



# Policy on Vaccination Programs

**DRAFT FOR SYSTEMWIDE REVIEW 9/15/23-12/15/23**

<b>Responsible Officers:</b>	Provost & Executive Vice President for Academic Affairs (Campuses, ANR, Labs) Executive Vice President – University of California Health (UC Health) Executive Vice President and Chief Operating Officer (Campuses, ANR, Labs)
<b>Responsible Offices:</b>	Academic Affairs University of California Health (UCH) University of California Operations (UCO)
<b>Issuance Date:</b>	TBD 2024
<b>Effective Date:</b>	TBD 2024
<b>Last Review Date:</b>	TBD 2024
<b>Scope:</b>	All University of California locations and faculty, academic personnel, staff, trainees, students, and others accessing University facilities and programs.

*For questions regarding individual employee situations and this policy, please contact your [location's applicable office](#). For individual student questions related to the medical aspects of the policy, please contact your campus [Student Health Services](#).*

<b>Campus Contact:</b>	UC Emergency Management
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### I. POLICY SUMMARY

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The purpose of this policy is to facilitate protection of the health and safety of the University community, including its patients as well as its Students, Personnel and all others who work, live, and/or learn in any of the University’s Locations or otherwise participate in person in University Programs.

The University strongly recommends that all members of the University community follow vaccine recommendations adopted by the U.S. Centers for Disease Control and Prevention (CDC) and the California Department of Public Health (CDPH) applicable to their age, medical condition, and other relevant indications.

In addition, this policy and its Program Attachments together ~~may require~~ provide for [Mandate and/or Opt-Out](#) Vaccination Programs. [In a Mandate Program](#), Covered Individuals are required, subject to limited Exceptions and associated Non-Pharmaceutical Interventions, to be Up-To-Date on specified Vaccines ~~before Physically Accessing a condition of Physical Presence at any the~~ University’s Locations or Programs. [In an Opt-Out Program](#), Covered Individuals are required, subject to Non-Pharmaceutical Interventions, to be Up-To-Date on specified Vaccines or to properly decline such Vaccines as a condition of Physical Presence at any University Location or Program. The applicable Program Attachment indicates whether a Vaccine Program is a Mandate or Opt-Out Program.

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### II. DEFINITIONS

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**Compliance Date:** The deadline for compliance with a Vaccination Program, as specified in the applicable Program Attachment. Unless otherwise specified in a Program Attachment, for new employees whose first date of employment is later, the deadline for initial [vaccination compliance](#) is within 14 days of the first date of employment; for students starting or returning to campus after the Compliance Date, the deadline is the first date of instruction for the term when they first enroll. Student employees are subject to the deadlines applicable to students.

**Contraindications and Precautions:** A contraindication or precaution to a Vaccine recognized by the CDC, CDPH, or in the case of internationally administered Vaccines, the World Health Organization (WHO). Contraindications and Precautions are limited and do not include conditions that are unrelated to Vaccines or injectable therapies, such as food, pet, venom, or environmental allergies, or allergies to oral medications.

**Covered Individuals:** A Covered Individual includes anyone designated as Personnel or Students under this policy who Physically Access a University Facility or Program in connection with their employment, appointment, or education/training. A person exclusively accessing a Healthcare Location as a patient, or an art, athletics, entertainment, or other publicly accessible venue at a Location as a member of the public, is not a Covered Individual.

**Covered Non-Affiliates:** A Covered Non-Affiliate is a person who Physically Accesses a University Facility or Program as a Non-Affiliate (other than as an “official volunteer”) under the [Regulations Governing Conduct of Non-Affiliates in the Buildings and on the Grounds of the University of California](#). For purposes of this policy, “Covered Non-Affiliates” also includes K-12 students and children enrolled in day care programs and camps sponsored by the University or operated at a University Facility or Location; as well as individuals enrolled in UC extension programs, continuing education, lifelong learning, seminars, workshops, and other non-degree-granting educational programs, professional development, and/or recreational programs. Refer to section III.B of this policy for additional information regarding Covered Non-Affiliates.

**Deferral:** A temporary delay of vaccination provided for in a Program Attachment based on a reason other than Medical Exemption, Disability, or Religious Objection. In the case of a Vaccine authorized for emergency use or recently approved, a Program Attachment may provide for Deferral based on pregnancy. In the case of a Vaccine for a disease where evidence suggests that contracting the illness or receiving treatment for the disease provides temporary protection, a Program Attachment may provide for Deferral based on recent illness or treatment.

**Disability:** A physical or mental disorder or condition that limits a major life activity and any other condition recognized as a disability under applicable law. “Disability” includes pregnancy, childbirth, or a related medical condition where reasonable accommodation is medically advisable.

**Exception:** In the context of a Mandate Program, an Exception is an approval issued by an authorized University official for a Covered Individual to not receive an otherwise required vaccination. Depending on the situation, Exceptions may be premised on Medical Exemption, Disability, and/or Religious Objection. In appropriate circumstances, Deferrals may be approved. In the context of an Opt-Out Program, an Exception may be premised on a Covered Individual’s informed decision to decline Vaccine, with appropriate notification to the Location Vaccine Authority or designee.

**Healthcare Location:** A collection of buildings and Personnel that [service-serve as](#) an academic health system or student health or counseling center including hospitals, ambulatory surgery centers, outpatient centers, clinics, or other locations where preventive, diagnostic, therapeutic, or other interventional physical or behavioral healthcare services are

provided to UC Health patients, students, employees, or research participants and any associated educational, research, or administrative facilities and offices. A Healthcare Location refers only to that part of a campus that meets this definition.

**Location (or Facility):** Any United States campus, medical center, or facility operated by the University in connection with its research, teaching, or public service (including clinical care) missions or programs, including University housing. A Location does not include a University-owned property that is leased to a third party unless (and only to the extent) a University Program occurs at that property.

**Location Vaccine Authority (LVA):** The office or person responsible for implementing the requirements set forth in a Program Attachment for a Location, typically the Chief Medical Officer or Occupational Health office at a Medical Center or an Occupational Health or Student Health office at an academic campus. The LVA is a health care provider and its records are considered confidential health records for purposes of the University's privacy policies.

**Mandate Program:** A Vaccination Program that requires Covered Individuals to be Up-To-Date on Vaccines unless they have received a University-approved Exception.

**Medical Exemption:** An excuse from receiving an otherwise required Vaccine due to a medical Contraindication or Precaution for each Vaccine that would satisfy the vaccination requirement.

**Non-Pharmaceutical Intervention (NPI):** An action, other than getting vaccinated or taking medicine, that members of the University community can take to help prevent or slow the spread of contagious illnesses. NPIs may include, for example, staying home, especially when a person is sick or when a member of the person's family or household is sick; quarantining when an unvaccinated person has been exposed to someone else with the illness; avoiding large gatherings; physical/social distancing; wearing personal protective equipment or face coverings; frequent handwashing and cleaning; and asymptomatic (surveillance) and symptomatic testing.

**Opt-Out Program:** A Vaccination Program that requires Covered Individuals to be Up-To-Date on Vaccines or to formally decline vaccination by completing an opt-out form provided by their Location (a "Vaccine Declination Statement") and submitting it to their Location Vaccine Authority on or before the Compliance Date.

**Participation:** Participation in a Vaccination Program as required by the applicable Program Attachment, which may include providing certification or proof of being Up-To-Date on vaccination or obtaining a University-approved Exception under this policy in a Mandate Program or properly declining vaccination in an Opt-Out Program. Participation in all Vaccination Programs applicable to a Covered Individual is a condition of Physical Presence at any University Location or Program as set forth in this policy. ~~For Covered Individuals who must be vaccinated under this policy,~~ Participation compliance may require annual or recurring obligations, such as repeat vaccinations or boosters ~~on an annual or recurring basis~~ consistent with U.S. Food and Drug Administration (FDA)-approved labeling and CDC or and CDPH recommendations.

**Personnel:** University faculty, other academic appointees, and staff, including but not limited to visiting, volunteer, without salary, and emeritus/a professors, visiting or volunteer academic appointees, contract, recall, and emeritus/a employees. “Personnel” also includes, for purposes of this policy, official volunteers, as defined in the [Regulations Governing Conduct of Non-Affiliates in the Buildings and on the Grounds of the University of California](#), and participants in post-graduate training programs who are not Students.

**Physical Access or Physical Presence (or Physically Access/Accessing or Physically Present):** Physical presence at a University Location or Program for any work, research, or education/training related purpose (as distinguished from accessing a Healthcare Location as a patient, or an art, athletics, entertainment, or other publicly accessible venue at a Location as a member of the public). Physical presence includes living in housing furnished by the University, using University amenities such as entertainment venues, museums, libraries, workout facilities, or dining halls or food courts in one’s capacity as Personnel or a Student, or participating in person in a University Program even if not occurring at a Location. Access is not defined by reference to any particular frequency (e.g., daily, weekly, monthly, *ad hoc*).

~~**Primary Series:** The initial dose(s) of a given Vaccine as specified by CDC, CDPH, the U.S. Food and Drug Administration (FDA) or in the case of internationally administered Vaccines, the WHO.~~

~~**Program Attachment:** An attachment [as part of this Policy](#) describing a specific Vaccination Program, ~~under which Covered Individuals are required, subject to limited Exceptions and associated Non-Pharmaceutical Interventions, to be Up-To-Date on (or affirmatively decline) specified Vaccines before Physically Accessing the University’s Locations or Programs.~~~~

**Reasonable Accommodation:** An adjustment made to the requirements of a Vaccination Program, including an adjustment for a Covered Individual who has received a University-approved Exception to allow them to be Physically Present without impairing the health and safety objectives of this policy. Covered Individuals with Exceptions may be required to observe specified NPIs as a condition of Physical Presence.

**Religious Objection:** A Covered Individual’s objection to receiving an otherwise required Vaccine based on that person’s sincerely held religious belief, practice, or observance.

**Responsible Office:** The office at a Location responsible for processing Exceptions.

**Student:** The term “Student” has the same meaning as defined in the current version of the Policies Applying to Campus Activities, Organizations and Students (PACAOS) Section 14.40: an individual for whom the University maintains student records and who: (a) is enrolled in or registered with an academic program of the University; (b) has completed the immediately preceding term, is not presently enrolled, and is eligible for reenrollment; or (c) is on an approved educational leave or other approved leave status, or is on filing-fee status. For purposes of this policy, the term “Student” also includes visiting students.

**Systemwide Vaccine Authority:** The Systemwide Vaccine Authority is the Executive Vice President for UC Health or designee. A person is eligible to serve as the Systemwide Vaccine Authority if the person is Board-Certified in the subspecialty of Infectious Disease

by an [American Board of Medical Specialties](#) or an [American Osteopathic Association Specialty Certifying Board](#) and maintains a faculty appointment that meets all of the good standing criteria established at that UC Location.

**University or UC:** The University of California.

**University Program:** A program or activity operated by the University to support the University's teaching or research mission and generally offered exclusively to University Personnel or Students. Examples of covered Programs that may not be conducted at a Location include the [UC Education Abroad Program](#) and University-sponsored athletics programs.

**Up-To-Date:** A person is Up-To-Date ~~with required Vaccines~~ when they have received all doses ~~of a Vaccine in a Primary Series and the most recent boosters~~ recommended by the CDC ~~or by~~ CDPH. A person need not obtain ~~boosters doses~~ that are authorized but not explicitly recommended by CDC ~~or and~~ CDPH in order to be considered Up-To-Date.

**Vaccination Program:** A set of rules governing Physical Presence at University Locations or in University Programs intended to reduce the incidence of Vaccine-preventable disease, disability, and death in connection with University Facilities or Programs. A Vaccination Program is either a Mandate Program or an Opt-Out Program.

**Vaccine:** A Vaccine satisfies the requirements of this policy if: (i) the FDA has issued a License or an Emergency Use Authorization (EUA) for the vaccine; or (ii) the WHO has approved Emergency Use Listing (EUL) for the vaccine. If approved by LVA and consistent with any applicable public health mandates, a vaccine administered during a clinical trial but not yet approved, licensed, or authorized may also satisfy the requirements of this policy.

**Vaccine Education:** Vaccine Education is communication of the following information about a Vaccine-preventable illness through any combination of Vaccine Information Statements, other written information, verbal communications, or online or in-person training programs, as required by the LVA.

1. The potential health consequences of Vaccine-preventable illness for Covered Individuals, family members and other contacts, coworkers, patients, and the community;
2. Occupational exposure to Vaccine-preventable disease;
3. The epidemiology and modes of transmission, diagnosis, and NPIs, consistent with the Covered Individual's level of responsibility in preventing Vaccine-preventable infections;
4. The potential benefits of vaccination; and
5. The safety profile and risks of the Vaccine.

**Vaccine Information Statement ("VIS"):** An information sheet produced by or including information derived from the CDC, CDPH, and/or UC Health or any of its components, explaining in plain language the benefits and risks of a Vaccine to Vaccine recipients. A VIS generally must be provided to an individual being vaccinated prior to each dose of the

Vaccine, in a language they understand. For purposes of this policy, a VIS may also include FDA fact sheets for Vaccine recipients and caregivers.

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### III. POLICY TEXT

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This policy supplements, and does not replace, any policies or guidelines requiring University Personnel, Students, patients, and visitors to observe Non-Pharmaceutical Interventions (NPIs).

**A. Vaccination Program.** As a condition of Physical Presence at a Location or in a University Program, all Covered Individuals must Participate in any applicable Vaccination Program as described in a Program Attachment by no later than the Compliance Date—providing proof that they are Up-To-Date with any required Vaccines or submitting a request for Exception in a Mandate Program or properly declining vaccination in an Opt-Out Program no later than the Compliance Date. This requirement may be subject to implementation guidelines and any local procedures for enforcement. The availability of alternative remote work arrangements will depend on systemwide guidance and any local policies or procedures, as well as the nature of the work to be performed.

1. **Access to Vaccination.** All campuses and medical centers must offer any required vaccination on-site or maintain a list of nearby and accessible off-site locations offering vaccination to Covered Individuals during working and non-working hours. This provision is not intended to restrict a Covered Individual’s choice of provider, but to maximize their access to vaccination.
2. **Proof of Vaccination or Exception**
  - a. **Mandate Programs.** Covered Individuals must be Up-To-Date on mandated Vaccines or timely secure a University-approved Exception. They also may be required to submit proof or certification of their vaccination or of a University-approved Exception to their Location Vaccine Authority (LVA), if and as specified in a Program Attachment. Proof or certification of vaccination may be subject to audit.
  - b. **Opt-Out Programs.** Covered Individuals must be Up-To-Date on Vaccines or receive Vaccine Education and timely complete and submit a Vaccine Declination Statement to their LVA for each applicable Vaccine. They also may be required to submit proof or certification of their vaccination to their LVA, if and as specified in a Program Attachment. Proof or certification of vaccination may be subject to audit.
3. **Request for Exception.** A Covered Individual seeking an Exception in a Mandate Program must, no later than the relevant Vaccine’s Compliance Date, submit their request to the appropriate Responsible Office. While a request is pending and if it is granted, the Covered Individual must, as a condition of Physical Presence, observe any NPIs as defined by the LVA and no less stringent than applicable public health directives. If an Exception is granted, the issuing office must notify the Covered

Individual and the LVA of the approval and the associated expiration date, if any. If an Exception request is denied, the Covered Individual will be notified and, thereafter, will be expected to promptly become Up-To-Date or will be denied Physical Presence at the relevant University Location(s) or Program(s).

