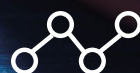


TRENDICATORS SPECIAL REPORT

# PREPARING FOR THE VACCINE MANDATE

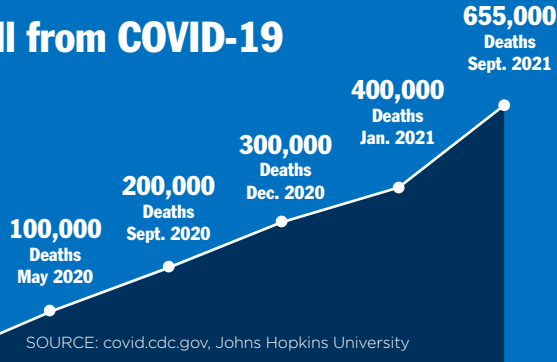
What You Need to Know  
Return to Office Logistics  
Delta Variant Facts  
Creating a Safer Workplace  
Recognizing Positive Behaviors



**TRENDICATORS**  
HR Research & Insights by Engage2Excel™ Group

# SITUATION AT A GLANCE

## U.S. Death Toll from COVID-19



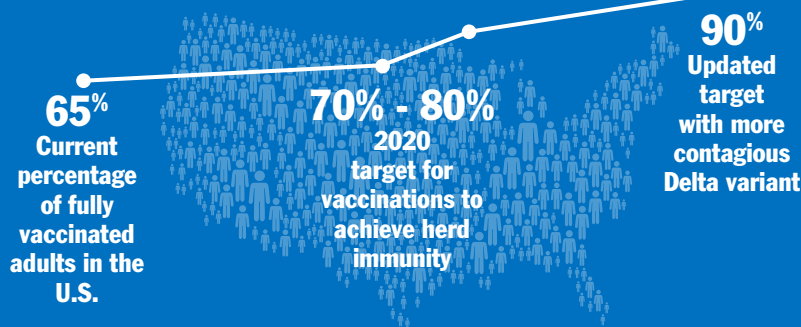
SOURCE: covid.cdc.gov, Johns Hopkins University

## 100 Million U.S. Workers Fall Under the Mandate



- Workers for companies with 100+ employees
- Federal employees of the executive branch
- Employees of federal contractors
- Healthcare workers for institutions receiving Medicaid and Medicare

## The Path to Herd Immunity



SOURCE: Ricardo Franco, MD, University of Alabama at Birmingham

## The Biden Administration's 6-Part COVID-19 Plan



**Vaccinating the Unvaccinated**



**Further Protecting the Vaccinated**



**Keeping Schools Safely Open**



**Increasing Testing & Requiring Masking**



**Protecting Our Economic Recovery**



**Improving Care for those with COVID-19**

## The Mandate: Vaccinating the Unvaccinated

- Requiring all employers with 100+ employees to ensure their workers are vaccinated or tested weekly
- Requiring vaccinations for all federal workers and millions of contractors who do business with the federal government
- Requiring COVID-19 vaccinations for over 17 million healthcare workers at Medicare and Medicaid participating hospitals and other healthcare settings
- Calling on large entertainment venues to require proof of vaccination or testing for entry
- Requiring employers to provide paid time off to get vaccinated

SOURCE: www.whitehouse.gov



# INTRODUCTION

President Biden's September 9 announcement of a national vaccination mandate took the country by surprise. Many large employers, including Walmart, Uber, Google, Goldman Sachs and Chevron, already had vaccine mandate plans in place. Others planned to encourage but not require vaccination. While many uncertainties exist and legal challenges are inevitable, all organizations with 100 or more employees need to begin preparing for how they will comply. This report provides an overview of the steps your organization needs to consider to avoid confusion and disruption on your road to recovery from the pandemic.

## What companies were planning to do prior to the vaccine mandate announcement:



SOURCE: 2021 Back to the Workplace Survey, Arizona State University

# CONTENTS

<b>What do you need to know about vaccine mandates?</b>	<b>4</b>
<b>How will you manage compliance and logistics for returning to the office?</b>	<b>5</b>
<b>What do we know about the Delta variant of COVID-19?</b>	<b>6</b>
<b>How are business and trade organizations responding to the vaccine mandate?</b>	<b>7</b>
<b>What concerns have kept people from getting vaccinated?</b>	<b>8</b>
<b>How can your organization create safer indoor workplace environments?</b>	<b>9</b>
<b>What do employees want most and least from managers during the pandemic?</b>	<b>10</b>
<b>Recognizing positive behaviors for participation in your COVID-19 program</b>	<b>11</b>

**DISCLAIMER:** This report contains questions, insights, recommendations and resources for consideration in the development of programs to prepare for the soon-to-be-released Emergency Temporary Standard (ETS) from the Occupational Safety and Health Administration (OSHA). The content in this report is neither exhaustive nor comprehensive and does not represent a substitute for legal advice. We recommend that all programs and policies developed for ETS compliance be reviewed by a legal professional prior to implementation.

