

Mandating COVID-19 Vaccinations in the Workplace

What Do Organizations Need to Know?

Last month, the U.S. Food and Drug Administration (FDA) approved the Pfizer/BioNTech COVID-19 vaccine for use by people 16 years of age and older. Yet, COVID-19 cases are still surging throughout most of the country thanks to the Delta Variant. Eager to get bodies back in office chairs, more employers are developing and implementing COVID-19 vaccine mandates as a condition of employment. After all, the Equal Employment Opportunity Commission (EEOC) allowed employers to require that workers get a COVID-19 vaccine, subject to certain exemptions. Plus, the Occupational Safety and Health Administration (OSHA) issued August guidance actively encouraging employers to consider adopting policies requiring workers to get vaccinated.

One survey, which polled 961 U.S. companies that together employ around 9.7 million people, found that by the end of 2021, more than half of employers¹ could have one or more vaccine mandate requirements.

Fielding COVID-19 policy, vaccine/safety, and privacy questions most days, four partners of the FisherBroyles employment group joined nearly 500 HR professionals, business owners, and legal counsel in a FREE webinar to discuss considerations for organizations when requiring COVID-19 vaccines for employees. These include, but of course, are not limited to:

- Handling **religious objections** to vaccinations;
- Employee **documentation** best practices;
- Responding to **false or bogus** vaccine beliefs;
- **Reasonable accommodations** and the **interactive process**;
- Fake COVID-19 vaccine cards, privacy concerns, masking (masks are back too);
- Sick leave, including remaining **Families First Coronavirus Response Act** and the **American Rescue Plan**;
- **Union** considerations to be aware of;

¹ <https://www.reuters.com/world/us/majority-us-companies-may-mandate-covid-19-vaccine-coming-months-survey-2021-09-01/>

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- Vaccine **equity**; and
- **Insurance surcharges.**

Businesses that are considering or have already implemented a COVID-19 mandate should have a plan for handling of these issues. Watch the webinar, with helpful information about each of these concerns, [here](#).

For additional information, please contact any of the following: Eric Meyer at eric.meyer@fisherbroyles.com, Amy Epstein Gluck at amy.epsteingluck@fisherbroyles.com, Dave Renner at david.renner@fisherbroyles.com, and Sid Steinberg at sidney.steinberg@fisherbroyles.com with any questions or more specific situations.

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