

CLIENT ALERT – CORONAVIRUS (COVID-19)
OSHA –Emergency Temporary Standard (ETS)

Dear Clients and Friends:

There are many confusing news reports regarding the Occupational Health and Safety Emergency Temporary Standard (ETS) regarding vaccines for employers with 100 or more employees. The Fifth Circuit has issued a stay, and in light of that challenge and other pending challenges, OSHA has voluntarily issued a statement that it will not engage in enforcement of the ETS while the lawsuits are resolved. This does not affect the New York Healthcare Worker Mandate, the federal contractor mandate, or the Centers for Medicare and Medicaid Services mandate.

While it is possible the ETS will never be enforced, OSHA could change its position at any time (outside of the jurisdiction of the Fifth Circuit) and the lawsuits are likely to be resolved on an expedited basis. For these reasons, employers are encouraged to continue formulating a plan and drafting policies should they be needed in the future.

Hinman, Howard and Kattell, LLP remains ready to assist clients with working through these difficult issues.

Contact Your HH&K Attorney for Legal Guidance

This information is not legal advice and may not be suitable for all client situations. This Client Alert provides general information and does not outline all of the important considerations related thereto.

This Client Alert is not a substitute for legal guidance regarding program details and how those may be applicable to your business. As always, if we can be of assistance with these programs or any other matters, please do not hesitate to contact your HH&K attorney.



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