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Re: Guidelines for Supervisors Regarding COVID-19 Vaccinations and Face Coverings

Currently, the University of Alaska does not require COVID-19 vaccination for employees. An exception may be requested by the appropriate Chancellor to the President

### **Requiring COVID-19 Vaccination as an Exception**

A department or unit may [request approval](#) to require COVID-19 vaccination for employees for safety-related reasons if it has determined standard safety protocols and/or remote work options are not sufficient, reasonable, or possible. The determination is made in consultation with UA Human Resources (HR) Labor & Employee Engagement (LEE) and the applicable university Environmental Health, Safety, and Risk Management office.

- The department or unit should consult with appropriate leadership before making a written request to the Chancellor.
- Upon receipt of any written request the Chancellor or designee is asked to consult with their HR Business Partner as they consider how the requirement will impact employees.
- If the Chancellor is in support of the vaccine requirement they will consult with the President for final approval.

### **Next Steps if COVID-19 Vaccination is Required**

- Supervisors must provide notice to impacted employees of an approved vaccination requirement. The notice must include:
  - A justification for why COVID-19 vaccination is required for the specific position.
  - An effective date by which the employee must be fully vaccinated. The effective date should allow for the employees to complete the full vaccination cycle (potentially up to 4-6 weeks).
- A description of any interim measures that are or have been implemented to maintain department or unit operations as safely as possible until all required personnel reach full vaccination status. Once the notice of a vaccination requirement is provided to the employee, the employee must attest to one of the following by the specified deadline:
  - They are fully vaccinated.
  - They will be fully vaccinated by the deadline. Once fully vaccinated, the employee will attest their vaccinated status to their supervisor.
  - They have submitted a request for an exemption to the vaccine requirement and are awaiting review/approval.
  - They will not comply with the vaccine requirement or disclose if they are or are not vaccinated and do not intend to request an exemption to the requirement.

## **Exemptions to a COVID-19 Vaccine Requirement**

Employees with a medical reason or sincerely held religious belief that prevents them from complying with a vaccine requirement may request an exemption to the COVID-19 vaccination requirement from the University of Alaska Human Resources using the appropriate exemption form:

- [Medical Exemption Request Form](#)
- [Religious Exemption Request Form](#)

Requests for either a Medical or a Religious Exemption will be processed by Human Resources upon receipt of a completed request form from an employee. Exemptions may not be provided by any other means. Supervisors are encouraged to direct employees seeking an exemption to initiate the process by completing the appropriate request forms which will be made available online.

Medical exemptions require written support from a medical provider. Religious exemption requests require an attestation. All requests will be sent to [ua-ada-accessibility@alaska.edu](mailto:ua-ada-accessibility@alaska.edu). Employees with a medical reason associated with a disability as defined by the ADA may also participate in an interactive process to identify potential reasonable accommodations to allow them to perform the essential functions of their job without being vaccinated.

When an employee is provided with an approved exemption to the vaccine requirement the department or unit should attempt to create a safe working environment using standard safety measures including consulting with their local Environmental Health, Safety and Risk Management to allow the unvaccinated employee to safely continue to work whenever possible.

Employees with a disability as defined by the ADA may also be provided with other reasonable accommodations to allow them to continue to safely work whenever possible. Reasonable accommodations are situation-specific and may not be available in all circumstances.

While waiting for a review of a vaccine exemption request, departments or units are encouraged to do what they can to keep the employee safely working, including working remotely, if possible, until a final determination is made. The department or unit should consult with its university Environmental Health, Safety and Risk Management department if it feels there are safety risks associated with doing this. If a department or unit cannot provide a safe working environment for the unvaccinated employee it should contact [ua-lee@alaska.edu](mailto:ua-lee@alaska.edu) to discuss other options.

## **Approved Exemptions to a COVID-19 Vaccine Requirement**

If an employee is provided with an approved exemption to a vaccine requirement the department or unit should consult with its university Environmental Health, Safety and Risk Management and attempt to provide a safe working environment to allow the employee to continue to work whenever possible. If it is determined that the department or unit is unable to provide a safe working environment for an unvaccinated employee and there are no reasonable accommodations identified for employees as defined

by the ADA, those employees may be subject to termination for cause based on their inability to perform their job duties or be offered an opportunity to resign. Potential termination of employment must be discussed with HR Labor & Employee Engagement ([ua-lee@alaska.edu](mailto:ua-lee@alaska.edu)) in advance of any action.

### **Face-covering Policy**

On [July 30, 2021, President Pitney announced](#) that face coverings are required within University of Alaska buildings.

### **Considerations Regarding Face Covering Policies**

If the employee is not wearing an appropriate face covering, the supervisor should:

- Ensure that the employee understands the policy. Supervisors should discuss the July 30, 2021, UA-wide face covering policy with their employees as soon as possible if they have not already.
- Reinforce that the employee must follow the policy. If the employee claims a medical or religious reason for not wearing a face mask the supervisor should discuss with employee alternate face coverings, such as plastic shields, combined with certain social distancing expectations. The Supervisors should direct the employee to Human Resources, [ua-ada-accessibility@alaska.edu](mailto:ua-ada-accessibility@alaska.edu). A face mask is defined as a covering made with two or more layers of washable, breathable fabric that completely covers the nose and mouth of the wearer and fits snugly against the sides of your face and does not have any air gaps at the top or sides.
- Emphasize that failure to comply could result in disciplinary action up to and including termination for cause.

### **Employees Refusing to Comply with a COVID-19 Vaccination or Face Covering Policy**

Employees who refuse to follow safety requirements such as mandatory vaccinations or face covering policies and who do not have an approved exemption to these requirements may be disciplined, up to and including termination for cause. Refusal by the employee should be clear, not an accidental oversight or failure to remember to bring a face covering with them. Departments or units should work directly with HR LEE ([ua-lee@alaska.edu](mailto:ua-lee@alaska.edu)) to respond to employees who refuse to follow these or any safety requirements.

Should the behavior be repeated by the same employee, and an exemption or accommodation is not in place, disciplinary action up to and including termination for cause is possible. Contact Tasha Leach, LEE Coordinator ([tmevans@alaska.edu](mailto:tmevans@alaska.edu)) or [ua-lee@alaska.edu](mailto:ua-lee@alaska.edu) if additional assistance is needed or to discuss if disciplinary action should be considered.