

## Deciding Whether to Require Vaccinations

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Development of Coronavirus vaccines took off in January 2020 when its genetic sequence was published. Vaccine development usually takes several years, but Covid-19 vaccines had a head start because of research underway when the pandemic began. Covid-19 vaccinations began in December 2020 kicking off the most urgent immunization effort since the polio vaccine was introduced in the 1950s. Following are things to consider about requiring vaccinations and resources for encouraging them.

**Accommodation** - Consider allowing unvaccinated lawyers and staff to continue working from home or providing them with a designated work area in the office.

**Alternatives** - Policy options include mandating the vaccine, encouraging it, or having no vaccination policy. Although some firms have mandated vaccines, many have adopted a wait and see attitude. Guidance from the EEOC allows employers to require vaccinations unless it conflicts with a disability or religious belief. Developing state and local laws may add further complications.

**Communication** - Distribute information about vaccines to lawyers and staff to make them aware of the benefits and risks of vaccination. Appoint a vaccine ambassador to reach out to employees, discuss their experiences, and encourage vaccination.

**Incentivize** - Provide incentives to promote vaccination like awarding a gift card or paid leave to those who have been vaccinated.

**Policy** - Adopt a written policy on vaccinations and distribute it to lawyers and staff. Cover vaccination requirements, consequences for failing to get vaccinated, and procedures for keeping the workplace safe from Covid-19.

**Polling** - Poll lawyers and staff to determine whether they have been vaccinated. Ask why the unvaccinated are unwilling or procrastinating so you can address their concerns. Find out if there is a reluctance to return to the office without a mandatory vaccination policy.

**Privacy** - Comply with privacy laws by keeping vaccination information confidential and separate it from personnel records.

**Conclusion** - Prior to reopening offices, law firms should consider adopting a policy on vaccinations and strategies for promoting them. Maintain a Covid safe working environment and accommodate those with health and other issues. Use the tips and resources mentioned in this article to decide whether to require vaccinations and to promote a healthy workplace.

## Resources

### Checklists

Arthur J. Gallagher & Co., [Employer Vaccine Considerations and Checklist](#), Feb. 18, 2021

North Dakota Department of Health, [Employer Best Practices for Addressing COVID-19 Vaccination](#), Mar. 19, 2021

### Articles

Stan Sterna and Cathy Whitley, [Should Firms Require Staff to Get the Covid Vaccine](#), *CPA Practice Advisor*, Mar. 3, 2021

Karen Michael, [Is it Legal for Businesses to Mandate Covid-19 Vaccinations](#), *Richmond Times Dispatch*, May 10, 2021

Paul Covalleski, Sarah Mueller, and Sarah Sargent, Godfrev Kahn, S.C.. Key Legal Considerations Before [Asking Your Employees About Their Vaccination Status](#), *National Law Review*, May 11, 2021

### **Surveys**

Megan Brenan, [U.S. Support for Vaccination Proof Varies by Activity](#), *Gallup, Inc.*, May 7, 2021

Lowell Pearson, et al. [50-State Update on Pending Legislation Pertaining to Employer Mandated Vaccinations](#), *Husch Blackwell*, Apr. 20, 2021

Associated Press, [Vaccination and Virus Trends by State](#), *Lincoln Star Journal*, Apr. 16, 2021

### **Policies**

[Covid-19 Voluntary Vaccination Policy](#), City of Milwaukee, Apr. 28, 2021

[Sample Covid-19 Vaccination Policy](#), The Hub, Feb. 5, 2021

### **Websites**

[Workplace Vaccination Program](#), Centers for Disease Control and Prevention

[Training and Education Resources](#), Centers for Disease Control and Prevention