

# Proclamation Adding Earning Learning, K-12 and Higher Education Employees to Vaccination Requirement for State Employees

Response to questions from Aug. 19, 2021 WACTC meeting  
Produced by SBCTC Aug. 23, 2021

## Proclamation verbiage

Where can I find a copy of the Governor’s proclamation?

[Proclamation 21-14.1](#) added early learning, K-12 employees and higher education employees to a proclamation requiring vaccinations for state employees.

## Deadlines

What is the deadline for employees to be fully vaccinated or have an exemption?

All employees must be fully vaccinated or have an exemption by Oct. 18, 2021. However, colleges may set an earlier deadline to allow enough time to verify employees’ vaccination status and process exemptions by Oct. 18.

SBCTC also advises colleges to warn employees of the timelines involved with becoming fully vaccinated.

Vaccine	Series Dose Requirement	First Dose No Later Than	Second Dose	Completed Series	Fully Vaccinated
<b>Pfizer</b>	2 doses, 21 days apart	09/13/21	10/04/21	10/04/21	10/18/21
<b>Moderna</b>	2 doses, 28 days apart	09/06/21	10/04/21	10/04/21	10/18/21
<b>Johnson &amp; Johnson</b>	Single dose	10/04/21	N/A	10/04/21	10/18/21

## Covered employees

Does the vaccination requirement apply to students?

[Proclamation 21-14.1](#) applies to college faculty and staff, not students. However, there are a few exceptions. Health care students must be vaccinated before starting clinical rotations. Students who provide health care services on-campus (such as in a campus-based dental clinic) must also be vaccinated.

Does the vaccination requirement apply to student employees?

Yes, the vaccination requirement applies to student employees. As a general rule of thumb, SBCTC is interpreting “employees” to be anybody who is on the college payroll and who receives a W-2 form.

Does the vaccination requirement apply to employees who work remotely?

Yes, the proclamation applies to all employees, even if they work entirely online.

Does the vaccination requirement apply to volunteers who come on campus?

Yes, the proclamation applies to volunteers who come on campus.

Does the vaccination requirement apply to trustees and foundation board members?

The vaccination mandate [applies to college trustees and to members of the State Board for Community and Technical Colleges](#), regardless of whether they come to campus or work remotely. Foundation board members are considered volunteers, so the proclamation applies only if they come to campus.

Who verifies the vaccination of governor-appointed college trustees? The Governor’s Office or the college?

[The proclamation](#) identifies board members as “workers,” so colleges need to check the vaccination status of members of their boards of trustees.

## Collective bargaining

Is the vaccination mandate subject to collective bargaining?

Yes, unions may request to bargain the impacts of mandatory vaccines. **Faculty** will bargain at the college level through the Washington Education Association (WEA) or the American Federation of Teachers (AFT).

For **classified staff**, bargaining will occur at the state level, between the Labor Relations Office (within the Office of Financial Management) and the Washington Federation of State Employees (WFSE) and the Washington Public Employees Association (WPEA). Classified staff at technical colleges will bargain locally with their colleges, as will classified staff at colleges that are not part of the bargaining coalition represented by OFM.

## Dismissals

What is the process for dismissing employees who are not vaccinated or who don't have an exemption by Oct. 18, 2021?

For faculty, the separation process is determined by local collective bargaining agreements. For classified staff and exempt employees, the separation process is determined by collective bargaining agreements, civil service rules, or college policies.

Will employees who are terminated receive unemployment benefits?

The Employment Security Department indicated that it would review unemployment applications on a case-by-case basis. In general, unemployment benefits are not granted to people who do not meet a condition of employment.

## Exemptions

Will there be guidance on what constitutes a "legitimate" medical or religious exemption? How do colleges document those exemptions?

The Office of Financial Management provided human resources offices with standardized documents and guidance for medical and religious exemptions. To ensure a consistent approach between colleges, SBCTC recommends all colleges use these forms. For both medical and religious exemptions, the documents will require information from employees and analysis. You will likely want to work with your AAG as you receive these exemption requests.

If your college human resources office does not have a copy of these forms, please contact SBCTC Director of Human Resources Julie Huss, at [jhuss@sbctc.edu](mailto:jhuss@sbctc.edu).