4. **Education.** Any Covered Individual who has not provided proof that they are Up-To-Date on all applicable Vaccines by the specified Compliance Date will receive from the LVA or designee Vaccine Education. This educational requirement is not an alternative to required Participation in a Vaccination Program as a condition of Physical Presence at a University Location or Program as set forth above. Additional education may be required consistent with applicable federal, state, -or local mandates or accreditation standards.
  5. **Non-Pharmaceutical Interventions (NPIs).** All Covered Individuals must participate in any NPIs as specified by the relevant University Location or Program. In the event of a disease outbreak, Covered Individuals and Covered Non-Affiliates who are not Up-To-Date on the relevant Vaccine may be excluded from the Location or site of the outbreak.
  6. **Optional Additional Measures.** Covered Individuals may wear masks or face coverings even if they are Up-To-Date on all relevant Vaccines and no mask/face covering mandate is in effect.
- B. Covered Non-Affiliates.** Each University Location and Program will define any requirements for public or other Covered Non-Affiliate Physical Presence (for example, at health facilities, entertainment venues, museums, libraries, workout facilities, dining halls and food courts, day care centers, or camps), no less stringent than applicable public health guidance.
- C. Superseding Public Health Directives.** A federal, state, or local public health agency with jurisdiction may impose a more restrictive/protective vaccine and/or NPI requirement that lawfully supersedes this policy. In the event of a perceived conflict between public health requirements and this Policy, [UC Legal](#) should be consulted.

#### **D. Tracking and Reporting**

1. **Vaccination Data.** The LVA or designated [unit](#) may be required to record and track certain information regarding vaccination in a Covered Individual's confidential health record, consistent with University privacy and security policies including [BFB-IS-3](#) (Electronic Information Security Policy) [and consistent with University records policies including BFB-RMP-1 \(the University Records Management Program\)](#). Such information may include, but not be limited to: (i) proof or certification of vaccination; (ii) date(s) of administration and Vaccine type and manufacturer; and (iii) documentation of an Exception [\(which may include a Vaccine Declination Statement in an Opt-Out Program\)](#). [- Vaccination Program records must be kept confidential and only accessed for Vaccination Program-related purposes. Vaccination Program records must not be stored in an employee's personnel file.](#)
2. **Vaccines Administered by the University**



- a. **Registries.** For all vaccinations administered by the University in its capacity as health care provider, appropriate information will be submitted to the [California Immunization Registry](#) (CAIR) or such other registries as may be required by applicable public health agencies or University policy. While Vaccine recipients ordinarily are permitted to opt out from registry reporting in California, the California Department of Public Health (CDPH) may, in some cases, mandate that all participating vaccinators report certain vaccinations. Accordingly, the typical opt-out option may not apply.
  - b. **Adverse Events.** Any adverse events associated with a required Vaccine administered at a Location and reported to the University must be tracked and logged by the LVA or designee and reported to federal and state public health officials using the [Vaccine Adverse Event Reporting System \(VAERS\)](#).
- E. Program Evaluation.** Locations are encouraged and, through a Program Attachment may be required, to evaluate Program Participation on an annual and ongoing basis, including evaluation of equity in Program implementation; reasons identified for non-Participation or untimely Participation; the number and population-level characteristics of Covered Individuals who are not vaccinated; and community outcomes.

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#### IV. COMPLIANCE/RESPONSIBILITIES

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- A. CDC and FDA generally translate VIS into many languages commonly spoken in California and elsewhere in the United States and post these online. Whenever the University is administering a Vaccine in its capacity as health care provider, the relevant VIS should be provided to a person receiving Vaccine in a language that they understand. In the unlikely event relevant VIS translations are unavailable, they should be accompanied when distributed with a document with ~~taglines such as those approved by the U.S. Department of Health & Human Services~~ [taglines such as those approved by the U.S. Department of Health & Human Services](#) to facilitate language access by all affected Personnel and Students. Interpreters should also be made available in person, by video, or by phone during Vaccine clinics.
- B. Each Location is responsible for: (i) assuring any necessary updates are made to its local Infectious Diseases/Infection Prevention and Control Programs; (ii) establishing Compliance Dates on an annual or ongoing basis, in consultation with epidemiology and infection prevention experts and occupational health representatives as applicable and consistent with any supply limitations; and (iii) assuring implementation of each Vaccination Program at all sites.
  - 1. Implementation includes informing Personnel and Students (as well as Covered Non-Affiliates, as applicable) of (i) any Vaccine requirements and associated Compliance Dates; (ii) dates and Locations for on-site administration (if any); and (iii) for required Vaccines, that vaccination will be provided at no out-of-pocket cost to them if they receive the Vaccine from the University.
  - 2. Each Location should implement reasonable strategies for Vaccine access, including efforts to ensure vaccination availability during all work shifts and to address Vaccine

hesitancy, particularly among groups at most significant risk for contracting Vaccine-preventable disease and suffering severe illness.

**C.** The Chancellors, Lawrence Berkeley National Laboratory Director, ~~(of the University-affiliated national laboratories)~~, and the Vice President—of Agriculture and Natural Resources (ANR) ~~are is~~are responsible for implementing this policy at their respective locations. Deans, Department Chairs, unit heads, managers, supervisors, student affairs leaders, and others with responsibility for personnel or student management will support Vaccination Program implementation and enforcement. Consultation with Academic Senate leaders, especially on the campus, is encouraged with respect to implementation procedures for academic appointees.

**D.** Noncompliance with this policy may result in educational efforts and/or employment consequences up to and including informal counseling, adverse performance evaluations, corrective action and/or discipline, or disciplinary sanctions for students as outlined in PACAOS 105.00.

For policy-covered staff employees, corrective action and/or discipline is governed by Personnel Policies for Staff Members 62 (Corrective Action) and 64 (Termination and Job Abandonment); Personnel Policies for Staff Members- II-64 (Termination of Appointment), which applies to Senior Management Group (SMG) employees; and as applicable, other policies and procedures.

For policy-covered academic appointees, corrective action and/or discipline is governed by APM — 015 (The Faculty Code of Conduct), APM - 016 (University Policy on Faculty Conduct and the Administration of Discipline), APM - 150 (Non-Senate Academic Appointees/Corrective Action and Dismissal), and as applicable, other policies and procedures.

For represented employees, corrective action and/or discipline is governed by the applicable collective bargaining agreements.

For students, disciplinary procedures are governed by PACAOS.

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## V. PROCEDURES

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Implementation guidelines for this policy may be included in the applicable Program Attachment. To facilitate implementation, Eeach Location may establish local procedures consistent with ~~those guidelines to facilitate implementation of~~ this policy and the applicable Vaccination Program.

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## VI. RELATED INFORMATION

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- [CDC Advisory Committee on Immunization Practices](#)
- [CDC Immunization Schedules](#)
- [Cal. Health & Safety Code Division 2, Chapter 2, Article 3.5](#)

- California Department of Public Health, [Licensees Authorized to Administer Vaccines in California](#)
- Infectious Disease Society of America, [Guidelines](#)
- American Academy of Pediatrics, [Immunizations](#)
- American College of Physicians, [Adult Immunization Hub](#)
- [American Medical Association, Opinion 8.7, Routine Universal Immunization of Physicians](#)
- [University of California \[Student\] Immunization Policy](#)

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## VII. FREQUENTLY ASKED QUESTIONS

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~~1. Some Program Attachments both encourage and require members of the University community to be vaccinated. Which is it?~~

~~This policy strongly encourages all members of the University community to follow vaccine recommendations adopted by the CDC and CDPH. Only Covered Individuals are required to Participate in a Vaccination Program by staying Up-To-Date on required Vaccines or receiving a University-approved Exception in a Mandate Program or properly declining vaccination in an Opt-Out Program. (University Locations and Programs will define any requirements for Covered Non-Affiliates.) For certain Covered Individuals, such as health care workers, CDPH or local public health orders may be more restrictive than this policy and the applicable Program Attachment. In those cases, the more restrictive public health order will apply in addition to any other requirements under this policy and the applicable Program Attachment.~~

~~Does this policy Am-I require\_dme to be vaccinated to attend school or work for the -University?~~

~~This policy strongly encourages all members of the University community to follow vaccine recommendations adopted by the CDC and CDPH. Only Covered Individuals are required to Participate in Vaccination Programs. (University Locations and Programs will define any requirements for Covered Non-Affiliates.)~~

**For Mandate Programs:** Covered Individuals must ~~receive-stay~~ Up-To-Date on any required Vaccines as a condition to Physical Presence at Locations and in University Programs, unless they have been granted an Exception.

**For Opt-Out Programs:** Covered Individuals must ~~receive-stay~~ Up-To-Date on any required-specified Vaccines or receive Vaccine Education and submit a Vaccine Declination Statement to the Location Vaccine Authority as a condition to Physical Presence at Locations and in University Programs.

[Refer to the applicable Program Attachment for information regarding whether that Vaccination Program is a Mandate Program or an Opt-Out Program.](#)

Covered Individuals who receive an Exception or opt out may be subject to special NPIs.

[For certain Covered Individuals, such as health care workers, CDPH or local public health orders may be more restrictive than this policy and the applicable Program Attachment. In those cases, the more restrictive public health order will apply in addition to any other requirements under this policy and the applicable Program Attachment.](#)

**2. Does this policy apply to union-represented employees?**

Yes, in accordance with any applicable collective bargaining requirements.

**3. How will I know if my co-workers or fellow Students are going unvaccinated?**

You probably won't know. Because vaccination-related information is private and confidential, the University will not disclose Vaccine status of Covered Individuals except on a need-to-know basis; however, third parties and some Locations may distribute badge attachments, stickers, pins, or other indicators that vaccinated individuals may use to show that they have received the Vaccine.

**4. I teach both seminar and lecture classes, and as a result am typically exposed to many students. Will I be informed if someone in my class is not vaccinated?**

As will be the case in any public setting, you will not be informed of the vaccination status of individual students and should expect that some may not be vaccinated.

**5. Will University of California Health specify which authorized or licensed Vaccine is preferred when more than one is available to prevent a Vaccine-preventable disease?**

No.

**6. Will Locations provide paid time off for non-exempt employees for the time needed to get [a Vaccine](#) ~~ated as required in~~ [covered by](#) a Program Attachment?**

Yes. Non-exempt employees and hourly academic appointees may take up to four hours of paid time to obtain each dose of Vaccine [required-needed](#) to stay Up-To-Date. These employees and academic appointees [are not required to use accrued leave for up to four hours; however, they](#) must provide advance notice to their supervisor.

**7. What if I experience flu-like symptoms or other side effects as a result of a Vaccine that mean I cannot work as scheduled, or attend classes?**

Employees should contact their supervisors, local human resources, or academic personnel offices with questions but as a general matter, accrued sick leave, vacation, and/or PTO may be used to take time off as needed to recover. Students should contact their faculty/instructors regarding minor illnesses or disability services to address any significant issues.

**8. If I have applied for or been granted an Exception in a Mandate Program or if I have opted out of vaccination in an Opt-Out Program, what Non-Pharmaceutical Interventions (NPIs) will I be required to observe?**

A Program Attachment may describe any required NPIs. Additional safety measures may be deemed necessary, depending on the circumstances, by local public health, environmental health and safety, occupational health, or infection prevention authorities, including the Location Vaccine Authority. In that case, you will be informed of any additional requirements.

**9. Who will pay for the Vaccine?**

All of the University's health plans cover CDC-recommended Vaccines administered by an employee's primary care physician or at a local pharmacy. [How will enforcement work for failure to participate in a Vaccination Program?](#)

~~Efforts will be made to encourage Participation prior to the Compliance Date. Special requirements related to compliance for Personnel and Students may be addressed in Program Attachments. Those who fail to Participate by being Up-To-Date on vaccination or, as applicable, requesting an Exception (for Mandate Programs) or submitting a Vaccine Declination Statement (for Opt-Out Programs) on or before the Compliance Date will be barred from Physical Presence at University Facilities and Programs, and may experience consequences as a result of non-Participation, up to and including termination or dismissal.~~

**10. I am at high risk for severe illness if I contract a Vaccine-preventable disease (e.g., immunocompromised) and even though I have been vaccinated, I know that no Vaccine is 100% effective. Do I have to come ~~to worksite~~ if ~~my co-workers or Students are not all not everyone is~~ vaccinated? What accommodations will be made for me?**

Please contact your local disability services office to discuss your situation and possible accommodations.

**11. Will the University accept internationally approved vaccines even if not authorized or approved in the United States?**

Yes, if the Vaccine is authorized by the [World Health Organization](#) (WHO). The WHO [has developed a process](#) for assessing and listing unlicensed vaccines, therapeutics, and diagnostics during public health emergencies. Through that process, a number of vaccines not available in the United States have received Emergency Use Listing (EUL). The University will, consistent with [CDC](#) and CDPH guidance, accept proof of vaccination with any internationally administered Vaccine that has been authorized for emergency use by WHO through the EUL process.

### **12. I am fully remote. Am I a Covered Individual?**

You are a Covered Individual at the time you are first Physically Present at a University Location or Program other than as a member of the public (or as a Covered Non-Affiliate). Your Location may also treat you as a Covered Individual if you are authorized to be Physically Present in connection with your employment, appointment, or education or training program.

### **13. Are trainees Covered Individuals under this policy?**

Yes, trainees may be Covered Individuals as either Students or Personnel depending on their circumstances.

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## **VIII. REVISION HISTORY**

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### **TBD 2024:**

**August 16, 2023:** [This policy was updated with interim revisions, including clarifying edits.](#)

- [Updated language consistent with current public health usage.](#)
- [Moved relevant language regarding vaccination data to Policy Text from Program Attachment.](#)
- [Addressed noncompliance in Compliance/Responsibilities instead of in Program Attachment and FAQ.](#)

**December 12, 2022:** -This policy was updated with interim amendments. Minor technical edits were also made for clarity.

**November 2, 2022:** Technical edits to update the contact information.

**August 30, 2022:** This policy was updated with interim amendments **effective September 1, 2022.**

- Consolidated all existing vaccination requirements other than the [Student Immunization Policy](#).
- Updated language consistent with current public health usage.
- Extended definition of Covered Non-Affiliate to include K-12 students and children

enrolled in day care programs and camps sponsored by the University or operated at a University Facility or Location; as well as individuals enrolled in UC extension programs, continuing education, lifelong learning, seminars, workshops, and other non-degree-granting educational programs, professional development, and/or recreational programs.

**July 15, 2021:** Extended to Students, effective Fall 2021, and vaccine mandated at that time for all groups subject only to limited Exceptions and Deferrals.

**January 15, 2021:** Extended from UC Health to all Locations.

Initial issuance effective **December 14, 2020.**

This Policy is formatted to meet Web Content Accessibility Guidelines (WCAG) 2.0.

