does not have testing, the employee/student is responsible for seeking out testing off-site.
- Continue with Social Distancing, Mandatory Mask Mandate, and Rapid Test as indicated for any signs/symptoms of COVID-19.
- Report to the Student Health Center for any Signs and Symptoms. The employee/student must be tested and cleared for access to work or class.

- Because of the non-vaccination status, the employee/student will be quarantined if identified as a close contact.
- Employees/students must report any exposure they have had with someone who is COVID-19 positive.
- Employees found to be non-compliant, will be reported to the Office of Human Resources for disciplinary action which may include suspension up to immediate termination. Unforeseen circumstances or exceptional actions will be reviewed on an individual basis.
- Students found to be non-compliant will be reported to the Vice President for Student Development and Services Office.
- Students are expected to self-quarantine and test, pending rtPCR test results. This is a tentative recommendation and is subject to change at any time based on CDC guidance.

Employees who have received a positive COVID-19 test or have been diagnosed with COVID-19 by a licensed healthcare provider, are not required to undergo COVID-19 testing for 90 days following the date of their positive test or diagnosis.

Face Coverings

Special Note: Masks are required for the vaccinated and unvaccinated.

Clafin University will require employees/students covered by this policy who are not fully vaccinated (e.g., if they are granted an exemption from the mandatory vaccination requirement because the vaccine is contraindicated for them) to wear a face covering. Face coverings must: (i) completely cover the nose and mouth; (ii) be made with two or more layers of a breathable fabric that is tightly woven (i.e., fabrics that do not let light pass through when held up to a light source); (iii) be secured to the head with ties, ear loops, or elastic bands that go behind the head. If gaiters are worn, they should have two layers of fabric or be folded to make two layers; (iv) fit snugly over the nose, mouth, and chin with no large gaps on the outside of the face; and (v) be a solid piece of material without slits, exhalation valves, visible holes, punctures, or other openings.

Acceptable face coverings include clear face coverings or cloth face coverings with a clear plastic panel that, despite the non-cloth material allowing light to pass through, otherwise meet these criteria and which may be used to facilitate communication with people who are deaf or hard-of-hearing or others who need to see a speaker's mouth or facial expressions to understand speech or sign language respectively.

Students/employees must wear face coverings over the nose and mouth when on campus (indoor or outdoor) and when occupying a vehicle with another person for work purposes.

The following are exceptions to Clafin University's requirements for face coverings:

1. When an employee/student is alone in a room with floor to ceiling walls and a closed door.
2. For a limited time, while an employee is eating or drinking at the workplace, or

- for identification purposes in compliance with safety and security requirements.
3. When an employee/student is wearing a respirator or facemask.
 4. When the University has determined that the use of face coverings is infeasible or creates a greater hazard (e.g., when it is important to see the employee's mouth for reasons related to their job duties, when the work requires the use of the employee's uncovered mouth, or when the use of a face covering presents a risk of serious injury or death to the employee).

New Hires:

All new employees are required to comply with the vaccination requirements outlined in this policy as soon as practicable and as a condition of employment. Potential candidates for employment will be notified of the requirements of this policy prior to the start of employment.

Confidentiality and Privacy

All medical information collected from individuals, including vaccination information, test results, and any other information obtained because of testing, will be treated in accordance with applicable laws and policies on confidentiality and privacy.

POLICY NON-COMPLIANCE

The University expects compliance with the vaccine requirement for the safety of our students, staff, and faculty members. The University may take appropriate disciplinary or adverse actions against an employee for non-compliance with the provisions of this policy. Employees may have the option of resignation in lieu of termination.

RECORDKEEPING

The Office of Human Resources at Claflin University will be responsible for maintaining all applicable documentation related to the COVID-19 Vaccination Policy.

COMPLIANCE WITH POLICY

This policy shall be governed in accordance with the following related policies and documents:

Sick Leave

Family Medical Leave Act of 1993 (FMLA)

Vacation Leave

Americans with Disabilities Act (ADA)

Title VII of the Civil Rights Act of 1964

Student Handbook

QUESTIONS:

Please direct any questions regarding this policy to the Office of Human Resources.

