

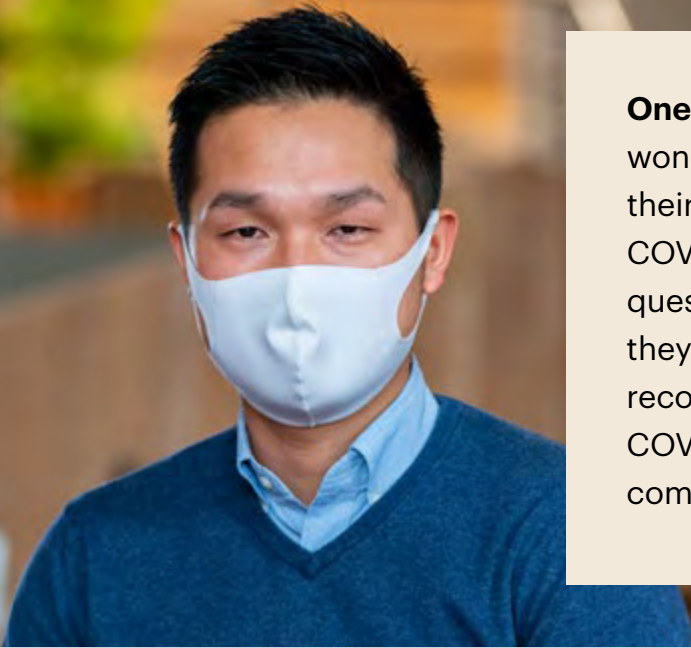


Managing COVID-19 Vaccinations and the Return to Work

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One in four business leaders¹ are wondering how to determine the role their company should play in employee COVID-19 vaccinations. To answer that question, **one in three business leaders¹** say they would benefit from information and recommendations from HR professionals on COVID-19 vaccine-related employer legal or compliance responsibilities.

Recent COVID-19 vaccine developments are prompting many companies to focus on safe and productive ways to resume in-person business operations. In a recent Paychex survey, more than half of small and mid-sized business owners (10–500 employees) say that the availability of the COVID-19 vaccine is causing them to start, or start planning, their return to the workplace¹.

As events unfold, most business leaders surveyed see themselves having a role in employee COVID-19 vaccinations: 79% plan to motivate employees to get vaccinated. And, their employees seem to be on board, too: six in ten small and mid-sized businesses (SMBs) surveyed report most of their employees say they're eager to receive the COVID-19 vaccine.¹

Despite this, business leaders do have some concerns about managing COVID-19 vaccinations in the workplace. A slow vaccine rollout hampering business operations is their top worry, followed by concerns over whether to let customers know employees are vaccinated and that it's safe to buy from them.¹

Read on to learn how your peers are managing COVID-19 vaccinations to help foster a safe and productive return to work.



More than **60% of all business leaders** in the Paychex survey say they expect a significant or very significant investment of time, money, and technology to monitor employee COVID-19 vaccination status.¹



Q&A with Alison Stevens, Director of HR Services

COVID-19 Vaccination Policy Considerations

Any business interested in implementing a COVID-19 vaccination policy should develop a written document that details all guidelines, requirements, and processes regarding employee vaccination. Alison Stevens, Director of HR Services at Paychex, discusses important considerations when developing your vaccination policy.

Q. Why should we have a written policy?

A. A documented COVID-19 vaccination policy helps employees understand your expectations regarding vaccination, as well as any new processes or requirements associated with it. Since there are many considerations involved in developing vaccination policies, Paychex has created a [COVID-19 Vaccine Policy Checklist](#) to help employers get started on this process.

You may also want to consider making your COVID-19 vaccination policy part of your [business continuity plan](#) (BCP), since a BCP is designed to help you avoid business disruption from unexpected events.



Q. As an employer, am I allowed to mandate my employees be vaccinated against COVID-19?

A. The Americans with Disabilities Act (ADA) allows employers to establish a qualification standard that requests that “an individual not pose a direct threat to the health or safety of others in the workplace.” Therefore, according to the current guidance from the Equal Employment Opportunity Commission (EEOC), it does not violate federal law for employers to require employees to get a COVID-19 vaccine, as the virus presents a “direct threat.”

However, an employee could have a medical condition that would be considered a disability under the ADA, or a covered condition under state or local laws, that may affect whether they can receive the COVID-19 vaccine. This includes pregnancy. In other cases, an employee may have a sincerely held religious belief that prevents them from being vaccinated. In both circumstances, such employees may be eligible for a reasonable accommodation to be able to perform their jobs.

