

NEWS BRIEF

Provided by: TechServe Alliance

Employee Lawsuit Challenging Mandatory Vaccination Policy Dismissed by Federal Judge

On Saturday, June 12, 2021, a federal judge dismissed a lawsuit filed by unvaccinated hospital employees who were instructed to receive a COVID-19 vaccination as a condition of employment.

The hospital, Houston Methodist, ordered all its employees to get vaccinated or be fired. The vast majority have complied, but 117 did not—choosing instead to file a lawsuit.

The employees argued Houston Methodist was “illegally requiring its employees to be injected with an experimental vaccine as a condition of employment.”

U.S. District Judge Lynn N. Hughes dismissed the lawsuit’s claims as “false” and “irrelevant,” upholding the hospital’s right to require vaccinations as a condition of employment. Judge Hughes’ ruling marks the first time a federal court has ruled on the legality of such a policy.

This ruling aligns with guidance issued by the Equal Employment Opportunity Commission (EEOC) earlier this year. According to the EEOC, employers may generally require workers to be vaccinated. However, in some circumstances, employers must provide reasonable accommodations for employees who, will not be vaccinated because of a disability or a religious belief.

What’s Next?

This is only the beginning of rulings on the permissibility of mandatory vaccination policies in the

workplace. Employers should be prepared to monitor new decisions in the coming months.

Those employers interested in mandatory workplace vaccinations have a number of issues to consider, including employee vaccine sentiment, worker health and organizational productivity. Employers should consult with local legal counsel when drafting or revising policies related to the COVID-19 vaccines.

