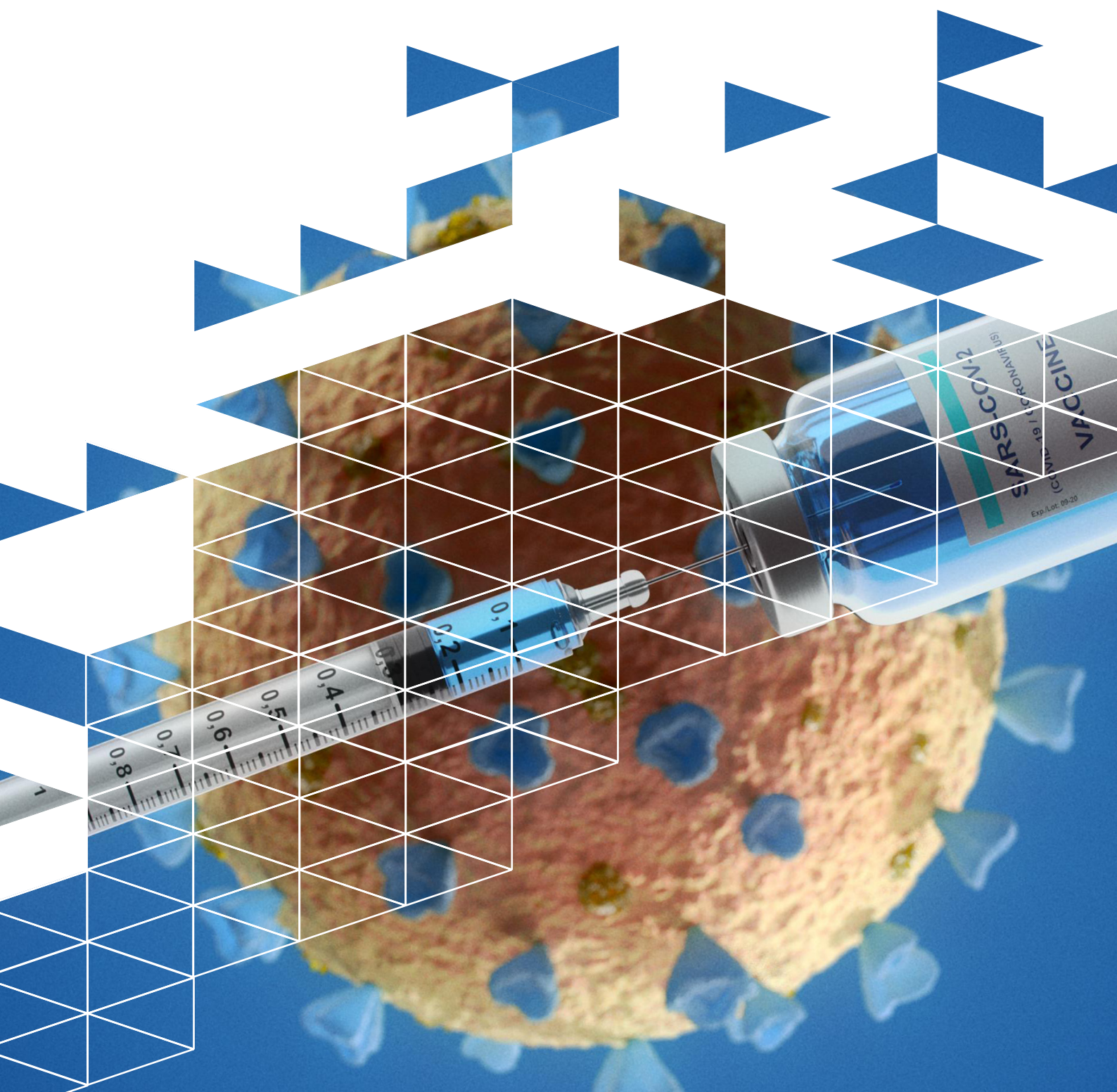


THE VACCINATION, PRIVACY AND HEALTH OF YOUR EMPLOYEES





The corona virus has held the Netherlands and the rest of the world in its grip for over a year now. The pandemic has had an enormous impact on society and the business world, even though the start of the vaccination program has provided some optimism. But it has also raised additional issues, uncertainties and challenges. Because, how effective are the vaccinations? What does the vaccination program mean to you as an employer? In this whitepaper, we will answer these and other questions.

