

Employer Rights to Set Covid-19 Policies

The Covid-19 Pandemic is still having a large impact on our business community. Consequently, many business have questions about what policies they can and cannot set around matters related to Covid-19. This has become particularly relevant since the relaxation of many of the public health mandates put in place over the last year. The following information sheet will address the legality and best practices related to businesses setting vaccine mandates, mask mandates, banning customers, and covid-19 employment issues.

Vaccine Mandate:	Mask Mandate
<p>In Pennsylvania you can legally mandate that employees get vaccinated against Covid-19. However, you must offer religious or medical exemptions as mandated under Federal Law.</p> <p>You may offer accommodations such as having unvaccinated employees use separate spaces, wear masks, or other measures as long as they are not creating an undue hardship.</p>	<p>Despite the removal of the statewide mask mandate private businesses have the right to enforce their own mask rules. You may set this policy to whatever standard the business likes as long as it is consistently enforced. For example, you may mandate that all customers and any unvaccinated employee must always wear a mask.</p> <p>Note some localities are reintroducing mask mandates such as Philadelphia. Please comply with all Local, State, and Federal public health measures.</p>

Right to Refuse Service	Employment Issues
<p>In Pennsylvania businesses can refuse service to customers except for one or more of the protected reasons such as race, gender, religion, etc.</p> <p>This means that if there is a customer that is not following the stores policy, making a nuisance, or threatening employees to name a few examples you have the right to refuse service and potentially trespass them.</p>	<p>Pennsylvania is an employment “at-will” state, which means that an employer can fire an employee without recourse for any reason excluding: race, age, religion, national origin, color, sex, or having a disability.</p> <p>This means that you may fire an employee for failing to follow Covid-19 protocols or business policies.</p>

For more information or specific advice, please contact CAFE by filling out the intake form on our [website](#).