Who approves or disapproves the exemption applications?

Each college will be responsible for approving or disapproving applications for a vaccination exemption. Likely, this process will happen through your human resources departments.

## Attestations/verification

Can employees self-attest that they've been vaccinated, without any other type of verification?

No, attestations aren't enough to verify vaccination for employees; colleges must see and record the documentation. One way to accomplish this would be to allow employees to show their documentation on their computer video cameras while HR staff or other designated college staff make a checkmark next to the employees' names in ctcLink or the Legacy system.

Are we required to keep a copy of vaccination documentation, or just verify that we've seen it?

SBCTC advises colleges to not keep copies of vaccination documents. Instead, colleges should view the documents and make an indication that they've verified the employee's vaccination status. This could be accomplished by simply checking a box in ctcLink or the Legacy system.

But how can a college document an employee's termination if they don't have a record of a vaccination status in the employee's file?

Employees who are not fully vaccinated or who do not have an exemption by Oct. 18 will not meet the conditions of employment for the position. Employees will be subject to non-disciplinary dismissal from employment for failing to meet the qualifications of the job.

When will SBCTC update the attestation form in ctLink and the Legacy system?

The SBCTC IT department expects to update the attestation form for both systems the week of Aug. 23.

- A verification box will be added next to each employee's name. College staff will check the box once they've verified the employee's vaccination status.
- The philosophical exemption for employees has been removed. (It is not allowed under the Governor's proclamation.)

Will verification or exemption documents be uploaded through ctLink or the Legacy system?

No, there won't be a way to upload documents as part of the attestation process in ctLink or the Legacy system.

Vaccination documents should be visually inspected, but not uploaded or kept by the colleges.

Exemption applications should be delivered to employees by their college human resources office.

If employees can't prove their vaccination status through an attestation, why require them to fill out an attestation at all?

The attestations serve three key purposes:

1. Colleges will know which employees are vaccinated and can therefore follow up with a request to see documentation.
2. Colleges will know which employees are requesting exemptions. Human resources department staff can then reach out to those employees with information and required forms.
3. Attestations provide a way to gather immunization data across colleges and across our system.

Is our system keeping the personal/philosophical exemption for students?

Yes, the personal/philosophical exemption remains an option in ctLink and the Legacy system. Like many COVID-related issues, this may change in the future.

Do we have to verify for booster shots?

The proclamation is silent on the issue of booster shots.

We are considered a "vaccinated" campus and we are getting pushback from fully online students who say they don't need to fill out the attestation. Does the proclamation require an attestation from students who are learning entirely online?

The vaccination proclamation doesn't apply to students. However, the higher education proclamation does require colleges to gather attestations from students, but only from those students who come to campus for face-to-face classes or services. Conceivably, a college could decide against requiring attestation forms from students taking classes and using services completely online. Most colleges are asking all their students and employees to fill out attestation forms through the ctLink and Legacy systems, which makes it much more efficient to gather information and data without having to create separate procedures for different types of students.

## Student reimbursements for cancelled classes

What if we lose critical faculty or staff and cannot replace them? Do we have flexibility in returning tuition? Financial aid?

Students are eligible for full refunds for classes that colleges cancel for administrative purposes. Students' financial aid status may be affected if the student does not continue to be enrolled in the same number of credits that the student started the quarter with. Extra care needs to be taken to work with students to either replace the cancelled course with a different course, or to otherwise handle their financial aid changes.

## Contractors

How do we comply with the vaccination requirements for contractors?

The [vaccination proclamation](#) gives agencies/colleges the option of having the contractor verify vaccination or doing it themselves. If the contractor does the verification, it must do so in a method similar to how the colleges would do it for their own employees. The contractor can't allow self-attestation, and they must have some process in place for medical/religious exemptions.

We have a number of contracted employees who live all over the country and who never come to our campuses. Do they have to be vaccinated?

Yes, if they are employees (paid through the college payroll and issued a W-2), they will need to be vaccinated under the proclamation. The proclamation applies even to employees who work remotely.

## COVID-19 outbreak response

How should we inform faculty and staff of an outbreak on campus?

By now, all colleges should have a COVID-19 response plan that outlines procedures for contact-tracing and notification in the case of a COVID outbreak.

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