President Biden's Nationwide Strategy to Increase COVID-19 Vaccination Includes an Expected Mandatory Vaccination Standard from OSHA

By Matthew Thomas Deffebach, Jason Habinsky, Mini Kapoor, Ph.D. | September 10, 2021

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On September 9, 2021, President Biden announced implementation of a national strategy for combating COVID-19 essentially aimed towards increasing COVID-19 vaccination of the workforce across the country (the "Announcement"). While the details of the various measures are yet to be disclosed, below is a summary of currently available information, and what employers could do to prepare for the expected mandatory vaccination standard from OSHA.

Mandatory Vaccination in Private Workplaces: OSHA is expected to issue an Emergency Temporary Standard requiring all private employers with 100 or more employees to mandate COVID-19 vaccination or require weekly COVID-19 testing for all employees. The standard is expected to require employers to give workers paid time off for the time it takes for workers to get vaccinated or to recover if they are sick post-vaccination. Further details of the expected standard, the timing of when the standard would be issued and become effective are unknown at this time. It also is expected that there will be legal and political challenges to the standard, which may delay its implementation. Regardless, in anticipation of the standard and subject to other applicable mandates and guidance, employers with 100 or more employees may benefit from preparing their workplaces as follows:

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