

1. MSCA bargaining unit members, including those hired after October 2021, are required to have received a U.S. Food and Drug Administration (FDA) or World Health Organization (WHO) authorized COVID-19 vaccine, including a second dose if required as part of the vaccine regimen they have selected. Unit members who exclusively provide remote instruction and whose responsibilities do not require their physical presence on campus or in any university building shall not be required to comply with this Agreement.
2. If they have not already done so, MSCA unit members shall be required to provide verification and/or an attestation of vaccination consistent with the policy of their State University. Any changes to these policies are subject to impact bargaining negotiations. A State University may download the vaccination status of MSCA unit members from the Massachusetts Immunization Information Database (MIIS) maintained by the Massachusetts Department of Public Health Immunization Division.
3. The Parties agree that MSCA unit members are strongly encouraged to adhere to the appropriate CDC guidance regarding any COVID-19 boosters.
4. MSCA unit members may seek exemption from this vaccination requirement for medical or religious reasons by completing the appropriate form and providing it, together with substantiating information, to their respective State University's human resources department or the office designated by each State University. MSCA unit members seeking exemption due to a sincerely held religious belief must attest that COVID-19 vaccination conflicts with such religious beliefs. The State University shall require the MSCA unit member to provide a statement describing the religious belief and why receiving any COVID-19 vaccination interferes with this belief. MSCA unit members seeking exemption from the vaccination requirement due to medical reasons shall provide an attestation from a licensed health care provider that describes the basis for the opinion that the MSCA unit member cannot safely receive any COVID-19 vaccine.
5. MSCA unit members who receive an exemption will be expected to test weekly. To this end, the State Universities will make self-administered tests available for any exempt MSCA unit member who seeks one.
6. MSCA unit members are strongly encouraged to test at the start of the academic year and after Thanksgiving, Winter break, Spring break and any international travel or travel outside of the Northeast. State Universities will make self-administered tests available for MSCA unit members who are asymptomatic and seek a test for this purpose, not to exceed one test per week.
7. During the fall 2022 semester, not more than one (1) self-administered test shall be made available each week to all unit members who are asymptomatic; such tests shall be made available free of charge. If mandatory surveillance testing is conducted, unit members shall comply with such testing.

8. MSCA unit members are expected to isolate or quarantine, according to CDC guidelines, when isolation or quarantine is recommended per the CDC, and MSCA unit members shall follow standard call-in procedures and work with Human Resources regarding their leave options and their return to campus.

9. When isolation or quarantine is recommended, per CDC guidelines, MSCA unit members who are able to work remotely during such isolation or quarantine period shall coordinate such work with their department chair or library director/dean. In such cases where MSCA unit members are unable to work remotely, they shall be entitled to use accrued leave during the isolation/quarantine period.

10. MSCA unit members who are not vaccinated and are not exempt from the vaccination requirement pursuant to this Agreement shall not be permitted to work and shall not be paid, except as provided in this paragraph. Librarians may use accrued vacation time, or be placed on unpaid leave, for a period of no longer than one-half (½) year.<sup>1</sup> Full-time and salaried part-time faculty members shall be placed on unpaid leave of absence for a period of no longer than one (1) semester. The employment of part-time faculty members shall be terminated. A MSCA unit member on an unpaid leave for these purposes shall not have access to the university's facilities, including their office, and shall not be permitted on campus.

11. All vaccine status and positive testing results shall be reported to and held by an office that the State University shall designate. The Parties recognize that individual vaccine and test results are confidential, private, and shall be shared only on a need-to-know basis according to relevant employment and public health protocols.

12. A State University shall retain sole discretion to keep in place, implement, expand or restrict a mask-wearing requirement. Whenever a State University implements a mask-wearing requirement, all MSCA unit members, regardless of vaccination status, shall wear a mask that complies with CDC guidelines over their mouth and nose in such other places as may be specifically designated by the State University. Prior to implementing, expanding and/or retracting a mask-wearing requirement, the President of the State University shall provide five (5) days' notice of such change to MSCA unit members and the Association.

13. At each State University a COVID-19 health and safety advisory committee shall be formed with no fewer than three (3) representatives appointed by the MSCA Chapter President and three (3) representatives appointed by the President of the University. This advisory committee shall meet no fewer than two (2) times each semester to discuss ongoing COVID-19 health and safety issues on the campus. The committee shall be informed of any anticipated, substantial changes to health and safety protocols.