Are you also longing for a drink on a terrace? A delicious three course menu at your favourite restaurant? Visiting with friends, sports with teammates, meeting up with colleagues, long shopping sprees or a great vacation abroad? Now that the government has started administering vaccines, it seems like the end of the measures to combat the spread of the corona virus is approaching. But the vaccination programme has also caused more confusion and uncertainty. For you personally, but also for you in your role as an employer.

Should you inform your employees about the corona vaccinations in order to help remove some of these uncertainties? Are you allowed to make vaccination mandatory or ask if they have been vaccinated? What are your rights and obligations if an employee refuses to be vaccinated and then becomes sick? And which steps can you take to ensure that your employees are healthy, vital and sustainably deployable in a time of increased absenteeism and rising work-related stress?

In this whitepaper:

- **Jeroen van Kampen**, Clinical Virologist at the Erasmus Medical Centre in Rotterdam, informs you on the effect, safety and development of the corona vaccinations.
- **Tjeerd den Oudsten**, Specialist in Claims Management at Schouten Zekerheid, provides insight into the rights, obligations and possibilities for employers in regard to the vaccination of their employees.
- **Brenda van Dijk**, Sustainable Deployment Consultant at Schouten Zekerheid, provides advice on how you can enhance the health, vitality and sustainable deployment of your employees.

After you as an employer have read this whitepaper, you will know:

- How to remove the uncertainties your employees have when it comes to the corona vaccinations.
- What you may and may not do in regard to the vaccination of your employees.
- What you can do to ensure that your employees stay healthy, vital and sustainably deployable.

Real assurance

Schouten Zekerheid offers its relations real assurance. If you have any questions about this whitepaper, or if you would like more information about your role as an employer in regard to the vaccination programme, please feel free to contact us. We are happy to help!



Effect, safety and development of the corona vaccinations

What is a virus and how does it work?

A virus at least consists of genetic materials (the genetic code of the virus) and a protein shell. A virus penetrates into the cell of a living organism, a human being, for example, and takes control of the cell. The virus subsequently reproduces itself in the cell, and then leaves the cell in large numbers in order to infect other cells.

What do vaccines do and how do they work?

Humans have their own immune system to combat viral infections. When you have viral infection, your immune system will gradually start to combat it. A vaccine trains your immune system to fight the virus and trains the memory of your immune system to fight against future attacks from the same virus. Due to the vaccine, your immune system will know which response is required to clean up (remove) the virus.

Which vaccines are currently available for the COVID-19 virus?

The European Medicines Agency (EMA) approves vaccines and determines which vaccines are allowed on the European market. The EMA primarily examines whether a vaccine is effective and if it does not involve too many side-effects.

After approval by the EMA, the vaccine is no longer considered experimental and can be implemented in the health care industry. The EMA has approved the following vaccines:

- Pfizer
- Moderna
- AstraZeneca
- Janssen

Pfizer and Moderna are mRNA vaccines. What does this mean?

Our DNA is like a cookbook from which you can copy recipes on a sheet of paper. This sheet of paper is called messenger RNA (mRNA). If the recipe is made in the cell, this cell will know which protein to produce and will subsequently start producing it. The cell cannot know

what the (mRNA) recipe looks like on the basis of the protein. In addition, the cells cannot adapt the cookbook (DNA) on the basis of the recipe (mRNA). So, humans cannot make mRNA from a protein, no mRNA enters our DNA and our DNA is not altered by these vaccines. It is good to realise that viral mRNA and viral proteins are also produced in cells that are infected with a virus, including the common cold viruses.

Do the Pfizer and Moderna vaccines involve genetic modification?

No, genetic modification means the permanent modification of our genetic code (DNA, the cookbook) whereby our characteristics change. mRNA, also the mRNA in the Pfizer and Moderna vaccines, does not change our DNA. So, it is not correct to say that we become genetically modified by the mRNA vaccine from Pfizer or Moderna.

How do the vaccines of AstraZeneca and Janssen work?

These vaccines utilise an adenoviral vector. This is actually a virus that is built to:

- not reproduce in our body.
- The genetic materials of these vaccines also contain the DNA of the SARS-CoV-2 spike protein (the spikes of the corona virus).

That means that in the cells which these vaccines enter, the mRNA is made for the spike protein and that these cells will subsequently start producing spike protein. This trains our immune system to combat spike protein.

How is it possible that the Pfizer, Moderna, AstraZeneca and Janssen vaccines have been developed so quickly?

- There are four reasons for this:
- The necessity was high, we are facing a global problem.
- That is also why so much money was available.
- Everyone worked together to create a vaccine.
- We are not starting from scratch.

