



The Ethics of Vaccine Mandates.

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Emergency Use Authorization

- EUA products are “medical products and uses that are not approved, cleared or licensed” under standard FDA channels
- EUA products have the requirement to inform recipients:
 - That the FDA authorized an EUA for the product
 - Of significant known risks and benefits of the product
 - It is optional to accept or refuse the EUA product
 - Of available alternatives to the product and of the risks and benefits of available alternatives



COVID-19 Vaccines

The COVID-19 vaccines are emergency use authorized (EUA) products

- Moderna's mRNA-1273
- Johnson and Johnson's JNJ-78436735
- Pfizer's EUA approved BioNTech is considered legally distinct from FDA approved Comirnaty
 - "Subsequent to the FDA approval of COMIRNATY ... this EUA would remain in place for the Pfizer-BioNTech COVID-19 Vaccine."
(FDA, 2)

(2-4)



COVID-19 Vaccine Mandate

The COVID-19 vaccine mandate is a required injection of an emergency use authorized (EUA) vaccine

A vaccine mandate could be required in order to:

- Continue employment at a company
- Travel
- Live in a particular area
 - Example: Montgomery County, Maryland is considering a vaccine passport to live in the county

(3,5)



Covid-19 Vaccine Passport

A Vaccine Passport is an app or website that allows individuals access to public places based on vaccination status.

Places unvaccinated individuals may be barred from accessing include:

- Restaurants and bars
- Stores
- Museums
- Events such as concerts
- Airports- travel
- Hospital blood transfusions or organ transplants

(6)



Rights and Duties



Rights and Duties

Rights are universal, equal and inalienable qualities that are allowed to all people. Some specific rights are the right to:

- Life
- Freedom
- Free Speech
- Religious expression
- Pursuit of happiness



Rights and Duties

Duties are requirements we have towards ourselves and others. These include duties to:

- Avoid wronging others
- Honesty
- Respect
- Beneficence
- Gratitude
- Reparation
- Fairness

(1)



Vaccine Mandates- Rights and Duties

- Humans have the right to life, freedom, and pursuit of happiness
 - The COVID-19 vaccine mandates and passports block unvaccinated people from these rights
 - They are prevented from being employed or accessing basic material needs
- Humans have the duties to treat others fairly and with respect, as well as to avoid wronging others
 - The COVID-19 vaccine mandates and passports creates two classes of citizens- vaccinated and unvaccinated
 - Unvaccinated are deliberately wronged and treated with scorn



Ethically Dubious Behavior



Ethically Dubious Behavior

What makes an organization's work unethical? There are 4 main qualifiers for an unethical organization:

1. Exploitation of workers
 - a. "Taking advantage of workers' economic or social conditions"
2. Exploitation of consumers
 - a. "Taking advantage of consumers' conditions or knowledge to market products that fail to serve the consumers' interests"
3. Environmental exploitation
4. Ethically dubious missions and connections
 - a. "Organizational activities directly or indirectly producing ethical concerns"



Vaccine Mandates- Ethically Dubious Behavior

Organizations that mandate the COVID-19 vaccine engage in three of the four qualifiers:

1. Exploitation of workers

- Workers are mandated to take the product
 - Regardless of any conditions they may have had that could increase vaccine risks
 - Regardless of the actual risk the worker has of getting COVID-19



Vaccine Mandates- Ethically Dubious Behavior

2. Exploitation of consumers (discrimination of consumers)

- Previous consumers are prevented access to the organization based on vaccine status

4. Ethically dubious missions and connections

- Why would the business be instituting a vaccine mandate in the first place?
- Mandating an EUA product is against the requirements for that EUA product



Company Discrimination Policies



Company Discrimination Policies

Racial Discrimination in business is defined as:

- An employment decision based on the person's membership in a racial group that affects an employee or applicant adversely or positively.

Institutional Discrimination

- The practice of discrimination throughout a corporate culture rather than at an individual level

Regularized Discrimination

- When discrimination has repeated occurrences

(1)



Company Discrimination Policies

Civil Rights Act of 1964- Title VII

- “It shall be an unlawful employment practice for an employer -
 - a. To fail or refuse to hire or to discharge any individual, ... with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin;
 - b. To limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.”

(1,7)



Vaccine Mandates- Company Discrimination Policies

- A lower proportion of African Americans are vaccinated than of other races
- According to the Kaiser Family Foundation 12.4% of the vaccinated individuals in the US are black
- BLM spoke out against the mandates in New York as “an excuse to exclude Black people from restaurants, bars, and entertainment venues.”

(8,9)

White Black Hispanic Asian AIAN NHOPI Other



Total U.S. Population

Vaccine Mandates- Company Discrimination Policies

Vaccine Mandates result in African Americans being fired or being unable to find work.

- This is hiring and firing based on a racial profile
- It is institutional, regularized discrimination
- Title VII explicitly forbids race based classification of workers into categories that would adversely affect employment
 - Vaccine mandates and vaccine passports are in violation of Title VII of the Civil Rights Act of 1964



Conclusion

COVID-19 Vaccine mandates and passports are:

- In violation of the human rights to life, freedom, and pursuit of happiness
- In violation of the human duties to avoid wronging others, to treat others fairly, and to treat others with respect
- Exploiting workers and consumers
- In violation of EUA product requirements
- Racist and discriminatory towards African Americans
- In violation of Title VII of the Civil Rights Act of 1964



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