



## Flu Declination Form

Teamsters continues to negotiate around Michael Drake's Executive Order requiring employees to receive a flu vaccination. While Teamsters was researching this subject, we learned that there are statutes and regulations that allow specific workers to decline the flu shot. Teamsters provided copies of these to UCOP who have referred it to their legal department.

Specifically, California Health & Safety codes allow hospital and Early Childhood Education employees and employees who are at risk of contracting certain airborne infections because of their work activities the right to decline the flu shot. (See below to determine if you are qualified).

Although the UC has not yet agreed to abide by this regulation, Teamsters is notifying those who are covered by this regulation of their rights to decline the flu shot. If you believe you are covered and want to formally submit a declination, you may submit the sample declination form. If you decline the flu shot and are threatened with discipline or you are not allowed to work until you receive the shot, please notify your Union steward right away.

**Eligible Employees –  
For more info., see Title 8, Section 5199 (a), See:  
<https://www.dir.ca.gov/title8/5199.html>**

Each of the following health care facilities, services, or operations:

- \* Hospitals, Clinics, medical offices, and other outpatient medical facilities
- \* The following facilities, services or operations that are identified as being at increased risk for transmission of aerosol transmissible disease (ATD) infection:
  - Laboratories that perform procedures with materials that contain or are reasonably anticipated to contain aerosol transmissible pathogens – laboratory (ATP-L) or zoonotic aerosol transmissible pathogens as defined in Section 5199.1.
  - Maintenance, renovation, service, or repair operations involving air handling systems or equipment or building areas that may reasonably be anticipated to be contaminated with aerosol transmissible pathogens (ATPs) or ATPs-L, including:
    1. Areas in which Airborne Infectious Disease (AirID) cases and suspected cases are treated or housed.
    2. Air handling systems that serve airborne infection isolation rooms or areas (AIIRs).
    3. Equipment such as laboratory hoods, biosafety cabinets, and ventilation systems that are used to contain infectious aerosols.
  - Occupational exposure to animals infected by aerosol transmissible pathogens which cause human disease are regulated by Section 5199.1 of these orders.



**If you would like to sign a personal declination form and are eligible to do so, fill out the form below and submit it to your manager. Send your Union representative a copy and we will keep you updated on UCOP's response. Keep a copy for your records!**

---

### **FLU Declination Form**

I understand that due to my occupational exposure to aerosol transmissible diseases, I may be at risk of acquiring seasonal influenza. I have been given the opportunity to be vaccinated against this infection at no charge to me. However, I decline this vaccination at this time. I understand that by declining this vaccine, I continue to be at increased risk of acquiring influenza.

If, during the season which the CDC recommends administration of the influenza vaccine, I continue to have occupational exposure to aerosol transmissible disease and want to be vaccinated, I may receive the vaccination at no charge to me.

Sign \_\_\_\_\_ Date \_\_\_\_\_