The Advisory Committee on Immunization Practices (ACIP) for the U.S. Centers for Disease Control and Prevention (CDC) has revised its recommendations for vaccine prioritization, resulting in water sector workers being moved into a slightly lower category. ACIP split what was Phase 1b into two parts, in which Phase 1b is downsized to “persons aged 75 years or older and frontline essential workers.” That moves water sector employees into Phase 1c, as members of the “other essential workers” category. This change is based on analysis [cdc.gov] by the ACIP that seeks to maximize protection for persons with high risk and greatest public exposure potential.

This change does not alter the recommendation [awwa.org] urging utilities to contact their state and local public health agencies to ensure their staff are properly prioritized in their community’s COVID-19 vaccine distribution. As a result of this engagement, several utilities have indicated that their staff have been vaccinated. At the end of the day, the allocation decision still resides with state and local health officials.

The availability of COVID-19 vaccinations may raise questions about the applicability of various equal employment opportunity (EEO) laws, including the Americans with Disabilities Act. The EEO laws do not interfere with or prevent employers from following CDC or other federal, state and local public health authorities’ guidelines and suggestions. The U.S. Equal Employment Opportunity Commission recently updated the guidance [eeoc.gov], and employers are encouraged to review Section K among others regarding how to handle issues with staff.