

Anticipating COVID Vaccine, Employers Ponder Best Course

By [Alicia J. Samolis](#)

Employers are beginning to contemplate if they should require employees to take the COVID vaccine, once it's developed. PS&H partner, Alicia Samolis, was asked recently to give her thoughts on this arising dilemma that employers face. Her insights are featured in a recent Rhode Island Lawyers Weekly article titled, *Anticipating COVID Vaccine, Employers Ponder Best Course*.

In general, employers can mandate the vaccine in accordance with guidance from the Equal Employment Opportunity Commission (EEOC). "[T]he number one legal consideration when it comes to vaccines are the exemptions allowed for disabilities or religious beliefs", Alicia said, referring to the requirement that employers grant disability and religious accommodations under Title VII.

Another aspect that employers need to consider is that a mandate could be risky as it may cause resistance and frustration among employees. In the article, Alicia expresses her concern about the prospect of the potential unionization of unhappy employees. "Even if an employer has been told they can do this, any time you have a group of employees who feel strongly about something, such as wearing masks, coming into the office, or vaccinations, you run the risk of them unionizing," Alicia said. "And from an employer's perspective, that is among the worst things that can happen."

With constantly evolving issues that employers need to consider, Alicia also points out that it is difficult to predict what will happen when a vaccine becomes available.

"If there's one thing we know about COVID, things change rapidly, so it's hard to predict what might happen."

The full article as published in *Rhode Island Lawyers Weekly*, can be [viewed here](#). (Subscription required)

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