

**RESOLUTION:
COVID-19 GOVERNMENT CONTRACTOR PROTOCOLS
FOR UNIVERSITY EMPLOYEES**

WHEREAS, the University of Missouri System universities hold many federal contracts that fund hundreds of millions of dollars of research and other activities that are critical to our academic mission and service to Missourians. These contracts also support jobs and programs that contribute substantially to our state’s economy. They include:

- Providing medical care to veterans;
- Developing radioisotopes for cancer drugs;
- Research projects that support national defense for the Army, Navy, and the National Geospatial-Intelligence Agency;
- Extensive research that brings agricultural advances in support of one of Missouri’s primary industries; and

WHEREAS, in recent weeks, the federal government has issued [Executive Order 14042](#) and other [Federal guidance](#) which direct federal contractors, such as the University, to follow vaccination and mask protocols for University faculty, staff, and student employees, with some exemptions (the “Federal Mandate”). Under the Federal Mandate, the following individuals are “Covered Employees” subject to the mandate:

- Individuals who work directly on government contracts (even if they work remotely);
- Individuals who work “in connection” with a government contract, such as individuals working in supporting departments;
- Individuals who work at the same location or who may come in contact with individuals in the two categories above unless the University can “affirmatively determine” that the “covered employee” will have no interaction with a non-covered employee, including in common areas such as lobbies, stairwells, parking garages, etc.; and

WHEREAS, the Federal Mandate includes important exceptions for medical or religious reasons; and

WHEREAS, on October 28, 2021, Missouri Governor Mike Parson issued [Executive Order 21-10](#) regarding the federal vaccine mandates. Among other things, it requires cooperation with the Attorney General of the State of Missouri in his litigation regarding the federal vaccine mandate; prohibits compelling any individual to receive a COVID-19 vaccine pursuant to the federal vaccine mandate where such individual objects by reason of sincerely held religious belief or medical reasons; and prohibits penalizing an individual or business for non-compliance with any federally imposed vaccine mandate or requirements where non-compliance is the result of an individual’s sincerely held religious belief or for medical reasons (“Governor’s Executive Order”); and

WHEREAS, attorneys general from 21 states, including Missouri Attorney General Eric Schmitt, submitted a [letter](#) to President Biden objecting to the Federal Mandate’s broad provisions that leave government contractors “little choice but to require their entire workforce be vaccinated.” Attorney General Schmitt co-leads a 10-state coalition that filed a lawsuit over the issue on October 29 alleging, among other things, that the Federal Mandate “ensures that almost any

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employee of an organization with a federal contract is a ‘covered contractor employee’ subject to the contractor vaccine mandate”; and

WHEREAS, it is in the best interest of the University, its students, faculty and staff, and the citizens of the State of Missouri for the University’s federal contracts to remain in place while complying with the Federal Mandate and the Governor’s Executive Order.

NOW, THEREFORE, BE IT RESOLVED that,

The University will comply with the Federal Mandate and the Governor’s Executive Order as follows:

All University employees will comply with vaccine and masking requirements of the Federal Mandate, but they will not be compelled to comply, or penalized for not complying, with the Federal Mandate if they demonstrate:

- A. A sincerely held religious belief;
- B. Medical reasons; or
- C. Based on the nature of their work, work location and lack of interactions with Covered Employees, the University determines that the Federal Mandate does not apply to them.

The University will not require employees to comply with the Federal Mandate in the event that withdrawal, modification, injunction, or invalidation of the Federal Mandate makes it inapplicable to them in whole or in part.

The President of the University may issue appropriate policies to carry out the terms and intent of this Resolution after giving adequate notice to the Board for review and comment.

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