

## Faculty/Staff Vaccine Compliance & Disciplinary Action

**\*\*UPDATED 08/31/2021\*\***

**No later than noon on September 10, 2021, all faculty and staff MUST be fully vaccinated, have received/verified at least one dose of the vaccine or have received an approved medical/religious exemption. Failure to attain an approved status by the deadline will result in the faculty or staff member's access to campus being restricted and placement on unpaid leave beginning September 13, 2021. Telework will not be permitted as a substitute in instances of noncompliance.**

**Please note that only those faculty and staff who have a vaccine exemption or have verified at least one dose of the vaccine by the deadline are subject to the following guidelines. Individuals who do not comply by the deadline will face separate action up to and including dismissal after having been placed in unpaid status.**

The health and safety of our university community depends on everyone complying with all health and safety rules. Compliance with the vaccine mandate and associated rules are our greatest tools to help reduce the spread of COVID-19 on our campus. The guidance below is intended to provide further details and compliance expectations associated with the vaccine mandate, and to assist departments in managing compliance for faculty/staff.

The university expects everyone to comply with established health and safety requirements, and it must be understood that compliance is significantly different for those who are not vaccinated. Also note that this guidance is subject to change in accordance with University System of Maryland (USM) directives and/or decisions by university administration in association with federal, state or local guidance.

*Please consult with your assigned HR Partner for questions regarding conduct related to compliance with applicable health/safety requirements. Any questions or concerns regarding this guidance or monitoring/enforcement may be directed to [OHRcompliance@towson.edu](mailto:OHRcompliance@towson.edu).*

### Requirements for Vaccine-Exempt Faculty/Staff

Beginning September 13, 2021, faculty and staff who are unvaccinated and without a valid vaccine exemption will not be permitted on campus. In accordance with the updated guidance, only those faculty/staff who have at least one dose on record or have a valid exemption following the deadline will be permitted to continue working under the following health and safety requirements:

1. Completion of testing for COVID-19 twice per week on the schedule assigned by the University Health Center (Mon/Wed or Tues/Thurs);
2. Completion of the daily QuickScan symptom monitoring screen.

\*Note that the mask requirement also applies in all indoor locations in accordance with the university's masking protocol as updated\*

## **Noncompliance for Vaccine-Exempt Faculty/Staff**

All health/safety protocols are important and will be enforced, but compliance with the testing protocol will be strictly monitored by daily report. Accordingly, faculty/staff can expect any failure to schedule a test or missed test to be considered an occurrence of noncompliance. Quickscan and masking compliance will be monitored concurrently and supervisors/managers must consult with their appropriate OHR contact to determine if individual QuickScan or masking infractions will constitute an occurrence of noncompliance.

For the purpose of this guidance, noncompliance is further defined as any behavior that fails to comply with the university's COVID-related health and safety requirements for the workplace (i.e. masking, QuickScan, testing), which, if continued, could undermine the university's ability to safeguard the health and safety of the university community.

Noncompliance does not include inadvertent or isolated deviations from the established rules, unless failing to schedule or missing a scheduled test. In the case of inadvertent or isolated instances, the supervisor should first listen to the staff member's reasoning for not complying. The supervisor should re-state the health and safety requirement and the consequences for noncompliance.

## **Schedule of Progressive Discipline**

For continued occurrences of noncompliance, the schedule of disciplinary action below will be followed:

### **Non-Exempt Staff**

1. First occurrence: Employee receives a formal letter of reprimand/censure;
2. Second occurrence: Employee is suspended without pay for one (1) day;
3. Third occurrence: Employee is suspended without pay for three (3) days;
4. Fourth occurrence: Employee is suspended without pay for five (5) days;
5. Fifth occurrence: Employee is terminated.

### **Exempt Staff and Faculty**

1. First occurrence: Employee receives a formal letter of reprimand/censure;
2. Second occurrence: Employee is suspended without pay for five (5) days;
3. Third occurrence: Employee is suspended without pay for ten (10) days;
4. Fourth occurrence: Employee is suspended without pay for 15 days;
5. Fifth Occurrence: Employee is terminated.

***\*\*Note that the university reserves the right to bypass steps in this progressive disciplinary schedule in the event of severe noncompliance, including, but not limited to failure to complete consecutive required tests\*\****

OHR will centrally administer and enforce the noncompliance directives, but department managers and supervisors should also work with appropriate OHR personnel to address noncompliance. Supervisors should remind their teams that following health and safety rules helps to ensure the safety of all members of the campus community as well as their families and friends, and will assist with implementing progressive discipline.

OHR will assist departments with drafting disciplinary action documents for issuance to employees and otherwise reviewing cases of noncompliance.

Any disciplinary action taken may be reviewed through the relevant grievance/appeal or review procedure.

## **Reporting of Noncompliance**

Any member of the university community may report deviations from safety protocol. Reports should be directed to the appropriate supervisor or department contact. If an anonymous report is preferred the university's [SpeakTU Reporting System](#), is available 24/7.

## **No Retaliation**

There will be no retaliation against any member of the university community for good faith reporting of perceived noncompliance by university staff members.