Trendicators is the research division of Engage2Excel Group, a leading provider of employee recruitment, recognition, and survey and analytics solutions. Trendicators provides original research, along with reports on insights and best practices from industry leaders and experts.



# 1 What do you need to know about vaccine mandates?

Faced with a surge in COVID-19 cases from the Delta variant and reductions in job growth and consumer confidence, the Biden administration set forth a sweeping vaccine mandate that will require organizations with 100 or more employees to ensure that their workforces are fully vaccinated or show a negative COVID test at least once a week. The table below summarizes what is currently known about

the program, based on a recent report from The New York Times. The program will fall under an Emergency Temporary Standard (ETS) from the Occupational Safety and Health Administration (OSHA). Still unknown, however, is when the mandate will take effect, what the exact provisions of the order will be and whether the employer must pay for testing.

<b>Does OSHA have the authority to mandate?</b>	OSHA has the authority to quickly issue a rule, known as an emergency temporary standard, if it can show that workers are exposed to a grave danger and that the rule is necessary to address that danger.
<b>Will the rule apply to all employees?</b>	It is currently unclear whether the OSHA rule will apply to all employees or only those who work in company offices or facilities. OSHA guidance from February 2020 suggests that employers may not be held accountable for the safety of home-based employees.
<b>How many companies already planned mandates?</b>	In a recent Willis Towers Watson survey of nearly 1,000 companies that together employ almost 10 million people, 52% of respondents said they planned to have vaccine mandates by the end of the year, compared with 21% that said they already had vaccine requirements.
<b>What are the penalties for non-compliance?</b>	Employers would have to give workers paid time off to get vaccinated or recover from any side effects of getting vaccinated. Employers that don't comply with the vaccine mandate or paid-time-off requirement could face fines of up to \$14,000 per violation. The rule is expected to be issued in the coming weeks.
<b>What are the legal implications for employers?</b>	Employers should seek legal advice and be sure to craft a mandatory vaccine policy that provides for exemptions for people with qualified disabilities, as defined under the Americans with Disabilities Act, and for people with sincerely held religious beliefs, as defined under Title VII of the Civil Rights Act.

SOURCE: "Survey: Will Employees be required to get the COVID-19 vaccination?" The New York Times, Aug. 9, 2021

# 2 How will you manage compliance and logistics for returning to the office?

Employers with 100 or more workers are scrambling to prepare for the forthcoming vaccination and testing mandate. Everyone is waiting to hear when the ETS will take effect, and experts suggest that the order may not be issued for another 30 to 60 days. While a great many uncertainties exist, such as what types of tests will be required, whether employers will be required to collect proof of vaccination and

how remote workers will be affected, you can take steps to prepare. The recommendations and insights below, gathered from publicly available sources, are intended only as a guide for initial planning discussions. All programs and policies developed for ETS compliance should be reviewed by a legal professional before implementation.

## Encourage workers to be vaccinated



Most organizations have already adopted a policy of either encouraging or requiring vaccinations. However, three in 10 eligible Americans remain according to a Kaiser Family Foundation study. Encouraging workers to be vaccinated now, together with education and health advocacy, will help make compliance easier once the rule goes into effect.

## Will you require vaccination or allow weekly testing?



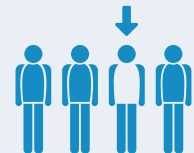
The most important policy decision organizations will make is whether to require vaccinations for their entire workforce or to allow weekly testing as an alternative. For many, the administrative burden of collecting and tracking weekly test results may be too costly and disruptive. Employers are expected to be required to provide paid time off for workers to get vaccinated and to recover from any side effects.

## Plan for policies, tracking and administration



Once issued, the ETS can remain in effect for six months. After that, it must be replaced by a permanent OSHA standard. The permanent standard will need to undergo a formal rule-making process with a notice-and-comment period. Since the ETS is expected within the next 30 to 60 days, your team of legal, HR, operations and communications leaders should start planning now for the infrastructure needed to support compliance.


