

# Executive Order Vaccine Requirement FAQ

## **Why is USM implementing a COVID-19 vaccine requirement for employees?**

The University must implement this requirement under [Executive Order 14042, Ensuring Adequate COVID Safety Protocols for Federal Contractors](#), which was issued September 9, 2021. USM is a covered federal contractor and must comply with the Executive Order and its directives, which include a vaccination requirement for all employees unless the employee qualifies for a legal exemption.

## **Who is required to get a vaccine?**

All employees of the institution regardless of status, including staff, faculty, student workers, graduate assistants, adjunct, part-time and temporary unless the employee qualifies for a legal exemption.

## **Updated When does the requirement take effect?**

Employees must be fully vaccinated by **January 4, 2022**. Fully vaccinated is defined as having the series of 2 doses for Pfizer or Moderna vaccines, or 1 dose for the Johnson and Johnson vaccine.

## **How do we notify the University of our vaccination status?**

Instructions can be found on the University Human Resources website under the tab “COVID-19 FAQs.” Each employee will complete the submission in SoarHR, which includes uploading a copy of your vaccine card or equivalent health record (defined under “Is proof of vaccination status required” in this FAQ). We ask that you upload your vaccination record no later than December 3 to ensure adequate time to review and verify your record.

## **Is proof of vaccination status required?**

Yes. Employees must provide a copy of their immunization record from a healthcare provider or pharmacy, a copy of the COVID-19 Vaccination Record Card, a copy of medical records documenting the vaccination, a copy of immunization records from a public health or state immunization information system, or a copy of any other official documentation containing required data points. Your document will be submitted electronically through SoarHR self-service.

## **Can I provide a recent antibody test or proof of past infection to prove immunity?**

No. Federal guidance does not allow this as a substitute for being vaccinated. You must provide the required documentation for proof of vaccination.

## **New Why was my vaccination card flagged for further review?**

The University is required to do its due diligence in ensuring that valid vaccination records are submitted for confirmation of vaccination status. Anytime we identify potential issues with a vaccination record, we will request further documentation from an official health source to validate the record. Issues might be a lack of information provided on the card, markings, illegible writing, inconsistent dates, etc.

## **New Why was I referred to my healthcare provider even when I showed proof of vaccination?**

The CDC only recognizes WHO-approved vaccinations as “fully immunized.” If you have provided a vaccine record for a vaccination other than a WHO-approved vaccination, you will be referred to your healthcare provider to either be vaccinated with an FDA-approved vaccination or to request an extension.

**Will exceptions be allowed and how do I request one?**

Employees may request a legal exemption for a disability or medical condition or a sincerely held religious belief, practice or observance. In extremely rare cases, an employee may qualify for a work-related exception as defined under “What qualifies as a work-related exception” in this FAQ.

All request forms can be found on the University Human Resources website under the tab “COVID-19 FAQs.” Select the appropriate form based on the type of exception you are requesting and follow the instructions for submitting a request for a legal exemption.

**What qualifies as a medical exception?**

An employee would qualify for a medical exception if a health condition prohibited them from receiving the vaccination, as certified by a healthcare provider. This could include an allergy that has the potential for triggering an abnormal response to the vaccine and a significant adverse impact on your health. In addition to completing the employee section of the form, employees must also submit the “medical inquiry” section which is to be completed by your healthcare provider.

Some medical conditions may be temporary in nature that could qualify the employee for an extension rather than a full exemption. This might include situations such as when a person has recently received monoclonal antibodies or convalescent plasma and is medically recommended to not receive the vaccine for a duration of time, for which an extension would be granted until the end of the duration. This also requires the completion of the “medical inquiry” section.

**What qualifies as a religious exception?**

A religion exception may be granted when receiving the vaccine would conflict with a sincerely held religious belief, practice or observance. A religious exception does not require you to claim status in a particular religious group nor be of a majority opinion but simply to have a sincere religious belief, practice or observance. Objections to the vaccine for personal or political reasons is different from a religious belief and would not qualify for an exception.

Information that you should consider in your request is whether your religious beliefs prohibit all vaccinations and other medical interventions as your belief system would need to be consistent throughout your decision making.

