Employee Influenza Vaccination Policy

Origination Date: 08/01/2014
Version Date: 09/15/2017

**Purpose:** To describe the requirements for Duke University School of Medicine (SoM) faculty and staff who must receive an annual flu vaccination.

The following entities are covered by this policy:
Duke University School of Medicine

**Policy**
Annual vaccination against influenza is the best protection for our patients and study subjects against flu transmission during a research-related encounter. Influenza vaccination also protects those who work in and visit our facilities and their families. This is in alignment with Duke University Health System’s core value of “Caring for our patients, their loved ones, and each other.”

Individuals who are required to receive an annual vaccination against influenza or be compliant through a granted medical or religious exemption include all School of Medicine regular and non-regular rank faculty (with the exception of Consulting, Adjunct, and Emeritus) with primary faculty appointments in Clinical Departments and in the Department of Population Health Sciences, and all staff whose positions are in the organizational units of a Clinical Department or the following SoM units:

- Brain Imaging and Analysis Center
- Center for the Study of Aging and Human Development
- Duke Cancer Institute
- Duke Clinical and Translational Science Institute (CTSI)
- Duke Clinical Research Institute (DCRI), including Duke Early Phase Clinical Research Unit
- Duke Office of Clinical Research
- CT2
- Heart Center
- Medical Physics Program
- Department of Population Health Sciences

Flu vaccination is strongly encouraged but remains voluntary for SoM Consulting, Adjunct, and Emeritus faculty, all post-doctoral researchers (associates and scholars), and all faculty and staff in the Basic Science departments and all other institutes and centers not listed above.

House staff should adhere to the Duke Health (DH) flu vaccination policy. Faculty and staff leased in any amount to the PDC should adhere to the PDC’s vaccination policy.

Students in the School of Medicine should adhere to the flu vaccination policy specific to students.
The School of Medicine will contact all School of Medicine faculty and staff subject to the vaccination requirement with information about obtaining a vaccine and the deadline for policy compliance.

**SoM Flu Vaccination Program**

The program is designed and directed by the Universal Influenza Vaccination Work Group (IVG), as authorized by DH/SoM senior leadership. The IVG is an interdisciplinary team inclusive of representatives from numerous professional disciplines and job categories within DH and SoM entities.

The program includes:

- Free influenza vaccination for all SoM faculty and staff. Non-Duke SOM vendors and contract workers may receive their vaccination at Employee Occupational Health and Wellness (EOHW) and have their company billed for it or self-pay.

- On-site vaccination opportunities during hours accessible to SoM faculty and staff during the active campaign season. The active campaign season is defined annually by the IVG. Precise dates for the campaign will be communicated broadly in August, including a deadline for policy compliance.

- Multimodal education aimed at employees, hospital patients, and visitors. This education includes, at a minimum, information about:
  - The influenza vaccine
  - Non-vaccine control and prevention measures
  - Diagnosis, transmission and impact of influenza
  - Access opportunities for vaccination

**Vaccinations Received Outside DH Vaccination Program**

SoM faculty and staff may receive the vaccine at locations other than those provided through the DH Healthcare Worker Flu Vaccination Program. If vaccinated elsewhere, faculty and staff must provide the required documentation evidencing such to Employee Occupational Health and Wellness (EOHW). Acceptable proof of vaccination is a document signed and dated by the professional who administered the vaccine, along with the employee’s Duke unique ID number. NOTE: “Outside” vaccinations include those received from a Duke healthcare provider.

Faculty and staff must submit documentation of vaccination to EOHW no later than the established compliance deadline. Questions should be directed to the EOHW Flu Program Nurse at 919-684-3136. Instructions for reporting external vaccination are available at the School of Medicine website [https://Medschool.duke.edu/fluPolicy](https://Medschool.duke.edu/fluPolicy) or the Health System intranet [https://intranet.dh.duke.edu/influenza/SitePages/Home.aspx](https://intranet.dh.duke.edu/influenza/SitePages/Home.aspx).

Faculty and staff should keep their original documentation until verifying with their unit business or HR manager, that their vaccination status has been updated in the Occupational and Environmental Safety Office (OESO) database.
Policy Compliance for New Hires

Any new hires in the Clinical Departments, Institutes, Centers, Programs and Offices listed above must become compliant with the flu vaccination policy requirement within two weeks (14 calendar days inclusive of any holidays) of their start date. Transfers and hires from other departments, regardless of the previous departments’ vaccination requirements, are also required to become compliant within two weeks of their start date. Offer letters in departments and units subject to the vaccination requirement must include a statement about the vaccination policy.

Policy Compliance During Vacation and Leave

SoM faculty and staff subject to policy compliance (i.e., vaccination or approved exemption) who are on paid time off (PTO, vacation or sick) at the time of the deadline for policy compliance but who were working at any point during the vaccination period prior to the deadline are expected to have achieved policy compliance by the deadline. Failure to do so will result in a Final Written Warning or comparable administrative action. See the “Employment Action” sections below for further details.

SoM faculty and staff subject to policy compliance who are on leave throughout the active campaign season, but who return to work prior to the end of the flu season, are required to achieve policy compliance within two weeks of their return. The flu season’s end will be determined by ongoing transmission of influenza in the community and defined by Duke Program for Infection Prevention and Healthcare Epidemiology.

Vaccination Exemption

Exemption to influenza vaccination may be granted for documented medical contraindications or documented religious beliefs. Standard criteria for medical exemption will be established based upon recommendations from the Centers for Disease Control and Prevention (CDC). Note that egg allergy will no longer be approved for medical exemption, due to the availability of egg-free vaccine.

