



Fisher Phillips Survey Finds Majority of Employers Choosing Not to Mandate COVID-19 Vaccine

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ATLANTA (February 3, 2021) – Fisher Phillips, one of the country’s preeminent labor and employment law firms representing employers, has released the results of its first [Flash Survey on COVID-19 Vaccine Considerations](#), which captures over 700 employer responses to questions about the COVID-19 vaccine in their workplaces. The findings of the survey show that **64%** of employers are not considering mandating the vaccine, **27%** are unsure and **9%** are considering mandating their employees take the vaccine. The survey also found that the overwhelming majority - **78%** - of employers are encouraging their employees to take the vaccine and many of them are still weighing their options on offering incentives to employees to take the vaccine. A detailed and downloadable infographic of the findings is available [here](#).

In addition to whether employers are interested in mandating the vaccine in the workplace or encouraging their employees to take the vaccine, Fisher Phillips found the following key trends related to COVID-19 vaccinations.

- Of those considering the mandate, agricultural and food production employers have the highest likelihood of requiring it (**18%**), followed by construction (**13%**), healthcare (**12%**), hospitality (**11%**), and retail (**10%**).
- The industries least likely to require the vaccine in the workplace are: government employers (**4%**), finance and insurance (**5%**), professional services (**5%**), automotive (**6%**), manufacturing (**7%**), and education (**9%**).
- **79%** of employers are either not considering incentives or are unsure whether they will do so, many fueled by the legal uncertainty that exists at the moment.
- Of those employers considering incentives, the two most popular categories include cash/gifts (**38%**) and paid time off (**30%**).
- Most employers are considering cash/gifts over \$100 (**24%**) while a similar number will consider an amount under \$100 (**22%**). Some employers are offering nominal company swag (**6%**) and many others who are considering providing cash or gifts are unsure of what they will give (**48%**).
- As for paid time off, employers are split between four hours or less (**11%**) or a full day off (**11%**), with **2%** considering more than one day off and **76%** unsure how much time off they will provide.

“As the COVID-19 crisis has repeatedly demonstrated, employers must weigh risks and benefits in making decisions about how to reduce safety hazards in their workplaces, while balancing business needs and potential legal exposure,” said **Kevin Troutman**, co-chair of Fisher Phillips’ Healthcare practice. “The results of our Flash Survey show that a majority of employers are hesitant to mandate the vaccine in their workplace, but many are still in the process of weighing their options. There also remains tremendous uncertainty regarding the legality of incentives, so employers are approaching this idea with caution. As the COVID-19 vaccine continues to become more widely available across the country, employers will need to continue to weigh their options carefully and be prepared with sound policy frameworks and communication plans to ensure the safety of their workforce.”

Throughout the COVID-19 pandemic, Fisher Phillips has assembled cross-disciplinary teams of attorneys across the country to address the many employment-related issues facing employers in the wake of the pandemic, as employers move to reopen their business and get employees back to work, to manage the mounting wave of COVID-19 employment litigation, and now, as vaccine distribution becomes a reality. The firm’s [Vaccine Resource Center](#) is a free hub for vaccine insights, FAQs, data banks, webinars and a 50-state chart on vaccines, exemptions, and related state issues.

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