**What qualifies as a work-related exception?**

In extremely rare cases, an employee may qualify for a work-related exception. The employee must meet two specific criteria to qualify:

- The employee must already be assigned to work solely at an off-site location as part of their normal work assignment, meaning that the employee does not ever work on or travel to any USM campus, location, or property, including non-traditional property like research vessels, at any time for any reason.
- The employee must not work on a federal contract or perform any type of support work for a federal contract, such as providing human resources, billing or IT related services, etc.

If an employee is approved for a work-related exception, the exception will be rescinded if circumstances change and they no longer continue to meet both of these criteria. The burden is on the requesting employee to affirmatively demonstrate that they meet these criteria.

**What is the deadline for requesting a legal exemption?**

In order to ensure time to review and respond to requests, request forms should be submitted no later than November 19, 2021. While requests will be accepted after that deadline, those requests may not be fully reviewed in time to meet the Executive Order's effective date of January 4, and employees with a pending request may be subject to suspension or other actions.

**What does requesting a legal exemption do for me?**

The University of Southern Mississippi is committed to providing equal employment opportunities without regard to any protected status and a work environment that is free of unlawful harassment, discrimination, and retaliation. USM is also committed to complying with all laws protecting employees' medical conditions and religious beliefs and practices.

When requested, USM will provide a reasonable accommodation for employees who qualify for a legal exemption under the Executive Order as long as the submitted documentation meets required criteria for the type of exception requested, and as long as the requested accommodation is reasonable, permits the employee to perform the essential functions of their job and does not create an undue hardship for USM or pose a direct threat to the health and/or safety of others in the workplace and/or to the requesting employee.

**Will my request for a legal exemption be confidential?**

Yes. Requests for exceptions under the Executive Order will be kept confidential, will be kept separately from your personnel file, and will be accessed only by those with a need-to-know. Requests will be reviewed by designated individuals, which will likely include your supervisor or some member of management who will be involved in determining whether a reasonable accommodation can be made and then ensuring the reasonable accommodation is provided and adhered to.

**If I have received a vaccination from Moffitt Health Center, do I have to submit my information through the SoarHR portal?**

Yes. Human Resources does not have access to your health record.

**If I already submitted my vaccine record for the student vaccine incentive program, do I have to resubmit my information through the SoarHR portal?**

Yes, you must still go through the official process to update your employment record.

**What happens if I don't get vaccinated in time to meet the effective date of January 4?**

Unless you have been granted a legal exemption through the official University process described in this FAQ, employees may face employment actions such as being placed on temporary, unpaid administrative leave for a brief extension period and ultimately termination of employment.

**How will this requirement impact new hires?**

All new hires to the University will be required to submit proof of vaccination or request approval for a legal exemption as described in this FAQ as part of the new hire process in order to be cleared for work. We will be updating job announcements, offer letters and other applicable communication sources.

**Am I required to have or show proof of a booster?**

No; booster doses are not required at this time. The CDC's current definition for qualifying as "fully vaccinated" is having the series of 2 doses for Pfizer or Moderna vaccines, or 1 dose for the Johnson and Johnson vaccine.

**New** **How will I know if my vaccine record was "approved"?**

When you submit your vaccination record through the SoarHR portal, you will receive a confirmation message that states, "Your vaccination information has been submitted successfully for review." This confirms that your information is in process. Once Human Resources reviews and approves it, you will receive a second email that alerts you that your submission was approved. If there are issues with your submission, you will receive an email alerting you to that fact with information as to how to proceed. For instance, if your vaccine record is missing dates, you will be notified that additional information is required.

**New** **How will I know if my legal exemption request was "approved"?**

When you submit your legal exemption request through the SoarHR portal, you will receive a confirmation email from Human Resources that your request is in process. Human Resources will contact you as quickly as possible to either discuss any issues with your submission or to begin working with you on a reasonable accommodation. If there are issues with your submission, such as you did not attach the appropriate request form, your submission will be declined with information as to how to proceed (i.e. resubmit with the proper attachments).

**New** **How quickly can I expect to receive confirmation that my information is "approved"?**

Please be patient. Human Resources is receiving thousands of submissions in a very short period of time and is working through them as quickly as possible. As long as you have made a submission you are considered to be "in process" even if there are issues with your submission. Please do not call or email requesting a status update.