

WSNA FAQ on Governor Inslee's COVID-19 Vaccination Requirement
August 10, 2021

Q: What does Governor Inslee's announcement mean for me?

A: Governor Inslee's emergency proclamation means that health care workers who work in Washington need to be fully vaccinated by October 18, 2021, with limited exemptions for health or religious reasons, or they will be terminated.

"Fully vaccinated" means that nurses will need to have received their second Moderna or Pfizer COVID-19 vaccine – or will have to have received the Johnson & Johnson vaccine – by October 4, 2021, in order to be considered fully vaccinated by October 18, 2021, as a condition of further employment. In other words, nurses will have to have a second Moderna or Pfizer vaccine, or a Johnson & Johnson vaccine, by October 4 or risk being terminated.

Q: If I refuse to get vaccinated and I do not have an exemption in place, can my employer fire me?

A: Yes, under Gov. Inslee's emergency proclamation, health care workers need to be fully vaccinated by October 18, 2021.

Q: Will WSNA fight this mandate with employers?

A: Governor Inslee's proclamation is not optional for the employers bound by it – it has the force and effect of a law. Also, WSNA has always followed the science that has guided public health policy – for example, we have supported masking and distancing mandates issued by the CDC. We continue to encourage all eligible health care workers to get immunized. Here is our joint statement with SEIU Healthcare 1199NW and UFCW21:

As unions representing nurses and health care workers in Washington state, the Washington State Nurses Association, SEIU Healthcare 1199NW and UFCW21 support science-based public health directives on COVID-19 vaccination requirements for frontline health care workers, with medical and religious exemptions. We stand firmly behind vaccination as the best way to save the lives of patients, family members and members of our communities.

At the same time, we fully expect employers to bargain with us over this change to working conditions.

We are facing an extraordinary staffing crisis in our hospitals and continue to advocate for reasonable deadlines and options for frequent testing as well as masking, as required in all health care facilities, for those who are unvaccinated. These provisions mirror those included in mandates in other states that allow health care workers to stay on the job caring for all of us through this ongoing crisis.

We also know that while the vaccines are incredibly effective, they do not replace PPE, universal masking or other infection control measures. We will continue to demand universal access to N95 masks and push employers to improve ventilation in facilities where needed.

Q: Doesn't my employer have to bargain with WSNA over this mandate?

A: Because Gov. Inslee has issued this mandate, health care employers – public and private – have to abide by the mandate. However, all employers still have to bargain with WSNA over the effects of the mandate (for example, will the employer provide paid sick leave if a nurse may have side-effects from the vaccine, what would happen to a nurse with an exemption in place?).

Q: Are there any exemptions to the state vaccine mandate?

A: Yes, limited exemptions remain: a medical exemption and a sincerely held religious belief exemption. There are no personal or philosophical exemptions permitted.

Q: Who decides if my medical exemption or my religious exemption is adequate?

A: That is an issue WSNA will negotiate with employers.

Q: What happens if I have a medical or religious objection to getting vaccinated?

A: WSNA will negotiate with employers over the procedure to determine what constitutes a valid medical or religious exemption, but not every medical or religious objection to being vaccinated will qualify as a legitimate exemption.

Q: What happens if I have a medical or religious exemption, will I be terminated?

A: If you have a valid medical or religious exemption, you should not be terminated. WSNA will negotiate with health care employers over how they will accommodate nurses with valid exemptions.

Q: If I refuse to get vaccinated and my employer terminates me, will I qualify for unemployment insurance?

A: A nurse terminated for refusing to get a vaccination may qualify for unemployment insurance, but an individual nurse's situation will vary based on whether the nurse has prior unemployment claims or any other circumstances that could lead to a denial of unemployment benefits. Ultimately, it would depend on whether that nurse's circumstances follow existing rules on whether the nurse had good cause to quit regarding changes in working conditions.

Q: Will WSNA file a grievance for me if I am terminated for refusing to get vaccinated?

A: As always, any grievance with a meritorious basis will be pursued. For example, if a nurse has a medical exemption or an exemption based on a sincerely held religious belief and the employer is refusing to acknowledge that, there may be a good reason to file a grievance.