

# Sample COVID-19 Employee Vaccination Policies

Whether you make COVID-19 vaccines mandatory or non-mandatory, be sure to put your policy in writing.

Included are two sample policies – a “vaccines are mandatory” policy for employers requiring vaccines and a “vaccines are strongly encouraged” policy for employers who wish to promote vaccinations without requiring them. Use them as-is or modify as needed to reflect your policy decisions.

Compliance reminder: When considering a mandatory COVID-19 vaccination policy, remember that certain employees are legally permitted to request an exemption as a reasonable accommodation under the Americans with Disabilities Act (ADA). This applies to employees who are disabled, pregnant, nursing or have a qualifying medical condition.

## VACCINATION POLICY: MANDATORY

Our Company is committed to protecting the health and well-being of our employees, their families, our customers and members of the community against the coronavirus (COVID-19). As part of our duty to provide a safe, hazard-free workplace, we have adopted the following policy mandating employee vaccinations. This policy is based largely on guidance by the federal Centers for Disease Control and Prevention (CDC) and other public health authorities establishing the COVID-19 vaccine as a safe and effective measure for preventing COVID-19 infection.

The Company requires all employees to obtain and maintain up-to-date COVID-19 vaccinations, except in cases of an approved exemption. Employees will be notified by the human resources department regarding the timeframe for obtaining the vaccine. Before such deadlines have expired, all employees must provide either proof of vaccination or an approved reasonable accommodation to be exempted from the requirements, as described below. Noncompliance may result in disciplinary action up to and including termination.

Proof of vaccination and vaccination date(s) should be provided directly to the human resources department. This does not include any records containing genetic information (e.g., family medical history). Documentation provided as proof of vaccination will be kept strictly confidential as required by law.

The Company will cover the cost for vaccinations covered by this policy. Vaccinations received from a third-party (not directly from the Company) should be run through the employees' health insurance, where applicable, and submitted for reimbursement. Employees will also be paid for their time obtaining Company-mandated vaccinations; they should coordinate with their managers to schedule an appropriate time to uphold the policy.

Although this policy is mandatory, an exemption may be requested by an employee who: (i) is disabled, pregnant, nursing or who has a qualifying medical condition that contraindicates a COVID-19 vaccination, or (ii) objects to being vaccinated on the basis of a sincerely held religious belief, observance or practice. All exemption requests should be directed to the human resources department. The Company will then engage in an interactive process to determine if an exemption as a reasonable accommodation is appropriate. This process will involve the exchange of information about the reasons for the request (e.g., information regarding the disability) and identification of appropriate workplace accommodations (e.g., remote work, if possible).

An exemption as a reasonable accommodation may be granted if it does not cause an undue hardship for the organization or pose a direct threat to the health and safety of others. This determination will be made on a case-by-case basis according to applicable laws. Any medical information regarding an employee's or job applicant's limitations and/or reasonable accommodation will be kept confidential under federal, state and local laws. Retaliation for requesting a reasonable accommodation is strictly prohibited.

## VACCINATION POLICY: VOLUNTARY

Our Company is committed to protecting the health and well-being of our employees, their families, our customers and members of the community against the coronavirus (COVID-19). As part of our duty to provide a safe, hazard-free workplace, we have adopted the following policy encouraging employee vaccinations. This policy is based largely on guidance by the federal Centers for Disease Control and Prevention (CDC) and other public health authorities establishing the COVID-19 vaccine as a safe and effective measure for preventing COVID-19 infection.

The Company strongly encourages all employees to obtain and maintain up-to-date COVID-19 vaccinations, when and where available. Employees who have been vaccinated against COVID-19 may be asked to provide proof of the vaccination and vaccination date(s) to the human resources department. This does not include any records containing genetic information (e.g., family medical history). Documentation provided as proof of vaccination will be kept confidential as required by law.

The Company will cover the cost for vaccinations covered by this policy. Vaccinations received from a third-party (not directly from the Company) should be run through the employees' health insurance, where applicable, and submitted for reimbursement.

The Company complies with all applicable federal, state and local laws regarding compensation for time spent obtaining the vaccination. In some cases, this may include time spent traveling to and from a vaccination site, time spent waiting for and getting the COVID-19 vaccination, and time away from work to monitor or manage any adverse side effects. Employees should coordinate with their managers to schedule an appropriate time to uphold the policy.