

Mini Kapoor in Bloomberg Law: ‘Pulse of GOP Shot Mandate Pushback Weaker as Virus Risk Recedes’

March 11, 2022 Mini Kapoor

PRACTICES OSHA, Intellectual Property Litigation, Environmental Litigation, Litigation

Efforts to restrict workplace vaccine mandates have arguably less momentum among state lawmakers after courts largely blocked federal shot requirements, but a few GOP-led legislatures are still moving toward limiting the workplace rules.

A new Indiana law, which Gov. Eric Holcomb (R) signed March 3, requires employers that mandate a Covid-19 vaccine to grant workers exemptions that are potentially broader than those required by federal law. Similar bills have passed one chamber each in Arizona and South Carolina and are awaiting votes in the second chamber.

The bills follow the pattern of new laws enacted last year by roughly a dozen states, stretching from Florida to Utah. Many of those were enacted late in the year as part of a Republican backlash against President Joe Biden’s proposals to force employers to require immunizations and/or routine Covid-19 testing for their employees—creating a potential conundrum for employers trying to figure out how to comply with both, if and when the federal rules didn’t directly override the state measures. ...

In Texas, Gov. Greg Abbott (R) largely banned vaccine mandates by executive order in October, although for health-care employers, the federal Centers for Medicare and Medicaid Services’ shot mandate overrides Abbott’s order, said [Mini Kapoor](#), a workplace safety attorney with Haynes & Boone LLP in Houston.

“Generally Texas employers are not mandating vaccination (unless the workplace is subject to the CMS rule),” she said by email, adding that employers are using other strategies to discourage virus transmission such as keeping some workers remote, using masking and physical distancing, and adopting routine Covid-19 testing.

Like last year, some state legislatures are pursuing bans on Covid-19 immunization requirements at government agencies and public schools without limiting private-sector employers, as with legislation that passed the Georgia Senate on March 4.

To read the full article, click [here](#).