

RETURNING WORKFORCES

and Covid-19 Vaccines



CHAPTER 4

Workplace Responsibility

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Developing a Workplace Vaccination Plan

Employers will need to carefully weigh whether a mandatory vaccine program is right for their organizations. While that decision will depend on a variety of factors, this section outlines generally how to begin that evaluation process, breaking it into six steps.

Step 1: Gauge the Situation

Employers should always consider their employees prior to making any large workplace policy decisions. In the case of a vaccine policy, employers should reach out to employees and gauge how they feel about their safety. How many feel unsafe at work? Would a mandatory vaccine policy make them feel safer than a voluntary policy? What would it take to get them to receive the vaccination? These are important questions for employers to know the answers to.

Similarly, employers should look to others in their industries to determine how vaccinations are being handled. If similar organizations aren't adopting vaccine policies, it's critical to understand why. While each workforce is unique, following industry trends can help employers with decision-making.

Lastly, employers must consider the potential for legal liability stemming from their decision. Both mandatory and voluntary vaccination policies come with inherent legal risks, discussed earlier. Employers are encouraged to seek legal counsel while evaluating the best course of action for their organizations.

Step 2: Make the Choice

After considering industry trends and surveying employees, employers will need to decide whether to adopt a mandatory vaccine policy, a voluntary policy or no policy at all. Each decision will come with consequences, so it's important for employers to think carefully before this step and confer with all stakeholders, particularly legal counsel.

Step 3: Consider Incentives

Once a policy is decided upon, employers should consider ways to incentivize employees. Regardless of whether vaccination is mandatory or merely encouraged, incentives could go a long way to getting employees on board. Some organizations are using perks such as extra paid time off to in-

crease vaccinations. That being said, employers must be cautious when choosing to offer incentives. Offering certain incentives could potentially put employers at risk of violating the ADA, which prohibits employers from “coercing” employees to participate in wellness activities.

Step 4: Ensure Resources Are in Place

Employees will undoubtedly have questions, especially if a vaccination policy is mandatory. HR should be prepared to answer these questions and provide applicable resources. Particularly, HR should know how to handle accommodation-related inquiries if employees seek exemption from the policy.

Step 5: Communicate Everything to Employees

A workplace policy of any sort can only succeed with thorough communication. Employers must make employees aware of the policy and its requirements well ahead of implementation. Employers should consider a variety of communication methods to accomplish this goal. Examples include sending mail-home flyers, posting videos on an intranet site or hosting kickoff meetings.

Step 6: Implement the Plan

Finally, employers will need to implement the plan. Details like the rollout timeline and how to handle employee accommodation requests should be decided upon prior to this step.

