COVID-19 vaccination and healthcare employees

Should vaccination be a condition of employment?

In healthcare, every organization from independent clinics to hospitals to health insurance companies wants its employees to be vaccinated against COVID-19 for a number of reasons, starting with protecting both employees and patients and including setting a good example for the general population. Healthcare employers may go beyond encouraging their employees to offering incentives—financial or otherwise. Some employers are requiring vaccination as a condition of employment and others are considering it. Such action raises legal and ethical concerns for employers, especially with diminishing vaccination rates.

Without addressing the legal implications of such action, is mandating a COVID-19 vaccine by a healthcare employer as a condition of employment ethical?
YES

We need to protect patients and each other

The decision to mandate vaccinations in the workplace is complex and requires a nuanced discussion of the benefits and risk for employees. However, the decision to mandate vaccinations in the healthcare workplace is one that is supported by many years of mandated childhood and influenza vaccinations in order to participate in care. The difference? Healthcare centers and systems have not only their employees and their workforce to protect, they also have an obligation to protect the patients they serve.

Increased COVID-19 vaccinations have been associated with lower absentee rates for employees, including low rates of employee illness. More employee availability allows for adequate staffing, even with potential future COVID-19 case spikes that require increased staff for acute clinical care. In addition, health systems already challenged financially with the aftermath of the pandemic will not be further burdened with the costs of excessive preventable employee illness leave and the possible need to obtain temporary assistance through more costly locum or per-diem clinical services, which can be difficult to obtain in the current healthcare crisis.

As always, medical and religious exemptions will exist, although employees who choose not to be vaccinated may be required make accommodations, such as universal wearing of mask and eye shield and social distancing, including during work breaks.

As physicians and other healthcare professionals, we have an obligation to “first do no harm” and focus on limiting virus spread to patients. Given the risk of asymptomatic spread and the lifting of mask mandates, even in some non-patient-facing areas of clinics and hospitals, there remains significant risk of spread from a healthcare team member to a patient, unless universal use of N95 respirators and eye protection are utilized for unvaccinated patients and staff. In order to keep our patients safe, we must make every effort to minimize the risk of them contracting COVID-19 while being cared for due to other conditions. One can only imagine the risk this might pose to the patient, who may already be hospitalized for health-threatening concerns.

From a public health perspective, mandating COVID-19 vaccination in healthcare systems will also slow the spread of the virus and will allow our communities to move closer to herd immunity, ultimately moving towards a goal of a return to more “normalcy” in our daily lives.

Cresta Jones, MD, FACOG, FASAM, is associate professor, Maternal Fetal Medicine, University of Minnesota Medical School. She also chairs the MMA Residents and Fellows Section Ethics and Legal Affairs Committee representative.

NO

Mandatory policies increase distrust and may negatively impact vaccinated employees

The COVID vaccine is one of the best ways to prevent infection and spread of COVID-19. As more data has become available on the safety and efficacy of the vaccine, and as vaccine availability has increased, healthcare employers have needed to consider the implications of various forms of mandated vaccination for their employees. In addition to a true mandatory vaccine policy, in which unvaccinated healthcare workers would be ineligible for employment, there are other “pseudo-mandatory” policies that would discourage refusing the vaccine, including sending unvaccinated employees to alternative assignments or policies that allow only vaccinated employees to go without a mask.

The COVID-19 pandemic has put immense strain on the healthcare system. Hospitals, long-term care facilities, nursing homes and other facilities have been overburdened and underresourced. Mandatory vaccination, or other pseudo-mandatory vaccination strategies, risks increasing the load and strain on the frontline workers who adhere to the policy to get vaccinated. When hospitals mandate vaccination, a portion of the workforce may choose to leave instead of getting vaccinated. Employers may shift unvaccinated employees to alternative non-patient-facing work. In both cases, the burden is shifted to vaccinated employees who remain, which could increase burnout and ultimately harm patients.

Mandating vaccination should not be implemented as a substitute for other policies that protect healthcare workers and patients. The pandemic has perpetuated a breakdown of trust between employers and employees due to lack of PPE and consistent self-sacrifice due to significant uncertainty and fear. Requiring that employees get vaccinated risks further alienating employees who already do not feel that their employer has their best interests at heart. While the vaccine has been shown to be effective and acceptably safe in the short term, we do not know the long-term risks of vaccination. Hospitals must provide adequate protective policies with the fewest negative consequences before putting additional requirements on their staff, especially when those requirements have inherent personal risk.

Vaccination is one of the best tools we have to slow the spread of COVID and progress towards a more normal, post-pandemic society. However, mandating that healthcare workers get vaccinated should be a last resort and only undertaken if vaccination rates are sufficiently low despite education, availability and encouragement to get vaccinated. MM

Maraika Robinson, MD, is a resident in Rochester. She is the MMA Residents and Fellows Section Ethics and Legal Affairs Committee representative.