We learned from other viral infections, such as the avian flu, the Mexican flu, Zika, Ebola and SARS (in 2002/2003) that we must develop a vaccine much faster if a pandemic occurs. That is why generic platforms were created to be able to achieve this. You can compare these to pre-fab houses. Parts of the design can easily and quickly be adapted. This

is also true for vaccines.

So, in developing vaccines for the mutations of SARS-CoV-2, we do not have to start all the steps all over again?

No, we do not. If it were necessary to adapt the mRNA of adenoviral vector vaccines because there is a SARS-CoV-2 mutation, you only need to adapt a small part of the current COVID-19 vaccines. The EMA has described the processes that are necessary for this, whereby it naturally considers the effectiveness and safety of the adapted vaccine.

How safe are the current vaccines?

The EMA and the FDA (Food and Drug Administration, the American supervising body) have, in their approval of the vaccines, closely considered the safety and did not omit any steps in doing so. There are, of course, some side-effects from the vaccines, but these are generally mild and short-lasting. The side-effects - headache, muscle ache, fever, feeling feverish or a painful shoulder - usually occur within a few days after the vaccination. The most serious side-effect known is an anaphylactic reaction, that can be compared to the reaction people have who are allergic to bee stings. This reaction usually comes immediately after the vaccination and is easily treatable. What is also important to report: the consequences of COVID-19 are far worse than the side-effects of the vaccines against the virus.

How well do the vaccines protect you?

The data up until now shows that the COVID-19 vaccines protect against infection, transmission, complaints, hospitalisation, being admitted into Intensive Care and dying from the SARS-CoV-2 infection. More data is still necessary, of course, to determine what the degree of protection is and how long this protection lasts. In order to find out whether a COVID-19 vaccine offers protection against COVID-19 for 10 years, a 10-year study must be conducted and we simply haven't known COVID-19 that long.

Do the vaccines also protect against mutations of the infection?

We cannot be certain yet at this time. We still have much to learn about the mutations. In addition, new mutations are constantly cropping up and these all have to be researched and tested. At this time, it seems that the vaccines do provide



protection against the British variation. A rule of thumb that applies here is that if surviving COVID-19 does not provide protection against a certain mutation, the vaccines also will not provide protection. This is because the vaccines also generate the same sort of immune response as with a natural infection.

How is the protection that vaccines provide against mutations being researched?

This starts in a laboratory, where it is examined whether the anti-bodies generated via the vaccine are able to neutralise a mutation just as much as the known form. Laboratory animals are vaccinated and subsequently a portion of these animals are then infected with the mutation and another portion with the regular form. Then they study how many animals get sick and how seriously. There are also vaccine studies in countries that have mutations, such as South Africa. These studies provide a lot of useful data. These examine how well people who have had COVID-19 are protected against the mutations. The same kind of immune response is generated with the vaccines.

What effect do the vaccines have in the long-term?

Our health levels are most likely much better in the long-term if we have ourselves vaccinated than if we do not. But we don't know this yet with any great certainty because we have only begun vaccinating on a large scale a few months ago. The same applies to the consequences of COVID-19 on our health in the long-term. We have only known about this illness for about a year or so.

Is vaccination necessary if you have already had corona?

People who have had corona are, in the short-term, at least as well protected as those people who have been vaccinated. But, because it is unknown how long the protection lasts, people who have had corona also being advised to have themselves vaccinated. One shot is usually already enough, but here too, it applies: more data needs to be collected.

Can civilians choose which vaccine they have administered?

Because there aren't sufficient vaccines yet, this is not possible (yet). If there are no shortages, this may change, but the government will decide. Vaccination is not mandatory, by the way, you can always choose to decline. But, if a person who declined a vaccination earlier later wants a vaccination anyway, it is possible that this person will have to wait until there are enough vaccinations.

What kinds of corona tests are there and how reliable are they?

The PCR test is the most reliable and can detect the virus in someone who (no longer) carries much of the virus. The antigen test provides a faster result, is cheaper and easier to administer, but is less reliable than the PCR test. Neither the PCR test or the antigen test show whether you were infected with SARS-CoV-2 in the past. To find this out, you need an antibody test.

Is vaccination safe for someone with allergies?

Someone who is allergic to one of the components of the vaccine, should not have themselves vaccinated with that vaccine. For other allergies, vaccination is no problem.

Can a prior treatment due to illness have an influence on the vaccination?

