

FAVORABLE ARGUMENTS



Employers' obligation to keep safe workplace



Covid-19 can be deemed as a working illness



Supreme Court approved mandatory vaccination but not physically forced



Labor District Attorney issued guidelines that employers should promote vaccination and could mandate vaccine as condition of employment



Public authorities (like the municipality of São Paulo) are determining mandatory vaccination



Recent favorable labor court precedent confirming the validity of a termination for cause of an employee who refused to vaccinate

POTENTIAL ISSUES



Absence of specific rules authorizing employers to demand vaccination as a condition of employment



Vaccines are not yet available to all ages in Brazil



2 of the 4 vaccines being used do not have a definitive registration before ANVISA



Absence of consolidated case law



Risk of discrimination claims filed by employees who refused to vaccinate, including due to medical restrictions and religious beliefs.