Executive Order: FAQ for Managers

This FAQ specifically addresses questions for managers, to assist in their roles as essential sources of information for employees and key facilitators for compliance and successful implementation of this federal regulation.

Additional questions? Email CoronavirusResponse@creighton.edu.

Update 11/19/21

1. Can I ask any of my faculty/staff if they have been vaccinated or have filed an exemption request?

   According to guidance from the Equal Employment Opportunity Commission (EEOC), under the Americans with Disabilities Act, vaccination information is confidential medical information, and employee vaccination information can only be disclosed to an employee’s manager when necessary for a legitimate business purpose, such as implementing necessary restrictions on work duties and providing necessary accommodations. Additionally, regulations clearly state that employee vaccination information must be kept confidential and stored separately from the employee’s personnel files.

   Creighton managers should not inquire about the vaccination status of any faculty/staff. If faculty/staff divulges vaccination status to a manager, the manager must keep that information confidential. In the event Creighton determines a manager/supervisor must know the vaccination status of an individual to enforce policy or provide accommodations, Human Resources will share the minimum information necessary to ensure compliance.

   For example, managers will be advised when an individual is required to wear a face covering due to an exemption. Please note, the manager will not be told the nature of the exemption, as this information is not necessary to ensure compliance.

   As always, please direct any specific questions to CoronavirusResponse@creighton.edu.

2. How will I know if one of my faculty/staff is noncompliant with the vaccine requirement?

   Faculty/staff who are not fully vaccinated for COVID-19 as of Jan. 18, 2022, will be notified by Human Resources that they are not in compliance with the federal executive order. At that same time, Human Resources will also notify the appropriate manager/supervisor.

   Individuals are considered fully vaccinated two weeks following a single dose of Johnson & Johnson, and two weeks after the second dose of Moderna and Pfizer.
Guidelines for compliance enforcement will follow the progressive framework as currently outlined in the Faculty Handbook and the Employee Performance and Conduct Policy. The intent is to ensure compliance with the federal executive order and to follow the latest COVID-19 guidance.

3. Will I be notified if one of my faculty/staff receives an exemption?
Yes, managers will be notified by Human Resources when an individual is required to wear a face covering due to an exemption. Please note, the manager will not be told the nature of the exemption, as this information is not necessary to ensure compliance.

4. What are my responsibilities as a manager if one of my faculty/staff is granted an exemption?
Managers are encouraged to privately discuss with the exempted faculty or staff member the following requirements under the executive order around face coverings and physical distancing and to monitor for compliance. In instances of noncompliance, the emphasis should be on counseling the individual to achieve compliance. Managers are allowed to verbally remind individuals in front of others that a face covering is required. In the event of repeated noncompliance by faculty/staff, managers are expected to consult Human Resources.

While on Creighton’s campuses, exempted faculty/staff will:

- Wear a face covering inside all buildings, and outdoors when around large crowds or in spaces that don’t allow for six feet of physical distancing.*

- To the extent possible, maintain a distance of at least six feet from others at all times, including in offices, classrooms, conference rooms, laboratories, and all other workspaces and communal areas.*

* Exceptions are provided for when individuals are: 1) in their personal living spaces, including residence halls; 2) alone in an office with floor-to-ceiling walls and a closed door; 3) eating or drinking and maintaining appropriate distancing; 4) engaged in high-intensity activities.

5. What are my responsibilities if one of my faculty/staff is denied an exemption?
Manager are asked to lead by example and provide clear guidance and direction. In the event a request for exemption is denied, faculty/staff will be provided information from the Centers for Disease Control and Prevention (CDC) on COVID-19 vaccinations and where to get them. Creighton will provide paid time off for faculty/staff to get their COVID-19 vaccine(s) and to recover from any vaccination side effects. Faculty/staff should communicate with their manager and record this as excused time with a note specifying COVID-19 vaccine.
For issues of noncompliance as of the executive order’s vaccination deadline of Jan. 18, 2022, the process will follow the answer provided in Question 2.

6. **Do employees need to take time off to get the vaccine?**
   No, Creighton is providing paid time off for employees to receive their primary dose or doses of the COVID-19 vaccines in accordance with Executive Order 14042. Employees will be provided up to four hours of excused time to receive each dose of vaccine.

   If the employee is absent due to side effects associated with receiving the vaccine, the employee may use accrued sick leave. If the employee has insufficient accrued sick leave to cover the absence, the University will permit employees to use excused time for up to 16 hours, less any available accrued sick leave.

   Employees should work with their managers in scheduling their primary vaccination(s) and recording excused time off. [See how to record paid time off for COVID-19 vaccinations](#).

7. **What about individuals who volunteer their time at Creighton but are not officially employed by the University. Do they still need to follow the federal vaccine requirement?**
   Yes, those working on Creighton’s campuses in a volunteer capacity are still required to follow the federal guidelines. Volunteers who have a guest NetID should upload proof of vaccination to the [Birdhouse](#) or file a request for an exemption. Volunteers who do not have a NetID should email their vaccination records to [EmployeeHealth@creighton.edu](mailto:EmployeeHealth@creighton.edu); they can also file a request for an exemption using the current process for employees but leaving the NetID line blank.