

**MEMORANDUM OF UNDERSTANDING**  
Between  
**AFT CONNECTICUT BACKUS FEDERATION OF NURSES**  
And  
**THE WILLIAM W. BACKUS HOSPITAL**

**Mandatory Influenza Vaccination Program**

This agreement is entered into between The William W Backus Hospital (Herein referred to as the "Hospital") and the Backus Federation of Nurses (Herein referred to as the "Union")

The Hospitals shall implement an Influenza Prevention Program ("Program" or "Policy"). Participation the Influenza Prevention Program is mandatory for all bargaining unit employees.

The Program shall be as set forth in the Hospital-wide administrative policy titled *Mandatory Influenza Vaccination Program*, with the following modifications and clarifications.

1. Vaccinations shall be provided at Hospital sites at no charge to employees. An employee may elect to have the vaccination at another facility at his her own expense. If an employee elects to do so, they must submit an Outside Provider form to Employee Health prior to October 31, 2012.
2. The Hospitals shall provide educational information concerning the importance of flu prevention to employees and their families, and to Hospital patients and clients, as well as periodic FAQ's concerning flu prevention.
3. In the event that an employee is denied a religious or medical exemption by the Hospital's Review committee, the employee may request that the Union file a grievance. All grievances over denial of medical exemptions shall be discussed in one meeting between the Union and the Vice-President of Human Resources and Organizational Development or designee and the Chief Nursing Officer or designated medical expert. These meetings shall occur within 10 days of the filing of the grievances. The Vice-President of Human Resources and Organizational Development shall respond within 10 days after the meeting. The parties agree to use the American Arbitration Association's expedited arbitration procedure<sup>1</sup>. The parties further agree to select a mutually acceptable standing arbitrator to decide all cases regarding this policy. The standard used for arbitration shall be whether or not the employee's physician's medical opinion/determination or employee's religious practitioner's opinion/determination was arbitrary or capricious. During the grievance appeal period, employees who are challenging the Review committee's decision shall wear a mask during flu season in conformance with the Hospital's mandatory influenza vaccination program pending receipt of the decision of the arbitrator.