

## COVID-19 MANDATORY VACCINATION ACTION PLAN

When an employer intends to mandate COVID-19 vaccination, the policy should:

- Clearly identify the scope of the policy and the employees to whom it applies.
  - For example, most mandatory vaccine policies don't need to extend to remote employees if the employer has no intention of returning them to the workplace.
  - Employers may want to mandate COVID-19 vaccination only for certain job categories but not others, depending on the level of interaction those positions have with other individuals.
- Include the rationale for making the policy mandatory (e.g., protecting employees' health and safety)
- Clearly identify the deadline by which employees must receive all doses.
  - Keep in mind the impact that the vaccination deadline will have on staffing due to vaccine appointments and adverse reactions, as well as the availability of the vaccine.
- Provide information about where employees may receive the vaccination and indicate that the employer will pay for the cost of the vaccination if there is a charge.
- Communicate that the time spent becoming vaccinated is compensable
  - According to federal regulations, the time an employee spends waiting for and receiving medical attention during the employee's normal work hours is compensable.
- Clearly identify how employees will be required to demonstrate proof of their immunization. The employer should ensure that all such information and documentation will be maintained confidentially—separate from personnel files.
- Clearly set forth the process by which employees can request an exemption or other accommodation if the employee declines the vaccination on account of a qualifying medical condition or a sincerely held religious belief.
  - Identify who employees should notify about receiving an accommodation and how to request one.
  - Assure workers that they will not be subject to retaliation for exercising this right.
  - Ideally, employees wouldn't notify immediate supervisors of the need for accommodation, but instead HR or someone outside of employees' direct reporting line.
  - Advise employees that they may be required to substantiate any request for an exemption by providing appropriate documentation.
  - Supply accommodation request forms that will help employees and HR professionals identify the relevant information—and not more—for purposes of determining if the employer may grant an exemption from the vaccine mandate as a reasonable accommodation.
- Communicate the potential consequences for anyone who fails to receive the vaccine and does not obtain an approved exemption by the stated deadline. Consequences might include increased safety measures, unpaid leave, or termination.