



UNIVERSITY  
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SYSTEM

August 10, 2021

Randy Perreira  
Executive Director  
Hawaii Government Employees Association  
888 Mililani Street, Suite 401  
Honolulu, Hawai'i 96813-2991  
Via email: [service@hgea.org](mailto:service@hgea.org)

Re: Draft University Policies Re COVID-19 Mandatory Vaccination

Dear Mr. Perreira,

As you are aware, on August 5, 2021, the Governor issued an *Emergency Proclamation Related to the COVID-19 Response*, which provided, in part III, "Vaccination and Testing for State and County Employees." Accordingly, please find attached for your review two draft University of Hawai'i policies regarding mandatory COVID-19 vaccinations for all students, employees, visitors, and volunteers. The first draft policy is intended to take effect on **August 23, 2021**, and is based upon the current COVID-19 vaccinations having been given emergency approval by the FDA. The second draft policy is intended to take effect after the FDA provides full approval for a COVID-19 vaccine. The difference between the policies is that, once full approval is given, the option of testing in lieu of vaccination will only be available for those who have an approved exemption based on medical or religious reasons. The anticipated method of submitting negative test results or record of vaccination would be the LumiSight application/website (see paras. III.C and III.D.2).

In summary, the policy would prohibit those who are unvaccinated and who do not have a current negative test result from entering a University site. The length of validity may depend on the type of test. Further, less than fully vaccinated persons with a negative test result may still be asked to adhere to additional protections such as mask wearing and physical distancing (see para. III.D.3).

A less than fully vaccinated employee who is required to report to a University site but is unable to do so because of refusal to be tested, may be subject to progressive discipline; similarly, an employee who is required to report to a non-University site that requires vaccination and/or testing, and cannot do so because the employee is not vaccinated and refuses to be tested, may be subject to progressive discipline (see paras. III.B.4 and III.B.5).

Students and employees who are not vaccinated and/or not tested, may enter a University site for the sole purpose of participating in a University-sponsored COVID-19 testing or vaccination program (see para. E).

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Although we cannot predict with certainty when a vaccine may receive full FDA approval, the University currently anticipates that full approval by the FDA may be given in time for the Spring semester of 2022, and accordingly we are including a draft of a post-FDA approval policy as well.

Please let me know if you have any comments or questions, or if you would like to set up a meeting to discuss the draft policies. Thank you for your attention in this matter. This letter was drafted and signed electronically, so please accept this pdf as an original.

Sincerely,



Sarah Hiramami  
Director of Collective Bargaining & Employee Relations

Attachments

Copy (via email): Sanford Chun, HGEA  
Jan Gouveia, VPA



## **COVID-19 Vaccination and Testing Policy**

### **I. Purpose**

The University of Hawai'i's (the "University") highest priority remains the health, safety and well-being of our campus community as it prepares to fully reopen its campuses. The COVID-19 vaccines currently available in the United States are highly effective at preventing COVID-19, as well as at preventing serious illness even in those who do contract COVID-19. As such, a fully vaccinated campus community enables the best opportunity for a healthy return to high-quality face-to-face teaching, learning and research. For these reasons, the University is requiring that all students, employees, volunteers and visitors be fully vaccinated against COVID-19 or regularly obtain a negative COVID-19 test result, subject to the provisions set forth in this policy.

The University also recognizes that these COVID-19 vaccines currently under emergency use authorization by the United States Food and Drug Administration ("FDA") are still awaiting full approval. Following the FDA approval and full licensure of at least one of the COVID-19 vaccines currently under emergency use authorization, this policy will be rescinded and replaced with a Mandatory COVID-19 Vaccination policy.

