



Separations Resulting from Refusal to Comply with Mandatory COVID-19 Vaccination and Testing Policy

By: Jorrie Cummis, CEO at NSN Employment Services

What we know for sure at this point is that employers have the right to establish a policy requiring the vaccination of employees. As such, employees who refuse the vaccine may voluntarily quit or be discharged for violation of company policy. Until these separations are put through the unemployment adjudication process, we do not know what the unemployment eligibility outcomes will be for these employees. We expect that each claim for benefits will be reviewed on a case-by-case basis, on its own merits and details surrounding each individual separation.

Many organizations are beginning to require their employees to receive COVID-19 vaccinations as a condition of continued employment. Some industries have already been mandated by governmental agencies that their employees must show proof of vaccination or submit regular testing. This has, in turn, raised questions about the impact on employers' unemployment programs for those who refuse and are subsequently separated from employment.

NSN has received questions about vaccine-related separations and unemployment benefit eligibility. Once more, we are faced with an unprecedented issue, not only for employers and workers but for state unemployment agencies as well. The subject matter is new to all parties involved and it is quite early to know the answer to these questions.

*As a result, NSN has added a new section to our Request for Information (RFIs) Questionnaires for both **VOLUNTARY QUIT/RESIGNATION and FIRED/DISCHARED** pertaining to separations resulting from the refusal to comply with a mandatory vaccination policy. Please be very deliberate when choosing the specific separation reason and provide as much detail as possible.*