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## IX. APPENDICES AND PROGRAM ATTACHMENTS

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### A. Appendices

1. [CDPH Immunization Branch](#)
2. [CDC Vaccine Information Statements](#)
3. [Immunize.org Vaccine Information Statements](#)

### B. Program Attachments

1. [SARS-CoV-2 \(COVID-19\) Vaccination Program](#)
2. [Seasonal Influenza Vaccination Program](#)

## PROGRAM ATTACHMENT #1: SARS-CoV-2 (COVID-19) Vaccination Program

Vaccine(s)	Targeted Disease or Condition
See <a href="https://www.fda.gov/emergency-preparedness-and-response/coronavirus-disease-2019-covid-19/covid-19-vaccines#authorized-vaccines">https://www.fda.gov/emergency-preparedness-and-response/coronavirus-disease-2019-covid-19/covid-19-vaccines#authorized-vaccines</a> for a list of FDA-approved and FDA-authorized vaccines.  See <a href="https://extranet.who.int/pqweb/vaccines/vaccinescovid-19-vaccine-eul-issued">https://extranet.who.int/pqweb/vaccines/vaccinescovid-19-vaccine-eul-issued</a> for a list of vaccines with WHO Emergency Use Listing.	SARS-CoV-2 (COVID-19)

### I. Purpose/Supporting Data

The purpose of this SARS-CoV-2 (COVID-19) Vaccination Program is to facilitate protection of the health and safety of the University community, including its patients as well as its Students, Personnel, and all others who work, live, and/or learn in any of the University’s Locations or otherwise participate in person in University Programs. The University strongly recommends that all members of the University community ~~obtain the COVID-19 vaccine as soon as they are eligible and remainstay~~ Up-To-Date with ~~boosters~~COVID-19 vaccination.

In addition, this COVID-19 Vaccination Program requires any Covered Individual, subject to ~~limited Exceptions and associated~~ Non-Pharmaceutical Interventions (NPIs), to ~~be Up-To-Date on COVID-19 vaccination or to receive the Primary Series before Physically Accessing the University’s Locations and Programs and to receive or, if eligible, properly decline~~ COVID-19 vaccination, ~~boosters at least once a year as a condition of Physical Presence at any University Location or Program. Covered Individuals may have recurring obligations under this program to remain Up-To-Date or affirmatively decline~~ COVID-19 vaccination. Covered Individuals subject to additional or more restrictive COVID-19 vaccination requirements under applicable law and/or applicable public health directives must also comply with those requirements.

Refer to Section VII (Related Information) for additional information supporting implementation of this program, which is incorporated into this Program Attachment by reference.

### II. Compliance Date

#### Initial Implementation

~~The deadline for initial implementation of the COVID-19 Vaccination Program was two (2) weeks before the first day of instruction at any University campus or school for Fall 2021. For locations that do not operate on an academic calendar (e.g., UCOP, ANR, medical centers, national laboratories), the deadline was September 1, 2021.~~

#### Primary Series



~~For n~~New Personnel must provide proof of being Up-To-Date on COVID-19 vaccination or properly decline such vaccination within 14 calendar days of ~~whose first date of employment is after the deadline for initial implementation in Fall 2021, the Primary Series compliance deadline is no later than 12 weeks after the first date of employment. (See Exhibit 2, Section II.C. for details.)~~ If the 14<sup>th</sup> calendar day after the first date of employment falls on a weekend or University holiday, the deadline will be the next business day that is not a University holiday.

For Students ~~starting or returning to campus after Fall 2021,~~ the deadline is the first day of instruction for the term when they first enroll.

~~Student employees are subject to the deadlines applicable to students. Locations may specify additional deadlines.~~

### **Boosters**

~~Before Fall 2022.~~ All Covered Individuals who had not received a University-approved Exception were expected to be Up-To-Date with their Boosters.

~~Beginning Fall 2022.~~ Compliance with this program may require recurring obligations to either remain Up-To-Date or affirmatively decline COVID-19 vaccination, and Locations will set the deadlines for compliance with any such requirements.- In such cases, Covered Individuals will be required to ~~certify or document~~provide proof that they are Up-To-Date ~~on (or affirmatively decline the recommended boosters~~COVID-19 vaccination or properly decline such vaccination, if eligible) ~~at least once each year,~~ in a form and as of a date set by the LVA. ~~The LVA may use different forms and set different dates for different groups of Covered Individuals (e.g., Personnel and trainees, or Non-Healthcare Location and Healthcare Location) but all deadlines must be on or after July 1 and on or before December 31.~~

~~Student employees are subject to the deadlines applicable to students. Locations may specify additional deadlines.~~

III. Program Type:   ~~Primary Series – Mandatory (Subject to Exceptions Marked Below)~~ Opt-Out  ~~Boosters – Opt-Out~~

#### A. Primary Series.

~~All Covered Individuals must receive the Primary Series subject to the below permitted Exceptions and NPIs.~~

##### **1. Permitted Exceptions (Refer to Model Forms)**

~~Disability (A physical or mental disorder or condition that limits a major life activity and any other condition recognized as a disability under applicable law. “Disability” includes pregnancy, childbirth, or a related medical condition where reasonable accommodation is medically advisable.)~~

~~☒ Medical Exemption (Medical Contraindications or Precautions to each Vaccine that would satisfy the vaccination requirement.)~~

~~☒ Religious Objection (A Covered Individual's objection to receiving an otherwise required Vaccine based on that person's sincerely held religious belief, practice, or observance.)~~

~~☒ Temporary Deferral (Temporary suspension of the Vaccine mandate for clinical reasons other than the above.) Covered Individuals who are pregnant may seek a Deferral of the Primary Series mandate throughout their pregnancy. Covered Individuals who have had a diagnosis of COVID-19 or received treatment for COVID-19 within the last 90 days may defer Primary Series vaccination until 90 days have lapsed since the date of diagnosis or last date of treatment.~~

## **2. Exception Requests**

~~A Covered Individual seeking an Exception must, no later than the Compliance Date, submit their request to the appropriate Responsible Office. While a request is pending and if it is granted, the Covered Individual must, as a condition of Physical Presence, observe NPIs defined by the Location Vaccine Authority (LVA) no less stringent than applicable public health directives and any University or Location guidelines. If an Exception is granted, the issuing office must notify the Covered Individual and the LVA of the approval and the associated expiration date, if any. If a request for Exception is denied, the Covered Individual will be notified and, thereafter, will be expected to promptly receive the Primary Series or will be denied Physical Presence at the relevant University Location(s) or Program(s).~~

## **Boosters**

~~On or before the applicable Compliance Date, All Covered Individuals must: (i) receive Vaccine Education concerning COVID-19 and CDC-recommended boosters Vaccinesvaccination as a preventive measure; and (ii) receive the most recent CDC-recommended COVID-19 vaccination as required to be Up-To-Date- or affirmatively decline doing so COVID-19 vaccination.~~

~~Those who choose to decline to receive the most recent CDC-recommended booster Vaccines COVID-19 vaccination must complete a Vaccine Declination Statement provided by their Location on or before the applicable Compliance Date.~~

~~These Covered Individuals who are not Up-To-Date must observe any additional Non-Pharmaceutical Interventions (NPIs) (e.g., masks or specialized personal protective equipment; routine testing) as directed by the Location Vaccine Authority (LVA) to mitigate risk to members of the University community, patients, and others with whom they may interact. Covered Individuals who wish to defer their boosters for 90 days, 180 days, or more may do so by opting out. Covered Individuals who initially decline COVID-19 vaccination a booster but later decide to become vaccinated receive a booster may receive the Vaccine the booster through on-site or off-site providers at any time and may notify the LVA.~~

Some Covered Individuals may be subject to more restrictive COVID-19 vaccination requirements under applicable law and/or applicable public health directives. -In such cases, the more restrictive vaccination requirements will apply in addition to any other requirements under this COVID-19 Vaccination Program.

#### IV. Evidence Required

##### A. Primary Series

- ~~— Covered Individuals must submit proof of receiving the Primary Series or of a University-approved Exception to their LVA, by providing either: (i) in the case of one who has received the Primary Series, a copy of their CDC vaccination card (or foreign equivalent in the case of Covered Individuals who received their vaccinations abroad); official documentation issued by a State vaccine registry; or an official medical record; or (ii)~~
- ~~1. Those who are permitted under this COVID-19 Vaccination Program and applicable public health directives and applicable law to Participate by declining the Primary Series must complete their Location's Vaccine Declination Statement on or before the applicable Compliance Date in the case of one who has received a University-approved Exception, documentation that an Exception has been granted. Proof of vaccination and Exceptions may be subject to audit.~~

##### B. Boosters

###### 1. Covered Individuals at Healthcare Locations

- ~~a. Covered Individuals who Participate in the COVID-19 Vaccination Program by receiving the most recent CDC-recommended booster must submit proof that they received the booster by providing the LVA, within the timeframe set by the LVA, a copy of their CDC vaccination card (or foreign equivalent in the case of Covered Individuals who received their boosters abroad); official documentation issued by a State vaccine registry; or an official medical record.~~
- ~~b. Those who are permitted under this COVID-19 Vaccination Program and applicable public health directives and applicable law to Participate by declining the most recent CDC-recommended booster must complete their Location's Vaccine Declination Statement on or before the applicable Compliance Date.~~
- ~~c. Those who are not permitted by applicable public health directives or applicable law to decline a booster but are eligible for an Exception that is both available for the Primary Series and permitted by applicable public health directives and applicable law must apply for the Exception on or before the applicable Compliance Date.~~
- ~~dc. Proof of vaccination may be subject to audit.~~

###### 2. Covered Individuals at Other Locations

- ~~a. Covered Individuals who Participate in the COVID-19 Vaccination Program by receiving COVID-19 vaccination as required to be Up-To-Date the most recent CDC-~~

~~recommended booster~~ must submit proof that they received the ~~booster~~ Vaccine by providing the LVA, within the timeframe set by the LVA, any evidence required by their Location as determined by the LVA. The LVA may choose to permit certification or self-attestation as evidence of receiving ~~the booster~~ COVID-19 vaccination.

~~b. Those who are permitted under this~~ Participate in the COVID-19 Vaccination Program ~~and consistent with public health directives and applicable law to Participate~~ by declining ~~the most recent CDC recommended booster~~ COVID-19 vaccination must complete their Location's Vaccine Declination Statement on or before the applicable Compliance Date.

~~c. Those who are not permitted by applicable public health directives or applicable law to decline a booster but are eligible for an Exception that is both available for the Primary Series and permitted by applicable public health directives and applicable law must apply for the Exception on or before the applicable Compliance Date.~~

~~ed.~~ Proof of vaccination may be subject to audit.

## V. Non-Pharmaceutical Interventions (NPIs)

All members of the Location's community may be required by applicable public health authorities or the LVA in response to a public health emergency or during a localized outbreak to observe special NPIs, including, but not limited to, the following: (i) wearing face-coverings, medical-grade masks, and other protective equipment; (ii) isolation and quarantine; (iii) physical/social distancing; (iv) frequent washing and cleaning; and (v) asymptomatic (surveillance/screening) and symptomatic testing.

Those who ~~have not completed the Primary Series and/or who have not received the most recent CDC recommended booster dose~~ are not Up-To-Date may be subject to NPIs above and beyond those who have.

VI. Systemwide Implementation Guidelines:   Attached  None

## VII. Related Information

### ~~A. Current for Fall 2022~~

- [CDC, Stay Up to Date with Vaccines](#)
- [CDC, COVID-19 Contraindications and Precautions](#)
- [CDC, New COVID-19 Vaccination Provider Trainings](#)
- [FDA, COVID-19 Vaccines \(includes fact sheets and translations\)](#)
- [CDC, COVID-19 Vaccination Clinical Resources for Each COVID-19 Vaccine](#)
- [CDC, COVID-19 Vaccination Program Operational Guidance](#), including [Interim Clinical Considerations for Use of COVID-19 Vaccines Currently Approved or Authorized in the United States](#).

- ~~[CDC Advisory Committee on Immunization Practices, ACIP Immunization Schedule Vote \(Oct. 20, 2022\)](#)~~
- [CDC Immunization Schedules](#)
- [CDC and Infectious Diseases Society of America, Vaccines & Immunity](#)
- [American Academy of Pediatrics, COVID-19 Vaccines in Infants, Children & Adolescents](#)
- [American College of Obstetricians and Gynecologists, COVID-19 Vaccination Considerations for Obstetric-Gynecologic Care](#)
- ~~[American Society of Clinical Oncology, COVID-19 Provider & Practice Information](#)~~
- [American Society of Transplantation, COVID-19 Resources for Transplant Community](#)
- [Congregation for the Doctrine of the Faith, Note on the Morality of Using Some Anti-COVID-19 Vaccines \(December 21, 2020\)](#)
- [UC COVID-19 Vaccination Program Responsible Offices](#)

#### **B. Archived**

- ~~[Advisory Committee on Immunization Practices – Ethical Principles for Allocating Initial Supplies of COVID-19 Vaccine – United States, 2020 \(MMWR Nov. 23, 2020\) and Meeting Information \(November 23 and December 1, 2020\)](#)~~
- ~~[American College Health Association Recommends COVID-19 Vaccination Requirements for All On-Campus College Students in Fall 2021](#)~~
- ~~[American College of Obstetricians and Gynecologists, COVID-19 Vaccination Considerations for Obstetric-Gynecologic Care \(December 2020\)](#)~~
- ~~[Joint Statement in Support of COVID-19 Vaccine Mandates for All Workers in Health and Long-Term Care \(2021\)](#)~~
- ~~[UC Health Coordinating Committee – Bioethics Working Group Vaccine Allocation Recommendations](#)~~

### **VIII. Frequently Asked Questions**

- 1. How do I know if I am Up-To-Date? Specifically, how do I know what ~~COVID-19 vaccines are recommended for me~~boosters are recommended for me or I am required to have?**

The U.S. Centers for Disease Control and Prevention (CDC) maintains ~~current guidance on staying up to date with COVID-19 vaccines. on recommended boosters.~~ That guidance includes a tool to help individuals determine what boosters are recommended for them. The CDC maintains separate recommendations on its guidance website for individuals who received their

Primary Series abroad. You are Up-To-Date if you have received COVID-19 vaccination as recommended by the CDC.

What boosters are ~~required~~ depend in part on who you are and where you work. Health care workers continue to be subject to the August 5, 2021 California Department of Public Health Order, as amended (on December 22, 2021, February 22, 2022, and September 13, 2022), which at the time of this writing requires health care workers subject to the order to receive the Primary Series and at least one booster, subject to limited exceptions and deferrals. (See FAQ #9.)

**2. Why is UC now allowing Covered Individuals to “Opt Out” of Receiving BoostersCOVID-19 vaccination?**

The federal Public Health Emergency ended on May 11, 2023, along with the COVID-19 vaccination requirements for federal employees and federal contractors. California’s COVID-19 State of Emergency ended on February 28, 2023, and the California Department of Public Health rescinded its health care worker vaccination requirement effective April 3, 2023.

With the changes to federal and state public health guidance and widespread participation in the University’s COVID-19 Vaccination Program, the University has determined that it is now appropriate to move to a systemwide opt-out program for all Covered Individuals. The University has concluded that the combination of previous COVID-19 vaccination and naturally occurring immunity provides a large majority of the University community with adequate protection to reduce the public health risk faced during earlier stages of the pandemic.

