

# Vaccine Mandates in the Workplace

Vaccines in the workplace may be a trending topic, but this issue has been one employers have dealt with for years. While the rhetoric around vaccines in the workplace has certainly become divisive (to say the least!) the laws surrounding enforcement of vaccine mandates are not new. Amundsen Davis's employment counsel have been helping employers develop and implement vaccine policies and protocols for vaccines in the workplace for decades.

We cannot deny though that today's environment does bring vaccine mandates straight out of the handbook and into the public eye. Whether you're dealing with putting into place a first-ever vaccine mandate or following federal or local guidelines to ensure your employees are vaccinated, wading through the variety of rules and regulations across the country can be daunting. That's where our team of exceptional attorneys can help.

Our services include providing the following:

- Drafting and reviewing vaccine policies, including ensuring the client is following applicable federal or state regulations, especially when those are conflicting
- Counsel on exemption requests (religious and medical, including pregnancy-related)
- Counsel on employee discipline as needed
- Assistance with employee handbook and policy updates
- Ensuring appropriate policies apply employer-wide (i.e. when an employer has employees working in multiple jurisdictions)
- Creating a consent process for appropriately sharing vaccination information with clients/vendors (i.e. when your business is a vendor to another business requiring vaccinations for all employees and third party operators)
- Counsel on wage and hour issues
- Counsel on collective bargaining issues
- Assistance with implementing requirements that are specific to a client's industry
- Counsel federal contractors on their changing obligations

## PROFESSIONALS

Beverly P. Alfon  
Partner

Heather A. Bailey  
Partner

Marissa R. Borschke  
Associate

Kelly Haab-Tallitsch  
Partner

Peter E. Hansen  
Partner

John R. Hayes  
Partner

Michael F. Hughes  
Partner

Suzannah Wilson Overholt  
Partner

Julie A. Proscia  
Partner

Jeffrey A. Risch  
Partner

Timm W. Schowalter  
Partner

Sara Zorich  
Partner

## Experience

Secured Dismissal With Prejudice in COVID-19 Vaccine Mandate Religious Exemption Case

## Firm News

Amundsen Davis Promotes Three Attorneys to Partner  
Firm News, February 21, 2023

Amundsen Davis Attorneys Included in the 2023 Illinois Super Lawyers and Rising Stars List  
Firm News, *Amundsen Davis*, January 23, 2023

36 Amundsen Davis Attorneys Recognized by *Best Lawyers in America*© 2023  
Firm News, August 18, 2022

Heather Bailey Recognized as a Top Author of 2021 by JD Supra for Employer Liability Issues  
Firm News, *Automatic Merchandiser*, June 20, 2022

Amundsen Davis Promotes Five Attorneys to Partner  
Firm News, March 14, 2022

Amundsen Davis Welcomes Labor & Employment Attorney Timm W. Schowalter as Partner in St. Louis  
December 27, 2021

## In the Media

Timm Schowalter Quoted in the *St. Louis Business Journal*  
Media Mention, *St. Louis Business Journal*, August 20, 2021

How Employment Regulation Might Shift Under the Biden Administration, and What Businesses and Workers Need to Know -- *Business Insider* Interviews and Quotes Beverly Alfon  
Media Mention, *Business Insider*, January 21, 2021

## Alerts

COVID-19 Employer Updates – Where Do We Stand Now?  
Article, *Amundsen Davis Labor & Employment Alert*, February 10, 2022

OSHA's COVID-19 Vaccination Mandate is Dead, Now What?  
Article, *Amundsen Davis COVID-19 Alert*, January 25, 2022

Federal Contractors' Alert: Your Vaccine Mandate Has Been Halted....Again  
Article, *Amundsen Davis COVID-19 Alert*, January 24, 2022

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CMS Health Care Vaccine Mandate Allowed by U.S. Supreme Court  
Article, *Amundsen Davis Health Care Alert & COVID-19 Alert*, January 13, 2022

OSHA'S Emergency COVID-19 Vaccination and Testing Standard Reinstated  
Article, *Amundsen Davis OSHA Alert*, December 20, 2021

OSHA'S COVID-19 Vaccine Mandate is Back on!  
Article, *Amundsen Davis Labor & Employment Alert*, December 20, 2021