### **II. Definitions**

- A. **Fully Vaccinated**: Individuals are considered fully vaccinated for COVID-19 if it has been two weeks after they have received the second dose in a two-dose series (*e.g.*, Pfizer-BioNTech or Moderna) or two weeks after they have received a single-dose vaccine (*e.g.*, Johnson & Johnson/Janssen). This guidance can also be applied to COVID-19 vaccines that have been authorized for emergency use listing ("EUL") by the World Health Organization (*e.g.*, AstraZeneca/Oxford, Serum Institute of India, Sinopharm, and Sinovac as of July 2, 2021).
- B. **Student**: Student means any person enrolled in any credit or non-credit class at the University on a part-time or full-time basis.
- C. **Employee**: Employee means all full time and part time individuals classified as administrators, faculty, staff, temporary hires and casual hires, employed by the University. Staff includes, but is not limited to, lecturers, instructors, graders, 89-day hires, athletic coaches, residence hall staff and regents on the Board of Regents of the University of Hawai'i; however, it does not include student-employees or graduate assistants, who are covered under COVID-19 vaccination language or policies concerning "Students."

### **III. Policy & Program**

Effective August 23, 2021, ("Effective Date") the University is requiring that all Students, Employees, volunteers and visitors be Fully Vaccinated against COVID-19 or obtain a negative COVID-19 test result



prior to entering any University campus or any University facility or office (collectively, "University Site"), subject to the following provisions.

**A. Students**

1. All Students must provide verification of being Fully Vaccinated for COVID-19 before entering a University Site.
2. Any Student who has not provided verification of being Fully Vaccinated for COVID-19 may still enter a University Site provided that they provide proof of a negative COVID-19 test prior to arriving at a University Site. See Section III.D., Testing Requirement, for more information.
3. There is no vaccination or COVID-19 testing requirement for Students to enroll in online courses, engage with student services online and participate in virtual student activities.
4. Less than Fully Vaccinated Students, regardless of test result (*i.e.*, even if the test is negative), may be ineligible for some educational activities (*e.g.*, clinical and field work), that may prevent them from completing educational requirements, employment opportunities, and/or participation in certain face-to-face activities.
5. International Students who were unable to be Fully Vaccinated in their home countries prior to arrival will be subject to separate modified quarantine procedures until they are Fully Vaccinated.
6. Students who are less than Fully Vaccinated and do not comply with the Testing Requirement, may not enter any University site, may be disenrolled from in-person courses, and may be found in violation of the student conduct code if they enter a University Site.

**B. Employees**

1. All Employees must provide verification of being Fully Vaccinated for COVID-19 before entering a University Site.
2. Any Employee who has not provided verification of being Fully Vaccinated for COVID-19 may enter a University Site provided that they provide proof of a negative COVID-19 test prior to arriving at a University Site. See Section III.D., Testing Requirement, for more information.
3. Employees who are less than Fully Vaccinated and do not comply with the Testing Requirement may not enter a University Site.
4. An Employee who is required or directed to report to a University Site, but who is less than Fully Vaccinated and has not been tested, may be subject to progressive discipline.
5. An Employee who is required or directed to report to a non-University Site that requires either vaccination and/or testing, but who is less than fully vaccinated and/or refuses to be tested, may be subject to progressive discipline.



C. Verification of Vaccination & Submission

All Students and Employees may provide verification of their vaccination status by uploading a photo of their vaccination record and the requested information to LumiSight UH while signed in with their UH ID.

D. Testing Requirement for Less Than Fully Vaccinated Individuals

1. Any less than Fully Vaccinated Student or Employee must receive proof of a negative COVID-19 test from a UH-recognized testing facility prior to being allowed to enter a University Site. The length of validity of a negative test result will depend on the type of test.
2. All test results must be uploaded to a Student or Employee LumiSight UH account for verification purposes.
3. Any less than Fully Vaccinated Student or Employee may be required to adhere to additional rules, including the testing requirements set forth in this policy and non-pharmaceutical interventions (*e.g.*, wearing a mask or personal protective equipment, physical distancing, quarantining upon exposure to someone else with the illness, or no/limited entry into certain facilities, spaces, or learning opportunities until they are Fully Vaccinated).

E. Vaccination and Testing Sites

This policy does not apply to those Employees or Students entering a University Site for the sole purpose of participating in a University-sponsored COVID-19 testing or vaccination program.

