

Employer's Role for the Vaccine Rollout

- Providing access to the COVID-19 vaccine and communicating about eligibility
- Ensuring that only employees who fit the criteria are scheduled to receive the vaccine
- Establish an "Employer Coordinator" – employees can be it for only ONE employer
- Complete a survey via the Vaccine Administration Management System (VAMS)
<https://dphsubmissions.ct.gov/VAMSEnrollment>
- Upload roster of eligible personnel

Mandating the Vaccine

Mandating the vaccine and exceptions to the rule. Employers may require employees to take the vaccine, subject to certain legally protected exceptions:

- **The Americans with Disabilities Act (ADA) and Disability Exceptions.** With respect to exceptions for disability, the ADA permits employers to have a qualification standard that includes "a requirement that an individual shall not pose a direct threat to the health or safety of individuals in the workplace" — however, if this tends to screen out an individual with a disability, the employer must show that an unvaccinated employee would pose a "direct threat" to the health and safety of the individual or others that cannot be eliminated by a reasonable accommodation.
- **Title VII and Religious Exceptions.** With respect to exceptions for sincerely held religious belief, practice or observance, employers must provide reasonable accommodation for such beliefs unless it would pose an undue hardship (which, for religious belief, is defined as "more than a de minimis cost or burden to the employer").

Other Considerations:

- **Documentation to Support Request.** Employers may generally request that the employee provide supporting documentation to support exception requests for disability or religious reasons.
- **Excluding a Worker Where No Reasonable Accommodation Is Possible.** If no reasonable accommodation is possible and the employee is unable to be vaccinated, the EEOC states that the employer may "exclude" the worker from the workplace, but this does not necessarily mean that the employer can automatically terminate the worker.
- **Proof of vaccination.** Employers may ask employees to show proof of receipt of a COVID-19 vaccination—this is not a disability-related inquiry under the ADA nor is it a request for genetic information under GINA. Employers are encouraged to warn employees not to provide medical or genetic information as part of the proof.

Resources

<https://portal.ct.gov/Coronavirus/COVID-19-Vaccinations>

VAMS Training Materials (for providers of the vaccine) - <https://portal.ct.gov/DPH/Immunizations/COVID-19-Vaccine-Providers>

<https://dphsubmissions.ct.gov/VAMSEnrollment>