
Employer-Mandated COVID-19 Vaccines: Important Considerations

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As COVID-19 vaccines become increasingly available, employers may consider requiring that employees be vaccinated prior to resuming or continuing in-person work. Guidance from the Equal Employment Opportunity Commission (“EEOC”) indicates that employers may require employees to get a vaccine under equal employment opportunity (“EEO”) laws as long as employers make exceptions for employees with disabilities or religious beliefs that prevent them from receiving the vaccine, but many states such as New York (discussed herein) are contemplating more employee-protective legislation. In the midst of this legal uncertainty, companies must also grapple with the reputational and morale risks associated with requiring vaccinations. This memorandum outlines liability risks employers should consider in setting their own vaccine policies.

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