CMS Vaccine Mandate – On Again (Sort Of)?  
Article, *Amundsen Davis Health Care Alert & COVID-19 Alert*, December 16, 2021

CMS Vaccine Mandate Enjoined Nationwide  
Article, *Amundsen Davis Health Care Alert and COVID-19 Alert*, December 1, 2021

Judge Temporarily Blocks CMS Vaccine Mandate in 10 States  
Article, *Amundsen Davis Health Care Alert and COVID-19 Alert*, November 30, 2021

How are Businesses to Navigate the Conflicting Federal Vaccine Mandates and State Bans on Such Mandates?  
Article, *Amundsen Davis COVID-19 Alert*, November 4, 2021

Courts Allow Employers to Enforce Vaccine Mandates  
Article, *Amundsen Davis Covid-19 Alert*, October 4, 2021

Federal Contractors' Alert: What We Know and Still Don't Know About Biden's Vaccination Mandate  
Article, *Amundsen Davis COVID-19 Alert*, September 27, 2021

Wage and Hour Questions on the Vaccine Mandate: Pitfalls for Illinois Employers Covered by the Executive Order  
Article, *Amundsen Davis COVID-19 Alert*, September 16, 2021

Who is a Federal Contractor for Purposes of the Biden Vaccine Mandate?  
Article, *Amundsen Davis COVID-19 Alert*, September 13, 2021

What to Consider Before Implementing a Health Insurance Surcharge for Unvaccinated Employees  
Article, *Amundsen Davis COVID-19 Alert*, September 7, 2021

### Events

Trump 2.0 – What Employers Must Recognize and Know in 2025 and Beyond  
Speaking Engagement, Connor & Gallagher OneSource; Webcast, March 6, 2025

Human Resources- Legal Updates  
Speaking Engagement, Valley Industrial Association (VIA), Webcast, December 11, 2024

#### Hot Topics in Labor & Employment

Speaking Engagement, Employee Benefits Association of Northern Illinois, Seminar; Rockford, IL, December 4, 2024

#### 11th Annual New Laws Forum

Speaking Engagement, Illinois Chamber of Commerce, Seminar; Lisle, IL, December 4, 2024

Amundsen Davis's Leadership & Management 2024 Certification Training Series Event, Webcast, September - November 2024

#### Overview to Stay Compliant Within Employment Laws

Speaking Engagement, Lorman, Webcast, November 4, 2024

#### Amundsen Davis's Tenth Annual Labor & Employment Fall Seminar

Event, Amundsen Davis, Livestream, September 4, 2024

#### ABC Illinois Regional Meeting

Speaking Engagement, Associated Builders and Contractors of Illinois, Seminar; Quincy, IL, July 10, 2024

#### ABCIL Northwest Regional Luncheon Meeting

Speaking Engagement, Associated Builders and Contractors of Illinois, Seminar, July 9, 2024

#### What HR Issues Keep Operators Up At Night?

Speaking Engagement, The NAMA Show 2024, Seminar; Dallas, TX, May 7, 2024

#### Employee Benefits in 2024 — Innovative Trends Shaping Our Future

Speaking Engagement, Brown & Brown, Seminar; Oak Brook, IL, February 28, 2024

#### 2024 Labor & Employment Law Update

Speaking Engagement, Illinois Lumber & Material Dealers Association, ILMDA Expo; Bloomington, IL, February 15, 2024

#### 2024 State and Federal Employment Law Update

Speaking Engagement, Illinois Chamber of Commerce, Seminar; Springfield, IL, February 13, 2024

#### 10th Annual New Laws Forum

Speaking Engagement, Illinois Chamber of Commerce, Seminar, Lisle, IL, December 5, 2023

#### Amundsen Davis's Ninth Annual Labor & Employment Fall Seminar

Event, Livestream, September 13, 2023

#### Addressing Mental Health Issues in the Workplace

Event, Amundsen Davis Webcast, August 8, 2023

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Illinois, Wisconsin, and Federal Employment Law Update  
Speaking Engagement, Illinois Chamber of Commerce, Webcast, April 27, 2023

Eighth Annual Labor & Employment Fall Seminar  
Event, Amundsen Davis, Live-stream, September 21, 2022

L&E Legal Updates + Business Succession Planning  
Independent Pharmacy Cooperative Conference 2022, Seminar; San Diego, CA,  
April 14, 2022