## Prepare to accommodate exemption requests



OSHA will require employers to accommodate employees who refuse vaccination based on medical exemptions or religious beliefs. Employers are entitled to require a reasonable amount of verification for medical exemption requests. Religious exemptions are protected even when not supported by a formal religious group. However, political and philosophical objections are not supported by federal anti-discrimination law.

# 3 What do we know about the Delta variant of COVID-19?

The Delta variant is a highly contagious SARS-CoV-2 virus strain first identified in India in December 2020. It has now become the predominant variant in the U.S. After a steady decline in COVID-19 cases earlier this year, Delta has caused a spike in infections and an increase in hospitalizations across the country. In August, the number of COVID hospitalizations surpassed 100,000 for the first time since January.



**CDC study shows unvaccinated people are 29 times more likely to be infected with Covid**

SOURCE: CNBC, Aug. 24, 2021



## Delta is more contagious than the other virus strains

The CDC estimates that by the end of summer 2021, Delta was the cause of 99% of new COVID-19 cases in the U.S. In June, Delta was spreading 50% faster than the Alpha variant, which was 50% more contagious than the original COVID-19 strain.



## Unvaccinated people are at the greatest risk

As of July 22, 97% of patients hospitalized with COVID-19 in the U.S. were unvaccinated. There is a disproportionate number of unvaccinated people in Southern and Appalachian states, where vaccination rates are low.



## Delta could lead to 'hyperlocal' outbreaks

If Delta continues to move quickly enough to accelerate the pandemic, areas with low vaccination rates could cause "hyperlocal" outbreaks that overwhelm local health care systems and result in more deaths.



## There is still more to learn about Delta

Whether the Delta strain will make you sicker than the original virus is still being investigated. A study from Scotland, cited by the CDC, showed that the Delta variant was about twice as likely as Alpha to result in hospitalization in unvaccinated individuals.



## Vaccination is the best protection against Delta

Getting vaccinated offers the greatest protection against Delta. While vaccines are highly effective, they don't provide 100% protection. The CDC recommends that all people wear face masks in public indoor settings with high transmission rates.



# 4 How are business and trade organizations reacting to the vaccine mandate?

Many leading business and trade organizations have expressed support for the vaccine mandate. However, opposition along political lines is widespread, despite the existence of mandatory vaccinations for measles, mumps and rubella as a condition of school attendance in every state.



“Business Roundtable welcomes the Biden administration’s continued vigilance in the fight against Covid. America’s business leaders know how critical vaccination and testing are in defeating the pandemic.”

**THE BUSINESS ROUNDTABLE**

“Getting all eligible Americans vaccinated will, first and foremost, reduce hospitalizations and save lives. But it is also an economic imperative in that our recovery and quality of life depend on our ability to end this pandemic.”

**JAY TIMMONS, CEO, NATIONAL ASSOCIATION OF MANUFACTURERS**



“The resurgence of COVID-19 requires swift and immediate action, and we commend President Biden for taking additional steps to help put an end to this crisis. Everyone should be vaccinated—as one step in stopping the pandemic.”

**LIZ SHULER, PRESIDENT, AFL-CIO**

“We look forward to working with the administration to increase vaccination rates of essential workers throughout the country.”

**GEOFF FREEMAN, CEO, THE CONSUMER BRANDS ASSOCIATION**



## Opposing Views: Texas Business Leaders Face Off on the Mandate

“Some companies will simply be relieved that the president took this step. It takes the onus off of them if they’re simply implementing a federal mandate.”

**BOB HARVEY, PRESIDENT & CEO  
THE GREATER HOUSTON PARTNERSHIP**



“Unfortunately, the way the administration is approaching this is unconstitutional for one and is going to be counterproductive, particularly in states like Texas where people care about freedom.”

**GLENN HAMER, CEO,  
TEXAS ASSOCIATION OF BUSINESS**

SOURCE: KHOU TV Houston, Texas, Sept. 10, 2021

# 5 What concerns have kept people from getting vaccinated?

VACCINE  
NO VACCINE

Approximately 93 million Americans who are eligible have yet to get vaccinated. These are the people who are most vulnerable to the highly contagious Delta variant. Employers need to understand the concerns of individuals who have yet to make a vaccination appointment. The unvaccinated generally fall into two groups: those who are adamantly

opposed to coronavirus vaccination based on political or religious beliefs and those who have been putting it off or want to wait and see before making a decision. Many HR organizations are launching health ambassador programs to listen to employee concerns and provide facts about the safety and efficacy of COVID-19 vaccinations.

