MEMORANDUM

TO: Principal Investigators and Project Administrators with Supervisory Authority

FROM: Nelson Sakamoto
Director of Human Resources

SUBJECT: Emergency Proclamation – Modification to RCUH Employment Process (for RCUH jobs that must fully or partially report to the Project’s work sites)

Effective August 16, 2021 the Emergency Proclamation requiring Mandatory COVID-19 Vaccinations or Weekly COVID-19 Testing requires the RCUH to modify its recruitment and employment processes applicable to only RCUH jobs that must fully or partially report to the Project’s work site. These guidelines do not apply to jobs that are 100% telework or are located outside of Hawai’i.

This memo is intended to provide Principal Investigators and staff involved in hiring RCUH employees with guidance relating to how the Emergency Proclamation impacts RCUH employment actions. This guidance will cover pending actions or new actions on or after August 16, 2021. This guidance covers hiring of Regular Status and Non-Recruited new hires, transfers and reclassification actions. Principal Investigators with questions should email the RCUH Director of Human Resources (nsakamoto@rcuh.com).

This memo contains guidance on various RCUH Employment Processes, presented in the following order:

1. Recruitments for Regular Status Positions Pending Selection Approval Prior to August 16, 2021
2. Transfers, Reclassifications or other employment actions that may require vaccinations (e.g., weekly testing is not an option)
3. All new or pending recruitments or reclassifications of Regular Status positions on or after August 16, 2021
4. All new or Non-Recruited positions (e.g., Temporary Hires, Intermittents and Student Assistants) on or after August 16, 2021
5. Volunteers

Details of our guidance starts below:

1. Recruitments for Regular Status Positions Pending Selection Approval Prior to August 16, 2021:
   All pending selections of Regular Status recruitments that have not received an approval for selection or an approval for a Start Date from the RCUH Human Resources Department must follow these steps:
a. **Jobs that may require mandatory vaccination**: Principal Investigators should review all pending recruitments to determine if there exists business reasons or other circumstances that require the employee in the position to be fully vaccinated. In other words, weekly COVID-19 testing will not be sufficient to ensure the safety of others (e.g., medical/clinical environment involving patient safety). If you have made the determination that a recruitment is a position that will require mandatory vaccination, place your recruitment on hold and contact the RCUH Director of Human Resources (nsakamoto@rcuh.com) for further guidance.

b. **All Jobs (required to fully or partially report to the project work site located in Hawai‘i) affected by the Vaccination or Testing Mandate – Pre-Selection/Pre-Job Offer Process**: Very important. You cannot ask a job applicant if he or she is fully vaccinated against COVID-19. However, because the Emergency Proclamation applies to all new hires, therefore Principal Investigators or their delegated staff member must inform your short-list of applicants of the requirements for vaccination in accordance with the following guidelines:

i) **Pre-Job Offer**: RCUH employees are subject to the Emergency Proclamation (e.g., requires proof of being “fully vaccinated” or be subject to weekly testing). We recommend you provide the pre-job offer applicant with a copy of the RCUH Advisory #12 to review. PIs should be prepared for applicants to withdraw from consideration after they have read the Advisory #12.

ii) **Post-Job Offer**: Once the PI makes a job offer, the PI must inform the selectees/new hires that they will be required to provide the RCUH Human Resources Department with proof they are “fully vaccinated” (as defined in the Emergency Proclamation) and if they cannot provide proof of being fully vaccinated, they will be required to provide the RCUH Human Resources Department with a Negative COVID-19 Test Result for the week of their Start Date and subject to weekly testing thereafter. The selectee/new hire’s acceptance of the job offer equates to their agreement to comply with Advisory #12.

iii) **Post-Job Offer Requests for Religious or Medical Accommodations**: Requests for religious or medical accommodations to exempt new hires from the mandatory COVID-19 vaccinations will be done on after a job offer has been made to the individual. Inform any individual requesting an accommodation to follow the RCUH Advisory #12.

Any Principal Investigator who encounters any problems or issues after you have informed your short-list candidates of these requirements, please contact the RCUH Director of Human Resources (nsakamoto@rcuh.com).

c. **Start Date of a New Hire is contingent upon receipt/review/approval of “fully vaccinated” or “negative test result”**: The new hire’s Start Date will be contingent upon the RCUH Human Resources Department receiving/reviewing/approving the new hire’s CDC COVID-19 Vaccination Record Card or their Negative COVID-19 Test Result. The new hire and PI will be informed of this determination and confirm either the Start Date or place the Start Date on Hold Pending Further Review.

i) **Possible Delays in Starting Date**: PIs should plan for possible delays in starting dates of new hires if the selected applicant/new hire is unable or unwilling to provide the required
2. Transfers, Reclassifications or other employment actions that may require vaccinations (e.g., weekly testing is not an option): There may be situations where an employee is transferred into a new job, reclassified (e.g., change in job duties) or due to another type of employment action that places the employee into a new work environment, which requires the individual to be “fully vaccinated” (e.g., weekly testing is not an option). You will need to consider all possible accommodations including but not limited to changing job duties, reassignments, etc. These situations will be addressed on a case-by-case basis. Please contact the RCUH Director of Human Resources (nsakamoto@rcuh.com).

