



Vaccine Mandates in Utah

Q & A

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Q: Can an employer in Utah require vaccination?

A: Employers may require vaccination, but they must relieve an employee of a COVID-19 vaccination requirement under certain conditions.

Q: What must an employee do to be exempt from an employer's vaccination requirement?

A: Under Utah Code § 26-68-201, an employee is not required to receive or show proof of a COVID-19 vaccine if the employee submits a statement that the vaccine would:

- be injurious to the health and well-being of the employee or prospective employee;
- conflict with a sincerely held religious belief, practice, or observance of the employee or prospective employee; or
- conflict with a sincerely held personal belief of the employee or prospective employee.

Q: Can my employer keep a copy of my proof of vaccination?

A: Employers can ask and record an employee's vaccination status. But under Utah Code § 26-68-201, the employer cannot keep or maintain a copy of an employee's proof of vaccination, unless:

- otherwise required by law;
- otherwise required by an established business practice or industry standard; or
- required by a contract for goods or services entered into before November 5, 2021.

Q: What is the status of the OSHA mandate for private businesses?

A: In November 2021, OSHA issued a rule requiring vaccines for employers with more than 100 employees. Utah and 26 other states successfully challenged the OSHA mandate in the Supreme Court and the rule has now been withdrawn.

Q: What about the mandate for Medicare/ Medicaid providers?

A: Health & Human Services issued a rule requiring COVID-19 vaccines for all Medicaid and Medicare providers. The rule is currently in effect. Healthcare facilities have a February 14 deadline for their employees to receive at least one dose of the COVID-19 vaccine. Utah and several other states are continuing to challenge this rule in court.

Q: What is the Head Start Mandate?

A: Health and Human Services issued a rule requiring vaccination of all staff and volunteers of Head Start preschool programs. The rule is not currently in effect. Utah and 23 other states challenged the rule in court and on January 1, 2022, the court placed the rule on hold during the litigation.

Q: What happened with the Mandate for Federal Contractor Employees?

A: The mandate requiring vaccinations for all federal contractor employees is not currently in effect. Utah and six other states successfully obtained an injunction stopping enforcement of the mandate. The government appealed and a final decision has not been made.

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