

INSIGHTS

## The COVID-19 Vaccine: An In-Depth Discussion Exploring Emerging Legal Issues for Consideration by Employers

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By: [Robert S. Nichols](#)

In a time where employers face scrutiny with respect to the obligation to provide a safe working environment, the approval of a COVID-19 vaccine is certain to present employers with difficult decisions regarding workplace policies. Please join partners [Becky Baker](#) and [Bob Nichols](#) as they examine the potential problems and questions employers are likely to face with the release of a widely available COVID-19 vaccine.

Key issues include:

- Can, and should, you require employee vaccination?
- What guidance, if any, can we glean from the existing legal framework governing the interaction between workplace safety regulations and employer accommodation obligations? For example, how might an employer respond to an employee who presents a religious accommodation request not to be vaccinated? Further, what is an appropriate response to a request for accommodation from an immunocompromised employee who cannot safely report to work if his co-workers are not vaccinated?
- If some, but not all, employees are vaccinated, should an employer continue to require masks for unvaccinated employees? Alternatively, should masks be required for all employees, or perhaps no employees at all?
- If an employer requires, or strongly encourages vaccination, could it be liable to employees who have adverse health effects related to the COVID-19 vaccine?