

COVID-19 Vaccine and Testing Mandate

Employer Obligations



Affected **employers with at least 100 workers** (firm or companywide) must comply with the Occupational Safety and Health Administration's (OSHA) COVID-19 vaccination emergency temporary standard (ETS). This infographic outlines some of the most important obligations employers should be aware of.









Per the Rule, Employers Must Do One of the Following:

Implement and enforce a mandatory COVID-19 vaccination policy.

-or-

Create a policy allowing employees to get vaccinated or undergo weekly COVID-19 testing and wear a mask in the workplace.

Affected Employers Must:

-  Ensure employees who are not fully vaccinated are tested weekly or within seven days before returning to work.
-  Determine the vaccination status of each employee, obtain acceptable proof of vaccination, and keep a roster of each employee's vaccination status.
-  Report work-related COVID-19 fatalities to OSHA within eight hours of learning about them; work-related COVID-19 inpatient hospitalizations must be reported within 24 hours of the employer's learning of the hospitalization.
-  Require employees to promptly provide notice when they are diagnosed with COVID-19 or receive a positive COVID-19 test. Employers must immediately remove any employee from the workplace if they are diagnosed with COVID-19 or receive a positive COVID-19 test.
-  Make certain records available to an employee or their representative for examination and copying.
-  Comply with most provisions of the ETS by **December 6, 2021**, and with its testing requirements by **January 4, 2022**.
-  Provide employees reasonable time (including up to four hours of paid time) to get vaccinated and, if necessary, reasonable time and paid sick leave to recover from any vaccination side effects.
-  Provide employees with information about the requirements of the ETS and workplace policies and procedures to establish it, as well as information about the vaccines, protections against retaliation and discrimination, and laws regarding criminal penalties for knowingly supplying false statements or documentation.

Visit [osha.gov/coronavirus](https://www.osha.gov/coronavirus) for more information, or contact legal counsel with any questions related to the vaccination mandate's specific obligations.

Source: Zywave Inc. 2021

COVID-19 Disclaimer: Any statements contained herein relating to the impact of COVID-19 and/or the coronavirus on insurance coverage or any insurance policy is not a legal opinion, warranty, or guarantee and should not be relied upon as such. The situation surrounding COVID-19/coronavirus is changing constantly; as a result, any discussions that might take place may not necessarily reflect the latest information regarding recently-enacted, or pending or proposed legislation or guidance that could override, alter or otherwise affect existing insurance coverage. Answers to policy-specific questions will always depend on the terms and conditions of an individual policy and the specific facts relating to a potential claim. As insurance agents/brokers, we do not have the authority to make coverage decisions or render legal advice.