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<sup>1</sup> MSCA unit members who exhausted the leave provided for in the August 26, 2021 COVID vaccination agreement between the Parties shall not be afforded additional leave. The total amount of leave due to an MSCA unit member's failure to be vaccinated, absent an exemption, shall not exceed one-half (1/2) year in total for librarians or one (1) semester for faculty.

14. MSCA unit members shall have the right to require mask-wearing by other individuals in their university assigned individual office space. A university assigned individual office space shall not include a lab, common area, classroom, library or shared space.

15. All State Universities shall have masks available, including KN 94 or KN 95 masks, for MSCA unit members who may have forgotten or lost their masks, or whose masks have been damaged. All masks shall comply with the CDC guidelines and shall be available in designated locations across campus including in classrooms, academic departments, and libraries.

16. MSCA unit members seeking an exemption from a mask-wearing requirement for medical reasons shall seek accommodation through their State University's ADA process.

17. When, at a State University that has a mask-wearing requirement, a student without a documented mask exemption is not wearing a mask in a classroom or instructional space, MSCA unit members are expected to inform the student of the mask-wearing requirement. If a student refuses to wear a mask after being informed of this requirement by the MSCA unit member, the MSCA unit member has the right to dismiss that student from the class and/or to instruct that student to leave the immediate area, with the exception of a student who has a documented accommodation for a mask exemption. If the student continually refuses to leave while refusing to wear a mask, the MSCA unit member shall have the right to dismiss the class, or leave the area, and shall report the incident to the university's student conduct officer. Student refusal to wear a mask shall be treated as a student conduct violation and addressed through the code of conduct mechanisms at the university. Students seeking a mask exemption shall be expected to do so through the disability resources office if they will be attending any in-person class or will be in the library, and the instructor/librarians shall be provided official documentation of the exemption and the health protocols that will be followed. Faculty and librarians reporting non-compliance of the mask-wearing mandate will be protected from retaliation of any kind.

18. When a State University has in place or institutes a mask-wearing requirement, the State University, following a review, will progressively impose discipline upon a MSCA unit member who has not received an exemption from a mask-wearing requirement and who refuses to comply with the mask-wearing requirement in place.

- For a first violation of a State University's policy, following a review and determination of non-compliance, an oral warning will be imposed by the Provost or their designee in consultation with Human Resources.
- For a second violation of a State University's policy, following a review and determination of non-compliance, a written warning through the issuance of Official Personnel Correspondence will be imposed by the Provost or their designee in consultation with Human Resources.
- For a third violation of a State University's policy, following a review and determination of non-compliance, a one-day suspension without pay through the issuance of Official Personnel Correspondence will be imposed by the Provost or their designee in consultation with Human Resources.
- For a fourth violation of a State University's policy, following a review and determination of non-compliance, a two-day suspension without pay through the

issuance of Official Personnel Correspondence will be imposed by the Provost or their designee in consultation with Human Resources.

- For additional violations of a State University's policy, following a review and determination of any non-compliance, the MSCA unit member will be subject to further discipline.
- A State University shall notify a member of any allegation of a violation of the State University's policy that has been raised against them.

19. The State Universities shall inform employees and students through the State University's designated email system or other digital platforms of the following:

- a. the expectation that any positive COVID-19 test results will be reported to the university and provide clear instructions of how to report these results;
- b. the expectation that the campus community will follow CDC guidelines with respect to when isolation or quarantine is required;
- c. information for students regarding accommodations for coursework during an isolation or quarantine period;
- d. information on any mask mandate that may be in place, including expectations of compliance; and
- e. notification of the right of faculty and librarians to require mask-wearing by other individuals in their university assigned individual office space.

20. Department meetings and governance committee meetings will be allowed to be conducted in person, remotely or through a hybrid option, as determined by a consensus of the members of the respective department and governance committee.

21. All universities shall take reasonable measures to ensure that ventilation in classrooms, the library, and faculty/librarian offices meet ASHRAE standards, where practicable. All universities will inform the Chapter president as to which buildings have MERV 13 filters in the ventilation systems by the beginning of the Fall semester.

22. These provisions shall terminate on June 30, 2023.