Before taking any action against an employee who indicates they cannot be vaccinated for these reasons, employers will need to work with each employee to determine whether they can be reasonably accommodated. This must be an individualized assessment that considers, for example, factors specific to the workplace, the position, and the employee. Employers should also review applicable federal, state, and local laws if they are considering a mandatory vaccination policy.

Because of these complexities, employers may want to consider encouraging, rather than requiring, employees to be vaccinated.

It’s important to note that employers who request or require their employees to be vaccinated may also need to compensate non-exempt employees for their time spent obtaining the vaccination, including travel.

Q. If I implement a mandatory vaccine policy, what can I do if I'm unable to accommodate an unvaccinated employee?

A. If an employee who refuses or is unable to be vaccinated due to a disability or medical condition (including pregnancy) or a religious belief cannot be reasonably accommodated, be sure to consult with your legal counsel to determine next steps, including whether the employee has any other leave of absence entitlements available under federal, state, or local law.

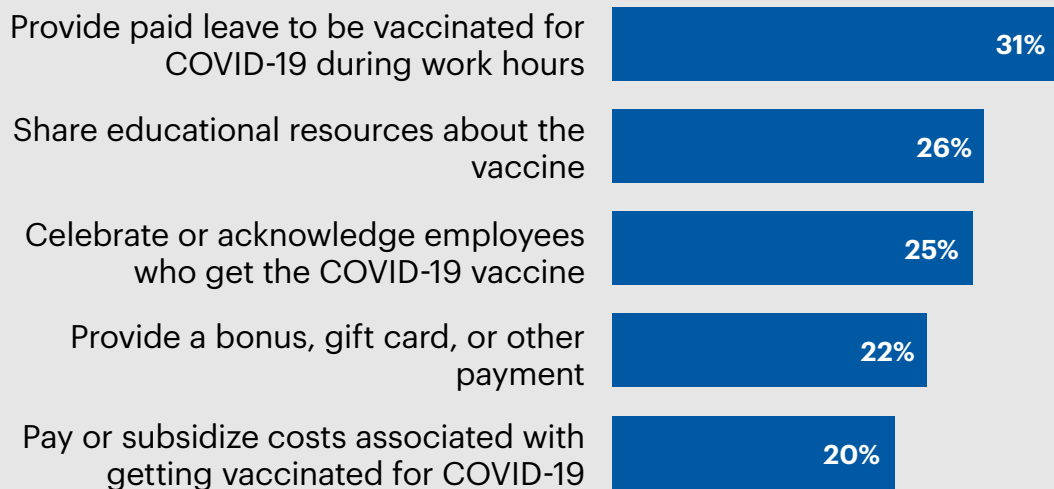
More than **30% of business owners** in the Paychex survey say that information and recommendations from HR professionals would be helpful when it comes to tracking and motivating employee vaccinations and best practices for returning to the workplace safely.¹



Q. What strategies are businesses considering to encourage employees to be vaccinated against COVID-19?

A. Most SMBs in our survey said they will encourage their employees to get the COVID-19 vaccine. Some employers even plan on incentivizing employees to get vaccinated. But, before implementing any incentive program, employers are encouraged to consult with their legal counsel to ensure compliance with applicable federal, state, and local laws.

Seventy-nine percent of businesses surveyed plan to motivate employees using incentives. Here are the top incentives they are considering.



Employers are reminded to review applicable federal, state, and local laws before implementing any incentives related to COVID-19 vaccinations or paying costs associated with vaccinations.

Based on a Paychex survey of 300 principals at U.S. companies with 2 to 500 employees, fielded between January 27 and February 2, 2021.

Three Ways SMBs Are Managing COVID-19 Vaccination Rollout

Once you've developed your COVID-19 vaccination policy, it's time to communicate your new policy to employees and begin implementing it. Use these peer insights from the Paychex survey to see how other business leaders are keeping employees informed about their COVID-19 vaccination policies and evolving vaccine developments, tracking employee vaccination information, and overall supporting a safe return to the workplace.

1. Providing consistent communication

Keeping employees informed about evolving developments regarding the vaccine rollout is a key part of managing your vaccination program. It's recommended as part of your policy that your business designate an internal direct person to field questions about your policy and point employees to trusted resources where they can find more information about getting the vaccine.