F. Volunteers and Visitors

1. All volunteers and visitors entering a University Site must provide proof of being Fully Vaccinated against COVID-19 or provide proof of a negative COVID-19 test from a UH-recognized testing facility either through the UH LumiSight app or by showing their vaccination card or negative test results.
2. The length of validity of a negative test result will depend on the type of test.
3. Any volunteer or visitor who fails to show proof of being Fully Vaccinated or a negative test result may be escorted off the campus and/or cited for trespassing.

G. Privacy

Information under this policy is classified as “Regulated” under Executive Policy (“EP”) 2.214 and shall be managed and controlled consistent with that classification. The use, storage, privacy and security of data under this policy shall be in accordance with EP 2.210 and 2.214-217.



## **COVID-19 Mandatory Vaccination Policy**

### **I. Purpose**

The University of Hawai'i's (the "University") highest priority remains the health, safety and well-being of our campus community as it prepares to fully reopen its campuses. The COVID-19 vaccines currently available in the United States are highly effective at preventing COVID-19, as well as at preventing serious illness even in those who do contract COVID-19. As such, a fully vaccinated campus community enables the best opportunity for a healthy return to high-quality face-to-face teaching, learning and research. For these reasons, the University is requiring that all students, employees, volunteers and visitors be fully vaccinated against COVID-19, subject to the provisions and exemptions set forth in this policy.

### **II. Definitions**

- A. **Fully Vaccinated:** Individuals are considered fully vaccinated for COVID-19 if it has been two weeks after they have received the second dose in a two-dose series (*e.g.*, Pfizer-BioNTech or Moderna) or two weeks after they have received a single-dose vaccine (*e.g.*, Johnson & Johnson/Janssen). This guidance can also be applied to COVID-19 vaccines that have been authorized for emergency use listing ("EUL") by the World Health Organization (*e.g.*, AstraZeneca/Oxford, Serum Institute of India, Sinopharm, and Sinovac as of July 2, 2021).
- B. **Partially Vaccinated:** Individuals are partially vaccinated for COVID-19 if (1) it has been LESS THAN two weeks after they have received the second dose in a two-dose series (Pfizer-BioNTech or Moderna) or LESS THAN two weeks after they have received a single-dose vaccine (Johnson & Johnson/Janssen), or (2) they have only received one dose in a two-dose series (Pfizer-BioNTech or Moderna).
- C. **Student:** Student means any person enrolled in any credit or non-credit class at the University on a part-time or full-time basis.
- D. **Employee:** Employee means all full time and part time individuals classified as administrators, faculty, staff, temporary hires and casual hires, employed by the University. Staff includes, but is not limited to, lecturers, instructors, graders, 89-day hires, athletic coaches, residence hall staff and regents on the Board of Regents of the University of Hawai'i; however, it does not include student-employees or graduate assistants, who are covered under COVID-19 vaccination language or policies concerning "Students."

### **III. Policy & Program**

Effective \_\_\_\_\_, the University is requiring that all Students, Employees, volunteers and visitors be Fully Vaccinated against COVID-19 prior to entering any University campus or any University facility or office (collectively, "University Site"), subject to the following provisions and exemptions.



**A. Students**

1. All Students must provide verification of being Fully Vaccinated for COVID-19 before entering a University Site, subject to the limited exemptions listed below.
2. Any Student who has not provided verification of being Fully Vaccinated for COVID-19 may still enter a University Site provided that they both (1) request and are approved for an exemption as set forth in this policy, and (2) provide proof of a negative COVID-19 test prior to arriving at a University Site. See Section III.D., Exemptions and Testing Requirement for Less Than Fully Vaccinated Individuals, for more information.
3. There is no vaccination or COVID-19 testing requirement for Students to enroll in online courses, engage with student services online and participate in virtual student activities.
4. Less than Fully Vaccinated Students, regardless of test result (*i.e.*, even if the test is negative), may be ineligible for some educational activities (*e.g.*, clinical and field work) that may prevent them from completing educational requirements, employment opportunities, and/or participation in certain face-to-face activities.
5. Any Student who is Partially Vaccinated may still enter a University Site provided that they provide proof of (1) Partial Vaccination and (2) a negative COVID-19 test prior to arriving at a University Site. See Section III.D.2., Testing Requirement, for more information.
6. International Students who were unable to be Fully Vaccinated in their home countries prior to arrival will be subject to separate modified quarantine procedures until they are Fully Vaccinated.
7. Students who (1) are less than Fully Vaccinated and do not have an approved Exemption and do not comply with the Testing Requirement, or (2) are Partially Vaccinated and do not comply with the Testing Requirement, may not enter any University Site, may be disenrolled from in-person courses, and may be found in violation of the student conduct code if they enter a University Site.