The University strongly recommends that all members of the University community ~~stay receive CDC recommended~~Up-To-Date with COVID-19 ~~boosters, vaccination.~~ And in the event applicable law or applicable public health orders impose stricter vaccination requirements, the University will continue to require compliance with those stricter requirements, and some Covered Individuals are required by applicable public health orders to receive certain boosters.

The University will continue to review current evidence and evaluate the need for adjustments to the COVID-19 Vaccination Program accordingly.

**3. University policy previously described primary series and booster requirements. Do the University’s current requirements differentiate between primary series and boosters?**

No. The University’s COVID-19 Vaccination Program requires Covered Individuals to be Up-To-Date on COVID-19 vaccination or to properly decline COVID-19 vaccination. The University’s vaccination requirements do not differentiate between your first dose and any later doses, and you may opt out of COVID-19 vaccination so long as you comply with all policy requirements. -Note, however, if you are

subject to more restrictive COVID-19 vaccination requirements under applicable law and/or applicable public health directives, you must also comply with those requirements. -The CDC continues to recommend that everyone 6 months of age and older be up to date with COVID-19 vaccines.

**4. Will I have to opt out every year?**

The University's COVID-19 Vaccination Program requires Covered Individuals to be Up-To-Date on COVID-19 vaccination or to properly decline COVID-19 vaccination. -Neither FDA nor CDC has yet made a recommendation on the frequency of vaccination, and the University does not currently require Covered Individuals to opt out every year. Compliance with this program may require recurring obligations to either remain Up-To-Date or affirmatively decline COVID-19 vaccination. -In this case, your Location will set deadlines for compliance with any such requirements.

**5. Are there any COVID-19 vaccination requirements that apply to me besides the University's COVID-19 Vaccination Program?**

Some Covered Individuals might be subject to additional COVID-19 vaccination requirements under applicable law and/or applicable public health directives. For example, health care workers might be subject to more restrictive COVID-19 vaccination requirements under CDPH or local public health orders. -Covered Individuals subject to additional or more restrictive COVID-19 vaccination requirements under applicable law and/or applicable public health directives must comply with those requirements in addition to any other requirements under the University's COVID-19 Vaccination Program. -Please contact your Location if you have questions about what COVID-19 vaccination requirements apply to you.

**6. I am a new University of California employee. What is my deadline for complying with the COVID-19 Vaccination Program?**

Complying with the COVID-19 Vaccination Program is a condition of employment. If you're a Covered Individual, you must provide proof of being Up-To-Date on COVID-19 vaccination or properly decline such vaccination within 14 calendar days of your first date of employment. -If the 14<sup>th</sup> calendar day after your first date of employment falls on a weekend or University holiday, your deadline will be the next business day that is not a University holiday.

As complying with the COVID-19 Vaccination Program may require recurring obligations to either remain Up-To-Date or affirmatively decline COVID-19 vaccination, you must then comply with any future applicable compliance deadlines as set by your individual Location.

Student employees are subject to the deadlines applicable to students. ~~please refer to Exhibit 2, Section II.C. for the deadline applicable to you.~~

Why is UC allowing Exceptions to the Primary Series for reasons other than Medical Exemption? If California can eliminate personal belief and religious exceptions for K-12

students, why can't UC do the same?

The University is required by law to offer reasonable accommodations to individuals who qualify for an Exception to the Primary Series vaccination requirement based on their disability, as well as to employees who object to vaccination based on their sincerely held religious belief, practice, or observance. A decision was made to adopt and implement a single uniform COVID-19 Vaccination Program consistently across all groups of Covered Individuals. Vaccination against the virus that causes COVID-19 is a critical step for protecting the health and safety of our communities.

How do I apply for an Exception to the Primary Series?

Covered Individuals who seek an Exception to the Primary Series must complete the request form provided by their Location and submit it to their Location's applicable Responsible Office. Model Forms have been published in Section IX.A of this Program Attachment for adaptation or as-is use by each Location.

I am pregnant. Will I be eligible for a Medical Exemption?

No, you are not eligible for a Medical Exemption from the Primary Series vaccination requirement. But unless you work in a University health care facility, you are eligible for a Deferral of the Primary Series throughout your pregnancy until the time that you return to in-person work or instruction, as applicable, following pregnancy. If you have completed the Primary Series and are not required by California's public health orders to have a booster, you may decline receiving recommended boosters.

You may also be eligible for a disability accommodation. It is important to understand, however, the additional risks you and your baby will be exposed to if you contract COVID-19 during pregnancy.

Information about these risks—including increased risk to the life of the mother and the health of the fetus—is [posted on the CDC website](#). There is currently no evidence that any vaccines, including COVID-19 Vaccines, cause fertility problems. The [American College of Obstetricians and Gynecologists \(ACOG\)](#) recommends that all eligible individuals, including pregnant and lactating individuals, be vaccinated.

Note: Those who work in University health care facilities or clinics are subject to an order originally issued in 2021 by the California Department of Public Health that does not allow for deferrals based on pregnancy. These individuals therefore must receive the Primary Series and at least one booster, subject to limited exceptions and deferrals outlined in the order.



I was recently diagnosed with COVID-19, and/or I had an antibody test that shows that I have natural immunity. Does this support a Medical Exemption?

You may be eligible for a temporary Deferral of the Primary Series vaccination requirement for up to 90 days after your diagnosis or treatment. According to the US Food and Drug Administration, however, “at this time, antibody test results should not be used to decide if you need a COVID-19 vaccine or a vaccine booster, or to determine whether your vaccine worked” and “[a]ntibody tests do not tell you whether or not you can infect other people with SARS-CoV-2.” For this reason, individuals who have been diagnosed with COVID-19 or had an antibody test are not permanently exempt from Primary Series vaccination.

How do the California Department of Public Health (CDPH) orders and guidance regarding COVID-19 vaccination of health care workers affect Covered Individuals at the University’s medical centers, health professional schools, and clinics?

The August 5, 2021 CDPH order, as amended (on December 22, 2021, February 22, 2022, and September 13, 2022), requires that health care workers subject to the order have their first dose of a one-dose regimen or their second dose of a two-dose regimen for COVID-19 by September 30, 2021. It also requires that health care workers eligible for booster doses per the order to receive booster doses no later than March 1, 2022 and that health care workers not yet eligible for boosters be in compliance no later than 15 days after the CDPH’s recommended timeframe for receiving the booster dose. (Note that the University’s COVID-19 Vaccination Program may have different timeframes and compliance deadlines that may also apply.) The CDPH order permits health care workers to decline these vaccination requirements on one of the limited grounds recognized by the order.

Importantly, the CDPH order has fewer exceptions than the University’s COVID-19 Vaccination Program does. Specifically, Covered Individuals who work, train, or otherwise access any UC health care facilities—including medical centers, ambulatory surgery centers, Student Health Services, Counseling & Psychological Services, and other campus- and school-based medical and behavioral health clinics—may decline vaccination only based on “Qualifying Medical Reasons” or “Religious Beliefs” under the CDPH order. “Qualifying Medical Reasons” include only CDC-recognized contraindications and precautions, which corresponds with the University’s Policy on Vaccination Programs definition of Medical Exemption.

Effective February 22, 2022, health care workers subject to the CDPH order who provide proof of COVID-19 infection after completion of the Primary Series may also defer booster administration for up to 90 days from the date of first positive test or clinical diagnosis. Health care workers with a Deferral due to proven COVID-19 infection must be in compliance with the booster requirement no later than 15 days after the expiration of their Deferral.

~~For these reasons, the University is unable to grant the following Exceptions to the Primary Series for health care workers subject to the CDPH order: (a) Deferrals based on COVID-19 diagnosis or COVID-19 treatment within the last 90 days (though health care workers may be eligible for a Medical Exemption if the treatment they received qualifies as a CDC-recognized contraindication or precaution), (b) Exceptions based on Disabilities that are not CDC-recognized contraindications or precautions, or (c) Deferrals based on pregnancy.~~

~~Similarly, the University is unable to permit health care workers subject to the order to decline the order's booster requirement for any reason other than Qualifying Medical Reasons or Religious Beliefs, and the University is unable to permit health care workers subject to the order to defer the order's booster requirement for any reason other than COVID-19 diagnosis within the last 90 days. The CDPH order requires that any declination based on Qualifying Medical Reasons be supported by a written statement signed by a "physician, nurse practitioner, or other licensed medical professional practicing under the license of a physician" (that is, a physician, a nurse practitioner or other advance practice nurse, or a physician's assistant). The CDPH order also requires that health care workers seeking to defer booster administration due to recent COVID-19 diagnosis must provide documentation of previous diagnosis that includes date of infection from a health care provider or confirmed laboratory results.~~

~~Once a health care worker has received whatever boosters are required by the CDPH Order, they may decline additional boosters as permitted by this policy.~~

~~Covered Individuals should use the University's Medical Exemption and/or Disability Exception Request form to decline any vaccines required by CDPH for Qualifying Medical Reasons.~~

~~Likewise, Covered Individuals should use the University's Deferral Request Form to defer booster administration due to recent COVID-19 diagnosis, and Covered Individuals should use the University's Religious Exception Request Form to decline the vaccine for Religious Beliefs under the CDPH order.~~

~~Additional information is available in the Health Care Worker Vaccine Requirement Q&A attached to the CDPH Order. The CDPH Order requires individuals who are exempt from its vaccination requirements to comply with Non-Pharmaceutical Interventions to help avoid preventable transmission of COVID-19.~~

~~How does the California Department of Public Health (CDPH) order discussed above impact Covered Individuals who are hired to work at UC health care facilities?~~

~~Covered Individuals hired to work at UC health care facilities (as described in FAQ~~

~~#9) must be in compliance with the CDPH order as of their start date. To comply with the order, by their start date, they must either (a) have been vaccinated against COVID-19 (i.e., have received their first dose of a one-dose regimen or their second dose of a two-dose regimen for COVID-19) and have received their COVID-19 vaccine booster dose if booster-eligible per the order (or be within the 15-day compliance period after becoming booster-eligible); or (b) meet the order's requirements with regard to declining the vaccine based on "Religious Beliefs" or "Qualifying Medical Reasons" or deferring the booster based on COVID-19 diagnosis within the last 90 days. FAQ #9 addresses the order's requirements with regard to declining or deferring the vaccine.~~

## IX. Model Forms and Exhibits

### A. ~~Model Form: Model Forms~~

Vaccine Declination Statement – Declination of COVID-19 Vaccine Booster

~~Medical Exemption and/or Disability Exception Request Form~~

~~Religious Exception Request Form~~

~~Deferral Request Form~~

~~Approval of Request for Exception~~

~~Denial of Request for Exception~~

Note: ~~Th~~ese model forms ~~are~~is provided for convenience only and may be adapted by locations consistent with applicable policies and practices.

## X. Exhibits

~~Implementation Guidelines: Exceptions~~

~~Implementation Guidelines: Employee Compliance~~

~~Student Compliance (refer to [Student] Immunization Policy)~~

## Revision History

### TBD 2024:

### August 16, 2023:

- Amended COVID-19 vaccination requirement to permit Covered Individuals to decline COVID-19 vaccination after receiving Vaccine Education, subject to more restrictive federal, state, or local public health requirements. Removed model forms and other content regarding Exception process.
- Updated language consistent with current public health usage, removed outdated content, and made clarifying edits.

- [Removed Implementation Guidelines on Exceptions and Employee Compliance, moved relevant language regarding vaccination data to Policy Text, and addressed noncompliance in Compliance/Responsibilities.](#)
- [Updated compliance deadlines and removed previous compliance deadlines, including the initial implementation deadline for Fall 2021.](#)
- [Authorized Locations to determine any evidence required to prove COVID-19 vaccination, which may include certification or self-attestation.](#)

**December 12, 2022:**

- Amended booster requirement beginning Fall 2022 to permit eligible Covered Individuals to decline the booster after receiving Vaccine Education, subject to more restrictive federal, state, or local public health requirements.
- Authorized Locations (other than Healthcare Locations) to permit self-attestation as evidence of receiving the booster.
- Clarified that booster compliance may be assessed annually between July and December, rather than at the moment an additional dose or booster is recommended.

**August 30, 2022:**

- Converted from COVID-specific vaccine policy to Program Attachment.
- [Amended Program Evaluation](#) ~~Removed~~ requirement [to encourage rather than require that](#) Healthcare Locations [to must](#) evaluate Program Participation on an annual and ongoing basis.
- Extended compliance deadline for new employees to permit longer interval period between doses in alignment with [the CDC guidance current as of August 30, 2022.](#)

**July 15, 2021:** Extended COVID-19 vaccine policy to Students, effective Fall 2021, and vaccine mandated at that time for all groups subject only to limited Exceptions and Deferrals.

**January 15, 2021:** Extended COVID-19 vaccine policy from UC Health to all Locations.

**Initial issuance effective: December 14, 2020.**

This Program Attachment is formatted to meet Web Content Accessibility Guidelines (WCAG) 2.0.

**UNIVERSITY OF CALIFORNIA**  
**VACCINE DECLINATION STATEMENT – DECLINATION OF COVID-19 BOOSTER**  
**VACCINATION**

EMPLOYEE OR STUDENT NAME	EMPLOYEE OR STUDENT ID
JOB TITLE (IF APPLICABLE)	LOCATION
DEPARTMENT (IF APPLICABLE)	SUPERVISOR (IF APPLICABLE)
PHONE NUMBER	EMAIL

The University of California strongly recommends that all members of the University community, ~~except those who have had a severe allergic reaction to a previous dose of the COVID-19 vaccine or to any of its components, receive stay Up-To-Date on a COVID-19 vaccination consistent with vaccine recommendations adopted by the CDC and CDPH applicable to their age, medical condition, and other relevant indications to protect against COVID-19 disease as soon as they are eligible and get boosters as needed to stay Up-To-Date.~~

I am aware of the following facts:

- COVID-19 is a serious disease and has killed over 1 million people in the United States since February 2020, over 100,000 in California alone.
- The COVID-19 vaccine is recommended for me and other members of the University community to protect our students, patients, faculty, and staff, and our families and communities, from COVID-19, its complications, and death.
- If I contract COVID-19, I can shed the virus for days even before any symptoms appear. During the time I shed the virus, I can transmit it to anyone I contact.
- If I become infected with SARS-CoV-2, the virus that causes COVID-19, even if my symptoms are mild or non-existent, I can spread the disease to others, and they can become seriously ill or die as a result.
- ~~Nearly~~ Approximately 1 in ~~5-10~~ American adults who have had COVID-19 is estimated to be suffering from “Long COVID” – symptoms that can last months or years after COVID-19 and can be debilitating.
- Contracting COVID-19 could have ~~life-threatening~~ severe consequences for my health and the health of ~~everyone~~ those with whom I have contact, including my coworkers or peers and ~~the most~~ vulnerable members of our community.
- Non-exempt employees and hourly academic appointees may take up to four hours of paid time to obtain each dose of COVID-19 vaccine ~~required~~ recommended to stay Up-To-Date as explained in the UC Policy on Vaccination Programs.

