




Policy Name:	COVID-19 Vaccination Policy		
Associated Form(s):	Vaccination and Exemption Forms: 1) Student Form 2) Employees Mav Health and Wellness Portal .	Policy Number:	2022-11
Reviewed:	1) Non-Academic Policy Review Committee 2) COVID-19 Task Force	Approved:	August 12, 2022
Approval Authority:	President 	Adopted:	August 13, 2022
Responsible Executive(s):	1) Vice President of Student Affairs 2) Vice President of Finance	Revised:	June 2021, September 2021, October 2021, January 2022, April 2022
Responsible Office(s):	1) Office of Student Affairs 2) Office of ACCESSibility 3) Student Health Office 4) Office of Human Resources	Contact(s):	1) Assistant Dean of Student Affairs 2) Director of ACCESSibility 3) Director of Health and Wellness 4) Assistant Director of Human Resources

I. POLICY STATEMENT

COVID-19 is a serious respiratory disease; over 1,000,000 Americans have died from COVID-19 related-causes. The COVID-19 vaccination is recommended by the Centers for Disease Control and Prevention (CDC) for anyone over the age of six (6) months in order to prevent infection from and transmission of Covid-19 and its complications, including death. Getting vaccinated may also protect other community members, including those who are more vulnerable to serious COVID-19 illness (i.e. infants older adults and individuals with certain chronic health conditions). In order for Mercy College to continue to maintain a safe and healthy environment, Mercy is requiring all students, employees, contractors, vendors, and other regular visitors to campus to provide proof of the COVID-19 vaccination, and in some instances, the booster, as set forth more fully below.

II. STUDENTS

A. COVID-19 Vaccination Proof Required

Mercy College students who plan to attend classes in-person at any of Mercy's campuses are required to submit proof of their fully vaccinated status by uploading the information online prior to registering for classes. Fully vaccinated means two weeks after the second dose of the Moderna Pfizer, or Novavax vaccine, or single dose of the Johnson and Johnson vaccine.

B. Booster Requirements

All Mercy College students who reside in on-campus housing, participate in Mercy College athletics or are in clinical or experiential programs are required to show proof of the COVID-19 booster. Individuals are eligible to receive the booster:

- 2 months after receiving the J&J vaccine
- 5 months after receiving the second Pfizer or Moderna dose

Those who are not currently eligible for the booster must obtain the booster within one month of when they do become eligible.

For students in clinical and other experiential programs, some clinical sites require additional COVID-19 booster shots. These students should check with their programs for any additional requirements relating to COVID-19 that may be required for the completion of their program.

All other students are strongly encouraged to obtain the booster. According to the CDC, to be optimally protected from COVID-19, a person needs to get a booster shot when and if eligible. Should community levels rise from low to medium or high under the CDC Guidelines, the College reserves the right to mandate the booster requirement for the remainder of the student population.

who are currently not required to show proof of the booster and mandate additional boosters for those required and eligible to have boosters.

C. Vaccine Exemptions

Students have the right to seek an exemption to the COVID-19 vaccine and booster under the following circumstances:

- 1) Due to an allergy or medical contraindication to receiving the vaccine. They must provide the exemption form and physician's statement (see below); or
- 2) Due to a sincerely held spiritual or religious belief, practice, or observance. They must provide a statement. Note that students in clinical practicums, while they can seek a religious accommodation at Mercy, may not be able to participate in an off-site clinical due to the restrictions set by those facilities.
- 3) Students who intend to be fully distance learning and shall not attend any on-campus, in-person classes, activities or events may also decline from providing proof of the COVID-19 vaccination. They must submit the waiver form.

*Note that students in clinical or other experiential programs may not be granted an exemption by their assigned clinical site. The College shall not be responsible for finding a clinical site that will accept a student who is not vaccinated and boosted.

Students who obtain an exemption are required to adhere to additional measures to ensure the safety of the campus community is maintained which include wearing masks, and the College may require mandatory testing and place limitations on participation in on-campus activities and events, at the College's discretion.

Anyone who comes to campus who is not vaccinated and boosted when eligible does so freely and voluntarily and shall assume all risks of the decision to decline the vaccination, including the risk of severe illness or death, as well as the risk posed to community members around them.

All students, regardless of vaccination status or having an exemption, are required to adhere to all COVID-19-related College policies, rules and guides, including the COVID-19 Addendum to the Student Handbook. Failure to adhere to the requirements of this and other COVID-19 policies may result in disciplinary sanctions, up to and including expulsion from the College.

D. Reasonable Accommodations

Mercy College is committed to providing reasonable accommodations and academic adjustments to allow qualified students the opportunity to participate in programs and activities at the College. The College's [Student Accommodations Policy](#) provides for procedures in connection with: a) a

disability or serious injury, b) pregnancy, childbirth, or a medical condition related to pregnancy or childbirth, including breastfeeding, and c) religious practices. Students who believe they need an accommodation or academic adjustment should contact the Office of ACCESSibility.

III. EMPLOYEES

A. Proof of COVID-19 Vaccination and Booster Required

Mercy College employees are required to submit proof of full COVID-19 vaccination prior to commencing employment. Fully vaccinated means two weeks after the second dose of the Moderna Pfizer, or Novavax vaccine, or single dose of the Johnson and Johnson vaccine.

In addition, proof of the booster is required for any employee who is eligible, which means:

- 2 months after receiving the J&J vaccine
- 5 months after receiving the second Pfizer or Moderna dose

For those who are not currently eligible, they must obtain the booster within one month of when they do become eligible.