**B. Employees**

1. All Employees must provide verification of being Fully Vaccinated for COVID-19 to be employed by the University, regardless of whether they are entering a University Site, subject to the limited exemptions set forth below.
2. Any Employee who has not provided verification of being Fully Vaccinated for COVID-19 may remain employed by the University provided that they both (1) request and are approved for an exemption as set forth in this policy, and (2) provide proof of a negative COVID-19 test. See Section III.D., Exemptions and Testing Requirement for Less Than Fully Vaccinated Individuals, for more information.
3. Any Employee who is Partially Vaccinated may remain employed by the University provided that they provide (1) proof of Partial Vaccination and (2) proof of a negative COVID-19 test. See Section III.D.2, Testing Requirement, for more information.



4. An Employee who is required or directed to report to a University Site, but who is not in compliance with the vaccination, exemption, and/or testing requirements of this policy, may be subject to progressive discipline.

C. Verification of Vaccination & Submission

All Students and Employees may provide verification of their vaccination status by uploading a photo of their vaccination record and the requested information to LumiSight UH while signed in with their UH ID.

D. Exemptions and Testing Requirement for Less Than Fully Vaccinated Individuals

1. Exemptions: Medical and/or non-medical exemptions from this policy may be requested consistent with state and federal law by submitting an Exemption Request Form (See Student or Employee Exemption Request Form). All Exemptions must be approved by \_\_\_\_\_.
  - a. Medical Exemptions: Students and Employees who are not able to be vaccinated for a medical reason may seek a medical exemption and shall provide supporting documentation from a health care provider.
  - b. Non-Medical Exemptions: Students and Employees may seek a non-medical (*e.g.*, religious) exemption and shall provide sufficient information to support the request.
  - c. A person who is granted an Exemption may be required to adhere to additional rules, including non-pharmaceutical interventions (*e.g.*, wearing a mask or personal protective equipment, physical distancing, quarantining upon exposure to someone else with the illness, or staying home when you or a household member is sick) for the health and safety of the campus community.
2. Testing Requirement:
  - a. Any less than Fully Vaccinated Student entering a University Site and any less than Fully Vaccinated Employee must receive proof of a negative COVID-19 test from a UH-recognized testing facility.
  - b. All test results must be uploaded to a Student or Employee LumiSight UH account for verification purposes.

E. Vaccination and Testing Sites:

This policy does not apply to those Employees or Students entering a University Site for the sole purpose of participating in a University-sponsored COVID-19 testing or vaccination program.





F. Volunteers and Visitors

1. All volunteers and visitors entering a University Site must provide proof of being Fully Vaccinated against COVID-19 or provide proof of a negative COVID-19 test from a UH-recognized testing facility either through the UH LumiSight app or by showing their vaccination card or negative test results.
2. The length of validity of a negative test result will depend on the type of test.
3. Any volunteer or visitor who fails to show proof of being Fully Vaccinated or a negative test result may be escorted off the campus and/or cited for trespassing.

G. Privacy

Information under this policy is classified as “Regulated” under Executive Policy (“EP”) 2.214 and shall be managed and controlled consistent with that classification. The use, storage, privacy and security of data under this policy shall be in accordance with EP 2.210 and EP 2.214-217.