

## 2021 Brings Uncertainty to Vaccination Process

*Labor and Employment Alert* | January 8, 2021

By: James P. Anelli

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).

White and Williams's Labor and Employment Group is closely monitoring the COVID-19 vaccine rollout in anticipation of the general deployment of the vaccine across all industries (not just healthcare). Please join us on Wednesday, January 13, 2021 for a webinar to discuss the above, plus how to structure a vaccination policy, what are the legal required (and suggested) training and ways to encourage employees to get the vaccine and how to understand the broader impact of the vaccine to employers.

If you have any questions please contact Jim Anelli ([anellij@whiteandwilliams.com](mailto: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.

*This correspondence should not be construed as legal advice or legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only, and you are urged to consult a lawyer concerning your own situation and legal questions.*