The OSHA COVID-19 Emergency Temporary Standard (ETS) on Vaccination and Testing generally requires employers to establish, implement, and enforce a written mandatory vaccination policy (29 CFR 1910.501(d)(1)).[[1]](#footnote-1) Employers may use this template to develop a mandatory COVID-19 vaccination policy for their workplaces.

Employers using this template will need to customize areas marked with blue text and modify (change, add, or remove sections of) this document to accurately represent their policies. Text that is italicized is sample language employers may use when developing their policies; however, that text is not comprehensive and not all of that text will be applicable to all workplaces. Employers will need to add to or revise the italicized text to ensure the final policy matches the specific procedures that will be implemented in their workplaces.

Lastly, employers using this template should consider incorporating their policies and procedures for non-employees (e.g., visitors, customers) and for employees of other employers (e.g., contractor employees).

\*\* Once the template has been customized, delete the above text.

## [Employer name]’s Mandatory Vaccination Policy

**Purpose:**

*Vaccination is a vital tool to reduce the presence and severity of COVID-19 cases in the workplace, in communities, and in the nation as a whole.* [Employer Name] *has adopted this policy on mandatory vaccination to safeguard the health of our employees from the hazard of COVID-19.* [Consider inserting additional statements about the impact of mandatory vaccination of employees on the safety of workers’ families, customers and visitors, business partners, and the community.] *This policy complies with the Centers for Medicare and Medicaid (CMS) COVID-19 vaccination requirements as outlined in the Interim Final Rule for Healthcare Staff COVID-19 Vaccination.*

**Scope:**

*This Mandatory COVID-19 Vaccination Policy applies to all employees of* [Employer Name], *except for employees who exclusively work remotely and have no direct contact with other staff or resident/patients/tenants.* [Identify specific groups of employees or job categories, if any, that are not covered by this policy because they fall under these exceptions.]

*Due the [Employer’s Name}’s participation in Medicare and Medicaid programs, all employees covered by this policy are required to have received two doses of a two-dosage primary series or a dose of a single-dose primary series as a term and condition of employment by* ***January 5, 2022.*** *Newly hired employees must be fully vaccinated at the time of employment if their date of hire does not allow adequate time for vaccination to occur before* ***January 5, 2022****. Employees are considered fully vaccinated two weeks after completing primary vaccination with a COVID-19 vaccine, with, if applicable, at least the minimum recommended interval between doses. For example, this includes two weeks after a second dose in a two-dose series, such as the Pfizer or Moderna vaccines, two weeks after a single-dose vaccine, such as the Johnson & Johnson vaccine, or two weeks after the second dose of any combination of two doses of different COVID-19 vaccines as part of one primary vaccination series. All employees are required to report their vaccination status and to provide proof of vaccination. Employees must provide truthful and accurate information about their COVID-19 vaccination status. Employees not in compliance with this policy will be subject to discipline.*

[Insert additional information on potential discipline for workers who do not follow the policy (e.g., unpaid leave, termination)]

*Employees may request an exception from this mandatory vaccination policy if the vaccine is medically contraindicated for them or medical necessity requires a delay in vaccination. Employees also may be legally entitled to a reasonable accommodation if they cannot be vaccinated due to a conflict with a sincerely held religious belief, practice, or observance. Requests for exceptions and reasonable accommodations must be initiated by* [insert relevant instructions]*. All such requests will be handled in accordance with applicable laws and regulations and* [insert reference(s) to the employer’s applicable policies and procedures].

**[Employers should consult other resources for information about federal laws, including the Americans with Disabilities Act (ADA) and Title VII of the Civil Rights Act of 1964, that may entitle employees to reasonable accommodations. See** [***What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws***](https://www.eeoc.gov/wysk/what-you-should-know-about-covid-19-and-ada-rehabilitation-act-and-other-eeo-laws)**and** [***Vaccinations – Title VII and Religious Objections to COVID-19 Vaccine Mandates***](https://www.eeoc.gov/wysk/what-you-should-know-about-covid-19-and-ada-rehabilitation-act-and-other-eeo-laws#L)**.]**

**Vaccination Status and Acceptable Forms of Proof of Vaccination**

*All vaccinated employees are required to provide proof of COVID-19 vaccination, regardless of where they received vaccination. Proof of vaccination status can be submitted via* [insert how employees can submit vaccination information, e.g., the employer’s vaccination portal or in-person at the HR office].

***Acceptable proof of vaccination status is:***

1. *The record of immunization from a healthcare provider or pharmacy;*
2. *A copy of the COVID-19 Vaccination Record Card;*
3. *A copy of medical records documenting the vaccination;*
4. *A copy of immunization records from a public health, state, or tribal immunization information system; or*
5. *A copy of any other official documentation that contains the type of vaccine administered, date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) administering the vaccine(s).*

*Proof of vaccination generally should include the employee’s name, the type of vaccine administered, the date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) that administered the vaccine. In some cases, state immunization records may not include one or more of these data fields, such as clinic site; in those circumstances* [Employer name] *will still accept the state immunization record as acceptable proof of vaccination.*

**Supporting COVID-19 Vaccination**

*An employee may take up to four hours of duty time per dose to travel to the vaccination site, receive a vaccination, and return to work. This would mean a maximum of eight hours of duty time for employees receiving two doses. If an employee spends less time getting the vaccine, only the necessary amount of duty time will be granted. Employees who take longer than four hours to get the vaccine must communicate with their supervisor documenting the reason for the additional time (e.g., they may need to travel long distances to get the vaccine). Any additional time requested will be granted, if reasonable, but will not be paid; in that situation, the employee can elect to use accrued leave, e.g., sick leave, to cover the additional time. If an employee is vaccinated outside of their approved duty time they will not be compensated.*

*Employees may utilize up to two workdays of sick leave immediately following each dose if they have side effects from the COVID-19 vaccination that prevent them from working. Employees who have no sick leave will be granted up to two days of additional sick leave immediately following each dose if necessary.*

*The following procedures apply for requesting and granting duty time to obtain the COVID-19 vaccine or sick leave to recover from side effects:*

[Describe how an employee should obtain necessary approvals, how to submit requests, how leave is being granted, etc.]

**Confidentiality and Privacy:**

*All medical information collected from individuals, including vaccination information, will be treated in accordance with applicable laws and policies on confidentiality and privacy.*

**Questions:**

*Please direct any questions regarding this policy to* [e.g., Human Resources Department].

1. [↑](#footnote-ref-1)