## COVID-19 VACCINE CONCERNS

- 68% say the long-term effects of the vaccines are unknown
- 59% worry about serious side effects from the vaccine
- 55% believe the vaccines are not as safe as they are said to be
- 31% think they might get COVID-19 from the vaccine itself



SOURCE: Kaiser Family Foundation Vaccine Monitor, April 2021

## COVID-19 VACCINE FACTS



- The COVID-19 vaccine was created quickly but was carefully tested for safety
- Most COVID vaccine side effects are temporary and do not mean you're sick
- Getting the COVID-19 vaccine can protect you from getting sick
- Diversity in COVID-19 vaccine testing helped assess safety and effectiveness

SOURCE: Johns Hopkins COVID-19 Vaccine Hesitancy Report

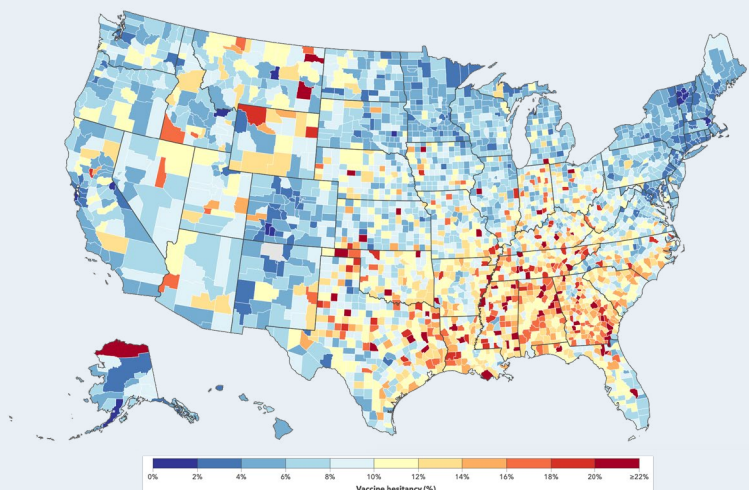
## Vaccine Hesitancy by County

Aug. 20, 2021 - Aug. 26, 2021

This map highlights areas of the US that would benefit most from increased vaccination acceptance. This view shows, by county, the % of survey respondents who answered "Yes, probably" or "No, probably not" when asked "If a vaccine to prevent COVID-19 were offered to you today, would you choose to get vaccinated?"

 HIGHEST HESITANCY       LOWEST HESITANCY

SOURCE: The Delphi Group at Carnegie Mellon University U.S. COVID-19 Trends and Impact Survey, in partnership with Facebook.





# 6 How can your organization create safer indoor workplace environments?

While vaccination, masking and social distancing remain the first line of defense against COVID-19, ventilation improvements in workplaces are essential to stopping the spread of the coronavirus. Most newer buildings rely on HVAC systems that use a combination of air filters and outdoor air to dilute and remove viral particles and other pollutants. Before the pandemic, many buildings used MERV 8 filters, which allow for comfort and energy efficiency

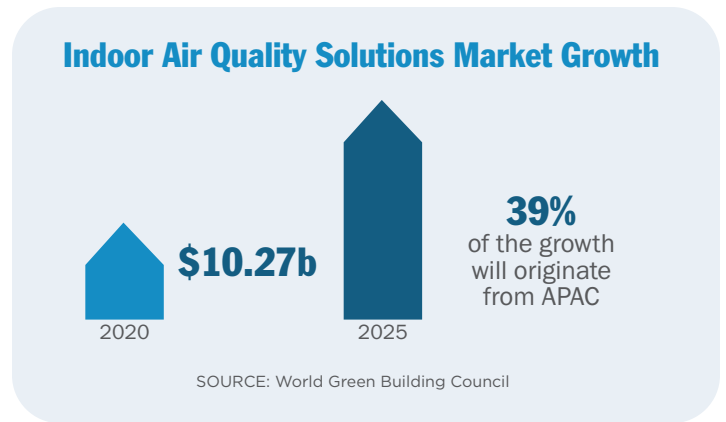
but aren't designed for infection control. New industry guidelines advise buildings to upgrade to at least MERV 13 filters, which trap 85% or more of risky particles. Experts recommend wariness of emerging technologies, such as needlepoint bipolar ionization, that claim to remove viruses from the air because they have not undergone peer-reviewed studies and may generate potentially harmful bi-products indoors.



