

Employers Turn To Stricter Vaccine Rules As Virus Surges

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Bracewell's **Bob Nichols** spoke with *Law360* about companies moving past vaccine incentives to imposing punitive measures on unvaccinated employees with the highly contagious delta variant causing infections to spike.

"We've heard very, very little talk of incentives in July and August. And what has happened is businesses have put down the carrots and picked up sticks," Nichols said.

Regardless of if or how employers choose to adopt what Nichols referred to as "soft mandates," the option of imposing a workplace vaccine requirement remains on the table and is only likely to gain appeal once the FDA grants full authorization to any or all of the vaccines on the market, he said.

"What's keeping our clients from going all the way to mandates, many of them, is we're in this tight labor market and they don't want to lose ... skilled folks who are actually going to quit, perhaps, over a mandate," Nichols added. "But that's where we stand, and clients continue to debate whether they should get more aggressive with soft or hard mandates."

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