



FLEISHMANHILLARD

# **YOUR NEXT DEFINING MOMENT:** NAVIGATING THE COVID-19 VACCINE LANDSCAPE

## *Guidance for Business Leaders and Communicators*

COVID-19 has defined everything it has touched – from politics to personal relationships. And, your relationship with employees has been reshaped by this virus. They have watched closely how you have dealt with them throughout the pandemic. The next marker on that road is the arrival of vaccines.

COVID-19 vaccines hold great promise for individuals and organizations across the globe who are eager to emerge into a post-pandemic era. But as with everything related to COVID-19, vaccine questions are complicated. Once again, employers have to balance the health of their employees with the health of their business ... priorities that sometimes have been at odds. Unfortunately, the vaccine decisions are numerous, as are the stakeholders involved and the ramifications of a misstep.

Corporate reputation, brand, organizational culture, legal liability, sales, profit and more are on the line.

This document is designed to help business leaders and communicators think through the implications of their organization's vaccine decisions. While the guidance on the pages that follow is of a general nature, FleishmanHillard's global team of employee communications, reputation management, brand and issues management experts is well equipped and available to help develop and implement vaccine-related communications plans tailored to your organization ... and we would welcome the opportunity to do so.



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# Can your organization mandate vaccinations for workers? And should it?

*By Mike Schmidt*

Much discussion has occurred in the U.S. around whether employers can mandate their employees be vaccinated. In the U.S., grade schools generally require certain vaccinations before a student can attend classes. But can employers or the government do something similar?

In short, yes: employers can mandate the vaccine if they allow exceptions among certain employees. That was the Equal Employment Opportunity Commission's (EEOC) determination in guidance it issued on Dec. 16, when it said employers can require COVID-19 vaccines and bar employees from the workplace if they refuse. The exceptions? Employees who have disabilities that make them unable to take the vaccine and those who object on religious grounds. In both cases, employers need to seek a "reasonable accommodation" for the employee's position.

The EEOC ruling followed guidance from the Occupational Safety and Health Administration (OSHA) permitting employers to require influenza vaccinations. There was also an earlier EEOC decision allowing businesses to compel employees to submit to COVID-19 tests as a condition of employment.

It is highly unlikely the federal government will issue a blanket mandate that all Americans must be vaccinated because it would be a controversial step. The Biden administration will encourage Americans to get the vaccine for the good of the country. President Biden has said mask-wearing is patriotic, and he may use similar language when the vaccine is widely available.

## The Federal Government's Role is Evolving

The Biden administration's first days included numerous proposals and immediate actions designed to speed up the vaccination of Americans against COVID-19. Whether or not all of the initiatives become reality, the conversation around the administration's plan will drive discussion and expectations among employees. For example, in the midst of significant vaccine supply shortages, the administration's plans include:

- Encouraging states and localities to move through the priority vaccination groups more quickly – making more people eligible to receive vaccination sooner.
- Fully leveraging contract authorities, including using the Defense Production Act and deploying on-site support to monitor contract manufacturing operations and increase production of supplies (vials, stoppers, syringes, needles, etc.) needed for vaccinations.
- Releasing more doses from reserves than was previously considered.
- Creating more venues for vaccination, including federally run community vaccination centers in stadiums and conference centers and federally supported state and locally operated sites.
- Allowing state and local governments to reimburse vaccination administration expenses through the Federal Emergency Management Agency (FEMA) Disaster Relief Fund.
- Encouraging states to expand scope-of-practice laws and waive licensing requirements as appropriate to allow more vaccinators.

Schools may require COVID-19 vaccinations. Such policy will be set at the state level and thus will vary.

Companies, for their part, are trying to find the right balance. While a recent Yale poll found 72% of current and recent CEOs of major companies are open to a vaccine mandate, so far most companies are using carrots, rather than sticks. Some companies are encouraging workers to be vaccinated by offering them time off of work and financial [incentives](#). Other companies are partnering with medical providers to administer vaccines on-site to employees. One airline CEO has said he wants the company to make COVID-19 vaccines mandatory for employees.

