

Our Take: Vaccination Mandates are Reverberating through Employers

By Corporate Synergies
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Some of the largest public and private employers, including the federal government, the nation's largest employer, have announced upcoming requirements for all workers to receive a COVID-19 vaccination or be tested regularly. President Biden closely followed New York City, New York state, California and several major tech companies in issuing mandates. These vaccination mandates will likely have more private employers of all sizes taking a closer look at their own policies.

Every federal government employee and onsite contractor will now be required to provide proof of full vaccination or be required to wear a mask and physically distance at work and be regularly tested for COVID-19.¹ Notable large companies, including Google, Twitter, Facebook, Netflix, Morgan Stanley and Saks Fifth Avenue have also implemented vaccination requirements for some or all of their workforces.²

Several private healthcare providers and hospital systems have already taken similar steps, while medical associations and advocacy groups around the country are calling for similar measures across all employers, organizations and industries.

These policies come on the heels of an uptick in COVID-19 cases due to the more transmissible Delta variant following months of declining case numbers and a stall in national vaccination rates.

Without clear precedent, employers have been hesitant to enact vaccination mandates.

Earlier this year, surveys indicated that few American employers planned to mandate employee vaccinations, opting to encourage and incentivize them instead. As recently as June, only nine percent of employees reported that their employers had required them to get the vaccine.³ But as more local and federal governments, municipalities and organizations take the aggressive stance toward stamping down the spread of COVID-19, businesses are taking notice.

Despite some legal challenges to these mandates, judges have so far upheld employers' rights to mandate vaccination if done so in compliance with regulations such as the Americans with Disabilities Act, the Genetic Information Nondisclosure Act (GINA) and Title VII of the Civil Rights Act of 1964.⁴

¹ [The White House](#), "Fact Sheet: President Biden to Announce New Actions to Get More Americans Vaccinated and Slow the Spread of the Delta Variant"

² [CNN](#), "These Companies are Insisting on Covid-19 Vaccines for their Employees"

³ [Kaiser Family Foundation](#), "KFF COVID-19 Vaccine Monitor: June 2021"

⁴ [Reuters](#), "Judge Upholds COVID-19 Vaccine Mandate in Victory for Indiana University"



If your organization is interested in mandating or incentivizing vaccination, we always recommend staying in close contact with your compliance, HR and employee benefits teams. These trusted consultants will help ensure you follow all current guidelines and help protect you from legal exposure. ■

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