

TO: NAW Direct Members

FR: NAW Government Relations Team

RE: NAW COVID/Government Relations Update Number 2021-15 – May 28 at Noon

EEOC *FINALLY* issues guidance for employers on offering vaccine incentives:

As you may remember, NAW joined a group of more than 40 allied trade associations in sending a letter to the EEOC requesting guidance on the offering of incentives to employees to encourage them to get vaccinated. We specifically asked the commission for guidance on “the extent to which employers may offer employees incentives to vaccinate without running afoul of the Americans With Disabilities Act and other laws enforced by the EEOC.”

You can read our letter to the EEOC [HERE](#). The letter was sent on **February 1st**.

TODAY (the Friday before Memorial Day....) the EEOC published the requested guidance. Specifically, they have provided “new information about how the Americans With Disabilities Act (ADA) and the Genetic Information Nondiscrimination Act (GINA) apply when an employer offers incentives for employees to provide documentation or other confirmation of vaccination when an employee gets a vaccine in the community or from the employer or its agent.”

You can access the EEOC’s announcement of their new guidance [HERE](#) with links to their additional documents.

NOTE: We are still waiting for the Office of Information and Regulatory Affairs (OIRA) to act on OSHA’s COVID-related “temporary emergency” safety rule. Since Friday afternoons seem to be popular times for federal agencies to release rules and guidance, especially on holiday weekends, maybe we will see something this afternoon...

Happy Memorial Day!

[Click here](#) for links to **UPDATES** sent previously.

Many thanks—

*Jade West, Chief Government Relations Officer
Blake Adami, Vice President-Government Relations
Seth Waugh, Associate Vice President-Government Relations
National Association of Wholesaler-Distributors*

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