



## Federal Agency Says Employers Can Require Employees To Get COVID-19 Vaccine

### Description

USA: The Equal Employment Opportunity Commission (EEOC) says businesses can require that their employees be vaccinated against COVID-19 without violating federal law.

But in the new updated guidance released on Friday, the EEOC said employers must make “reasonable accommodations” for employees who don’t get vaccinated because of a religious beliefs, pregnancy or a disability. The agency also said that other federal laws, such as the Americans with Disabilities Act (ADA), and state and local laws may play a factor in what businesses can do.

“Federal EEO laws do not prevent an employer from requiring all employees physically entering the workplace to be vaccinated for COVID-19, so long as employers comply with the reasonable accommodation provisions of the ADA and Title VII of the Civil Rights Act of 1964 and other EEO considerations. Other laws, not in EEOC’s jurisdiction, may place additional restrictions on employers. From an EEO perspective, employers should keep in mind that because some individuals or demographic groups may face greater barriers to receiving a COVID-19 vaccination than others, some employees may be more likely to be negatively impacted by a vaccination requirement,” the guidance says.

“The updated technical assistance released today addresses frequently asked questions concerning vaccinations in the employment context,” EEOC Chair Charlotte A. Burrows said in a statement. “The EEOC will continue to clarify and update our COVID-19 technical assistance to ensure that we are providing the public with clear, easy to understand, and helpful information.”

The EEOC also said businesses can offer incentives to employees to get vaccinated “as long as the incentives are not coercive.”

“Because vaccinations require employees to answer pre-vaccination disability-related screening questions, a very large incentive could make employees feel pressured to disclose protected medical information,” the guidance says.

The new guidance comes as employees at a Texas hospital filed a suit over the facility’s mandate that

they get vaccinated against COVID-19. Houston Methodist Hospital, which manages eight hospitals, gave employees until June 7 to get the vaccine or they could be suspended or fired, the lawsuit claims. So 117 unvaccinated employees banded together and filed suit.

“Methodist Hospital is forcing its employees to be human ‘guinea pigs’ as a condition for continued employment,” the complaint states, according to The Washington Post.

The lawsuit noted that the U.S. Food and Drug Administration (FDA) has not fully approved the vaccines, instead issuing only emergency use authorization. They allege that the hospital is “illegally requiring its employees to be injected with an experimental vaccine as a condition of employment.”

The complaint also cites the Nuremberg Code, which “bans forced medical experimentations, again in effect arguing that the vaccine is experimental and potentially unsafe,” Fox News reported.

Attorney Jared Woodfill said the hospital is just trying to make money. “To promote its business and increase profits at the expense of other health care providers and their employees’ health, defendants advertise to the public that they ‘require all employees and employed physicians to get a COVID-19 vaccine,’” Woodfill told ABC News.

“This, as a matter of fact, is a gene modification medical experiment on human beings, performed without informed consent. It is a severe and blatant violation of the Nuremberg Code and the public policy of the state of Texas,” he said.

“Studies show that COVID-19 vaccines are effective at keeping you from getting COVID-19,” the CDC states in its current [guidance](#) on the vaccines. “Getting a COVID-19 vaccine will also help keep you from getting seriously ill even if you do get COVID-19.” Excerpt from the guidance below:

*COVID-19 vaccines teach our immune systems how to recognize and fight the virus that causes COVID-19. It typically takes 2 weeks after vaccination for the body to build protection (immunity) against the virus that causes COVID-19. That means it is possible a person could still get COVID-19 before or just after vaccination and then get sick because the vaccine did not have enough time to provide protection. People are considered fully vaccinated 2 weeks after their second dose of the Pfizer-BioNTech or Moderna COVID-19 Vaccine, or 2 weeks after the single-dose Johnson & Johnson’s Janssen COVID-19 Vaccine. ...*

*Although COVID-19 vaccines are effective at keeping you from getting sick, scientists are still learning how well vaccines prevent you from spreading the virus that causes COVID-19 to others, even if you do not have symptoms. Early data show that vaccines help keep people with no symptoms from spreading COVID-19, but we are learning more as more people get vaccinated.*

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