Implementing high-quality air filtration to manage aerosol transmission could **reduce infection risk by up to 47%**.

SOURCE: World Green Building Council

### Indoor Air Quality Solutions Market Growth



Year	Market Value
2020	\$10.27b
2025	39% of growth will originate from APAC

SOURCE: World Green Building Council



### Indoor Air Quality Checklist for a Healthy Return to the Workplace

- Clean, inspect and replace filters
- Increase fresh air volumes
- Manage temperature and humidity
- Conduct daily facility health checks
- Deploy environmental sensors

SOURCE: FMSystems.com

# 7 What do employees want *most* and *least* from managers during the pandemic?



Workers in the U.S. are stressed out. According to a March 2021 survey of employees by The Conference Board, 59% ranked mental and psychological wellbeing among their top three concerns. Managers play a vital role in addressing this problem. A nationwide

Trendicator's survey of employees in late 2020 revealed what employees want most and least from their managers. Below, these survey insights are translated into practical advice for managers by Dr. Jack Wiley, Engage2Excel's Chief Scientific Officer.

## Five things employees want *most* from their managers:

**Support and understanding:** Be supportive, helpful and of service. Demonstrate patience, understanding, empathy and compassion. Show employees that you are committed to their success and psychological wellbeing.

**Safety and security:** Provide protection and be concerned about employees' health and safety. Follow safety protocols and don't have large groups of employees working together. Provide job security.

**Fair rewards and flexible policies:** Provide employees with fair compensation. Provide vacation days, flex days and hazard pay when appropriate. Enable opportunities for development.

**Clear communication:** Be available and accessible to employees. Communicate what's going on in the organization and provide employees with a forum for expressing their concerns.

**Competence in decision making:** Show competence in giving direction to employees. Display strong problem-solving and decision-making skills. Be responsible and strategic and demonstrate good leadership skills.

## Two things employees want *least* from their managers:

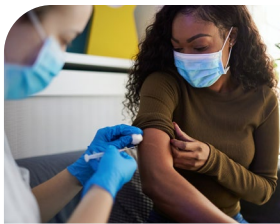
**Micromanagement:** Reduce the number of check-ins and provide less oversight and fewer restrictions. Reduce the amount of unsolicited advice.

**Stress:** Many employees want less stress, less work and fewer projects loaded onto them. They want less responsibility and a reduction in the number of hours they spend working.

# 8 Recognizing positive behaviors for participation in your COVID-19 program

As with all change management initiatives, recognizing positive behaviors associated with your updated COVID-19 program is critical for maximizing success across your entire workforce. While traditional employee recognition programs have focused on tenure

and exceptional achievements, the pandemic has heightened the need for more frequent recognition of positive behaviors and everyday accomplishments. The following are examples of programs to consider when updating your recognition strategy.



## Vaccination

The Equal Employment Opportunity Commission issued guidance on May 28 that employers may offer limited incentives to employees to be vaccinated so long as the incentives are not coercive. The agency cautioned that a “very large incentive” could make employees feel pressured to disclose protected medical information.



## Return to Office

Recognition and rewards for return to office programs need to be carefully thought out. Having a transition plan that maximizes workplace safety is key. A WFH Research survey reports that 58% of employees would comply with return to office requests, but 38% would comply and start looking for another job, and 6% would quit. Recognition and incentives must be combined with education.



## Front-Line Workers

Many large employers have mandated vaccination for office staff but not front-line personnel—for fear of losing workers to competitors without such requirements. Addressing the concerns of front-line workers and recognizing positive behaviors associated with OSHA compliance will be needed to prevent disruption in industries such as retail, hospitality, manufacturing, logistics and healthcare.



## Remote Workers

How will your policies for remote work change as a result of the mandate? Legal experts believe it is unlikely that the ETS will apply to remote workers under the “grave danger” requirement. Workers who continue to operate remotely full-time as a result of health, religious or other exemptions will require special attention and recognition to reinforce a sense of community and connection.



## Reinforcing Culture

The strength of your workplace culture has a lot to do with conversation. According to an SHRM report released on Sept. 9, 83% of workers who rate their culture as good or very good frequently engage in candid conversations with their managers about work topics. Encourage managers to engage in conversations on tough topics and create two-way feedback loops to monitor employee perceptions.



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