How to be the Employer Everyone Wants to Work for in 2022: Recruitment,  
Retention and More  
Event, Amundsen Davis's Complimentary Indiana Labor & Employment  
Conference; Indianapolis, IN, March 3, 2022

COVID-19 Testing: What Employers Need to Know  
Event, Amundsen Davis, Webcast, January 10, 2022

The Very Latest on Vaccine Mandates for the Illinois Employer: Focusing on Small  
and Large Businesses  
Illinois Chamber of Commerce; Webcast, December 15, 2021

The Very Latest on Vaccine Mandates for the Illinois Employer: Focusing on the  
Manufacturing Industry  
Illinois Chamber of Commerce, Webcast, December 8, 2021

Operating Under a "New Normal" While Mandating COVID Vaccinations  
Chicago Healthcare Risk Management Society; Chicago, IL, November 19, 2021

OSHA's Vaccine Mandate: What Does It Really Mean For Private Employers?  
Valley Industrial Association; Webcast, November 17, 2021

OSHA's Emergency COVID-19 Vaccination and Testing Standard  
Event, Amundsen Davis, Webcast, November 17, 2021

Vaccine Mandates- Their Impact on Your Business and What to Expect  
2021 NAMA Fly-In NE VOICE Advocacy Summit, Seminar; Washington, DC,  
November 16, 2021

New COVID-19 Vaccine Mandates & Related Developments  
The Horton Group; Webcast, November 16, 2021

Rules, Tools, and Q&A - COVID Vaccine & Testing Mandate for the Workplace  
Connor & Gallagher OneSource; Webcast, November 11, 2021

Vaccine Mandates for Businesses and Health Care Workers  
Event, Amundsen Davis, Webcast, November 11, 2021

Biden Vaccine Mandates: What Employers Need to Know  
Illinois Chamber of Commerce, Webcast, October 28, 2021

## Vaccine Mandates in the Workplace

To Mandate Vaccines or Not: What Employers Need to Know  
Illinois Chamber of Commerce, Webcast, October 7, 2021

Seventh Annual Labor & Employment Fall Seminar  
Event, Amundsen Davis, Seminar; Oak Brook, IL, September 29, 2021

New COVID-19 Vaccine Mandates & Related Developments  
The Horton Group; Webcast, September 17, 2021

Vaccines, Testing, and Reopening the Economy. What Do You Need to Know?  
Speaking Engagement, BizTimes Media and Novir, Webcast, March 18, 2021

Vaccination Policy Considerations and Other Trending Employer Challenges for  
2021  
Event, Webcast, February 9, 2021

### Published Works

To Mandate COVID-19 Vaccines or Not... That is the Question!  
Publication, *InTouch Magazine – NAMA*, Winter 2022

Employee Protests Over Vaccine Mandates: Be Aware of the NLRA  
Publication, *Hoosier Banker*, January/February 2022

Planning for the COVID-19 Vaccination Mandate  
Publication, *InTouch Magazine – NAMA*, Winter 2022

Navigating Employer Vaccine Mandates: Incentives and Penalties  
*The Illinois Manufacturer Magazine*, November 2021

Mandatory Vaccines and Vaccine Incentives – Guidance Issued by the EEOC  
Publication, *Hoosier Banker*, July/August 2021

### Blog Posts

Register Now! Amundsen Davis's Tenth Annual Labor & Employment Fall  
Seminar; September 4 @ Noon CT  
*Labor & Employment Law Update*

Local and State Employment Law Update  
*Labor & Employment Law Update*, June 6, 2024

State and Local Employment Law Update – Family Leave, Fair Labor Standards  
Act, Religious Accommodations and More  
*Labor & Employment Law Update*, May 2, 2024

Time is Running Out on Illinois Employers --- Better Have Your PAID LEAVE Policy  
in Place by 12-31-23!  
*Labor & Employment Law Update*, December 18, 2023

## Vaccine Mandates in the Workplace

Local and State Employment Law Updates: Wage Posters  
*Labor & Employment Law Update*, March 11, 2022

Local and State Employment Law Updates: A Mass Issuance of New  
Labor Posters  
*Labor & Employment Law Update*, March 7, 2022