A vaccination trains the immune system. For people who are undergoing chemo-therapy, or who have had an organ transplant, or who use immune suppressing medicines, for example, it is more difficult to train their immune system. The effectiveness of the vaccine is therefore probably lower, but at the same time, this group of people runs a far greater (serious) risk of becoming sick from SARS-CoV-2. That is why these people too, are advised to have themselves vaccinated.

Is the quality of our immune system diminished due to all the measures?

The use of a mask and the structural application of the hygienic measures does not result in a worsening of our immune system. They do have an

effect on other respiratory infections, such as flu. The spread of these is greatly reduced thanks to the preventive measures.

When will the restrictive measures no longer be necessary?

In the Netherlands and in many other European countries, the policy is aimed at preventing the hospitals from becoming overburdened. That is why it isn't necessary for 100% of the population to be vaccinated, but a large group is needed. Only once there is sufficient protection because of vaccination and because people have already actually had corona, can the current measures be lifted (almost) entirely. But corona will continue to exist, so we will also have to prevent that our health care system from collapsing due to new infections.

How many Dutch citizens have built up antibodies by now?

The exact number is not known. We can say with certainty that the number is not big enough by far to achieve group immunity.

I have tested positive, how long am I contagious?

That varies per individual. For people with mild complaints, ten days after their first day of sickness, the chance of finding an infectious virus in their system is less than 5%. For people with serious complaints, a period of 15 days applies.

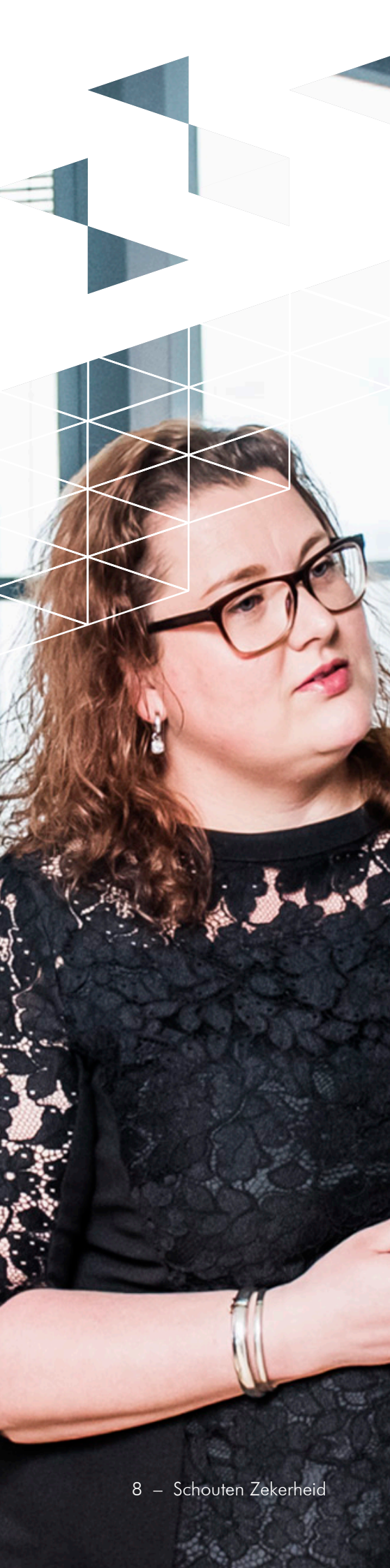
Can a group of vaccinated or negatively tested colleagues work in one room at less than 1.5 metre distance?

The group that is immune to the corona virus is not large enough yet. What's more, the test results are not fully 100% reliable and the moment in time that someone is tested also plays a role. Testing one day before you are going to be together in one room is not sufficient, because you still could have been infected after that test. For now, the advice is to continue to follow the basic rules, even if everyone in your immediate surroundings has been vaccinated.

Can young women who wish to have children one day also be vaccinated?

There are no indications that the vaccines currently on the market impair fertility. But, in all honesty: vaccines are never first tested on a large scale on children, people with a poor immune system or pregnant women. The data that we have now shows that the vaccines do not impair fertility.





Rights, obligations and possibilities for employers

How can employers remove the uncertainty their employees have about the vaccines and the corona virus?

By providing good information, this whitepaper for example, and by making sure the information provided is as accurate and complete as possible. This will enable employees to make a well-informed, conscious decision on whether or not to have themselves vaccinated.

Is an employer allowed to make vaccination mandatory for employees?

No, an employer may not make it mandatory. Colleagues are free to decide for themselves what happens with their bodies, a mandatory vaccination boils down to an infringement on physical integrity (Article 11 of the Constitution).