Our survey found that SMBs will use a variety of means to keep employees informed about vaccination guidelines, support, and requirements within their company:

Employee Communication Methods

Email or email newsletters	41%
In-person meetings	35%
Phone or video conferencing	34%
Internal chat	20%
Internal help line	16%
Internal blog or website	14%

Based on a Paychex survey of 300 principals at U.S. companies with 2 to 500 employees, fielded between January 27 and February 2, 2021.



2. Tracking employee COVID-19 vaccination information

Eighty-two percent of the businesses in the Paychex survey plan to monitor employee COVID-19 vaccination in some way. If you do plan to collect proof of COVID-19 vaccination, you must be careful [not to request medical information](#). While the Centers for Disease Control and Prevention (CDC) COVID-19 Vaccination Record Card is not considered medical information under current guidance from the EEOC, employers should review state and local requirements before requiring any type of proof that an employee has received the vaccine.

SMBs in our survey say they will ask employees to update them about their COVID-19 vaccination status in the following ways:

Tracking Employee Vaccinations

Update a manager verbally	42%
Email a designated employee or team	39%
Use an app or online form	25%
Call in to a central help desk	22%

Based on a Paychex survey of 300 principals at U.S. companies with 2 to 500 employees, fielded between January 27 and February 2, 2021.

3. Providing digital alternatives

As COVID-19 vaccine developments are prompting businesses to return to work, SMBs are turning to digital methods to provide a safe — and productive — return. To keep employees working productively and safely, surveyed SMBs say they will offer programs and tools including:

Digital Tools & Offerings

Secure ways to answer employee HR questions virtually	29%
Digital employee management tools	25%
Online time and attendance tracking	24%
Online access to documents like handbooks and safety protocols	24%
Document management with e-signature	23%
Virtual training tools	21%
Online employee access to HR records	20%

Based on a Paychex survey of 300 principals at U.S. companies with 2 to 500 employees, fielded between January 27 and February 2, 2021.





Important Health and Safety Considerations for Returning to Work

Many of the guidelines and protocols established in the early days of the COVID-19 pandemic are still recommended, even for those who have been fully vaccinated. To ensure a safe return to the workplace, review the guidance below from trusted health and safety organizations.

Masks and Face Coverings

The CDC recommends that employers still encourage employees to wear a [properly fitted mask](#) even if they are vaccinated for COVID-19. Masks help contain the wearers' respiratory droplets, which may protect their coworkers and customers. CDC guidance suggests that masks should cover the nose and mouth and fit snugly to the sides of the face, and emphasizes that they are not a substitute for social distancing, nor should they replace [recommended Personal Protective Equipment](#) (PPE).



Social Distancing

While social distancing does not guarantee protection from exposure — especially in enclosed spaces or areas with poor ventilation — Occupational Safety and Health Administration ([OSHA](#)) guidelines note that it is effective in helping employees or patrons to avoid breathing in particles produced by an infected individual.

Staying six feet — or about two arms' length — apart is recommended even for vaccinated individuals in the workplace, even if they are not exhibiting symptoms. Social distancing recommendations include:

- Allowing telecommuting and flexible work hours, where possible, to minimize the number of people in the workplace.
- Marking six-foot distances on the floor or creating a one-way path through your business to encourage a distanced traffic flow.
- Rearranging the seating in common areas for customers and repositioning workstations to create additional distance.
- Installing plexiglass partitions as an extra barrier between individuals.

Safety Equipment

For certain industries and work environments, additional equipment and precautions are necessary to prevent the spread of COVID-19 even after vaccination.

As a reminder, employers are required to provide all necessary PPE — including respirators, face shields, protective gowns, and gloves — at no cost to employees, per [OSHA standards](#).

Additionally, it's important to remember that even in situations where PPE is not required, some workers may have a legal right to PPE under the ADA, as it could be deemed a "[reasonable accommodation](#)."

For further information on COVID-19 work safety guidelines and health recommendations for certain industries and occupations, the CDC offers a comprehensive list.

Medical Privacy

The EEOC specifies that laws relating to medical privacy, such as the ADA and the Rehabilitation Act, still apply during the pandemic. The EEOC offers employers [guidance](#) regarding COVID-19 inquiries and medical privacy, including that employers may ask employees who are physically entering the workplace if they have been diagnosed with COVID-19 or are experiencing symptoms such as fever, chills, cough, shortness of breath, or a sore throat. All information about employee illness must remain confidential in compliance with the ADA.

