

1 **Memorandum of Agreement**

2 The following Memorandum of Agreement (MOA) is entered into by and between Western Washington
3 University (Western) and the Washington Federation of State Employees (WFSE).

4 On August 20, 2021, Governor Jay Inslee amended proclamations 20-05 and 20-14 and issued proclamation [21-
5 14.1 COVID-19 Vaccination Requirement](#) and is applicable to Western Washington University.

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7 WFSE and Western agree to the following:

- 8 1. Beginning September 27, 2021, Western and WFSE will follow [POL-U1300.02 Requiring Proof of COVID
9 Vaccination Status](#), which requires documentation of COVID-19 vaccination status or an exemption based on
10 medical or religious reasons.
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- 12 2. As of October 18, 2021, employees who are not in compliance with the policy will be subject to the
13 following:
14 2.1. Employees who have received the first dose of a vaccine, but who have failed to become fully
15 vaccinated by October 18, 2021, may use appropriate paid leave or leave without pay for up to thirty
16 (30) calendar days to become fully vaccinated.
17 2.2. Employees who have initiated their exemption request before September 27, 2021 and who engage in
18 the interactive process in a good-faith manner, and whose exemption is still being reviewed after
19 October 18, 2021, may use appropriate paid leave or leave without pay until the exemption decision is
20 provided. If the exemption request is denied or an accommodation is not available, the employee may
21 use appropriate paid leave or leave without pay for up to forty-five (45) days to become fully
22 vaccinated. Employees must provide proof of beginning the process of becoming fully vaccinated
23 within ten (10) calendar days of denial.
24 2.3. Employees who have not provided proof of vaccination and have not initiated an exemption request by
25 October 18, 2021 will be subject to non-disciplinary separation. Employees subject to section 2.1 or 2.2
26 above who fail to meet the stated timelines will be subject to non-disciplinary separation.
27
- 28 3. Employees who receive a COVID-19 vaccination, are scheduled to work onsite, experience adverse side
29 effects impacting their ability to work onsite, and are able to work remotely, will work with their supervisor
30 on a remote work plan for the hours needed, not to exceed eight (8) hours in total. This provision is
31 applicable when the employee receives an initial COVID-19 vaccination shot or shot series only.
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- 33 4. COVID-19 vaccination and exemption records will be maintained by HR and treated as confidential.
34 Supervisors will be informed of employees with an exemption to ensure those employees are supported in
35 complying with Western's safety requirements.
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- 37 5. Employees with an exemption must comply with all of the following safety requirements:
38 5.1. Complete Western's COVID-19 vaccination education online course
39 5.2. Submit to a weekly COVID-19 test
40 5.2.1. Testing costs will be covered by Western.
41 5.2.2. Time spent testing and travelling to and from the testing site will be considered work time.
42 5.3. Wear a mask as required by Western
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1 5.5. Physically distance from others in accordance with local health department and university guidelines

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3 Employees failing to comply with the above safety requirements may be subject to progressive discipline.

4 6. COVID Leave

5 6.1. As of October 1, 2021, Western will provide forty (40) hours of COVID leave to permanent and
6 probationary employees. Part-time employees will be entitled to a pro-rated number of COVID leave
7 hours based on their appointment percentage.

8 6.2. COVID leave may be used for the following reasons:

9 6.2.1. An employee's own COVID-related illness

10 6.2.2. An employee's experience of COVID-type symptoms

11 6.2.3. An employee's recovery from adverse side effects of COVID vaccination, including booster shots

12 6.2.4. An employee's COVID-related isolation/quarantine period

13 6.2.5. Care for a family member requiring care for the reasons identified in subsections 1-4 above

14 6.2.6. To accompany a family member to obtain a vaccination shot

15 6.2.7. To provide COVID-related child or elder care

16 6.2.8. In the event of an outbreak as defined in POL – U1300.02 Requiring Proof of COVID Vaccination
17 Status, if an employee is prohibited from on-site work and is not approved to work remotely.

18 6.3. COVID Leave is not eligible for donation to other employees through any shared leave program.

19 6.4. This provision expires when the State of Emergency declared as a result of the COVID-19 outbreak in
20 Governor Inslee's Proclamation 20-05 has ended.

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22 7. WWU COVID Leave Donation Program

23 7.1. By October 1, 2021, Western will create a leave donation program allowing employees to donate leave
24 to employees in need of COVID leave support.

25 7.2. Employees may use leave from the WWU COVID Leave Donation Program for the same purposes as
26 identified in 6.2.1 through 6.2.7 above under COVID Leave.

27 7.3. Employees receiving leave under this program must follow general leave use provisions under the
28 collective bargaining agreement, however employees may maintain up to 80 hours of sick and 80 hours
29 of vacation leave in reserve and be eligible for leave under this program.

30 7.4. Western will determine the amount of donated leave an employee may receive.

31 7.5. Employees may donate vacation leave, sick leave, or personal holiday to another employee meeting the
32 qualifications identified in 7.2 above, following the same requirements as outlined in Article 14, Shared
33 Leave.

34 7.6. This provision expires when the State of Emergency declared as a result of the COVID-19 outbreak in
35 Governor Inslee's Proclamation 20-05 has ended.

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37 8. COVID Voluntary Testing Program Transportation

38 8.1. As of October 1, 2021, Western will provide transportation to the voluntary testing site as necessary.
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40 Due to the changing nature of the COVID-19 pandemic, either party may reopen this agreement under any of
41 the following circumstances:

- 42 • A change to the emergency-use authorization status of COVID-19 vaccinations,
- 43 • Medical approval of COVID-19 antibody (serology) testing that confirms immunity or protection from
44 COVID-19 similar to that obtained through a vaccination,
- 45 • A requirement to obtain booster shots to maintain fully vaccinated status, or

- 1 • A material change to COVID-19 safety guidance from local, state, or federal agencies.

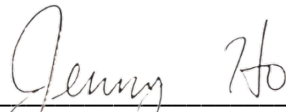
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3 **For the Union:**

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10/1/2021

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Jenny Ho, Director of Advocacy
Washington Federation of State Employees

Date

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10 **For the Employer:**

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Chyerl Wolfe-Lee, Assistant Vice President for HR
Western Washington University

Date

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