

## **Legal Assistance of Western New York, Inc. ®**



We provide free legal aid to people with civil legal problems in western New York.

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## **COVID-19 Vaccines and New York State Unemployment Benefits**

Para ver este artículo en español por favor [visite aquí](#).

### **Can my job require a COVID-19 vaccine?**

Recently, the Occupational Safety and Health Administration (OSHA) discontinued the federal mandate on vaccinations within a workplace. However, employers can still have their own vaccine policy. If your employer chooses to have a vaccine policy, and you are unvaccinated, this may lead to disciplinary actions.

### **If I am fired for refusing the COVID-19 vaccine, or if I quit over a vaccine requirement, do I qualify for unemployment insurance benefits?**

It depends. If you work in schools, health care facilities, hospitals, nursing homes, private practices and urgent cares, you may be required by law to be vaccinated to work. If you do not get vaccinated, and do not have a valid request for accommodation, you will likely be denied unemployment benefits. Public employees who work in a public setting and who are subject to a vaccine mandate/to submit proof of vaccination or negative testing may be disqualified from getting unemployment benefits if they refuse to submit this proof. If you are denied benefits, you are entitled to request a hearing.

### **What if I have religious or medical exemption?**

If you have a medical or religious exemption, but your workplace has a compelling interest in a vaccine mandate, you may still be denied unemployment benefits. This is especially true if the employer requires other immunizations. You have the right to request a hearing if you are denied benefits.

### **Where can I find more information?**

Visit <https://dol.ny.gov/> or call (888)209-8124.

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 [COVID-19 vaccines and New York State unemployment benefits .pdf](#)

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