

2021 Brings Uncertainty to Vaccination Process

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As the COVID-19 virus has shown, even just a few weeks' time can create unpredictable developments. With the arrival of 2021, and the slow vaccine roll out, questions have arisen over when most Americans will be vaccinated. Coupled with the recent surge of cases in late 2020 and new "variant strains" of the virus that are much more transmissible, it is unclear if employers will be ordered to lock down operations once again, similar to the recent announcement out of the United Kingdom.[1]

While another lockdown may seem doubtful, there are limits to what our healthcare system can handle as it is already starting to break down. Accordingly, discussions involving the implementation of employer-mandated vaccination programs will need to take these variables into account. In fact, healthcare leaders are now even examining changing the approved vaccination process by "cutting doses" in order to expand the overall available supply. Additionally, in a surprising turn of events, there is continued reluctance by some healthcare workers to get the vaccine, and in some nursing homes a majority of healthcare workers have decided to wait.

Accordingly, the design of vaccine policies are subject to a number of complex and inter-related variables. What employers can do now is to educate their employees on the benefits of the vaccine by providing access to information and consider underwriting the costs of vaccine administration where necessary (although most insurance companies are agreeing to cover these costs or are required to do so under state law).

If you have any questions please contact Jim Anelli (anellij@whiteandwilliams.com; 201.368.7224) or any other member of the Labor and Employment Practice Group.

As we continue to monitor the novel coronavirus (COVID-19), White and Williams lawyers are working collaboratively to stay current on developments and counsel clients through the various legal and business issues that may arise across a variety of sectors. Read all of the updates here.

[1] Two new virus variants have been discovered - one in the United Kingdom and the other in South Africa. The United Kingdom variant is far more contagious than the current COVID-19 virus and has likely been circulating for some time here in the United States. The South African variant poses a unique risk in that it has mutated so much from current strains, that scientists have expressed concerns over whether current vaccines will be effective to control it.

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