Despite these facts, I am voluntarily choosing ~~LOCATION OPTION: “for this year”~~ to decline ~~the most recent~~ COVID-19 ~~booster~~ vaccination. My reason(s) for declining are as follows (*answering this question is optional*):

medical contraindication

disability

**UNIVERSITY OF CALIFORNIA**  
**VACCINE DECLINATION STATEMENT – DECLINATION OF COVID-19 BOOSTER**  
**VACCINATION**

- religious objection
- concerned about risks of vaccine more than risks of disease
- want to delay but intend to get ~~boosted~~vaccinated later
- other \_\_\_\_\_
- prefer not to say.

I understand that I can change my mind at any time and accept ~~the~~ COVID-19 ~~boosters~~vaccination. I understand that as long as I am not Up-To-Date on COVID-19 ~~boosters~~vaccination, I ~~will~~may be required to take precautionary measures as required by my location, such as wearing a mask and increased testing. [**LOCATION OPTION:** "I also will not receive a badge sticker showing that I have received the vaccine."]

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I have read the Vaccine Information Statement or Fact Sheet and the information on this Vaccine Declination Statement, and I have had a chance to ask questions.

NOTE: Health care workers subject to the California Department of Public Health's [Health Care Worker Vaccine Requirement](#) may not decline their first booster using this form.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**UNIVERSITY OF CALIFORNIA**  
**MEDICAL EXEMPTION AND/OR DISABILITY EXCEPTION REQUEST FORM**  
**Exception to SARS-CoV-2 (COVID-19) Vaccination Requirement**

EMPLOYEE OR STUDENT NAME _____	EMPLOYEE OR STUDENT ID _____
JOB TITLE (IF APPLICABLE) _____	LOCATION _____
DEPARTMENT (IF APPLICABLE) _____	SUPERVISOR (IF APPLICABLE) _____
PHONE NUMBER _____	EMAIL _____

This form should be used by University employees and students to request a Medical Exemption and/or Disability Exception to the COVID-19 Primary Series vaccination requirement in the University's SARS-CoV-2 (COVID-19) Vaccination Program. This form should also be used by health care workers subject to the California Department of Public Health's Health Care Worker Vaccine Requirement ("CDPH order") to request a Medical Exemption to the CDPH order's booster requirement. Those who are permitted by University policy and applicable public health directives to decline COVID-19 boosters should instead use the *Vaccine Declination Statement – Declination of COVID-10 Booster* form.

Fill out Part A to request a Medical Exemption due to Contraindication or Precaution. Fill out Part B to request an Exception based on Disability. More than one section may be completed if applicable. Do not identify any diagnosis, disability, or other medical information. That information is not required to process your request.

Your request must be supported by a health care provider's certification. Some local (city/county) public health departments have issued orders specifying that the certification must be signed by a physician, nurse practitioner, or other licensed medical professional practicing under the license of a physician.

**Part A: Request for Medical Exemption Due to Contraindication or Precaution**

- I am requesting an Exception to the COVID-19 Primary Series vaccination requirement based on Medical Exemption. The Contraindications or Precautions to COVID-19 vaccination (recognized by the U.S. Centers for Disease Control and Prevention, the California Department of Public Health, or in the case of internationally administered vaccines, the World Health Organization) apply to me with respect to all available COVID-19 Vaccines.
- I am a health care worker subject to the CDPH order, and I am requesting an Exception to the COVID-19 booster vaccination requirement based on Medical Exemption. The Contraindications or Precautions to COVID-19 vaccination (recognized by the U.S. Centers for Disease Control and Prevention, the California Department of Public Health, or in the case of internationally administered vaccines, the World Health Organization) apply to me with respect to all available COVID-19 boosters.

My request is supported by the attached certification from my health care provider. For health care workers subject to the CDPH order, the certification must be signed by a physician, nurse practitioner, or other licensed medical professional practicing under the license of a physician.

**Part B: Request for Exception Based on Disability**

**UNIVERSITY OF CALIFORNIA**  
**MEDICAL EXEMPTION AND/OR DISABILITY EXCEPTION REQUEST FORM**  
Exception to SARS-CoV-2 (COVID-19) Vaccination Requirement

I have a Disability and am requesting an Exception to the COVID-19 Primary Series vaccination requirement as a Disability accommodation. Health care workers subject to the CDPH order are not eligible for this Exception. My request is supported by the attached certification from my health care provider.

Please provide any additional information that you think may be helpful in processing your request. ***Do not identify your diagnosis, disability, or other medical information.***

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~~While my request is pending and if it is approved, I understand that I must comply with the Location's Non-Pharmaceutical Intervention requirements (e.g., face coverings, regular asymptomatic testing) for individuals who are not Up-To-Date on COVID-19 vaccination as a condition of my Physical Presence at any University Location/Facility or Program. I also understand that I must comply with any additional Non-Pharmaceutical Interventions applicable to my position, as required by my Location. I verify the truth and accuracy of the statements in this request form.~~

Employee/Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Date Received by University: \_\_\_\_\_ By: \_\_\_\_\_

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**UNIVERSITY OF CALIFORNIA**  
**MEDICAL EXEMPTION AND/OR DISABILITY EXCEPTION REQUEST FORM**  
Exception to SARS-CoV-2 (COVID-19) Vaccination Requirement

**CERTIFICATION FROM HEALTH CARE PROVIDER**

Your patient is a University of California employee and/or student who has requested an Exception to the University's COVID-19 vaccination requirement based on (a) Medical Exemption due to a Contraindication or Precaution; and/or (b) Disability. Your patient is seeking to support their request for such an Exception with a certification from their qualified licensed health care provider.

HEALTH CARE PROVIDER NAME _____	LICENSE TYPE, # AND ISSUING STATE _____
FULL NAME OF PATIENT _____	DATE OF BIRTH OF PATIENT _____
PATIENT'S EMPLOYEE/STUDENT ID NUMBER _____	HEALTH CARE PROVIDER PHONE/EMAIL _____
PHYSICIAN SUPERVISOR AND LICENSE # (FOR A PHYSICIAN ASSISTANT WORKING UNDER A PHYSICIAN'S LICENSE) _____	

Please note the following from the Genetic Information Nondiscrimination Act of 2008 (GINA), which applies to all University employees:

*The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.*

Please complete Part A of this form if one or more of the Contraindications or Precautions to COVID-19 vaccination recognized by the U.S. Centers for Disease Control and Prevention (CDC), the California Department of Public Health (CDPH), or in the case of internationally administered vaccines, the World Health Organization (WHO), apply to this patient. Please complete Part B if this patient has a Disability, as defined below, that makes COVID-19 vaccination inadvisable in your professional opinion. More than one section may be completed if applicable to this patient.

**Important:** Do not identify the patient's diagnosis, disability, or other medical information as this document will be returned to the University.

**Part A: Contraindication or Precaution to COVID-19 Vaccination**

- Primary Series. I certify that one or more of the Contraindications or Precautions (recognized by the CDC, the CDPH, or in the case of internationally administered vaccines, the WHO) for each of the currently available Vaccines used for the COVID-19 Primary Series applies to the patient listed above. For that reason, COVID-19 Primary Series vaccination using **any** of the currently available COVID-

**UNIVERSITY OF CALIFORNIA**  
**MEDICAL EXEMPTION AND/OR DISABILITY EXCEPTION REQUEST FORM**  
**Exception to SARS-CoV-2 (COVID-19) Vaccination Requirement**

~~19 Vaccines is inadvisable for this patient in my professional opinion. The  
Contraindication(s) and/or Precaution(s) is/are:  Permanent  Temporary.~~

~~\_\_\_\_\_ If temporary, the expected end date is: \_\_\_\_\_.~~

~~**Booster.** I certify that one or more of the Contraindications or Precautions  
(recognized by the CDC, the CDPH, or in the case of internationally administered  
vaccines, the WHO) for each of the currently available Vaccines used for COVID-  
19 boosters applies to the patient listed above. For that reason, COVID-19 booster  
vaccination using **any** of the currently available COVID-19 Vaccines is inadvisable  
for this patient in my professional opinion. The Contraindication(s) and/or  
Precaution(s) is/are:  Permanent  Temporary.~~

~~\_\_\_\_\_ If temporary, the expected end date is: \_\_\_\_\_.~~

**Part B: Disability That Makes COVID-19 Primary Series Vaccination Inadvisable**

~~*“Disability” is defined as a physical or mental disorder or condition that limits a major  
life activity and any other condition recognized as a disability under applicable law.*~~

~~*“Disability” includes pregnancy, childbirth, or a related medical condition where  
reasonable accommodation is medically advisable.*~~

~~I certify that the patient listed above has a Disability, as defined above, that makes  
COVID-19 Primary Series vaccination inadvisable in my professional opinion. The  
patient's disability is:  Permanent  Temporary.~~

~~\_\_\_\_\_ If temporary, the expected end date is: \_\_\_\_\_.~~

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Signature of Health Care Provider \_\_\_\_\_ Date \_\_\_\_\_

**UNIVERSITY OF CALIFORNIA**  
**RELIGIOUS EXCEPTION REQUEST FORM**  
**Accommodation to SARS-CoV-2 (COVID-19) Vaccination Requirement**

EMPLOYEE OR STUDENT NAME _____	EMPLOYEE OR STUDENT ID _____
JOB TITLE (IF APPLICABLE) _____	LOCATION _____
DEPARTMENT (IF APPLICABLE) _____	SUPERVISOR (IF APPLICABLE) _____
PHONE NUMBER _____	EMAIL _____

~~This form should be used by University employees and students to request a Religious Exception to the COVID-19 Primary Series vaccination requirement in the University's SARS-CoV-2 (COVID-19) Vaccination Program. It should also be used by health care workers subject to the California Department of Public Health's Health Care Worker Vaccine Requirement ("CDPH order") to request a Religious Exception to the CDPH order's booster requirement. Those who are permitted by University policy and applicable public health directives to decline COVID-19 boosters should instead use the Vaccine Declination Statement—Declination of COVID-19 Booster form.~~

~~Please select as applicable:~~

- ~~Based on my sincerely held religious belief, practice, or observance, I am requesting an Exception to the COVID-19 Primary Series vaccination requirement as a religious accommodation.~~
- ~~I am a health care worker subject to the CDPH order, and based on my sincerely held religious belief, practice, or observance, I am requesting an Exception to the COVID-19 booster vaccination requirement as a religious accommodation.~~

~~Please identify your sincerely held religious belief, practice, or observance that is the basis for your request for an Exception as a religious accommodation.~~

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~~Please briefly explain how your sincerely held religious belief, practice, or observance conflicts with the University's COVID-19 vaccination requirement.~~

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~~Please provide any additional information that you think may be helpful in processing your religious accommodation request.~~

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~~Have you previously received any dose of a COVID-19 vaccine?~~

~~Yes  No~~

~~If you have previously received any dose of a COVID-19 vaccine, please also complete the following:~~

**UNIVERSITY OF CALIFORNIA**  
**RELIGIOUS EXCEPTION REQUEST FORM**  
**Accommodation to SARS-CoV-2 (COVID-19) Vaccination Requirement**

~~1. Please explain why your sincerely held religious belief, practice, or observance did not conflict with the previous dose(s) of the COVID-19 vaccine that you received.~~

~~\_\_\_\_\_~~

~~2. Please provide a written statement from someone else confirming that you have a sincerely held religious belief, practice, or observance that conflicts with the CDPH order requirement to receive a COVID-19 booster. For example, you may provide a statement from your religious leader, a fellow congregant, or someone else who has personal knowledge of your sincerely held religious belief, practice, or observance. Please submit that statement with this request form and provide the following information regarding the author of the statement:~~

- ~~• Name and relationship to you:~~

~~\_\_\_\_\_~~

- ~~• Basis of their knowledge regarding your sincerely held religious belief, practice, or observance:~~

~~\_\_\_\_\_~~

~~**While my request is pending and if it is approved, I understand that I must comply with the Location's Non-Pharmaceutical Intervention requirements (e.g., face coverings, regular asymptomatic testing) for individuals who are not Up-To-Date on COVID-19 vaccination as a condition of my Physical Presence at any University Location/Facility or Program. I also understand that I must comply with any additional Non-Pharmaceutical Interventions applicable to my position, as required by my Location.**~~

~~**I verify the truth and accuracy of the statements in this request form.**~~

~~Employee/Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_~~

~~Date Received by University: \_\_\_\_\_ By: \_\_\_\_\_~~

**UNIVERSITY OF CALIFORNIA  
DEFERRAL REQUEST FORM**

**Exception to SARS-CoV-2 (COVID-19) Vaccination Requirement  
Based on Pregnancy or Recent COVID-19 Diagnosis or Treatment**

EMPLOYEE OR STUDENT NAME _____	EMPLOYEE OR STUDENT ID _____
JOB TITLE (IF APPLICABLE) _____	LOCATION _____
DEPARTMENT (IF APPLICABLE) _____	SUPERVISOR (IF APPLICABLE) _____
PHONE NUMBER _____	EMAIL _____

This form should be used by University employees and students to request a Deferral of the COVID-19 Primary Series vaccination requirement in the University's SARS-CoV-2 Vaccination Program due to pregnancy or recent COVID-19 diagnosis or treatment.

It should also be used by health care workers subject to the California Department of Public Health's Health Care Worker Vaccine Requirement ("CDPH order") to request a Deferral of the CDPH order's booster requirement due to recent COVID-19 diagnosis. Those who are permitted by University policy and applicable public health directives to decline COVID-19 boosters may defer booster administration by using the Vaccine Declination Statement—Declination of COVID-19 Booster form.

Fill out Part A to request a Deferral of the Primary Series due to pregnancy. Fill out Part B to request a Deferral due to COVID-19 diagnosis or treatment within the last 90 days. If you are filling out Part B, your request may need to be supported by a health care provider's certification. Some local (city/county) public health departments have issued orders specifying that the certification must be signed by a physician, nurse practitioner, or other licensed medical professional practicing under the license of a physician.

**Part A: Request for Deferral of the Primary Series Due to Pregnancy**

- I am currently pregnant and am requesting a Deferral of the COVID-19 Primary Series vaccination requirement during my pregnancy. My anticipated due date is \_\_\_\_\_. Health care workers subject to the CDPH order are not eligible for Deferrals based on pregnancy.

**Part B: Request for Deferral Due to COVID-19 Diagnosis or Treatment**

Check all that apply:

- Primary Series. I am requesting a Deferral of the COVID-19 Primary Series vaccination requirement because I have been diagnosed with COVID-19 within the last 90 days. Health care workers subject to the CDPH order are not eligible for this Deferral. My request is supported by the attached confirmed laboratory results or certification from my health care provider.
- Primary Series. I am requesting a Deferral to the COVID-19 Primary Series vaccination requirement because I have been treated for COVID-19 within the last 90 days. Health care workers subject to the CDPH order are not eligible for this Deferral. My request is supported by the attached certification from my health care provider.