It should also be noted that the ADA does not interfere with employers asking employees to leave the workplace if they have known symptoms of COVID-19.



Building and Property Safety

Before returning to the workplace, employers should review the safety of their buildings to determine if the location is ready for occupancy. As not all workers or customers will likely be vaccinated against COVID-19 when you return, it is important to evaluate any potential hazards.

[According to the CDC](#), your company should:

- Encourage the circulation of outside air by using fans and opening doors and windows as much as possible, if it is safe to do so.
- Make sure your systems for heating, ventilation, and air-conditioning (HVAC) are operating properly. If your HVAC system has been shut down, the CDC suggests reviewing the American Society of Heating, Refrigerating and Air-Conditioning Engineers [guidance](#) for inspections and maintenance.
- Check for hazards such as [mold growth](#) and [rodent or pest infestations](#) if your facility has been closed for a prolonged period of time. Also, have a plumber check for [stagnant water systems](#), to avoid the risk of water-associated illnesses such as [Legionnaires' disease](#).

How Paychex Can Help

HR Services

One-on-One HR Guidance

With Paychex HR Services, you'll get reliable HR advice and support from one of our dedicated HR professionals so that you can make informed decisions when it comes to planning, implementing, and managing your COVID-19 vaccination policy. Let our HR professionals help you:

- Comply with local, state, and federal laws and guidelines surrounding COVID-19 vaccinations in the workplace.
- Manage COVID-19 vaccine exemption claims and reasonable accommodation requests if your COVID-19 vaccination policy is mandatory.
- Find the right solution for tracking and managing employee COVID-19 vaccination data.
- Troubleshoot refusals to return to work.

OSHA Safety Planning

Paychex offers dedicated safety experts to assess your risk exposure and provide ongoing recommendations to help you meet local, state, and federal requirements. Your safety expert will also provide a safety manual specific to your business to help you meet OSHA regulations and access to required safety trainings.

Learn more about [Paychex HR Services](#).



Paychex Flex®

[Paychex Flex](#), our all-in-one HR software and service solution, makes it easy to track employee information and manage your COVID-19 vaccination program with features including:

- **Document Management.** Paychex Flex features a centralized and secure file repository for company forms, policies, general employee documents, and more. It can be used to digitally distribute your vaccine policy and procedures, share work safety requirements with employees, gather e-signatures, and keep track of employee information (non-medical).
- **HR Connect.** Using this feature, employees can confidentially submit questions to management regarding your vaccination policy or procedures and other related topics. Management can then address employee concerns and track the conversation right within the platform.

- **Learning Management.** Your company can deliver employee trainings on your vaccine policy, procedures, safety protocols, and privacy or compliance requirements through the integrated Paychex Learning Management System (LMS) in Paychex Flex.
- **Custom Forms.** Administrators can create a custom field within Paychex Flex where an employee can note whether or not they've received the vaccine. This is similar to the way your business might track a certification or license. When using this feature, employers are reminded to review applicable federal, state, and local laws before tracking or requesting proof of vaccination status.
- **Time and Attendance.** Our various time and attendance tracking options within Paychex Flex make it easy for employees to request time off for vaccination, allow employers to health screen employees before they punch in for the day, and provide a scheduling feature that enables you to manage employee schedules around vaccinations, and more.

Learn more about [Paychex Flex](#) and its features.

This content is provided for informational purposes only, should not be considered legal advice, and should not be substituted for legal or other professional advice where the facts and circumstances warrant. Employers are encouraged to review resources and links to government agencies found in the article and others in their geographic region for the most current information.

About Paychex

Paychex, Inc. (NASDAQ: PAYX) is a leading provider of integrated human capital management solutions for human resources, payroll, benefits, and insurance services. By combining its innovative software-as-a-service technology and mobility platform with dedicated, personal service, Paychex empowers small- and medium-sized business owners to focus on the growth and management of their business. Backed by more than 45 years of industry expertise, Paychex serves more than 680,000 payroll clients as of May 31, 2020, across more than 100 locations in the U.S. and Europe, and pays one out of every 12 American private-sector employees.

Learn more about Paychex by visiting paychex.com and stay connected on [Twitter](#) and [LinkedIn](#).

Questions? Call us at [800-319-1335](tel:800-319-1335)
or [send us a message](#).

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1. Based on a Paychex survey of 300 principals at U.S. companies with 2 to 500 employees, fielded between January 27 and February 2, 2021.

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