U.S. polls in December show 60% to 70% of the public [want to be vaccinated](#). A Kaiser Family Foundation survey in December found that only about one-third of the population was willing to get the vaccine as soon as it became available; 39% planned to “wait and see” how the vaccine was working for other people before being vaccinated themselves. Nine percent said they would be vaccinated only if it is required for work, school or other activities, while 15% said they would not get a vaccine.

## Considerations for employers

Long before COVID-19, vaccinations were a divisive issue. A significant part of the population did not want to be vaccinated for various reasons, including concerns about impacts on their health, or for religious or other reasons. Organizations weighing their vaccine policies should recognize that this will be among their most consequential decisions, affecting workers, their families and the company’s reputation. Customers, partners, local communities and competitors will take note.

Organization leaders should consult their internal team and outside advisers to establish their position on the COVID-19 vaccines as they would any other important decision. On the pages that follow, we’ll cover some of the factors that will be important for organizations to consider. In addition, organization leaders and communicators should ask themselves:

- If we don’t want to mandate vaccines, do we want to encourage our workforce to get the vaccine when it is available to them? How can we most effectively do that? Who do we think will champion our decision and who will not, and how do we address those reactions?
- How does the vaccine issue fit within our company’s overall mission? For instance, there may be greater expectation that healthcare organizations take a firm position on vaccines – when compared to professional services firms.
- When should our organization roll out its vaccine position? Do we know what others in our industry are doing? Are we effectively tracking that information? How have employees and the public responded to other organizations that already have shared their plans? And what are they saying about our plans?



# The topic of vaccines is complicated. Education for employees is a good place to start.

By **Andrea Myers**

With COVID-19 vaccine distribution underway, many employers are expanding their internal pandemic-related communications to include the topic of vaccination. Some employers may choose to mandate vaccinations, while others may choose only to encourage them. Either way, educating employees about why vaccination is so important to their personal health and safety, public health and business continuity is a critical step in inspiring and driving participation. Here are key considerations if you are examining this issue.

## 1. Understand the global/national/local landscape.

Vaccine types, availability, distribution policies and protocols vary widely by country and in the U.S., by state and county ... and some are regularly changing. If vaccines are not broadly available, the manner in which you encourage vaccination may be counterproductive. That's why the timing and location of communications will be so important. If your organization is global, evaluate how vaccinations are being distributed in countries where you operate. Encouraging employees to be vaccinated may not make sense in countries where governments mandate it.

## 2. Position vaccination as one of many important COVID-19 safety steps.

Even if your company is mandating vaccinations, there will be employees who will not or cannot be vaccinated due to health concerns or firmly held religious beliefs. Additionally, in most cases you won't know if others your employees interact with, such as customers or suppliers, are vaccinated. With this in mind, it's important to reinforce the full scope of your COVID-19 safety protocols in your communications, with vaccination being one of them.

**Top 3 reasons Americans will not get a vaccine when it becomes readily available:\***

1. I am concerned about adverse events
2. I want to wait and see data on its success before getting it
3. I need more information about it first

## 3. Focus first on health and safety.

While business continuity is an important outcome of employee vaccination and should be a message within your strategy, it shouldn't be the first message. Ultimately, keeping employees and their families, customers, partners, suppliers and the community at large healthy and safe and minimizing the spread of the virus are the most important reasons – and messages – for vaccination. Supporting points may include:

- Vaccination not only protects against severe disease; it may prevent infection entirely, which can impact transmission.



- The more virus in circulation, the greater the chance of genetic variants developing, which could compound the challenges of ending the pandemic.
- Employees may face situations in which access to accommodation and/or services is dependent on a vaccination, such as visiting a doctor's office.

#### **4. Articulate the impact to business continuity.**

Once employees understand their health and safety is your top priority, you can also reinforce the importance of moving the business forward. This is especially relevant for companies who've been significantly, negatively impacted by COVID-19 and experienced layoffs or furloughs. Getting vaccinated is one way most employees can be a part of getting the company back on track and improving job security. While that shouldn't be your main message, it could still be an effective rallying cry.

#### **5. Reference third-party sources to stay credible and on topic.**

Cite respected health authorities for vaccine information. These may include the EEOC, OSHA, the Centers for Disease Control and Prevention (CDC) and their Advisory Committee on Immunization Practices (ACIP), and state or local public health authorities. Because vaccines of all kinds – including the COVID-19 vaccines – have been targeted for controversy, stick to the facts provided by health authorities and steer clear of political talk or unfounded conspiracy theories.

#### **6. Understand and listen to concerns and questions.**

There is a multitude of reasons employees may feel anxious or concerned about getting the vaccine. Prepare managers to address these concerns with talking points, FAQ and other resources. Depending on your workforce, you may find it valuable to conduct training with HR professionals and managers to support them in navigating potential tensions between those who choose to be vaccinated and those who will not. As part of your educational program, address myths by having your company's health expert (if available) or other trusted source address common misconceptions.

#### **7. Create a central location for vaccination information.**

Use your company intranet or other all-employee internal channel to create a hub of information about the vaccine. This may include educational articles and infographics from health authorities, personal stories from employees about why they're being vaccinated and, if applicable, information about where and when to get vaccinated. A centralized location allows employees to reference information when needed and brings the most up-to-date information to the forefront.

#### **8. Don't forget the second dose and delays in immunity.**

Some COVID-19 vaccinations require two doses – the second occurring about a month after the first one (different vaccines have different specific requirements).



In your educational campaign, remind employees of the importance of the second dose for proper protection. And remind them immunity doesn't typically occur until several days after they receive the full, recommended vaccine – in some cases the second dose.

#### **9. Lead by example.**

Leverage executive voices to reinforce the importance of vaccination as part of the company's broader COVID-19 safety strategy. Share messages from leaders about why they are getting vaccinated. Consider following a leader while they get vaccinated, being careful that the executive doesn't appear to be "cutting ahead in the line."

#### **10. Set expectations with employees about continued safety protocols.**

Even with vaccines being distributed now, safety protocols, like mask-wearing and social distancing, are likely to continue long into 2021, if not longer. Position the vaccine as a critical step in the long road ahead – advancing toward a return to normal, but not the finish line.

#### **11. Set expectations for decentralized operations and organizations.**

Establish clear corporate guidelines for decentralized organizations/operations to ensure enterprise-wide consistency and legal compliance and mitigate reputational risk. For example, regional/local leaders may see 100% vaccination of employees as a competitive advantage and set internal goals and incentivize and promote vaccinations, which may run counter to corporate policy as well as legal and cultural requirements.

#### **12. Use incentives carefully.**

It's natural to want to incentivize employees for receiving the COVID-19 vaccine, but be careful. Consult your legal team about what can and cannot be incentivized, and how. Remember you may have employees who cannot or will not be vaccinated.

#### **13. Allow for learning.**

As we have seen since the pandemic began, the landscape is ever changing. The business world is continuing to learn about the virus and vaccines together. Avoid locking yourself into a single position – with policies or communications – that may be difficult to change as more information becomes available. Position policies and guidance as the best course at the given time.



## As you develop your strategy, remember that communities of color may have distinct perspectives about vaccines.

*By Kristen Ingram*

COVID-19 disproportionately has affected Black, Latinx and American Indian communities ... not due to genetics but rather the result of long-standing, systemic health and social inequities. As a result, these communities have experienced higher rates of COVID-19 and also higher mortality rates. Some of the [factors contributing to increased risk](#) include:

- Discrimination
- Healthcare access
- Occupation
- Education, income and wealth gaps
- Housing

The guidance that follows can help start/inform conversations and considerations as your organization discusses COVID-19 and vaccinations with Black, Latinx and American Indian employees. This guidance isn't exhaustive. Before engaging with a specific audience, it's a good practice to do further research to learn more about their experiences, as there are additional cultural nuances to consider. The Reagan-Udall Foundation for the FDA has shared some of the perceptions of vaccines held by people of color as part of its [COVID-19 Vaccine Confidence Project](#).

Only **44%** of Black Americans said they trust the fast-track process to develop vaccines that are safe, and just **41%** said they trust the fast-track process to develop vaccines that are effective.

Slightly more Hispanic/Latinx Americans said they trust the fast-track process to develop vaccines that are safe (**54%**) and effective (**51%**).

In comparison, **60%** of the U.S. general population said they trust the fast-track process to develop vaccines that are safe, and **58%** trust the fast-track process to develop vaccines that are effective.\*

### Why different communities of color may be hesitant to take the COVID-19 vaccine

**History of unethical clinical experiments:** Some Black, Latinx and American Indians may hesitate to seek care because they distrust the government and healthcare systems responsible for unethical clinical experiments on communities of color. Examples of this include experiments, such as the [Tuskegee Study](#) of Untreated Syphilis in African American Males and mass [sterilization of American Indian women](#) without their permission in the 1970s.

**Implicit bias in healthcare:** Implicit biases or outside conscious awareness are proven to [impact](#) doctor-patient interactions, often resulting in lower quality care for

communities of color. For Black, Latinx and American Indian patients, this can lead to distrust of doctors and nurses and cause them to not seek care. Examples of implicit bias in healthcare include pregnant women of color facing discrimination because of their race, ethnicity or socioeconomic background or [the myth](#) that Black people experience pain differently than white people.

**Lack of outreach to people of color regarding vaccination:** Although Black, Latinx and American Indian people are at higher risk of getting COVID-19, and it's known that these groups are [more hesitant](#) to get the COVID-19 vaccination, [research](#) has shown that states are not making [a concerted effort](#) to reach these high-risk populations. By not effectively communicating, the miseducation, confusion and distrust grows. For example, communities of color have watched the speed at which the COVID-19 vaccines have been developed and are distrustful. They are concerned that shortcuts were taken developing the vaccines and that not enough people of color were included in clinical trials. Other factors, such as language barriers or the spread of misinformation on social media, increase the need to reach these communities with accurate information about COVID-19 and the vaccines.

## Considerations for employers

1. Don't think about vaccinations as an isolated event, but keep in mind the historical context for communities of color. When employees express concerns about the vaccine, be willing to consider historic and systemic issues and inequities that might contribute to how they're feeling today.
2. Keep in mind the varying degrees of access and barriers to receiving the vaccine people face. Some may not have transportation or child care, others may not have paid time off. All are barriers that will keep some employees from getting a vaccine. Consider how to leverage business resources to address these barriers – for both your employees and society at large. Some companies are offering additional paid time off, and others are making large spaces available as vaccine sites. For a tech company, this may include promoting access to educational resources and combatting misinformation. For a transportation company, this may include providing free/reduced rides to vaccination sites.
3. Many employees are still forming their view of the vaccines and may look to employers for information. Offer guidance and answer frequently asked questions through internal communications. Identify experts and trusted spokespeople who can be available to talk things through with employees.
4. As you educate employees, include employees of color sharing their stories of getting vaccinated. Highlight the importance of having collective concern, not just for one's own self, but also for their fellow colleagues. Tell the stories of older employees, those with pre-existing conditions and those taking care of children or sick relatives at home.



5. Be mindful of when the company should defer to industry groups, healthcare experts or cultural groups. When appropriate, provide information and encourage employees to seek expert resources to learn more about the vaccine for themselves.

## Is your organization thinking of either administering or mandating vaccines?

### Consider employee privacy and information security risks, which are many.

*By Daniel Dellegrotti*

Now that the EEOC confirmed that [employers can mandate vaccines](#) for their workers, organizations face a multitude of decisions, including whether they will issue such a mandate and – if so – how to handle vaccination information. In addition to following guidance from the [EEOC](#), [OSHA](#) and local laws, the following considerations can help you avoid some of the pitfalls of requiring and tracking employee vaccinations, including risks related to privacy, verification, technology and third-party relationships.

#### The federal and state legal landscape is extremely broad and complex.

Depending on their geographic footprint, employers must comply with a range of regulations, including the U.S. Health Insurance Portability and Accountability Act (HIPAA), the California Consumer Privacy Act (CCPA) and the European Union's General Data Protection Regulation (GDPR). Religious protection vis-à-vis Title VII adds another layer of complexity. Moreover, mandating or administering vaccines may require the disclosure of information protected under the Americans with Disabilities Act (ADA). With so many regulations in play, navigating vaccine-mandate decisions will not be a simple activity.

Just **56%** of Americans support people being supplied with a vaccine card in order to go to work.\*

#### There is no standard for vaccination verification.

To facilitate verification of vaccination, the CDC set out to issue [COVID-19 Vaccination Record Cards](#), to be completed by the party administering the vaccine. Although intended to record the type, date and location of vaccination, as well as create a reminder for when to receive additional doses, this documentation is optional for vaccine providers. Because providers can document proof of vaccination however they wish, there is a risk this information may be incomplete, or more than the mandating employer should see.

## **Employers administering the vaccine themselves face rigorous requirements related to handling and reporting sensitive personal information.**

To be enrolled in the U.S. government's COVID-19 Vaccination Program, vaccine providers are required to follow numerous data reporting mandates. Beyond strict technical standards, reporting requirements include providing documentation to medical record systems as well as sharing data with immunization registries, such as immunization information systems ([IIS](#)) and the Vaccine Adverse Event Reporting System ([VAERS](#)) at the U.S. Department of Health and Human Services (HHS).

## **Third parties provide specialized expertise and can perform activities that carry risk for employers.**

Employers may avoid certain pitfalls by using a federally [authorized third party](#), such as a healthcare provider or pharmacy, to administer vaccinations. Doing so, employers can still receive proof employees received the vaccine ... without being responsible for handling additional medical information. In this situation, employers must make certain to not ask for or record any information beyond simple proof of vaccination, even if voluntarily offered by the employee. This includes, but is not limited to, why a particular employee may not, or could not, receive a vaccination.

Employers may also wish to enlist nongovernmental organizations to aid in educating employees about the vaccination process, such as the [Immunization Action Coalition \(IAC\)](#) or the [Institute for Safe Medication Practices \(ISMP\)](#).

## **Working with third parties on any aspect of tracking employee vaccinations must be undertaken with great care.**

When working with an organization other than one's own, there must be assurances that disparate solutions can be combined to create a seamless workflow with proper coordination and oversight. Employers must also understand that they aren't necessarily absolved of liability if the third party is penalized for the mishandling of information. So when vetting occurs, in addition to confirming security standards and procedures, financial stability and insurance coverage should be in the consideration set.

Additionally, protections — related to all operational aspects including cybersecurity — should be considerably more robust for organizations with employees or contractors located in and/or who are citizens of other countries. To be safe, these organizations should implement precautionary measures that meet the strictest definition or highest standard for the applicable regulations.

## **Risks might exist beyond your third-party partners, in their supply chains.**

It is critical that employers remember that the risks associated with working with third parties do not begin and end at arm's length with suppliers and other partners. As seen with the [recent intrusion](#) into numerous U.S. government agencies, employers running any vaccination initiative must contend with similar multitier ecosystem risks present throughout the supply chains of those same third parties.



## **The price of mishandled information can be significant.**

Nineteen U.S. states currently require any breach to be reported to those affected and, in certain cases, to government authorities as well. Violations prove costly beyond external reputation and trust among internal stakeholders. For example, new California law allows residents to recover penalties on either an individual or class basis when the breach results from an employer's failure to reasonably safeguard information.

These financial consequences are significant: [according to IBM](#), the average cost of a cyber breach is \$3.9 million; in the healthcare arena, that number climbs to \$7.1 million. And [healthcare data](#) are highly sought after, as they can easily be monetized via the sale of fake identities, combined with other available data to create synthetic identities, or used for financial fraud.

## **Enlisting experts is recommended.**

If your organization is considering mandating vaccines for employees or administering the doses itself, it's a good idea to consult with outside counsel with specialized legal, HR and information security (or, as needed, labor relations) expertise to help you navigate the process.

## **If your organization includes represented employees, remember to engage the union.**

*By Marty Richter and David Saltz*

Employees, customers and partners will be interested in a company's stance on employee vaccinations – but as you develop your communications plan, don't forget to engage the union as a key stakeholder if your organization has union-represented employees in its workforce. Existing union agreements may influence policy decisions, including limiting the ability to mandate vaccinations. Not to mention that when proactively engaged and consulted, unions could be an important voice encouraging employees to be vaccinated.

### **1. Consider collective bargaining obligations when developing vaccination policies.**

Employers with union-represented employees should consider collective bargaining obligations and relevant National Labor Relations Board (NLRB) decisions when developing and communicating vaccination policies. If employees are represented by a union, an employer unilaterally implementing a mandatory vaccination program could lead not only to union opposition, but possibly to an unfair labor practice charge before the NLRB, unless the current collective bargaining agreement and relevant NLRB decisions allow the employer to do so.

## 2. Consult with the union to gain its support.

For an employer with union-represented employees, surprising the union is rarely a good thing. Even if an employer believes that its collective bargaining agreement gives it the right to institute a vaccination program, consulting with the union before finalizing and communicating the approach could help to maximize buy-in. Securing legal guidance in advance of such outreach is strongly advised. Many unions favor early access to vaccines for their members, and if they are on the same page, the union could help build support for the company's program and encourage participation.

## 3. Many unions are pro-vaccination.

A number of major unions – including the Service Employees International Union (SEIU), the United Food and Commercial Workers International Union (UFCW) and the International Brotherhood of Teamsters – have publicly pushed for access to vaccines for their members. The SEIU characterized vaccination as safe and effective in a [Dec. 21 press release](#) laying out seven principles for vaccine distribution: “Vaccines are a proven technology to prevent the spread of disease. The COVID vaccine is a critical tool to protect our families, ourselves and our communities as we fight to put an end to this deadly virus. We encourage SEIU members to take the vaccine.”

[On its website](#), the UFCW urges members to “protect yourself with the COVID vaccine,” calling both available vaccines safe and effective.

In its release, the SEIU pushed for vaccinations to be free for employees, and for employees to be paid for time spent being vaccinated: “Vaccines must be provided free of charge, and workers should be provided with paid time off if the vaccination process requires them to miss work.”

## 4. But some unions have opposed making vaccinations mandatory.

Some unions, including the SEIU, have opposed mandatory vaccinations. The SEIU said in its Dec. 21 press release: “The best approach to encouraging universal vaccination is through education and outreach, not through making vaccination mandatory.” Still, many employers can make a strong case for requiring employee vaccinations if they make exceptions (for disabilities or sincerely held religious beliefs), and vaccinations are job-related and a business necessity, according to [EEOC guidance](#) provided in December. The more likely it is that non-vaccinated employees put customers, fellow employees or the general public at risk, the more compelling the case will be for a vaccination mandate.

## 5. Consider how your COVID-19 vaccine program may affect your different employee relationships.

Employers with no union-represented employees, and employers with a mix of represented and unrepresented employees, should thoughtfully consider how they implement and communicate a COVID-19 vaccine program across these different audiences. Helping to ensure that all employees feel they have



a voice and are treated with respect in an environment free of favoritism and discrimination will help to support good working relationships with unions where those exist ... and reinforce direct relationships with employees where those exist. Communicating strategically across internal audiences can help to strengthen existing relationships while continuing to grow competitiveness.

## **Organizational cultures have been weakened by COVID-19. And the road to vaccination will present new challenges.**

*By Josh Rogers*

Before the term “COVID-19” ever was spoken or appeared in a single news report, organizations of all shapes, sizes, industries and sectors worked hard to foster strong cultures congruent with their missions, visions and values. That’s because building a strong culture is a never-ending job requiring deliberate effort across every level of an organization.

That was before the pandemic upended life around the world.

In 2020, COVID-19 made maintaining a healthy organizational culture exponentially more difficult. Many office workers moved to home offices, able to see their colleagues and leaders on video only, losing the important in-person connections that occur in the workplace. Resentment festered among some workers who had to continue reporting for duty on the front lines while other colleagues were able to work from home. Many employees without children grew indignant as coworkers who are parents were granted a reprieve from some work responsibilities to care for their kids. Along the way, some employees appropriately adhered to protective protocols on the job, while others refused. These are just a few of the many common threats to culture ushered in with the COVID-19 era.

Now that 2021 and long-awaited vaccines have arrived, there is light at the end of the tunnel, albeit a lengthy tunnel. But make no mistake: vaccinations also will be fraught with issues for the employer-employee dynamic, as should be evident from this document. Which means organization leaders should be thinking now about the state of their culture, areas of vulnerability and the way their planned approaches to vaccines – already politicized with the potential to become more so in the current divisive U.S. political climate – can further injure an already stressed culture.

Although some of the cultural fallout related to vaccines will be apparent immediately, divisions caused by an employer’s approach could persist for months or years. So it’s important to look through the lens of culture while developing and implementing vaccine-related policies and plans. Leaders and communicators should consider the following:

- **Encouraging vaccines instead of mandating them.** Establishing a mandate – and, especially, trying to enforce it – could be polarizing, creating long-term issues for your organization. Beyond these and the related logistical and employee engagement challenges your organization may face in the short term – such as determining how to physically accommodate a workforce in which some are vaccinated and some are not – consider how your decisions could affect your organization on its path forward, as it seeks to emerge from the pandemic and return to growth as quickly as possible.
- **Ensuring equitable approaches.** However you accommodate employees being vaccinated – from offering vaccines at your workplace, to giving employees paid time off to receive the vaccine elsewhere, to asking employees to produce proof of vaccination before accessing your facilities – ask yourself whether you’ve done everything in your ability to ensure an equitable approach for all classifications of employees in all of your locations. Socializing your plans – and asking for feedback as they are implemented – will help you understand important considerations you may have overlooked ... and the potential damage they can cause your culture. Remember that the equity and inclusivity of your vaccine policies will be used to judge how well your organization is living up to its DE&I commitments.
- **Accommodating union employees.** As noted, some unions already have stated they oppose mandatory vaccinations, while others are pushing to have their members vaccinated as soon as possible. Whether your collective bargaining agreement allows you to mandate vaccines or not, it’s a good idea to consult with the union before finalizing or communicating any requirements. Not doing so could result in tension or missed opportunities between union and nonunion employees (or between your organization and union leadership) for the long term.
- **Maintaining other protective measures.** Even once vaccinated, an individual may be able to transmit the virus, and public health experts have noted that wearing masks will be a necessary protective measure deep into 2021 (assuming vaccine plans stay on track). However, it may be difficult to convince many employees of that, particularly those who have worn them begrudgingly all along. How will you persuade all of your employees to hold the line on masks, social distancing and other measures until experts give the all-clear to relax these measures? And how will you address those who don’t comply with your measures? Think about what your culture does and does not need when you weigh the benefits of the carrot versus the stick.



- **Fostering a safety culture.** Although safety culture is nothing new for many organizations, such as those in manufacturing and industrials or healthcare, many others have found themselves thinking about safety in new ways since the onset of the pandemic. As mentioned, this focus on safety certainly won't end in the shortterm, so leaders and communicators should consider committing to a culture of safety ongoing. From COVID-19 considerations to psychological safety and mitigating other workplace threats, employees want to feel safe doing their jobs and will value working for employers who prioritize that safety. As your workforce and the rest of the world are vaccinated and COVID-19 concerns start to subside, will your organization harness the momentum and lessons learned from its pandemic response to foster a workplace where employees feel protected and cared for ... even when the pandemic is safely in the rearview mirror?
- **Cultivating your employer brand.** When the businesses, economies and job markets that have suffered return to growth, workers will remember how they were treated during the pandemic. They will share their experiences with one another and with potential candidates, and both current and prospective employees will make career decisions based on that information. So while your organization's culture is all its own, the perspectives of those who've lived it will find their way outside your walls and influence your ability to attract and retain the right talent to lead your organization into the future. As you continue to develop and implement vaccine and other COVID-19 plans, remember to ask yourself how your actions will impact your employer brand moving forward.

### *Looking for more vaccine guidance?*

The topic of COVID-19 vaccines and their implications for employers is broad and ever-evolving, and the considerations are numerous, with no two organizations facing the same situation, challenges or solutions. Although this document is not intended to be exhaustive, we hope it is helpful in assisting you as you think through your organization's approach.

Since the onset of the pandemic, FleishmanHillard experts have been immersed in developing COVID-19 and vaccine-related communications solutions for a broad range of organizations across industries, sectors and geographies. We welcome the opportunity to help your organization navigate this challenging landscape with solutions tailored to your business, your strategic priorities, your values and your key stakeholders.

For more information, contact [Mike Schmidt](#), [Andrea Myers](#), [Kristen Ingram](#), [Daniel Dellegrotti](#), [Marty Richter](#), [David Saltz](#), or [Josh Rogers](#).