

Employer Mandated Vaccination in Latin America

Information pertaining Argentina, Chile, Colombia, Peru, Mexico, Venezuela, and Trench Rossi Watanabe in Brazil* as of August 2021



Favorable arguments



Vaccines are available to most age groups

Employers may have a right to implement policies on who can return to work in their offices according to their vaccination status



COVID-19 can be deemed a workplace illness

Employers have a duty to maintain a safe workplace



Employers should focus on incentivizing vaccination

Vaccines have received permanent use authorizations



Potential issues



Vaccination is not mandatory except in Brazil, where the Supreme Court approved mandatory vaccination as long as it is not physically forced



Absence of consolidated case law



It would be challenging to justify disciplinary measures in case of vaccination refusal



No guidelines on the administration of COVID-19 vaccines in the workplace



Vaccines are not yet available to everyone



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



Potential risk of discrimination claims by requiring employees to be vaccinated

