CDC Workplace Vaccination Program Guidance

On 3/16, the Center for Disease Control (CDC) released updated guidance (accessed here) for workplace COVID-19 vaccination programs. Below is a summary of this guidance:

Mandatory Vaccine and Proof of Vaccination

Although the CDC did not take a definitive position one way or the other it emphasized that the idea of whether an employer may require or mandate a COVID-19 vaccination is a matter of state or other applicable law. It did, in accordance with EEOC guidance, note two vaccine exemptions (medical and religious) that must be addressed.

Additionally, while an employer may require proof of a vaccine, it cannot require an employee to provide any medical information as part of that proof. The employer should maintain a record of the employee's decision to accept or decline a vaccination offer.

Build Vaccine Confidence

*   Encourage a diverse set of company leaders to be vaccine champions.
*   Communicate transparently about the vaccination process.
*   Create a communication plan to share key information through various platforms (e.g., posters, emails, intranet, etc.).
*   Provide regular updates on the benefits, safety, potential side effects, and effectiveness of the vaccine.
*   If company policy permits, highlight an employee's decision to be vaccinated through visible means (e.g., sticker). Cautionary note: Do not post a selfie holding your COVID-19 vaccination record card.
*   Ask organizations and respected individuals in the local community to help generate confidence in your workplace.

Timing

*   Check local and state health department websites for up-to-date information about staggered implementation (e.g., age, medical condition, job position).
*   Inform employees when they may be eligible for vaccination.
*   Employers operating in multiple states and counties should establish a vaccination committee to monitor vaccination rollout across those various jurisdictions.
*   Offer flexible, non-punitive, paid time off options for employees with post-vaccination side effects.
*   Be patient. Allow time for vaccine confidence to grow.

On-Site Programs

Consider an on-site program if you have:

*   a large number of employees with predictable schedules;
*   the ability to enroll your program with your local immunization program as a vaccine provider; and,
*   a location with sufficient space to maintain social distancing throughout the entire process.

On-Site options include:

- existing occupational health clinics;
- employer-run temporary vaccination clinics;
- and mobile clinics brought to the workplace.

Employers who opt for company-run vaccination clinics may be subject to additional requirements or restrictions related to wellness programs under either the Americans with Disabilities Act or the Genetic Information Nondiscrimination Act.

Additional considerations:

- Seek input from your employees (or union), not just management.
- Contact the local health department for guidance.
- Consider using a community vaccination provider/vendor to deliver vaccination services. The benefit? They have trained nursing staff. They can also bill insurance for administration fees and report vaccine data to immunization registries.
- Providers must be able to monitor for and manage potential side effects (e.g., anaphylaxis) after vaccination.
- Offer vaccinations at no charge and during work hours.
- Offer vaccines to all individuals at the workplace, including temporary workers and independent contractors.

Off-Site Programs

Consider an off-site program if:

- you are a small/medium employer without the resources to host a vaccine clinic;
- you have a mobile worker population that frequently travels from site-to-site;
- your workers have highly variable schedules; and
- the majority of workers prefer off-site vaccination instead of an on-site clinic.

Additional considerations:

- Allow employees to take paid leave or get the vaccine during work hours.
- Provide transportation to off-site clinics (e.g., taxis or ridesharing).
- Inform employees if they are eligible for vaccinations (local/state screening requirements) and what they need to bring on vaccination day to verify eligibility (e.g., identification, voucher, etc.).
- Educate the workforce about the importance of COVID-19 vaccine and local vaccination programs through internal means (e.g., intranet, email, newsletter, portals).
- Inform employees how to register for an appointment through applicable channels (e.g., websites, apps, telephone).
- Inform employees the vaccine is free of charge. They should not be asked to pay any fees and cannot be denied a vaccine if they do not have insurance. Providers may bill their insurance plan or program for the administration fee if they have insurance.
- Identify potential barriers unique to your workforce and address them. For example, language barriers, shift work, or transportation all could act as barriers for certain workforces.

Other Program Considerations

- Develop a prioritization plan (e.g., job requirements, age, medical condition) if there is a shortage of vaccines.
- Consider staggering employee vaccinations to avoid worker shortages due to possible side effects.
- Encourage employees to report possible side effects to the Vaccine Adverse Event Reporting System.

Reopening the Workplace

Even after employees are vaccinated, employers should continue to follow the CDC's "Guidance for Businesses and Employers Responding to COVID-19". This includes masks, social distancing, hand washing, and encouraging employees to stay home if sick. If other safety protections (e.g., barriers) were installed, do not remove them.

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