



# Yes, Refusing a Flu Shot Could Get You Fired in NJ, Attorney Says

News

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Kathie Caminiti was quoted on *NJ 101.5* on November 5, 2015. The article “Yes, Refusing a Flu Shot Could Get You Fired in NJ, Attorney Says” examined a case in which three employees of the Lutheran Social Ministries of New Jersey were ordered to attend a disciplinary meeting Friday morning, because they refused to get a flu shot and they won’t wear surgical masks over their faces while they were at the office.

Cathie commented on why the Lutheran Social Ministries had a legal right to fire the employees for refusing a Flu Shot.

“New Jersey is an employment at-will state, so your employer can fire you for any reason or no reason at all, except if there’s protected activity or you’re in a protected class,” said Kathie.

Cathie said generally speaking, employers can mandate that employees have flu shots, but there are important exceptions to the rule — one would be if it’s a unionized workforce with a union contract. Another would be if someone has a disability. For example, if they’re allergic to eggs (as some flu vaccines are made with egg proteins). The third exception is if someone has a bonafide religious objection.

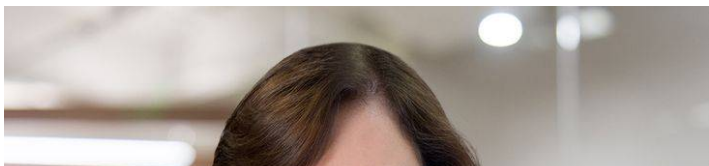
The bottom line, Cathie said, is that “the employer has quite a bit of latitude in determining what the workplace rules might be. Dress code would be an example. If the employer decided that everybody needed to wear a red hat, the employer is in their full rights to do so.”

To read the full article, please visit [NJ 101.5](#).

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