



Flu Shots and (Eventually) COVID-19 Vaccines
Can employers require them?

What does Oregon and Federal Law say?

There is no federal or Oregon law that prohibits employers from requiring or demanding that employees get flu shots or COVID-19 vaccinations.

- Two exceptions: **health care and public safety workers**. See ORS 433.416 (and pay attention to the definition of “worker” found in ORS 433.407)
- EEOC’s take: Encourage employees to do so, “rather than requiring it”

Limitations on Requiring Vaccines/Flu Shots

- 1. Unions/associations** – PECBA and mandatory bargaining over the terms and conditions of employment
- 2. Disabilities** – “Reasonable accommodation” for a “disability” may be required
- 3. Religion** – Religious accommodation may be required

What about OSHA/OR-OSHA?

There is no OSHA or OR-OSHA standard that would mandate employers to offer a COVID-19 vaccine when one becomes available.

Bottom Line

- You can require these vaccines, but should you?
- Will a vaccine really make all of this go away?

Thanks for Listening!

Tamara E. Jones
Deputy General Counsel

tjones@cisoregon.org
503-763-3845

