

EO 80 Compliance with Governor's COVID-19 Vaccination Requirement: Faculty and Librarians

1. Purpose

On February 29, 2020, Governor Inslee issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout Washington State as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State. After months of improving COVID-19 epidemiological conditions in Washington State, highly contagious COVID-19 variants emerged, including the Delta variant, which caused a dramatic increase in cases, hospitalizations, and deaths among unvaccinated populations and resulted in breakthrough infections in vaccinated individuals.

On August 20, 2021, the Governor issued Proclamation 21-14.1, which subsequently was amended on September 27, 2021, to Proclamation 21-14.2 (collectively, the "Proclamation.") The Proclamation prohibits any worker from engaging in any work for a state agency, an educational setting, or a health care setting after October 18, 2021 if the worker has not been fully vaccinated against COVID-19, unless an exemption applies. The University is subject to the Proclamation and is prohibited from allowing any staff member, faculty member, librarian, or any other academic personnel who has not verified that they are fully vaccinated against COVID-19 or been approved for an exemption to engage in work after October 18, 2021.

Accordingly, the University will terminate the employment and/or appointments of those not verified as fully vaccinated or approved for an exemption. The University has provided notice to personnel including faculty members and librarians of the requirements of the Proclamation and the need to verify full vaccination or to obtain an approved exemption to remain employed and/or appointed by the University.

The Faculty Code and the Librarian Personnel Code do not contemplate a circumstance in which the Governor acts pursuant to emergency powers to alter the qualifications for employment for the University's faculty and librarians and precludes them from engaging in work. This executive order therefore provides for an alternative process for faculty members and librarians who are subject to termination consistent with the University's legal obligation to comply with the Proclamation.

2. Applicability

This executive order applies to all University faculty members as provided for in the Faculty Code, Chapter 21, [Section 21-31](#), Membership in the Faculty (“faculty members”) and all University librarians not included in the UW Libraries bargaining unit (“librarians.”)

3. Duration of Executive Order

This executive order will be effective until the Governor declares an end to the State of Emergency and the Proclamation is rescinded, and it will then be withdrawn.

4. Exemptions and Enforcement

Unless an exemption from the vaccine requirement has been requested and approved by the University and conditions of approval are adhered to, the University will initiate dismissal processes described below for any faculty member or librarian who fails to present verification of fully vaccinated status to designated University staff.

Effective October 19, 2021, the University will place any faculty member or librarian subject to such dismissal on administrative leave, which shall be fully unpaid, until due process related to the decision to terminate their employment and/or appointments has concluded. During this leave, a faculty member or librarian is not allowed to engage in any work of any kind for the University. Due process will consist of written notice of the proposed termination and an opportunity to be heard, in a meeting with the University’s designee or by written submission, before the termination decision is finalized. The decisions that are made following due process are final decisions of the University and not subject to further administrative review.

The Provost or designee has the delegated authority to interpret the requirements of this executive order and execute the processes outlined herein including termination actions. As appropriate, the Provost or designee will consult with the Faculty Senate Chair for general advice on implementation issues. The President retains the authority to make final decisions under this executive order.

This executive order has been developed in compliance with Executive Order [No. 3](#). This executive order supersedes all rules, policies, executive orders, and code provisions that may be construed to conflict with it, including but not limited to Chapter 25, Sections [25-51](#) and [25-71](#) and Chapter 28, [Section 28-36, Subsection D](#) and Chapters [25](#),

[27](#), and [28](#) of the Faculty Code, and Chapter IV, Sections E, G, and H of the [Librarian Personnel Code](#).

5. History

October 12, 2021.