Under New York State law, all employees are entitled to up to 4 hours of paid leave to obtain the vaccine/booster, which does not count against the employee's regular sick leave bank. Employees may also use accrued paid sick leave if they have side effects from the vaccine. See the [Mercy Paid Time Off and Leave Policy](#). Any questions should be directed to the Office of Human Resources.

B. Vaccine Exemptions

Employees have the right to seek an exemption from the COVID-19 vaccine (including booster requirement) under the following circumstances:

- 1) Due to an allergy or medical contraindication to receiving the vaccine. They must provide the exemption form and physician's statement, or
- 2) Due to sincerely held spiritual or religious belief, practice, or observance. They must provide a statement.

Employees who obtain an exemption are required to adhere to additional measures to ensure the safety of the campus community is maintained which shall include wearing masks, and may include mandatory testing, and limitations on participation in on-campus activities and events, at the College's discretion. Failure to show proof of full vaccination and booster if eligible, or failure to abide by the other requirements in the Policy, will result in termination or denial of employment.

Note that certain faculty members, such as clinical faculty working in off-site clinical facilities, shall be required to adhere to the guidelines of those locations, which may require proof of additional booster shots and may not allow for exemptions under any circumstance.

All employees, regardless of vaccination status, are required to adhere to all COVID-19-related College policies, rules and guides, including the Maintaining a Safe Workplace Guide.

C. Reasonable Accommodations

Mercy College is committed to providing reasonable accommodations to allow qualified employees the opportunity to participate in employment at the College. The College's *Reasonable Accommodations Policy for Employees* provides for procedures in connection with: a) a disability or serious injury, b) pregnancy, childbirth, or a medical condition related to pregnancy or childbirth, including breastfeeding, and b) religious practices. Employees who believe they need an accommodation should contact the Office of Human Resources.

IV. CONTRACTORS, VENDORS AND VISITORS

- A. **Contractors and Vendors.** All Mercy College contractors and vendors who regularly appear on campus are required to provide proof of full COVID-19 vaccination, including the booster, if eligible to their employer before coming to Mercy College campuses. Those individuals, like Mercy employees, are entitled to request an exemption with their employer.
- B. **Residential Hall Guests.** All guests to residential halls will be required to provide proof of the COVID-19 vaccine prior to entering. All overnight guests to residential halls are required to show proof of the COVID_19 vaccine and the COVID-19 booster (if eligible).
- C. **Mercy College Alumni.** All Mercy College alumni who regularly use campus facilities, including but not limited to the gym and libraries, shall be required to provide proof of vaccination before gaining access to Mercy's campuses. They must obtain pre-approval and an identification card through the Office of Alumni Relations, which will allow them access to Mercy's campuses.

V. TESTING AND MASKS

Mercy will adhere to all local, state and federal guidelines and practices as it pertains to testing and mask wearing for COVID-19. All **unvaccinated** students, employees, contractors and vendors who regularly appear on campus, as well as residential students and student-athletes are required to wear masks while indoors, and may be required to submit to regular testing, at the College's discretion.

Failure to adhere to mandatory mask wearing and testing may result in sanctions for students, employees, contractors and vendors. Penalties can include denial of participation in campus activities and events and disciplinary penalties up to suspension from campus for students (including receiving an F and not being refunded for the term), termination for employees, and removal from the worksite for contractors and vendors for willful and repeated failure to submit to this Policy.

Testing is also available at the College's Health Office for individuals who may have been exposed to COVID-19, or who have symptoms of COVID-19.

VI. EU AUTHORIZATION

The Pfizer and Moderna vaccine have full FDA approval. While we understand that the Novavax and Johnson and Johnson vaccines are currently approved under an Emergency Use Authorization (EUA), Mercy believes that the vast weight of authority supports the safety and effectiveness of the vaccination and its importance in the return to a fully engaged campus.

VII. NON-RETALIATION AND RESPECT FOR COMMUNITY MEMBERS

Section 11(c) of the Occupational Safety and Health Act of 1970 protects employees from retaliation in the workplace, particularly as it pertains to complaints that may arise regarding the health and safety of the environment and the vaccination status of other community members. Confidential complaints can be made at any time pursuant to the College's [Whistleblower Policy](#).

In addition, given the severity of COVID-19 and the continued uncertainty surrounding the pandemic, all members of the Mercy College community shall respect any and all individuals who wear a mask, regardless of whether they may or may not be vaccinated. Reasons for continued mask-wearing may vary—from those who choose to take extra steps to protect themselves and others from potential exposure by continuing to wear masks, or who may be unable to obtain the COVID-19 Vaccination or who decline for religious or medical reasons to do so. No one shall inquire into another community member's medical history or background in an attempt to ascertain why an individual may or may not be vaccinated, other than the Office of Human Resources and the Office of ACCESSibility, solely pursuant to and for the purposes of this Policy.

VIII. COVID-19 VACCINATION STATUS PRIVACY NOTICE

Mercy College is committed to protecting your personal information and being transparent about what information is held and how it is used. We understand your concerns about privacy and assure you that we take privacy matters seriously. Please see *Mercy's COVID-19 Privacy Policy Statement* in which the College explains how your personally identifiable information is collected and used as it relates to proof of the COVID-19 vaccine. The information you provide will be used only as outlined in that Policy Statement. If you have questions regarding this Privacy Notice, you may direct them to kbowes@mercy.edu.