



Top questions about COVID-19 vaccines and returning to the workplace

Considerations for employers when planning vaccination policies

As employers make plans to bring employees back to the workplace, the rollout of the vaccine will influence their operations. Here are questions for employers to consider when developing policies and plans related to the COVID-19 vaccine.

Can I require employees to receive a vaccine?

- The vaccine is not federally mandated, however, in most states an employer may be able to mandate the COVID-19 vaccine as long as certain requirements are met and certain exceptions are permitted.
- Employers will need to comply with the Americans with Disabilities Act and Title VII of the Civil Rights Act and should consult the Equal Employment Opportunity Commission for specific guidance on the COVID-19 vaccine in the workplace.

What if an employee refuses a mandatory vaccine?

- Employers will be required to make exceptions for employees who cannot be vaccinated due to a disability, a religious belief, or other qualifying reasons.
- Employers will need to work with employees with qualifying exemptions to determine if there are reasonable accommodations that can be made, such as working from home.

What if an employee who refuses a mandatory vaccine has no qualifying reason?

- While an employee who refuses a required vaccine without a qualifying reason may be terminated, employers should speak to their legal counsel in these situations to ensure proper compliance.
- Taking the COVID vaccines used in the US (Johnson & Johnson, Moderna, Pfizer) will not invalidate a life or disability insurance policy.

Can I ask employees if they have received the vaccine?

- Yes. However, employers should be careful not to ask for or solicit information related to an employee's medical history or condition.
- Consider using a simple YES/NO questionnaire when inquiring about vaccinations.

Learn more by visiting: www.guardianlife.com/coronavirus/covid19-employee-questions-returning-to-work

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Source of all information for Top Questions about Covid-19 vaccines and returning to the workplace: "What You Should Know About COVID-19, the ADA, the Rehabilitation Act, and Other EEO Laws", U.S. Equal Employment Opportunity Commission, December 16, 2020

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