**UNIVERSITY OF CALIFORNIA  
DEFERRAL REQUEST FORM**

**Exception to SARS-CoV-2 (COVID-19) Vaccination Requirement  
Based on Pregnancy or Recent COVID-19 Diagnosis or Treatment**

~~Booster. I am a health care worker subject to the CDPH order, and I am requesting a Deferral to the COVID-19 booster vaccination requirement because I have been diagnosed with COVID-19 within the last 90 days. My request is supported by the attached certification from my health care provider.~~

~~While my request is pending and if it is approved, I understand that I must comply with the Location's Non-Pharmaceutical Intervention requirements (e.g., face coverings, regular asymptomatic testing) for individuals who are not Up-To-Date on COVID-19 vaccination as a condition of my Physical Presence at any University Location/Facility or Program. I also understand that I must comply with any additional Non-Pharmaceutical Interventions applicable to my position, as required by my Location.~~

~~I verify the truth and accuracy of the statements in this request form.~~

Employee/Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Date Received by University: \_\_\_\_\_ By: \_\_\_\_\_

DRAFT

**UNIVERSITY OF CALIFORNIA  
DEFERRAL REQUEST FORM**

**Exception to SARS-CoV-2 (COVID-19) Vaccination Requirement  
Based on Pregnancy or Recent COVID-19 Diagnosis or Treatment**

**CERTIFICATION FROM HEALTH CARE PROVIDER**

Your patient is a University of California employee and/or student who has requested a Deferral of the University's COVID-19 vaccination requirement based on COVID-19 diagnosis or treatment within the last 90 days. Your patient is seeking to support their request for such a Deferral with a certification from their qualified licensed health care provider.

HEALTH CARE PROVIDER NAME _____	LICENSE TYPE, # AND ISSUING STATE _____
FULL NAME OF PATIENT _____	DATE OF BIRTH OF PATIENT _____
PATIENT'S EMPLOYEE/STUDENT ID NUMBER _____	HEALTH CARE PROVIDER PHONE/EMAIL _____
PHYSICIAN SUPERVISOR AND LICENSE # (FOR A PHYSICIAN ASSISTANT WORKING UNDER A PHYSICIAN'S LICENSE) _____	

Please note the following from the Genetic Information Nondiscrimination Act of 2008 (GINA), which applies to all University employees:

*The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.*

Please complete the following. Important: Other than COVID-19 diagnosis, do not identify the patient's diagnosis, disability, or other medical information as this document will be returned to the University.

- I certify that my patient has been diagnosed with COVID-19 within the last 90 days. My patient's COVID-19 diagnosis was on \_\_\_\_\_.
- I certify that my patient has been treated for COVID-19 within the last 90 days. My patient's last day of COVID-19 treatment was on \_\_\_\_\_.
- I certify that my patient is being actively treated for COVID-19. The expected end date of treatment is: \_\_\_\_\_.

\_\_\_\_\_  
Signature of Health Care Provider

\_\_\_\_\_  
Date

**UNIVERSITY OF CALIFORNIA**  
**APPROVAL OF REQUEST FOR EXCEPTION**  
**SARS-CoV-2 (COVID-19) Vaccination Requirement**

<b>To:</b>	<b>EMPLOYEE/STUDENT NAME</b> _____	<b>EMPLOYEE/STUDENT ID</b> _____
<b>FROM:</b>	<b>ISSUING OFFICE</b> _____	<b>ISSUING OFFICE PHONE/EMAIL</b> _____
	<b>ISSUING AUTHORITY NAME</b> _____	<b>ISSUING AUTHORITY TITLE</b> _____
<b>CC:</b>	<b>LOCATION-VACCINE AUTHORITY NAME/EMAIL</b> _____	

On \_\_\_\_\_, we received your request for the following Exception in connection with the COVID-19 vaccination requirement in the University's SARS-CoV-2 Vaccination Program:

- ~~Exception to Primary Series based on Medical Exemption due to Contraindication or Precaution~~
- ~~Exception to Booster based on Medical Exemption due to Contraindication or Precaution (Health Care Workers Only)~~
- ~~Exception to Primary Series based on Disability~~
- ~~Exception to Primary Series based on Religious Objection~~
- ~~Exception to Booster based on Religious Objection (Health Care Workers Only)~~
- ~~Exception to Primary Series based on Deferral due to Pregnancy~~
- ~~Exception to Primary Series based on Deferral due to COVID-19 Diagnosis and/or Treatment~~
- ~~Exception to Booster based on Deferral due to COVID-19 Diagnosis (Health Care Workers Only)~~
- For Exceptions to Primary Series other than Deferrals due to Pregnancy:** Based on the information you have provided, your request for Exception to the Primary Series has been **APPROVED** subject to the requirement that you comply with the Non-Pharmaceutical Interventions specified below. This approval is valid
  - until \_\_\_\_\_.
  - indefinitely.

If your approval has an end date and you no longer need an Exception, you will be subject to the following deadlines as applicable:

  - If you have not completed the Primary Series when your approval expires, you will have until \_\_\_\_\_ (12 weeks after the end date) to submit proof that you have completed the Primary Series. You must then provide proof of receiving or, if eligible, properly declining the most recent CDC-recommended booster at least once a year within the timeframe required by your location.
  - If you have completed the Primary Series when your approval expires, you must then provide proof of receiving or, if eligible, properly declining the most



**UNIVERSITY OF CALIFORNIA**  
**APPROVAL OF REQUEST FOR EXCEPTION**  
**SARS-CoV-2 (COVID-19) Vaccination Requirement**

~~recent CDC-recommended booster at least once a year within the timeframe required by your location.~~

- ~~• If you are a health care worker subject to the CDPH order, you may be subject to additional deadlines as required by your location.~~

~~**For Exceptions to Primary Series Based on Deferrals Due to Pregnancy:** Based on the information you have provided, your request for Exception to the Primary Series based on Deferral due to pregnancy has been **APPROVED** subject to the requirement that you comply with the Non-Pharmaceutical Interventions specified below. This approval is valid until you return to work or instruction, as applicable. If you no longer need an Exception, you will be subject to the following deadlines as applicable.~~

- ~~• If you have not completed the Primary Series when you return, you must submit proof that you have completed the Primary Series within 12 weeks of your return. You must then provide proof of receiving or, if eligible, properly declining the most recent CDC-recommended booster at least once a year within the timeframe required by your location.~~
- ~~• If you have completed the Primary Series when you return, you must then provide proof of receiving or, if eligible, properly declining the most recent CDC-recommended booster at least once a year within the timeframe required by your location.~~

~~**For Exceptions to Boosters (Only Applicable to Health Care Workers Subject to the CDPH order):** Based on the information you have provided, your request for Exception to the CDPH order's booster requirement based on Medical Exemption due to Contraindication or Precaution, Religious Objection, or Deferral due to COVID-19 diagnosis has been **APPROVED** subject to the requirement that you comply with the Non-Pharmaceutical Interventions specified below. This approval is valid:~~

- ~~until \_\_\_\_\_.~~
- ~~indefinitely.~~

~~If your approval has an end date and you no longer need an Exception, you will be subject to the following deadlines as applicable.~~

- ~~• If you have an approved Deferral to the booster requirement due to recent COVID-19 diagnosis, you must receive a booster and submit proof of vaccination within 15 days of the Deferral's end date.~~
- ~~• You must provide proof of receiving or, if eligible, properly declining the most recent CDC-recommended booster at least once a year within the timeframe required by your location.~~
- ~~• You may be subject to additional deadlines related to the CDPH order as required by your location.~~

**UNIVERSITY OF CALIFORNIA**  
**APPROVAL OF REQUEST FOR EXCEPTION**  
**SARS-CoV-2 (COVID-19) Vaccination Requirement**

~~As a condition of your Physical Presence at any University Location/Facility or Program, you must comply with the Location's Non-Pharmaceutical Intervention requirements (e.g., face coverings, regular asymptomatic testing) for individuals who are not Up-To-Date on COVID-19 vaccination. You must also comply with the following Non-Pharmaceutical Interventions applicable to your position (if any):~~

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~~An employee's failure to comply with the University's SARS-CoV-2 Vaccination Program, including the required Non-Pharmaceutical Interventions, may result in corrective action and/or discipline up to and including termination/dismissal. A student's failure to comply with the University's SARS-CoV-2 Vaccination Program, including the required Non-Pharmaceutical Interventions, may result in consequences up to and including dismissal from educational programs.~~

~~If you have any questions or concerns regarding the above, please contact:~~

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~~You are hereby informed of the risks of COVID-19 infection, including long-term disability and death, both for you and for others who you may expose to the disease.~~

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature of Issuer)

**UNIVERSITY OF CALIFORNIA**  
**DENIAL OF REQUEST FOR EXCEPTION**  
**SARS-CoV-2 (COVID-19) Vaccination Requirement**

<b>To:</b>	<b>EMPLOYEE/STUDENT NAME</b> _____	<b>EMPLOYEE/STUDENT ID</b> _____
<b>FROM:</b>	<b>ISSUING OFFICE</b> _____	<b>ISSUING OFFICE PHONE/EMAIL</b> _____
	<b>ISSUING AUTHORITY NAME</b> _____	<b>ISSUING AUTHORITY TITLE</b> _____
<b>CC:</b>	<b>LOCATION-VACCINE AUTHORITY NAME/EMAIL</b> _____	

On \_\_\_\_\_, we received your request for the following Exception in connection with the COVID-19 vaccination requirement in the University's SARS-CoV-2 Vaccination Program:

- ~~Exception to Primary Series based on Medical Exemption due to Contraindication or Precaution~~
- ~~Exception to Booster based on Medical Exemption due to Contraindication or Precaution~~
- ~~Exception to Primary Series based on Disability~~
- ~~Exception to Primary Series based on Religious Objection~~
- ~~Exception to Booster based on Religious Objection~~
- ~~Exception to Primary Series based on Deferral due to Pregnancy~~
- ~~Exception to Primary Series based on Deferral due to COVID-19 Diagnosis and/or Treatment~~
- ~~Exception to Booster based on Deferral due to COVID-19 Diagnosis~~

Your request has been **DENIED** based on the information we have received to date.

The reason for the denial is the following:

- ~~You do not qualify for the Exception that you requested.~~
- ~~Your request is incomplete. We have requested the following additional information from you but have not received it.~~  


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- ~~You do not need an Exception to the COVID-19 booster requirement because the COVID-19 Vaccination Program allows you to affirmatively decline the most recent CDC-recommended booster. You must complete the *Vaccine Declination Statement—Declination of COVID-19 Booster* form within the timeframe required by your Location to decline to receive the most recent CDC-recommended booster. If you later become subject to a booster requirement and wish to request an Exception at that time, you will need to submit a new Exception request. (Note: The deadlines referenced below do not apply to you.)~~
- ~~You are not a Covered Individual as defined by the Policy on Vaccination Programs. Accordingly, you do not need an Exception to the University's~~

**UNIVERSITY OF CALIFORNIA**  
**DENIAL OF REQUEST FOR EXCEPTION**  
**SARS-CoV-2 (COVID-19) Vaccination Requirement**

COVID-19 vaccination requirement at this time. If you later become a Covered Individual and wish to request an Exception at that time, you will need to submit a new request. (Note: The deadlines referenced below do not apply to you.)

Because your request for an Exception has been denied, you are subject to the following deadlines as applicable:

- If you have not completed the Primary Series as of the denial date below, you have until \_\_\_\_\_ (14 calendar days from the denial date) to submit proof that you have received your first dose of a COVID-19 Vaccine. That proof must include the date that you received it. You then have until \_\_\_\_\_ (12 weeks from the denial date) to submit proof that you have completed the Primary Series. You must then provide proof of receiving or, if eligible, properly declining the most recent CDC-recommended booster at least once a year within the timeframe required by your location.
- If you have completed the Primary Series as of the denial date below, you must then provide proof of receiving or, if eligible, properly declining the most recent CDC-recommended boosters at least once a year within the timeframe required by your location.
- If you are a health care worker subject to the CDPH order, you may be subject to additional deadlines as required by your location.

**Until you are Up-To-Date on COVID-19 vaccination, you must comply with the Location's Non-Pharmaceutical Intervention requirements (e.g., face coverings, regular asymptomatic testing) for individuals who are not Up-To-Date as a condition of your Physical Presence at any University Location/Facility or Program. You must also comply with the following Non-Pharmaceutical Interventions applicable to your position (if any):**

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**Notwithstanding the foregoing, health care workers subject to the CDPH order cannot be Physically Present at any UC health care facility if they are not in compliance with that order.**

If you have any questions regarding the above, please contact:

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Denied by: \_\_\_\_\_ Date: \_\_\_\_\_

(Signature of Issuer)

## Exhibits 1, 2: Implementation Guidelines

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These Guidelines are provided to aid those charged with evaluating, processing, and resolving Personnel requests for Exception to the SARS-CoV-2 (COVID-19) Vaccination Program (“COVID-19 Vaccination Program”) and also to provide information regarding compliance with the COVID-19 Vaccination Program.

### EXHIBIT 1: EXCEPTIONS

This Exhibit applies to Covered Individuals who Physically Access a Location or University Program in connection with their employment or appointment and who have requested an Exception to the COVID-19 vaccination requirement.

Covered Individuals may request an Exception to the COVID-19 Primary Series vaccination requirement based on Medical Exemption, Disability, Religious Objection, and/or Deferral due to pregnancy or recent COVID-19 diagnosis or treatment. Covered Individuals who are health care workers subject to the August 5, 2021 California Department of Public Health order as amended on December 22, 2021, February 22, 2022, and September 13, 2022 (“CDPH order”) may request an Exception to the CDPH order’s booster requirement based on Medical Exemption, Religious Objection, and/or Deferral due to recent COVID-19 diagnosis. Covered Individuals who are permitted by University policy and applicable public health directives to decline COVID-19 boosters should comply with the declination process as directed by their location instead of seeking an Exception.

### I. DEFINITIONS

All terms in the “Definitions” section of the University of California Policy on Vaccination Programs apply to these Guidelines.