Is an employer allowed to ask its employees to have themselves vaccinated?

On the grounds of the Health and Safety Act, employers are responsible for creating a safe and healthy work environment for all their employees. The vaccination discussion may certainly be initiated, but the employer should avoid giving the impression that vaccination is being imposed.

Can employers require their employees to have themselves tested?

Employers may ask, but may not require it. Employers who want to know if employees are infected with the corona virus may start testing for this themselves. Employers must leave this to the BIG-registered (company) physician. The result may only be shared with the employee concerned, the employer will only be informed on which limitations he/she should take into account.

May an employer who wishes to know the vaccination level within his/her organisation ask the employees if they have been vaccinated?

An employer may enter into a discussion about this with the employees. However, employees are not required answer the question if they have been vaccinated or will be vaccinated. The employer may not record the answer because it concerns medical information. The company physician may record the answer. In order to gain insight into the vaccination level within the organisation, the employer may ask the company physician to take inventory, as long as the information cannot be traced back to an individual person.

Does the salary of someone infected with corona continue to be paid?

An employee who cannot work due to corona, is sick. This does not

concern absenteeism and the employer is required to continue to pay the salary. This also applies if the employee has corona but no symptoms, and as a result must be quarantined and it is not possible to work from home.

Is a vaccinated employee allowed to refuse to work with a not vaccinated colleague?

The employer is responsible for creating a safe workplace and employees are required to comply with the prescribed corona measures. If a vaccinated employee refuses to work because he/she feels unsafe, a solution must be found together. In this, you as an employer must take into account that you may not require your employees to have themselves vaccinated.

The expectation is that in the second half of 2021 more will be possible. Is an employer allowed to require employees to take up leave days before then?

No, an employer may not require employees to take up leave days without having made prior arrangements in this regard. You may not change the rules at your company without consultation. If this causes your company problems, you are not prohibited from entering into discussion about this with your employees.

Once home testing is validated, can an employer incorporate this in the company policy in regard to access to the company and the workplace?

Here too, applies: this is only possible after consultation with and approval of the employees. An employer may not impose this without consultation.

What do the labour laws say about an employee who does not want to be vaccinated?

A court decision was recently made in a case in which the employee filed a claim against his employer. The employee was fired after he had refused to work because he felt that his work station was unsafe. The employee won this case. Employees generally have a considerably protected position anyway, and the labour laws dictate that you may not make demands of your employees

when it comes to testing and vaccinating. The advice is: enter into the discussion and be aware your relationship of dependency. Don't be coercive or demanding.

Can employers deny entry to the company to people who have not been vaccinated?

Yes, certainly when there is no legal employment relationship. However, if an employer denies employees entry to the company for that same reason, it does not mean that the salary payment can be stopped.

Are food and beverage workers allowed to refuse to serve people who have not been vaccinated?

This is a difficult question to answer. If a (food and beverage industry) employee feels unsafe in being among non-vaccinated customers, he/she has the right to refuse to work. Because you, the employer, is supposed to create a safe place to work. It is recommended that the employer and the employee together determine how to carry out the work as best as possible.

Can a company refuse external employees from entering the premises?

If there is no direct employment relationship with those external employees, it is allowed. An employer could ask the temporary employment agency to only introduce vaccinated temporary workers. In that case, the problem is essentially shifted to the temporary employment agency.

Can an employer implement using quick-tests and create his/her own testing area?

Yes, this is allowed, but there are rules. You can find the rules that apply on the website of the RIVM. One of the requirements is that a BIG-registered (company) physician is always present to supervise. Also, the tests must be administered by qualified personnel and the test results must be reported to the GGD.



Health, vitality and sustainable deployment

What can an employer do in the area of collective care in terms of prevention?

A healthy lifestyle (with attention for exercise, smoking, alcohol, diet, relaxation and sleep) is very important in building up immunity to the virus. Also when it comes to recovering quickly in the event of infection. There are many programmes in the collective health insurance policies that support and reimburse this. Nearly all major insurers have a platform where people can start working on their health and a healthy lifestyle. These sites are accessible for insured and non-insured people and often feature short informative articles, vlogs and tips. Many insurers also provide exercise programmes and advice on diet, how to stop smoking, sleeping habits and reducing (work-related) stress.

What does the health insurance policy compensate in regard to the corona virus?

The tests that the GGD administers are paid for by the government. If you ask your general practitioner or a specialist for a corona test, these costs are covered by the basic insurance whereby the own deductible amount may be applicable. Having a preventative test administered is for your own account. Protection materials such as masks and agents to disinfect your hands are not reimbursed.

