

# COVID-19 Vaccines: Myths vs. Facts

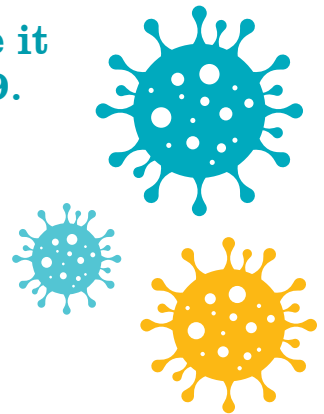
COVID-19 vaccines are widely seen as a scientific breakthrough that is the clearest path out of the global pandemic. But there are numerous public health challenges, including novel questions and concerns for employers and employees. Our team at Manatt is distinctly equipped to address questions around the vaccines' safety and efficacy while grappling with the emerging and dynamic workplace and privacy challenges.

## Myth vs. Fact

**1**

**Myth: I don't want to get the vaccine because it contains a live virus and I may get COVID-19.**

**Fact:** The COVID-19 vaccines available and in clinical development do not contain live viruses, which means there is no risk of getting COVID-19 from the vaccines. Instead, the first-to-market vaccines rely on a technology using **mRNA**—a temporary copy of instructions that prompt your cells to make a piece of the “spike protein” that is unique to SARS-CoV-2 (the virus that causes COVID-19) and **adenovirus**—a portion of the virus that causes the common cold but does not spread. These technologies have been studied for more than a decade and are used to teach the immune system to fight off subsequent infection by the COVID-19 virus.

**2**

**Myth: I don't trust it because they didn't test the vaccine long enough.**

**Fact:** The seriousness of COVID-19 dictated the need to develop new vaccines at an accelerated pace. Under a public-private partnership with the federal government, vaccine developers began the second and third phases of their COVID-19 vaccine trials simultaneously. They also began manufacturing preparation in tandem with the trials. All vaccine manufacturers' clinical trials were completed with the rigor needed to meet the Food and Drug Administration's (FDA) requirements for approval under emergency use authorization.

**3**

**Myth: I'm not getting the vaccine because I have reactions to shots.**

**Fact:** The side effects that some have reported from the vaccine pale in comparison to contracting COVID-19. The most commonly reported temporary side effects are pain at the injection site, tiredness, headache, muscle or joint pain, chills, and sometimes fever. These types of reactions are normal and show that the vaccine is working.



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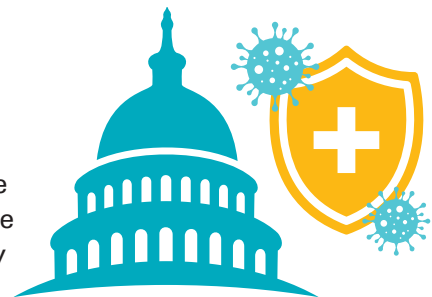
## Myth: I don't have to do it because people around me are vaccinated.



**Fact:** When people contract COVID-19, they develop some level of natural immunity that varies from person to person. It is uncertain how long natural immunity will last. Vaccinating is a way to build up immunity through the population without everyone contracting the disease—called herd immunity. For herd immunity to work against COVID-19, a substantial proportion of a population needs to be vaccinated.

5

## Myth: I don't trust the government to give me something safe.



**Fact:** COVID-19 vaccines are safe and effective and have undergone the most intensive safety monitoring in U.S. history. Millions of people in the U.S. have received COVID-19 vaccines. Non-government, private-sector companies were instrumental in developing the vaccines. The clinical trial data was thoroughly reviewed by the FDA and the Centers for Disease Control and Prevention.

## Emerging Workplace Issues

The barrage of issues facing employers throughout the pandemic will only continue with the rollout of the vaccines and a reopening of our work spaces—many of these will occur at the intersection of health, privacy and employment law. At Manatt, we are closely monitoring the latest developments and regulatory guidance and are able to assist you in creating a plan to minimize risk as your operations return fully. Here is just a sampling of the questions you will want to make sure you address as you determine your post-pandemic strategy:

1

Can we mandate that all employees get vaccinated before returning to the office? What about just certain departments or teams?

2

Can we ask employees whether they have been vaccinated so that we can figure out what to do to protect those who have not been vaccinated?

3

If employees want to know which of their coworkers have been vaccinated, are we allowed to tell them? What guidance do we need to provide line managers?

4

If an employee doesn't feel safe coming back to work because not everyone has been vaccinated, do we have to allow that employee to keep working remotely even though our office is open?

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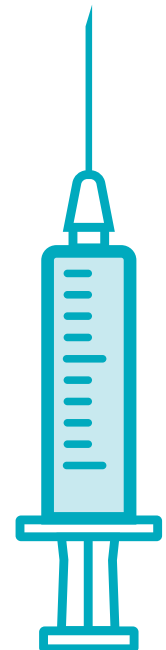
Can we provide an incentive, like a gift card or bonus, to encourage our employees to get vaccinated?

6

Can we collect vaccination-related information if we haven't provided employees with a privacy notice describing that activity?

7

If we collect vaccination-related information, will it be regulated by the Health Insurance Portability and Accountability Act?



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