Additional Term:

**Decision:** The determination of the approval or denial of an Exception request.

### II. ADMINISTRATION OF REQUESTS

#### A. Establishment of a Responsible Office

1. Locations should designate a particular office(s) and/or individual(s) to field Exception requests and make this Responsible Office known to Personnel.
2. This Office might be different for each type of Exception allowed under the COVID-19 Vaccination Program—e.g. Medical Exemption or Disability Exception requests may be processed by a different Office from the Religious Objection Exception or Deferral requests.
3. When the Office of the President has approved the use of a Third Party Administrator (TPA), Locations can opt to utilize that TPA to support the administration and review of Medical Exemptions, Disability Exceptions, Religious Objection Exceptions, and/or Deferrals. If utilizing this option, the

~~Location must still designate a Responsible Office to manage the coordination with that TPA.~~

## ~~B. Documentation of the Request~~

- ~~1. The Responsible Office is responsible for reporting all Exception requests, approvals, and denials to the Local Vaccine Authority (LVA) at the Location.~~
- ~~2. The Responsible Office should make Exception Request Forms (see Model Forms 2-4) publicly available to Personnel and available upon request. Locations utilizing any TPA should provide full name and email address (individually or in a flat list format such as an Excel table) to the TPA; the TPA will then reply with the applicable Exception Request Form.~~
- ~~3. Either the Responsible Office or TPA (if any) should evaluate the Exception request using the applicable standardized criteria.~~

~~The Responsible Office should use the Approval or Denial Form (see Model Forms 5 and 6) to record the Decision.~~

- ~~4. The Responsible Office will exercise best practice information security procedures and comply with BFB-IS-3 (Electronic Information Security Policy) as well as BFB-RMP-1 (the University Records Management Program) when storing COVID-19 Vaccination Program records (e.g., Exception request forms, approval forms, denial forms, related communications) and when notifying the LVA regarding pending requests for Exceptions and Exception Decisions. COVID-19 Vaccination Program records should be kept confidential and only accessed for COVID-19 Vaccination Program-related purposes. COVID-19 Vaccination Program records should not be stored in an employee's personnel file.~~

## ~~C. Standardized Communications and Process~~

- ~~1. All forms and notifications should follow standard templates. Location-specific forms may include consistently communicated modifications such as campus-specific Non-Pharmaceutical Intervention (NPI) requirements, Responsible Office contact information, etc.~~
- ~~2. Communications and forms regarding Exceptions (including request forms, notifications such as a notice of pending request, notice of approval, and notice of denial) should be standardized as much as possible regardless of medium (e.g., digital/e-mail vs. hard-copy) or the office sending the communication (e.g., local Responsible Office or any TPA).~~
- ~~3. Communications should be made in a timely fashion, both acknowledging receipt of the request and communicating the subsequent Decision.~~

## ~~D. Pending and Granted Exceptions Require Employee Use of NPI~~

~~All forms and references to Exception requests should clearly state that, as a condition of Physical Presence, employees are required to comply with the Location's NPI requirements (e.g., face coverings, regular asymptomatic testing) while an Exception request is pending or after such requests have been approved. This requirement applies to Exceptions for both the Primary~~

~~Series and boosters (when applicable). NPI requirements may be amended and communicated to employees subsequently, such as if public health conditions prompt revisions to NPI requirements. See Model Forms 2-6 of the COVID-19 Vaccination Program for recommended language.~~

~~Notwithstanding the foregoing, for Covered Individuals subject to the CDPH order, compliance with the order is required as a condition of Physical Presence at any UC health care facility. Therefore, such Covered Individuals are not allowed to be Physically Present at any UC health care facility after the CDPH order's applicable compliance deadline while their requests are pending.~~

### ~~III. DECISION PROCESS~~

- ~~a. The Responsible Office will evaluate all Exception requests consistently in both the application of the Guidelines and treatment of similarly situated Personnel throughout the University. For those Covered Individuals who are subject to the CDPH order requiring COVID-19 vaccination for health care workers, evaluation of such requests will also consider the requirements of that order.~~

~~The Responsible Office will utilize system-wide training for individuals charged with evaluating Exception requests. The Responsible Office will stay up to date on training, which may be amended as new information or changes to conditions (i.e., public health) may require.~~

- ~~b. The Responsible Office will contact Personnel in a timely fashion in the event that an incomplete form is submitted or more information is needed in order to evaluate the request.~~

### ~~IV. END DATE OF APPROVAL FOR EXCEPTION~~

~~If an employee who has not completed the Primary Series has an approved Exception with an end date and the employee no longer needs an Exception at that time, they will have 12 weeks after the end date to receive the Primary Series and submit proof of vaccination. They must then submit proof that they received or, if eligible, properly declined the most recent CDC-recommended booster at least once a year within the timeframe required by the location. Student employees are subject to the timeframe required by the location for students. If the employee is a health care worker subject to the CDPH order, they may be subject to additional deadlines as required by the location.~~

~~If an employee has completed the Primary Series when the approval expires, they must then submit proof that they received or, if eligible, properly declined, the most recent CDC-recommended booster at least once a year within the timeframe required by the location. Student employees are subject to the timeframe required by the location for students. If the employee is a health care worker subject to the CDPH order, they may be subject to additional deadlines as required by the location.~~

~~An employee subject to the CDPH order who has a Deferral to the booster~~

~~requirement due to recent COVID-19 diagnosis must receive a booster and submit proof of vaccination within 15 days of the Deferral's end date. Employees subject to the CDPH order cannot be Physically Present at any UC health care facility if they are not in compliance with that order. (See Exhibit 1, Sections II.D and V.)~~

~~An employee must submit proof of vaccination per local guidelines and COVID-19 Vaccination Program requirements (see COVID-19 Vaccination Program, Section IV).~~

## ~~V. THE CDPH HEALTH CARE WORKER VACCINE REQUIREMENT~~

- ~~a. The August 5, 2021 California Department of Public Health order as amended on December 22, 2021, February 22, 2022, and September 13, 2022 (“CDPH order”) requires that health care workers subject to the order receive their first dose of a one-dose regimen or the second dose of a two-dose regimen for COVID-19 vaccination by September 30, 2021. It also requires that health care workers eligible for booster doses per the order to receive booster doses no later than March 1, 2022 and that health care workers not yet eligible for boosters be in compliance no later than 15 days after the CDPH’s recommended timeframe for receiving the booster dose. Note that the UC COVID-19 Vaccination Program may have different timeframes and compliance deadlines that may also apply.~~
- ~~b. The CDPH permits health care workers to decline these vaccination requirements based on “Religious Beliefs” or “Qualifying Medical Reasons.” “Qualifying Medical Reasons” under the CDPH order include only CDC-recognized contraindications or precautions.~~
- ~~c. Effective February 22, 2022, the CDPH order also permits health care workers who completed the Primary Series and were then recently diagnosed with COVID-19 (breakthrough infection) to delay booster administration for up to 90 days from the date of their first positive test or clinical diagnosis.~~
- ~~d. Covered Individuals under the UC COVID-19 Vaccination Program who work, train, or otherwise access any UC health care facilities—including medical centers, ambulatory surgery centers, Student Health Services, Counseling & Psychology Services, and other campus- and school-based medical and behavioral clinics—cannot be Physically Present at such facilities if they are not in compliance with the CDPH order.~~
- ~~e. Given the requirements of the CDPH order, the University is unable to approve the following Exceptions to the Primary Series for Covered Individuals subject to the CDPH order: (1) Deferrals based on COVID-19 diagnosis or COVID-19 treatment within the last 90 days (though health care workers may be eligible for a Medical Exemption if the treatment they received qualifies as a CDC-recognized contraindication or precaution), (2) Exceptions based on Disabilities that are not CDC-recognized contraindications or precautions, or (3) Deferrals based on pregnancy.~~
- ~~f. Similarly, the University is unable to permit Covered Individuals subject to the CDPH order to decline the order’s booster requirement for any reason other than~~



~~Qualifying Medical Reasons or Religious Beliefs, and the University is unable to permit Covered Individuals subject to the order to defer the order's booster requirement for any reason other than COVID-19 diagnosis within the last 90 days.~~

~~g. Covered Individuals should use the University's Medical Exemption and/or Disability Exception Request Form to decline the vaccination requirements for Qualifying Medical Reasons. Likewise, Covered Individuals should use the University's Deferral Request Form to defer booster administration due to recent COVID-19 diagnosis, and Covered Individuals should use the University's Religious Exception Request Form to decline the vaccination requirements for Religious Beliefs under the CDPH order.~~

~~h. Additional updates to the CDPH order are expected and can be found here: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Health-Care-Worker-Vaccine-Requirement.aspx>.~~

## VI. EXHIBIT 1 REVISION HISTORY

### ~~TBD 2023:~~

~~**December 12, 2022:** Revised language for consistency with changes to booster requirement beginning Fall 2022 to permit eligible Covered Individuals to decline the booster after receiving Vaccine Education, subject to more restrictive federal, state, or local public health requirements.~~

~~**September 16, 2022:** Revised language based on the September 13, 2022 amendment to the August 5, 2021 California Department of Public Health order.~~

### ~~August 30, 2022:~~

- ~~• Converted from COVID-specific vaccine policy to Program Attachment.~~
- ~~• Extended deadline to receive Primary Series to permit longer interval period between doses in alignment with CDC guidance.~~

### ~~March 9, 2022:~~

- ~~• Added language regarding December 22, 2021 and February 22, 2022 amendments to the August 5, 2021 California Department of Public Health order.~~
- ~~• Added language regarding booster requirement for employees who are Covered Individuals.~~

~~**September 16, 2021:** Added language regarding the August 5, 2021 California Department of Public Health order.~~

~~**First Effective Date: July 20, 2021**~~

## **EXHIBIT 2: EMPLOYEE COMPLIANCE**

### **I. SUMMARY**

The purpose of the COVID-19 Vaccination Program is to facilitate the protection of the health and safety of the University community. The COVID-19 Vaccination Program requires Covered Individuals, subject to limited Exceptions and associated Non-Pharmaceutical Interventions (NPIs), to receive the Primary Series before Physically Accessing the University's Locations and Programs and to receive or, if eligible, properly decline, boosters at least once a year.

These Guidelines provide information regarding compliance with the COVID-19 Vaccination Program by University of California policy-covered staff and Academic Personnel Manual (APM)-covered academic appointees. The University desires a consistent approach for all employee populations, including represented employees, subject to its collective bargaining obligations, applicable collective bargaining agreements, and applicable public health orders.

The path to full compliance with the COVID-19 Vaccination Program for each employee, including the notices provided, may differ depending upon the date that the employee complies with each compliance step or submits a request for Exception.

### **II. EMPLOYEE REQUIREMENTS**

Proof of vaccination must be submitted per local guidelines and COVID-19 Vaccination Program requirements (see COVID-19 Vaccination Program, Section IV).

#### **A. Primary Series**

The COVID-19 Primary Series vaccination requirement applies to UC employees who Physically Access the University's Locations or Programs in connection with their employment or appointment. As a condition of Physical Presence at a University Location/Facility or in a University Program, all of these UC employees must provide proof of having completed the Primary Series or submit a request for an Exception no later than the applicable Compliance Date. For employees who are subject to the CDPH order, compliance with that order is also a condition of Physical Presence at any UC health care facility. (See Exhibit 1, Sections II.D and V).

Consistent with the requirement for students, Covered Individuals who are student employees must provide proof of having completed the Primary Series or, if applicable, submit a request for an Exception no later than the first day of instruction for the term when they first enroll.

#### **B. Booster**

~~All Covered Individuals must: (i) receive Vaccine Education concerning COVID-19 and CDC-recommended boosters as a preventive measure; and (ii) receive the most recent CDC-recommended booster or affirmatively decline doing so. Covered Individuals will be required to certify or document that they are Up-To-Date (or affirmatively decline the recommended boosters, if eligible) at least once each year, in a form and as of a date set by the location. Locations may set different dates for different groups of individuals. Student employees are subject to the deadlines applicable to students.~~

~~For employees who are subject to the CDPH order, compliance with that order is also a condition of Physical Presence at any UC health care facility. (See Exhibit 1, Sections II.D and V.) For these employees, the University's COVID-19 vaccination requirement includes compliance with the order's booster requirements.~~

### **C. New Employees**

~~Covered Individuals subject to the CDPH order must be in compliance with the CDPH order as of their start date. See COVID-19 Vaccination Program FAQ #10 for additional information about these compliance requirements.~~

~~Consistent with the requirement for students, Covered Individuals who are student employees must provide proof of having completed the Primary Series or, if applicable, submit a request for Exception no later than the first day of instruction for the term when they first enroll. Covered Individuals who are student employees must also comply with the booster deadlines required by the location for students.~~

~~All other Covered Individuals hired on or after October 20, 2021 (who are not subject to the CDPH order and who are not student employees) must do one of the following no later than 14 calendar days after their first date of employment: (a) submit proof that they have received at least one dose of a COVID-19 Vaccine; or (b) if applicable, submit a request for an Exception.~~

~~If an employee submits proof that they have received at least one dose of a COVID-19 Vaccine but they have not yet completed the Primary Series, they must submit proof of having completed the Primary Series no later than 12 weeks after their first date of employment.~~

~~After providing proof of completing the Primary Series, an employee must then provide proof of receiving or, if eligible, properly declining the most recent CDC-recommended booster at least once a year within the timeframe required by the location.~~

### **III. REQUEST FOR EXCEPTION**

~~An employee seeking an Exception must, no later than the applicable Compliance Date for the Primary Series or within the timeframe required by the location for the booster, submit their request to the Responsible Office described in Exhibit 1, Section II.A. While a request is pending and if it is granted, the employee must, as a condition of Physical Presence, comply with~~

~~NPIs defined by the Location. Notwithstanding the foregoing, employees subject to the CDPH order cannot be Physically Present at any UC health care facility if they are not in compliance with that order. (See Exhibit 1, Sections II.D and IV). Therefore, such Covered Individuals are not allowed to be Physically Present at any UC health care facility after the CDPH order's applicable compliance deadline while their requests are pending.~~

#### ~~A. Request Approved~~

~~If an Exception is granted, the issuing office must notify the employee and the LVA of the approval and the associated expiration date, if any. The employee must, as a condition of Physical Presence, comply with NPIs defined by the Location.~~

#### ~~B. Request for Exception to Primary Series Denied~~

~~If an employee has submitted a single request for an Exception that has been denied, or requests on more than one ground that have all been fully considered and denied, the employee (“Non-Excepted Employee” hereafter) will receive a Denial of Request for Exception.~~

##### ~~1. Employee Chooses to Become Up-To-Date with their Vaccines~~

~~If the Non-Excepted Employee chooses to become Up-To-Date with their Vaccines and has not yet begun the Primary Series, they must provide proof that they have received their first shot within 14 calendar days of the date of denial of their Exception request for the Primary Series. This proof must include the date of the first shot. The employee must also submit proof that they have completed the Primary Series within 12 weeks of the date of that denial.~~

~~They must then provide proof of receiving or, if eligible, properly declining the most recent CDC-recommended booster at least once a year within the timeframe required by the location.~~

~~Until the Non-Excepted Employee is Up-To-Date with their Vaccines, they must, as a condition of Physical Presence, comply with NPIs defined by the Location. Notwithstanding the foregoing, employees subject to the CDPH order cannot be Physically Present at any UC health care facility if they are not in compliance with that order. (See Exhibit 1, Sections II.D and V).~~

##### ~~2. Employee Chooses Not to Become Up-To-Date with their Vaccines~~

~~If the Non-Excepted Employee has not completed the Primary Series and chooses not to receive their required shot(s) of the Primary Series within 14 calendar days of the date of denial of their Exception request for the Primary Series, the applicable process begins at Section IV.A.~~

#### ~~IV. EMPLOYEE NON-COMPLIANCE~~

##### ~~A. Primary Series Requirement~~

## **1. ~~First Notice of Non-Compliance (All Employees)~~**

~~UC employees subject to this COVID-19 Vaccination Program who fail to provide proof of receiving the Primary Series and who have not requested an Exception by the applicable Compliance Date (or Non-Excepted Employees, who fail to provide proof that they have received their required shot within the 14 calendar days as described in Section III.B.2) will receive a First Notice of Non-Compliance.~~

~~Once an employee has received a First Notice of Non-Compliance, they will have three business days to provide proof of receiving the Primary Series or to make a request for an Exception.~~

~~A Non-Excepted Employee will have three business days to provide proof that they have received their required shot or, if applicable, make a new request for an Exception.~~

~~UC employees hired on or after October 20, 2021 (other than those subject to the CDPH order and student employees) who fail to provide proof of receiving at least one dose of a COVID-19 Vaccine and who have not requested an Exception within the initial 14-day compliance period, will receive the First Notice of Non-Compliance on the 15th calendar day after their first date of employment.<sup>4</sup> Once an employee hired on or after October 20, 2021 has received a First Notice of Non-Compliance, they will have three business days to provide proof of receiving at least one dose of a COVID-19 Vaccine or to make a request for an Exception.~~

~~During these three business days, UC employees must, as a condition of Physical Presence, comply with NPIs defined by the Location. Notwithstanding the foregoing, employees subject to the CDPH order cannot be Physically Present at any UC health care facility if they are not in compliance with that order. (See Exhibit 1, Section II.D and V).~~

~~If an employee has not responded within three business days and is a Non-Excepted Employee, the applicable process continues below at Section IV.A.3; for other employees, the applicable process continues below at Section IV.A.2.~~

## **2. ~~Second Notice of Non-Compliance (Employees Other Than Non-Excepted Employees)~~**

~~If, after receipt of the First Notice of Non-Compliance, the employee does not submit proof of receiving the Primary Series or make a request for an Exception within three business days, they will receive a Second Notice of Non-Compliance~~

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<sup>4</sup>The initial 14-day compliance period does not apply to employees subject to the CDPH order (Covered Individuals subject to that order must be in compliance with the order as of their start date) or to student employees (consistent with the requirement for students, Covered Individuals who are student employees must provide proof of having completed the Primary Series or, if applicable, submit a request for Exception no later than the first day of instruction for the term when they first enroll).

that requires them to submit proof that they have received their required shot within 14 calendar days of the date of the Second Notice of Non-Compliance. This proof must include the date of the required shot.

