

# COVID-19 VACCINATIONS FAQ

On December 16, 2020, the Equal Employment Opportunity Commission (EEOC) issued updated COVID-19 guidance for employers related to administration of the much-anticipated COVID-19 vaccines. The following is a Q and A on EEOC guidance.

**Q: Can an employer make COVID -19 vaccinations a condition of employment?**

Yes. However, an employer must consider exemptions and accommodations for religious beliefs and for individuals with disabilities. At this time, there is no mandate that UNM employees receive a COVID vaccination unless working in patient care or clinical areas.

**Q: Is the COVID-19 vaccination considered a “medical exam” as defined by the Americans with Disabilities Act?**

A: No. A vaccination is not considered a medical exam as it does not solicit medical information. However, the medical questions that a vaccine provider will likely ask will solicit medical information. An employee should be sure when providing proof of vaccination (if necessary), that they do not provide medical information to an employer unless they choose to do so.

**Q: If I have a disability that prohibits me from getting a COVID-19 vaccination, can I receive reasonable accommodation?**

A: Yes. If you are seeking an accommodation, contact the Office of Equal Opportunity for information. You will need to ask your provider to fill out the [medical certification form](#) which certifies that you have a disability and suggests the type of accommodation you will need.

**Q: What type of reasonable accommodation can I receive?**

A: Whether you can be accommodated depends on the whether you can perform the essential functions of your job with or without the accommodation. The ADA Coordinator can facilitate a dialogue to determine whether an accommodation can be provided and what types of accommodation may assist you to perform the essential functions of your job.

**Q: I have a sincerely held religious belief that will prevent me from getting a COVID vaccine, can I get an accommodation?**

A: If you need an accommodation for a religious belief, contact the Office of Equal Opportunity for guidance.

**Q: I am pregnant. What guidance do you have for me?**

A: As of the date of this publication, there is no data from the CDC on how a vaccine will impact pregnant women. You are also entitled to accommodation as described above. Contact OEO for guidance.

**Q: I am a supervisor, and my employee has indicated that they may need an accommodation. What do I do?**

A: Contact OEO for guidance.

**Q: I feel like someone is discriminating against me because of my disability, religious belief, or pregnancy. What should I do?**

A: You are entitled to resources and supportive services. You can also choose to [file a complaint](#) of discrimination with the Office of Equal Opportunity.

For additional information, please contact the Office of Equal Opportunity at [oeounm@unm.edu](mailto:oeounm@unm.edu) or by phone at (505) 277-5251.