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1) Who is an essential worker?

Essential workers are those who conduct a range of operations and services that are essential to continue critical infrastructure operations. Critical infrastructure is a large, umbrella term encompassing sectors from energy to defense and agriculture.

Essential workers are designated by the United States Department of Homeland Security, specifically the Cybersecurity and Infrastructure Security Agency (CISA). A list of essential workers can be found [here](#).

2) When will essential workers be vaccinated?

At this time, the NDDoH believes essential workers will be vaccinated as part of Phase I. However, the Advisory Committee on Immunization Practices (ACIP) has not yet determined the priority groups beyond subgroup Phase I-A, which will include healthcare workers and long-term care residents and group homes. If essential workers are included in Phase IB or Phase IC, it is possible that vaccination could begin in early 2021.

Early on, vaccine supply will be extremely limited. It is possible that the North Dakota COVID-19 Vaccination Ethics Committee may further prioritize priority groups in the essential workers category.

3) Who will vaccinate essential workers?

Essential workers may be vaccinated in a number of ways. Some employers will be able to provide vaccination on-site. Employers are encouraged to reach out to the healthcare provider who usually provides influenza vaccination for employees. Some employers may recommend visiting a local public health unit, a satellite vaccination event, their local pharmacy or primary healthcare provider. Once COVID-19 vaccine is publicly available, availability will be posted to www.vaccinefinder.org.

4) How will essential workers be notified when they can receive vaccination?

The North Dakota Department of Health website and social media pages will be updated regularly to notify the public regarding who is eligible for COVID-19 vaccination.

For updated information on COVID-19 vaccination, please see the NDDoH [website](#).

5) Can essential workers get on a list to be vaccinated?

Employers are encouraged to reach out to their usual provider who administers influenza vaccine. At this time, there is not a way for individuals or businesses to indicate their interest in COVID-19 vaccination and/or receive notification when vaccinations are available. The NDDoH is exploring this option.

6) Will essential workers be required to provide evidence of their employment in order to be vaccinated?

Yes. Early on, essential workers will likely be asked to provide proof of employment in essential functions in order to be vaccinated. Items that prove employment include, but are not limited to, ID badges and pay stubs.

7) Who should I contact about providing on-site vaccination to my employees?

If your worksite would like to make plans to vaccinate your employees on-site, there are a few options.

- If your company currently contracts with a pharmacy, local public health department or private healthcare provider to provide immunizations, like influenza, it is recommended that you contact them first to determine willingness and availability.
- If your company does not currently provide on-site immunizations, vaccinators in your area may be willing and able to vaccinate on-site. Please contact local pharmacies or local public health units to determine if this option is available.
- It is likely that on-site vaccination clinics will not be an option for each employer. In this case, we encourage individuals to attend satellite vaccination clinics or schedule an appointment for vaccination with their healthcare provider, local public health unit, or pharmacist.

8) Can employers mandate vaccination for their employees?

COVID-19 vaccine will not be mandated for all North Dakotans. The unique nature of COVID-19 vaccine being available under EUA (rather than full FDA licensure) when it will first be available is unprecedented.

It is possible that certain employers may request that employees get vaccinated in the future. At this time, mandates for COVID-19 vaccine under EUA have yet to be decided by the Secretary of HHS. Further, the CDC and the Equal Employment Opportunity Commission (EEOC) have yet to put out guidance for corporate policies regarding COVID-19 vaccine.

9) Where can I find information on mandating COVID-19 vaccine under EUA written in law?

It is stated in the provision section [360bbb-3 \(e\)\(1\)\(A\)\(ii\)\(III\) of the Food and Cosmetic Act – 21 U.S.C. 564](#), "Authorization for medical products for use in emergencies," which says:

(e)Conditions of authorization

(1)Unapproved product

(A) Required conditions

With respect to the [emergency use](#) of an [unapproved product](#), the Secretary, to the extent practicably given the applicable circumstances described in subsection (b)(1), shall for a person who carries out any activity for which the authorization is issued, establish such conditions on an authorization under this section as the Secretary finds necessary or appropriate to protect the public health, including the following:

(ii) Appropriate conditions designed to ensure that individuals to whom the product is administered are informed -

(iii) **of the option to accept or refuse administration of the product**, of the consequences, if any, of refusing administration of the product, and of the alternatives to the product that are available and of their benefits and risk.

For more information on this topic, see the The National Law Review [website](#).

10) Should employees wear a mask and practice social distancing after being vaccinated?

Yes. Even though the Moderna and Pfizer vaccines have high efficacy, masks and social distancing will continue to be a regular practice to slow the spread and until rates of COVID-19 decline. Vaccinating against COVID-19 is an important and pivotal step in ending the pandemic. But, it is important to note that when vaccine becomes available, returning back to “normal” will be a gradual process. It will take time to vaccinate enough of the public to stop the spread of COVID-19 and it is still unknown how long immunity will last.

11) Who will pay for the vaccine?

Employers will **not** be required to pay for the vaccine because COVID-19 vaccines are expected to be free. It is possible that health care providers may charge a fee to administer the vaccine. Health insurance will cover these fees. Those who are uninsured and unable to pay the administration fee cannot be turned away.

12) Can residents of other states who are working in North Dakota receive their COVID-19 vaccine in North Dakota?

Yes.

13) The NDDoH suggests the following questions/considerations should be determined by employers and their assigned legal counsel regarding COVID-19 vaccination and employment policies:

- Requiring/requesting employees to receive the COVID-19 vaccine.
- Requiring proof of vaccination from employees on potential new hires.
- Offering sick or paid leave for employees following vaccination (e.g. recovery from vaccination).

COVID-19 Vaccine Frequently Asked Questions For Employers

- Requiring masks if employees choose not to vaccinate.
- Requiring employees to use their own PTO (not CARES Act Funds) to cover any time off should quarantine or isolation be required for those who refuse a COVID-19 vaccine.

For more information on the Department of Labor and OSHA guidelines regarding COVID-19, please visit their [website](#).

For more information on the EEOC guidelines regarding COVID-19, please visit their [website](#).

14) Where can I find more information about COVID-19 Vaccine?

The North Dakota Department of Health [COVID-19 Vaccination website](#) includes information on COVID-19 vaccine, and it will include information on priority groups eligible for vaccination once the vaccines become available.

The North Dakota Department of Health has developed a [Frequently Asked Questions](#) document for the general public.

Additional information about COVID-19 vaccine is available on [CDC's COVID-19 vaccine website](#).