

The Coming Employee Vaccination Mandate

Protect and Ensure Compliance of Employee Vaccination Records With Kiteworks

On September 9, 2021, the White House released a newly expanded plan to deal with the COVID-19 pandemic, called “Path Out of the Pandemic.”¹ It includes several requirements intended to increase the percentage of Americans who receive one of the available vaccines:

Kiteworks helps organizations track compliance with the vaccine mandate while securing protected health information (PHI).

- 1** Directing the Occupational Safety and Health Administration (OSHA) to release a requirement that all *private-sector employers with 100 or more employees* mandate vaccination or weekly testing for all employees. These employers will also be required to provide paid time off for a vaccination appointment and subsequent recovery time.
- 2** Directing the Centers for Medicare and Medicaid Services (CMS) to issue regulations requiring *most healthcare settings that receive Medicare or Medicaid reimbursement* to require vaccinations for all workers, regardless of employee count.
- 3** Expanding on earlier vaccination requirements for federal employees and members of the military to include *employees of federal contractors*, while removing the option for federal employees and contractors to submit weekly testing in lieu of vaccination.

Detailed requirements for federal workers and contractors have been issued by the Safer Federal Workforce Task Force, and a deadline of November 22, 2021, was established for full vaccination.² OSHA and CMS are finalizing the regulations for private organizations, with OSHA’s proposal pending approval with the Office of Management and Budget.³

Records and Compliance Requirements

For organizations impacted by these requirements, there are several challenges related to compliance:

- 1** Organizations must build and maintain accurate and updated records of employees’ vaccination status, exceptions from vaccination, and COVID-19 testing results.
- 2** Employers must secure protected health information (PHI) against compromise and theft by both external cyber criminals and insider threats. Vaccination records, test results, and information that might be submitted in a medical exemption request are all PHI.
- 3** Organizations must demonstrate compliance with both the vaccine mandate and information protection provisions in laws like the Health Insurance Portability and Accountability Act (HIPAA).

FACT SHEET

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The Kiteworks Solution

Kiteworks® provides a comprehensive solution for vaccine mandate compliance:

- **Unifying employee vaccination records communications.** Kiteworks enables simple, secure uploads from mobile devices and on the web, providing an easy solution that is scalable, even for agencies with hundreds of thousands of employees. It also ensures that attachments stay private for employees who submit their information through email.
- **Tracking vaccine mandate compliance.** Kiteworks automatically logs every action, including uploads, downloads, views, sends, and permission changes. It enables comprehensive tracking of vaccination records to meet and document compliance.
- **Controlling for information protection compliance.** Kiteworks enforces compliance controls, such as limiting access to PHI to those with a need to know to comply with HIPAA. To document compliance for audits, it provides reporting of the control settings and all activities.
- **Securing vaccination and testing records.** Kiteworks protects sensitive information using a layered defense model. Whether employees submit their proof of vaccination on the mobile application, the website, or by email, the information is automatically encrypted in every send, upload, download, and save.

For more information on Kiteworks, visit www.kiteworks.com.

¹“[Path Out of the Pandemic](#),” The White House, accessed October 22, 2021.

²“[Vaccinations](#),” Safer Federal Workforce Task Force, accessed October 22, 2021.

³ Spencer Kimball, “[Businesses brace for Biden Covid vaccine mandate as Republicans threaten lawsuits](#),” CNBC, October 15, 2021.

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