Local and State Law Updates: From Minimum Wage to Medical Marijuana  
*Labor & Employment Law Update*, February 23, 2022

Local and State Law Updates: New Posters and Revised Legislation  
*Labor & Employment Law Update*, January 27, 2022

OSHA's COVID-19 Vaccination Mandate is Dead, Now What?  
*Labor & Employment Law Update*, January 25, 2022

Federal Contractors' Alert: Your Vaccine Mandate Has Been Halted....Again  
*Labor & Employment Law Update*, January 24, 2022

Local and State Law Updates: California and Oregon Issue New Posters  
*Labor & Employment Law Update*, January 21, 2022

Updated Deadlines for COVID-19 Vaccine Mandate for Health Care Workers  
*Labor & Employment Law Update*, January 17, 2022

CMS Health Care Vaccine Mandate Allowed by U.S. Supreme Court  
*Labor & Employment Law Update*, January 13, 2022

OSHA's Emergency COVID-19 Vaccination and Testing Standard Blocked  
*Labor & Employment Law Update*, January 13, 2022

OSHA'S COVID-19 Vaccine Mandate is Back on!  
*Labor & Employment Law Update*, December 20, 2021

CMS Vaccine Mandate – On Again (Sort Of)?  
*Labor & Employment Law Update*, December 16, 2021

Federal Contractors' Alert: COVID-19 Vaccination Mandate Is Halted — For Now  
*Labor & Employment Law Update*, December 7, 2021

CMS Vaccine Mandate Enjoined Nationwide  
*Labor & Employment Law Update*, December 1, 2021

How are Businesses to Navigate the Conflicting Federal Vaccine Mandates and  
State Bans on Such Mandates?  
*Labor & Employment Law Update*, November 21, 2021

OSHA Suspends Emergency COVID-19 Vaccination and Testing Standard  
*Labor & Employment Law Update*, November 18, 2021

## Vaccine Mandates in the Workplace

CMS Releases Interim Final Rule Requiring COVID-19 Vaccination for Employees and Suppliers

*Labor & Employment Law Update*, November 4, 2021

OSHA Releases COVID-19 Vaccination and Testing Rule for Private-Sector Workers

*Labor & Employment Law Update*, November 4, 2021

EEOC Offers Some Help in Navigating the Murky Waters for Religious Exemptions From COVID-19 Vaccines

*Labor & Employment Law Update*, October 27, 2021

Courts Allow Employers to Enforce Vaccine Mandates

*Labor & Employment Law Update*, October 4, 2021

Budget Bill Increases OSHA Fines Five-Fold

*Labor & Employment Law Update*, September 30, 2021

Federal Contractors' Alert: What We Know and Still Don't Know About Biden's Vaccination Mandate

*Labor & Employment Law Update*, September 27, 2021

Wage and Hour Questions on the Vaccine Mandate: Pitfalls for Illinois Employers Covered by the Executive Order

*Labor & Employment Law Update*, September 16, 2021

Who is a Federal Contractor for Purposes of the Biden Vaccine Mandate?

*Labor & Employment Law Update*, September 13, 2021

What to Consider Before Implementing a Health Insurance Surcharge for Unvaccinated Employees

*Labor & Employment Law Update*, September 7, 2021

Mandating Vaccines in the Workplace: How to Implement a COVID-19 Vaccine Policy

*Labor & Employment Law Update*, August 26, 2021

Yes, Your Employer Can Require You To Be Vaccinated, According to a Federal Judge in Texas

*Labor & Employment Law Update*, June 14, 2021

EEOC Issues Updated Guidance Addressing COVID-19 Vaccine Incentives Among Other Issues

*Labor & Employment Law Update*, May 28, 2021

Update: EEOC Issues Guidance Regarding COVID-19 Vaccines in the Workplace

*Labor & Employment Law Update*, December 16, 2020

Can I Require My Employees to Get the COVID -19 Vaccine?

*Labor & Employment Law Update*, November 12, 2020

Navigating the Legal Risks of a Mandatory Vaccine Program for Employees  
*Labor & Employment Law Update*, November 12, 2019

Mandatory Vaccine and Health Screens: Employers Should Ensure that Such  
Actions are Job-Related and Consistent with Business Necessity  
*Labor & Employment Law Update*, January 3, 2019

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