For emergency care abroad it applies that compensation follows according to the conditions of the basic insurance, so to the maximum amount that applies in the Netherlands. Also in this case, the cause is not relevant. Costs that are higher than the maximum can be compensated by way of a supplementary or travel insurance. With a number of insurers, the reimbursement via the supplementary insurance depends on the travel advisory that applies to the country in which emergency care is needed. If the travel advisory is red or orange due to corona at the time of departure, then the health care costs caused by corona shall not be reimbursed. The reimbursement via the basic insurance does not depend on the travel advisory.

Regular, non-corona related care at a distance, for example via (video) conferencing, is reimbursed. On (www.schoutenzorgkeuze.nl/vragen-en-antwoorden/) you will find more information on this topic.

What possibilities do health insurers offer when it comes to the recovery/care of employees who have had corona?

Whether or not the insured person requires care due to corona or not, the costs of the general practitioner, ambulance and hospitalisation are reimbursed according to the policy conditions. It is possible that the own deductible will apply. Specialised care, rehabilitation care, district nursing and mental health care that may be required by the insured for their recovery are all reimbursed via basic insurance. New is the temporary arrangement that reimburses primary paramedical care - such as physiotherapy, exercise therapy, occupational therapy, dietetics

and speech-language pathology. This arrangement officially runs until 1 August 2021, but will perhaps be extended.

For paramedical recovery care, it applies that the basic insurance covers 6 months of:

- Physiotherapy or exercise therapy: maximum of 50 treatments
- Occupational therapy: maximum of 10 hours
- Dietetic therapy: maximum of 7 hours
- Language-speech pathology: no maximum for this after corona

Here too, the own deductible (amount) applies. A referral is also necessary whereby the decision of the (general) practitioner depends on the complaints. It makes no difference if the insured person has been tested for COVID-19. The doctor determines what kind of care is required and who shall provide it.

Can investing in the physical and mental health and vitality of employees contribute to the prevention of absenteeism?

Paying attention to the needs of employees and continuing to engage in conversation with them is always important. Certainly in these times, employee appreciation if their manager is compassionate when they struggle with the combination of home-school and work. Working, raising children and taking care of the family are now running more concurrently than ever before. That is why exercise, eating healthy and finding the right balance between work and private life is more important than ever. This period marks a good moment to start vitality and health activities, because many employees are now prepared and highly motivated. By giving them options, you can help them in the long-term towards creating healthier habits.

What other options do health insurance companies offer?

Health insurers organise and facilitate all kinds of initiative to promote health. This can sometimes be in the form of discount/purchase arrangements so that you can offer health solutions at a lower rate to your employees. If you do not have the financial means to compensate the health solutions for your employees, you can always refer them to what the insurers provide free of charge. And you can point out what is reimbursed via supplementary insurance in the area of prevention. In 2020, 83.2% of the

Dutch citizens had supplementary insurance, so it is highly likely that a considerable portion of your employees can benefit from these options.

How does collective insurance contribute to working from home in a healthy fashion?

One of the possibilities is an online (home) work station study, in which the work station and the posture of the employee is examined and the most ergonomic design of the home work station is promoted. Online physiotherapy with complaints that result from incorrect sitting posture is also one of the options. Furthermore, insurers also offer various free mindfulness apps and e-health solutions that are geared towards working from home and dealing with corona stress. These can also contribute to healthier working from home.

How can employers monitor the physical and mental well-being of employees?

Stay in contact with your employees. Don't just call them when you need them or for official business, but also for a spontaneous conversation. Invite them for a walk at lunch time. This way, you will see some of their surroundings, you can enjoy being outside together and this often leads to other conversations than you would normally have. Most people, after spending an hour outdoors in the fresh air, are much more productive.

Due to the corona measures this past year, including working from home, schools and day care centres restricted their visiting opportunities and many people experienced some form of stress. They worry about their jobs, become socially isolated and fear their children's education will fall behind. They will begin to brood, sleep poorly and suffer loss of concentration which makes them less productive in their work. And this can then, in turn, lead to more stress. By talking about this with your employees, you may perhaps be able to help eliminate some of their concerns. And you will sooner come to know what kind of intervention (financial help, caregiver, support in dealing with gloominess) your employees may benefit from.

If an employee with an unhealthy lifestyle regularly reports sick, don't start pointing fingers. Enter into a constructive conversation and share your sincere concerns with the employee.



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