

**SUPA/CSU Memorandum of Understanding
CSU COVID-19 Vaccination Interim Policy**

On May 19, 2021, the California State University (“CSU”) provided notice to the Statewide University Police Association (“SUPA” or “Union”) regarding a proposed COVID-19 Vaccination Interim Policy. On July 27, 2021, the CSU provided a new notice to SUPA regarding a proposed COVID-19 Vaccination Interim Policy. Additionally, on January 19, 2022, the CSU provided SUPA notice of an updated COVID-19 Vaccination Interim Policy. A copy of that updated COVID-19 Vaccination Interim Policy is attached to this Memorandum of Understanding.

The CSU and SUPA agree to the following for SUPA-represented employees:

1. SUPA-represented employees shall not be ordered to comply with the COVID-19 Vaccination Interim Policy but will be advised to comply with the policy.
2. Failure to comply with the COVID-19 Vaccination Interim Policy shall not be considered insubordination but may result in discipline. Disciplinary documents, if any, shall refer only to a failure to abide by the policy.
3. The parties acknowledge that SB 114 (Supplemental Paid Sick Leave or “SPSL”) may be used as provided for in the law. This generally includes obtaining COVID-19 vaccinations and vaccine related side effects that prohibit employees from working. The SB 114 / SPSL MOU shall be the controlling document regarding this leave.
4. Employees who have obtained a COVID-19 vaccine as a condition of employment and suffer an adverse reaction from the vaccination shall be eligible to file a workers’ compensation claim.
5. Pursuant to this MOU, campuses may require any or all employees who report they are fully vaccinated or in the vaccination process to provide proof of vaccination.

Proof of vaccination includes:

- a) COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services, Centers for Disease Control & Prevention or World Health Organization Yellow Card) which includes name of person vaccinated, type of vaccine provided and date last dose administered; OR
- b) a photo of a Vaccination Record Card as a separate document; OR
- c) a photo of the Vaccination Record Card stored on a phone or electronic device; OR
- d) documentation of COVID-19 vaccination from a health care provider; OR
- e) digital record that includes a QR code that when scanned by a SMART Health Card reader displays to the reader client name, date of birth, vaccine dates and vaccine type.

6. Employees are eligible for medical or religious exemptions from COVID-19 vaccination as described in the policy. SUPA-represented employees who declare a valid religious or medical exemption to COVID-19 vaccination consistent with the policy, shall not face discipline but may be required to adhere to other safety measures. "Other Safety Measures" may include, but are not limited to, COVID-19 testing and wearing masks.

- i. Pursuant to this MOU, campuses may require any or all employees declaring a medical exemption to provide certification.

1. Certification only requires a medical provider's verification that a COVID-19 vaccine is medically inadvisable. There will be no need to identify the employee's diagnosis, disability, or other medical information.

- ii. The CSU will exempt from vaccination an employee who declares a religious belief that prohibits them from being vaccinated. A religious belief means:

1. a sincerely held religious belief, observance, or practice, which includes any traditionally recognized religion, or

2. beliefs, observances, or practices which an individual sincerely holds and that occupy a place of importance in that individual's life, comparable to that of traditionally recognized religions.

The Parties agree that after an employee declares a religious exemption, a campus may ask the employee only to certify that their belief complies with this exemption. Campuses can use the attached form to complete this certification or use a campus form with the same content.

7. Employees are encouraged to complete their self-certification of vaccination status, including all applicable boosters, as soon as possible, however, employees who are not otherwise eligible for an exemption shall have until March 31, 2022, to self-certify their vaccination status.

Incentives for Vaccinations

8. Campuses may provide bonuses, stipends, or other incentives to encourage vaccination which may include previously vaccinated employees.

Effect of Agreement

9. This Memorandum of Understanding shall supersede any conflicting provision of the CSU Vaccination Interim Policy.

Revised
02/24/2022

10. Other safety measures not specifically identified in the CSU COVID-19 Vaccination Interim Policy will be subject to notice and an opportunity to meet and confer, if required by the Higher Education Employer-Employee Relations Act (HEERA).
11. SUPA agrees that the CSU has met its obligation to meet and confer over the updated Interim COVID-19 Vaccination Policy.
12. Violation of this MOU shall be subject to Article 7, Grievance Procedure. The parties agree to attempt to informally settle disputes at the level of the campus or Chancellor's Office prior to filing a grievance.

For SUPA:



Matt Kroner (Feb 25, 2022 15:12 PST)

Matt Kroner
President

For the California State University:



Joseph J. Jelincic III (Feb 24, 2022 15:31 PST)

Joseph J. Jelincic III
Senior Director, Collective Bargaining



Steve James
Labor Relations Advisor



Julianne Doi (Mar 1, 2022 11:42 PST)

Julie Doi
Sr. Director, Labor and Employee Relations



Hector Fernandez
Manager of Systemwide Labor Relations

Certification of Religious Belief

Name:

Email:

Department:

Employee ID:

Name of Appropriate Administrator:

I certify that I have a **religious belief** that prohibits me from receiving a COVID-19 vaccination.

A religious belief means:

- 1) a sincerely held religious belief, observance, or practice, which includes any traditionally recognized religion, or
- 2) beliefs, observances, or practices which an individual sincerely holds and that occupy a place of importance in that individual's life, comparable to that of traditionally recognized religions.

By signing this form, I attest that this is true and accurate. I understand that making false statements could subject me to discipline, up to and including termination.

Signature:

Date: