

Firing Unvaccinated Workers Becomes More Common

Staffing shortages may not be a risk, however

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More employers nationwide are firing workers, particularly health care employees, who defy mandates to get vaccinated against COVID-19. While the total number of dismissed employees is low so far, the efforts seem to be driving more unvaccinated workers to get a shot, say health advisors. We've gathered articles on the news from *SHRM Online* and other outlets.

Terminations in Multiple States

The CEO of ChristianaCare in Delaware said the hospital has terminated approximately 150 employees who did not adhere to its vaccination policy. It employs more than 12,000 workers.

Northwell, New York's largest health care provider, recently dismissed about 24 unvaccinated employees. Northwell employs 76,000 workers.

Novant Health, a hospital system based in North Carolina, has fired more than 175 unvaccinated employees. More than 99 percent of its 35,000 employees have complied with the company's vaccine mandate. Last week, Novant suspended 375 workers, giving them five days to get at least a first shot, which 200 did—suggesting that suspensions can work.

(Forbes (<https://www.forbes.com/sites/carlieporterfield/2021/09/27/hospitals-begin-firing-staffers-who-refuse-covid-vaccines---leading-some-to-fear-staffing-shortages/?sh=1b01e4f85f9e>)) and (Axios (<https://wwwaxios.com/novant-health-north-carolina-vaccine-mandate-9365d986-fb43-4af3-a86f-acbb0ea3d619.html>))

United Airlines Will Begin Terminations

United Airlines announced on Sept. 28 that it will begin discharging 593 unvaccinated employees over the next few days. Other companies are offering alternatives, including weekly testing or working remotely or away from other staff. United says its mandate has worked. About 96 percent of its workers have been vaccinated and another 3 percent are seeking an exemption, which could result in unpaid leave. Less than 1 percent of its 67,000 U.S. employees will be fired, which won't affect airline operations.

(AP (<https://apnews.com/article/coronavirus-pandemic-joe-biden-business-new-york-health-831b555fad96822e1a6840286d73c78e>))

Feedback

FEATURED RESOURCE CENTER

COVID-19 Vaccination Resources (www.shrm.org/hr-today/news/hr-news/Pages/COVID-19-Vaccination-Resources.aspx)

Lawsuits Against United

United Airlines has been sued by employees in two lawsuits. In one, a worker alleged that a religious exemption wasn't accommodated. In a second lawsuit, six employees seeking religious and medical exemptions sued and will remain employed until Oct. 8, when the court scheduled a hearing for the lawsuit. These plaintiffs asserted that being placed on an indefinite leave of absence meant their employment would effectively be terminated.

(NJ.com (<https://www.nj.com/business/2021/09/united-airlines-to-begin-firing-employees-without-covid-vaccine-workers-file-lawsuits.html>))

Vaccine Mandates on the Rise

In a survey of 272 legal, compliance and HR executives, 46 percent of organizations plan to institute a vaccine mandate, while approximately 17 percent said they will not and 36 percent are unsure. Fifteen percent of executives said their companies will terminate noncompliant employees. Organizations are split on whether they will administer onsite testing, use third-party testing or require employees to be responsible for their own testing. Sixty-nine percent of surveyed executives feared a vaccine mandate will spur turnover.

(Gartner (<https://www.gartner.com/en/newsroom/press-releases/2021-09-24-gartner-survey-reveals-nearly-half-of-organizations-will-institute-vaccine-mandates>))

President's Vaccination-or-Testing Mandate Supported, but Challenges Lie Ahead

On Sept. 9, President Joe Biden announced plans for an emergency temporary standard requiring employers with at least 100 employees to mandate that their workers be vaccinated or undergo weekly testing. In a survey of more than 100 CEOs and board directors, 42 percent strongly agreed with the president's mandate, while 21 percent somewhat agreed, 24 percent strongly disagreed, 10 percent somewhat disagreed and the rest had no opinion. More than half of those surveyed believe actual implementation of the mandate will be difficult.

(Committee for Economic Development of The Conference Board (<https://www.prnewswire.com/news-releases/poll-business-leaders-support-administrations-vaccination-mandate-but-anticipate-major-challenges-in-implementation-301386985.html>)) and (SHRM Online (www.shrm.org/resourcesandtools/hr-topics/talent-acquisition/pages/federal-vaccine-mandate.aspx?_ga=2.3502512.1294724122.1632704965-1102745045.1615925853))

Last-Minute Shots

New York state's effort to force health care workers to receive coronavirus vaccines pressured thousands of holdouts to receive last-minute shots. The vaccination went into effect just after midnight on Monday. At that time, 92 percent of the state's 600,000 hospital and nursing workers had received at least one vaccine dose. Eighty-four percent of the state's nursing home workers had received a vaccine dose five days before. The state faces protests and at least eight lawsuits against the vaccine mandate, and is bracing for potential staffing shortages. Nonetheless, Mayor Bill de Blasio said, "People who are on the fence benefit from these mandates, bluntly, as a way to make this decision."

(The New York Times (<https://www.nytimes.com/2021/09/28/nyregion/vaccine-health-care-workers-mandate.html>))

Mandate for NYC Public School Employees Upheld

New York City public school employees are required to have at least one dose against COVID-19 by Oct. 4. On Sept. 27, the 2nd U.S. Circuit Court of Appeals ruled in the city's favor on the vaccine mandate for public school employees. "Vaccinations are our strongest tool in the fight against COVID-19," said a spokeswoman for the New York City Department of Education. "This ruling is on the right side of the law and will protect our students and staff."

(NBC New York/AP (<https://www.nbcnewyork.com/news/coronavirus/nyc-vaccine-mandate-for-school-staff-on-hold-state-health-worker-covid-order-takes-effect/3292703/>))

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