3. All new or pending recruitments or reclassifications of Regular Status positions on or after August 16, 2021: All new recruitments or reclassifications beginning Monday, August 16, 2021 will be subject to the provisions of the Emergency Proclamation.

   a. Recruitments on or after August 16, 2021: All job postings will contain the following text: “All RCUH employees and positions are subject to the August 5, 2021 Emergency Proclamation requiring all State/RCUH employees to be fully vaccinated for COVID-19 or be subject to weekly testing for COVID-19. All post-job offer/new hires will be required to show proof that they are fully vaccinated (e.g., their CDC COVID-19 Vaccination Record Card) or a Negative COVID-19 Test result during the onboarding process. Requests for a religious or medical accommodation will be conducted on a post-job offer basis.”

   b. Job Interview questions: You cannot ask any applicant if he or she is fully vaccinated. Instead provide the applicant/interviewee a copy of the RCUH Advisory #12 and inform the applicant/interviewee that all RCUH employees are subject to the contents of Advisory #12.

   c. Job Offers Contingent Upon Compliance with RCUH Advisory #12: All job offers are contingent upon the applicant’s ability to comply with Advisory #12 and provide either their CDC COVID-19 Vaccination Record Card or their Negative COVID-19 Test Result during the onboarding process.

   i) Post-Offer Requests for Religious or Medical Accommodations: Requests for religious or medical accommodations to exempt new hires from the mandatory COVID-19 vaccinations will be done on after a job offer has been made to the individual. Inform any individual requesting an accommodation to follow the RCUH Advisory #12.

   d. Job descriptions will not be modified: The RCUH will not be modifying existing or new job descriptions since the Emergency Proclamation is a mandate applicable to all State/RCUH jobs. The text in 3a will be in each job posting from August 16, 2021 and for the duration of the Emergency Proclamation.

4. All new or Non-Recruited positions (e.g., Temporary Hires, Intermittents and Student Assistants) on or after August 16, 2021: All new or pending Non-Recruited positions/hires beginning Monday, August 16, 2021 will be subject to the provisions of the Emergency Proclamation and RCUH Advisory #12.

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a. **Non-Recruited Positions limited to non-Medical/Clinical patient contact positions:** All non-Recruited positions should NOT involve medical/clinical patient contact work. If you plan to hire individuals in patient contact work, you must contact the RCUH Director of Human Resources (nsakamoto@rcuh.com). Principal Investigators will need to provide their plan of action to ensure compliance with the Emergency Proclamation prior to making any job commitment/offer of employment.

b. **All Non-Recruited Positions subject to the Emergency Proclamation’s mandatory vaccination or weekly testing:** You cannot ask an individual if he or she are fully vaccinated until you have made a job offer. However, you will need to inform your candidate or any individual you are planning to hire into a Non-Recruited position:

i) RCUH employees are subject to the Emergency Proclamation (e.g., requires proof of being “fully vaccinated” or be subject to weekly testing). Provide them a copy of the RCUH Advisory #12.

ii) Once the PI makes a job offer, the PI must inform the selectees/new hires that they will be required to provide the RCUH Human Resources Department with proof they are “fully vaccinated” (as defined in the Emergency Proclamation) and if they cannot provide proof of being fully vaccinated, they will be required to provide the RCUH Human Resources Department with a Negative COVID-19 Test Result for the week of their Start Date and subject to weekly testing thereafter. The selectee/new hire’s acceptance of the job offer equates to their agreement to comply with Advisory #12.

iii) **Post-Offer Requests for Religious or Medical Accommodations:** Requests for religious or medical accommodations to exempt new hires from the mandatory COVID-19 vaccinations will be done on after a job offer has been made to the individual. Inform any individual requesting an accommodation to follow the RCUH Advisory #12.

iv) If you meet resistance from the applicant immediately contact the RCUH Director of Human Resources (nsakamoto@rcuh.com).

5. **Volunteers:** The Emergency Proclamation only covers paid employees. At the present time, the RCUH Volunteers are not subject to the provisions of the Emergency Proclamation. RCUH recommends any project utilizing unpaid volunteers to follow safe work practices, including but not limited to using masks, physical distancing, and other measures to minimize exposure to the COVID-19 virus.

**Updates/Revisions to these procedures:** The RCUH Human Resources Department will provide Principal Investigators with any applicable updates or revisions to this guidance when needed.