Exemptions must be applied for no later than the deadline for submission provided for the current flu season. Medical exemptions granted for permanent conditions will continue in effect until the individual notifies EOHW that his/her condition has changed or vaccine technology changes to eliminate the issue of concern. Medical exemptions granted for temporary conditions expire at the end of flu season. Religious exemptions must be applied for annually.

To apply for a medical exemption, individual faculty and staff must obtain the required form and have his/her healthcare provider complete it inclusive of the medical contraindication. The completed form must be submitted to EOHW before the required deadline.

To apply for a religious exemption, individual faculty and staff must obtain and complete the required form and submit it to Staff and Labor Relations before the required deadline.

Applications for medical exemption will be reviewed by a panel of physician experts from EOHW and Infectious Diseases. Applications for religious exemption will be reviewed by human resource experts in Staff and Labor Relations. Applicants are responsible for submitting their applications in a manner that allows sufficient time for review by the review panels. A minimum of one week should be allowed for this review.

Faculty and staff who applied for an exemption will be notified by the reviewing entity within one week of submission as to whether or not their exemption has been granted. If an exemption is
denied, individual faculty and staff may appeal that decision by submitting additional information using the EOHW’s Influenza Vaccination Decision Appeal Form within 10 days of the denial notice. If the denial notice is issued with less than 10 days remaining until the deadline for policy compliance, the appeal should be submitted immediately to allow time for review and communication of a decision before the compliance deadline.

All exemption and appeal forms are available at the School of Medicine website https://Medschool.duke.edu/fluvaccinepolicy or the Health System intranet https://intranet.dh.duke.edu/influenza/SitePages/Home.aspx. Instructions for form completion and submission are included on each form.

Annual Vaccine Selection Process

After a thorough annual review of primary literature and national influenza vaccination guidelines, the Center for Medication Policy determines the vaccine selections for patients and healthcare workers. The annual vaccinations of choice are determined primarily based on safety and efficacy data, followed by cost. The recommendation for vaccine selections is submitted to the DUHS Pharmacy Medication Management Committee for approval. The IVG is charged with the review and approval of communication of these annual changes with the DUHS providers.

The effectiveness of the program is assessed on an ongoing basis by the IVG during the active vaccination campaign.

Compliance Tracking

EOHW will maintain the vaccination records for SoM faculty and staff and will provide that information to OESO for tracking purposes.

The OESO database is available to SoM business and HR managers for reporting vaccination status at the individual level. Reasons given by those declaring a religious or medical exemption are collected and reviewed by the IVG at least annually. Strategies for addressing the reported reasons are included in the following year’s campaign education, as appropriate.

In the event of an influenza vaccine shortage, SoM employees subject to the flu vaccination requirement will be prioritized to receive the vaccine in the same manner DH employees are prioritized, in line with guidance from the CDC and the North Carolina Department of Health and Human Services.

The Infection Control Committee of each entity has the authority to institute mandatory transmission prevention measures for those employees who were not vaccinated (i.e. granted an exemption) should the prevalence of influenza in the community reach concerning levels.

Employment/Administrative Action for SoM Non-faculty Staff Members Who Are Non-Compliant with the Policy

SoM staff members that fail or refuse to be vaccinated or do not have an approved exemption during the vaccination period will receive a Final Written Warning and allowed three (3) business days to achieve compliance with the policy. A Final Written Warning is corrective action that may impact an employee’s performance review rating and opportunity for merit increase. Additionally, a Final Written Warning may prevent an employee from being considered for transfer to another position at Duke and may ultimately lead to termination of employment. Information about the Final Written Warning is available on the HR website at https://www.hr.duke.edu/policies/expectations/standards/corrective_action.php. SoM staff will be
removed from the work environment and placed on administrative leave for up to 3 days. The staff member will be required to use his/her accrued time off for all days missed during the leave. If the staff member’s accrued time balance is not sufficient to cover the missed days, the staff member will use unpaid leave. The staff member’s management can require that the lost time be made up upon return to work. If the SoM staff member is still not in compliance at the end of the 3 days, his/her employment at Duke may be terminated.

Volunteers who are not in compliance with the policy will not be permitted to volunteer at any of the SOM departments or units listed in this policy.

Vendors and contractors who are not in compliance with the policy may not provide services at any of the SOM departments or units listed in this policy

**Employment/Administrative Action for SoM Faculty Who Are Non-Compliant with the Policy**

For all SoM clinical faculty members who hold privileges at a Duke Health entity and who practice medicine in a Duke Health clinical facility, access to the Duke Health EHR, clinical facilities, Duke email, and internet (DHE) will be discontinued until they become compliant.

For all SoM non-clinical faculty members, access to Duke email and internet (DHE) will be discontinued until they become compliant.

In both cases, the Department HR manager will note non-compliance in the faculty members’ personnel files and notify SoM HR. Non-compliance will be documented in the faculty member’s annual performance evaluation. In all cases, the Chair of the Department also has the option of not renewing the non-clinical faculty member’s Duke appointment.

Supervisors, business and HR managers are responsible for the proper administration of this policy according to the guidelines found herein. Failure to administer this policy appropriately may result in corrective action for the responsible leaders up to and including dismissal.
<table>
<thead>
<tr>
<th>Policy Owner:</th>
<th>Duke Office of Clinical Research</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cross Reference:</td>
<td></td>
</tr>
<tr>
<td>Review History:</td>
<td>08/03/2015; 12/29/2015, 01/04/2016, 03/16/2016, 07/14/2016, 07/27/2016, 07/27/2017, 09/15/2017</td>
</tr>
</tbody>
</table>