As described in Section IV.A.1, until the employee is Up-To-Date with their Vaccines, the employee must, as a condition of Physical Presence, comply with NPIs defined by the Location. Notwithstanding the foregoing, employees subject to the CDPH order cannot be Physically Present at any UC health care facility if they are not in compliance with that order. (See Exhibit 1, Sections II.D and V).

The employee will have 12 weeks from the date of the Second Notice of Non-Compliance to complete the Primary Series.

Proof of vaccination must be submitted per local guidelines and COVID-19 Vaccination Program requirements.

### **3. Notice of Continued Non-Compliance**

If an employee fails to submit proof of receipt of the Primary Series or make a request for an Exception within the period prescribed in the Second Notice (or the First Notice, if a Non-Excepted Employee), the employee will receive a Notice of Continued Non-Compliance stating that the Department will commence a period of progressive corrective action and/or discipline, up to and including termination/dismissal, against the employee.

If an employee hired on or after October 20, 2021 (who is not subject to the CDPH order and is not a student employee) fails to submit proof of receiving at least one dose of a COVID-19 Vaccine or make a request for an Exception within 14 calendar days of the date of the Second Notice, the employee will receive a Notice of Continued Non-Compliance stating that the Department will proceed toward termination/dismissal.

During the corrective action and/or discipline period, the employee will be permitted Physical Presence for up to six weeks (at the Location's discretion) and must, as a condition of Physical Presence, comply with NPIs defined by the Location. Notwithstanding the foregoing, employees subject to the CDPH order cannot be Physically Present at any UC health care facility if they are not in compliance with that order. (See Exhibit 1, Sections II.D and V).

The Chancellor or designee may choose to briefly extend the six-week period of Physical Presence for employees other than those subject to the CDPH order (see Exhibit 1, Sections II.D and V) for exceptional circumstances, including but not limited to:

- Providing for a non-compliant instructor to continue teaching or mentorship in the best interest of student learning;
- Providing for a non-compliant employee to continue work in order to avoid potential negative impacts on critical University operations due to unanticipated business requirements; or
- For other urgent requirements.

## **B. Corrective Action and/or Discipline**

~~Any corrective action and/or discipline, up to and including termination/dismissal, taken as a result of employee non-compliance will be consistent with the policies or collective bargaining provisions applicable to the specific employee population.~~

~~If an employee chooses to receive their required shot in the Primary Series after receiving the Notice of Continued Non-Compliance, the employee has up to 12 weeks to complete the Primary Series. During this time the corrective action and/or discipline process is paused. If the employee does not complete the Primary Series within 12 weeks, the corrective action and/or discipline process resumes.~~

~~Proof of vaccination must be submitted per local guidelines and COVID-19 Vaccination Program requirements.~~

### ~~1. Policy-Covered Staff~~

~~For regular status employees in the Professional & Support Staff (PSS) personnel group, corrective action and/or discipline is taken in accordance with PPSM 62 (Corrective Action) and termination is taken in accordance with PPSM 64 (Termination and Job Abandonment).~~

~~Probationary career employees in the PSS personnel group may be released at any time in writing at the discretion of the University in accordance with PPSM 22 (Probationary Period).~~

~~For career employees in the Managers & Senior Professionals (MSP) personnel group refer to PPSM 64 (Termination and Job Abandonment), although non-compliant MSP employees will not be eligible for severance or any termination assistance under PPSM 64 section III.E.~~

~~For Senior Management Group (SMG) employees refer to PPSM II-64 (Termination of Appointment), although non-compliant SMG employees will not be eligible for financial assistance or any termination assistance under PPSM II-64 section III.C.~~

~~For employees in the PSS or MSP personnel groups who are not regular status or career, refer to the specific appointment type in PPSM 3 (Types of Appointment).~~

### ~~2. Policy-Covered Academic Appointees~~

~~All members of the faculty are subject to the standards set forth in APM—015 (The Faculty Code of Conduct).~~

~~For Senate Faculty, the administration of discipline is set forth in APM—016 (University Policy on Faculty Conduct and the Administration of Discipline) in conjunction with Academic Senate Bylaw 336 Privilege and Tenure: Divisional Committees—Disciplinary Cases concerning disciplinary hearings.~~

~~For all other non-Senate academic appointees, corrective action is taken in accordance with APM—150 Corrective Action and Dismissal, which also provides for grievance mechanisms.~~

### ~~3. Represented Employees~~

~~Corrective action and/or discipline for represented employees is described in the employee's applicable collective bargaining agreement.~~

## ~~V. EXHIBIT 2 REVISION HISTORY~~

### ~~TBD-2023:~~

~~**December 12, 2022:** Revised language for consistency with changes to booster requirement beginning Fall 2022 to permit eligible Covered Individuals to decline the booster after receiving Vaccine Education, subject to more restrictive federal, state, or local public health requirements.~~

~~**September 16, 2022:** Revised language based on the September 13, 2022 amendment to the August 5, 2021 California Department of Public Health order.~~

### ~~August 30, 2022:~~

- ~~• Converted from COVID-specific vaccine policy to Program Attachment.~~
- ~~• Extended deadline to receive Primary Series to permit longer interval period between doses in alignment with CDC guidance.~~
- ~~• Clarified corrective action/discipline language for policy-covered academic appointees.~~

### ~~March 9, 2022:~~

- ~~• Added language regarding the December 22, 2021 and February 22, 2022 amendments to the August 5, 2021 California Department of Public Health order.~~
- ~~• Added language to address non-compliance for employees hired on or after October 20, 2021.~~
- ~~• Added language regarding booster requirement for employees who are Covered Individuals.~~

### ~~September 16, 2021:~~

- ~~• Added language on deadline for providing proof of vaccination during a holiday/weekend.~~
- ~~• Clarified corrective action/discipline language;~~
- ~~• Added language regarding the August 5, 2021 California Department of Public Health order)~~

### ~~August 11, 2021:~~

- ~~• Added timeline for clarity.~~
- ~~• Updated language in sections IV.B, V.A and V.B for clarity.~~



- ~~Added two additional examples in section V.D.~~
- ~~Clarified corrective action/discipline for policy-covered staff.~~

~~First Effective Date: July 20, 2021~~

DRAFT

## PROGRAM ATTACHMENT #2: Seasonal Influenza Vaccination Program

Vaccine(s)	Targeted Disease or Condition
See <a href="https://www.cdc.gov/flu/prevent/different-flu-vaccines.htm">https://www.cdc.gov/flu/prevent/different-flu-vaccines.htm</a> for details.	Seasonal Influenza

### I. Purpose/Supporting Data:

According to the [Centers for Disease Control & Prevention](#), vaccination against the seasonal respiratory disease influenza or “flu” has long been accepted as a safe and effective way to prevent millions of illnesses and thousands of related doctor and hospital visits every year. In recent years, [flu vaccines have reduced the risk of flu-associated hospitalizations among older adults by about 40% on average](#). A [2018 study](#) showed that from 2012 to 2015, flu vaccination among adults reduced the risk of being admitted to an intensive care unit (ICU) with flu by 82 percent. Flu vaccination has been associated with [lower rates of some cardiac events](#) among people with heart disease, especially among those who had had a cardiac event in the past year. It can mitigate against worsening and hospitalization for flu-related chronic lung disease. It has also been shown in [separate studies](#) to be associated with reduced hospitalizations among people with [diabetes](#) and [chronic lung disease](#). A [2018 study](#) that covered influenza seasons from 2010-2016 showed that getting a flu shot reduced a pregnant woman’s risk of being hospitalized with flu by an average of 40 percent.

Flu vaccination has been shown in several studies to reduce severity of illness in people who become ill after they get vaccinated. For example, a [2017 study](#) showed that flu vaccination reduced deaths, ICU admissions, ICU length of stay, and overall duration of hospitalization among hospitalized flu patients. A [2018 study](#) showed that among adults hospitalized with flu, vaccinated patients were 59 percent less likely to be admitted to the ICU than those who had not been vaccinated. Among adults in the ICU with flu, vaccinated patients on average spent 4 fewer days in the hospital than those who were not vaccinated. Finally, by getting vaccinated, a person can protect those around them, including those who are more vulnerable to serious flu illness.

The CDC’s Advisory Committee on Immunization Practices (“ACIP”) issues [recommendations regarding influenza specific to each flu season](#). ~~For example, ACIP advised that the “2021-22 influenza season is expected to coincide with continued circulation of SARS-CoV-2, the virus that causes COVID-19. Influenza vaccination of persons aged ≥ 6 months to reduce prevalence of illness caused by influenza will reduce symptoms that might be confused with those of COVID-19. Prevention of and reduction in the severity of influenza illness and reduction of outpatient visits, hospitalizations, and intensive care unit admissions through influenza vaccination also could alleviate stress on the U.S. health care system.”~~

~~During the COVID-19 pandemic, where COVID-19, like influenza, results in respiratory symptoms, it is even more critical than usual to assure widespread vaccination. As California has lifted COVID-19 restrictions, outbreaks have followed~~

~~and the possibility of a surge that overwhelms the health care system and causes hospitals to adopt crisis standards of care necessarily increases.~~ Population-level interventions that decrease the likelihood of absenteeism, disease transmission, hospitalization, and ICU utilization must ~~therefore~~ be considered and adopted where feasible.

Refer to Section VII (Related Information) for additional information supporting Implementation of this program, which is incorporated into this Program Attachment by reference.

For ~~all of~~ these reasons, the University has concluded that ~~critical~~ steps must be taken to reduce the likelihood of severe disease among students, faculty, and staff, ~~and in turn to reduce the likelihood that our health systems will be overwhelmed.~~

II. **Compliance Date:** Annually, no later than December 1 or an earlier date set by an individual Location.

III. **Program Type:**  Mandatory (Subject to Exceptions Marked Below)  Opt-Out

On or before the Compliance Date, Covered Individuals must: (i) receive Vaccine Education concerning influenza and vaccination as a preventive measure; and (ii) receive or affirmatively decline influenza vaccination. Those who choose to decline influenza vaccination must complete a Vaccine Declination Statement provided by their Location on or before the Compliance Date. Covered Individuals who are not vaccinated must observe additional Non-Pharmaceutical Interventions (NPIs) (e.g., masks or specialized personal protective equipment; routine testing) as directed by the Location Vaccine Authority (LVA) to mitigate risk to members of the University community, patients, and others with whom they interact. Covered Individuals who initially decline the influenza Vaccine but later decide to become vaccinated may receive the Vaccine through on-site or off-site providers at any time and may notify the LVA.

IV. **Evidence Required:** To be determined by the LVA.

V. **Non-Pharmaceutical Interventions (NPIs):**

All members of the Location's community may be required by applicable public health authorities or the LVA in response to a public health emergency or during a localized outbreak to observe special NPIs, including, but not limited to, the following: (i) wearing face-coverings, medical-grade masks, and other protective equipment; (ii) isolation and quarantine; (iii) physical/social distancing; (iv) frequent washing and cleaning; and (v) asymptomatic (surveillance/screening) and symptomatic testing. Those who are not Up-To-Date on their Vaccines may be subject to NPIs above and beyond those who are.

VI. **Systemwide Implementation Guidelines:**  Attached  None

VII. **Related Information:**

- CDC, [Seasonal Influenza Vaccination Resources for Health Professionals](#)
- CDPH, [Influenza \(Flu\), RSV, and Other Respiratory Diseases](#)

## VIII. Frequently Asked Questions:

### **1. I am a new University of California employee. What is my deadline for complying with the Seasonal Influenza Vaccination Program?**

Complying with the Seasonal Influenza Vaccination Program (“Flu Vaccination Program”) is a condition of employment, and all Covered Individuals must provide proof of being Up-To-Date on seasonal influenza vaccination or properly decline such vaccination by no later than the applicable deadline each year. If you are a Covered Individual, your first deadline to comply with the Flu Vaccination Program depends on when your first date of employment is in relation to the flu season.

- a) If your first date of employment with the University is during the flu season before the Compliance Date at your Location (i.e., December 1 or an earlier date set by your Location), then you must first comply with the Flu Vaccination Program by that Compliance Date. For example, if your first date of employment is November 1, ~~2022~~, and your Location has a Compliance Date of December 1, ~~2022~~, then you must first comply with the Flu Vaccination Program by December 1 of that year, 2022.
- b) If your first date of employment with the University is on or after May 1 (or a different end date set by your Location), then you must first comply with the Flu Vaccination Program by your Location’s Compliance Date for the upcoming next flu season. For example, if your first date of employment is May 2, ~~2023~~, and your Location is using May 1 as the end date, then you must first comply with the Flu Vaccination Program by your Location’s Compliance Date for the 2023-24 following flu season.
- c) If your first date of employment with the University is on or after the Compliance Date at your Location but before May 1 (or the different end date set by your Location), then you must first comply with the Flu Vaccination Program within 14 calendar days of your first date of employment. For example, if your first date of employment is December 2, ~~2022~~, then you must first comply with the Flu Vaccination Program by December 16 of that year, 2022.

All Covered Individuals must then comply with the Flu Vaccination Program annually by the Compliance Date set at their individual Locations. [Student employees are subject to the deadlines applicable to students.](#)

### **2. I am an employee who is not working during flu season. Do I still need to comply with the Seasonal Influenza Vaccination Program?**

[No, but if you must be Physically Present in your capacity as a Covered Individual at any time between your Location’s Compliance Date and May 1 \(or a different end date set by your Location\), then you must comply.](#)

## IX. Model Forms and Exhibits: TBD

**X. Revision History:**

**TBD 2024:**

**August 16, 2023:** Updated FAQs for clarity regarding compliance deadlines.  
Removed outdated content.

**August 30, 2022:** Executive Order Converted to Program Attachment

**October 8, 2021:** Executive Order Issued Extending Program to all Campuses

**September 29, 2020:** Revised July 31, 2020 Executive Order

**July 31, 2020:** Executive Order Issued Extending Program to all Campuses

**First Effective Date:** Longstanding at UC Medical Centers

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