

**Alert | Health Emergency Preparedness Task Force:
Business Continuity Amid COVID-19**



November 2021

OSHA Suspends Implementation and Enforcement of Vaccine Mandate Pending Litigation

On Nov. 16, 2021, the federal Occupational Safety and Health Administration (OSHA) **announced** it is suspending all implementation and enforcement efforts related to the Emergency Temporary Standard (ETS) on mandatory COVID-19 vaccination and testing in the workplace. The announcement follows the Nov. 12, 2021 **order** from the Fifth Circuit Court of Appeals staying enforcement of the ETS pending a final ruling on its legality. OSHA intends to resume implementation and enforcement of the ETS following litigation, if permitted. This newly stated position immediately impacts employers with 100 or more employees who are not federal contractors or otherwise subject to Centers for Medicare and Medicaid Services' guidance. Such employers can breathe easier, as they are no longer faced with Dec. 5, 2021 and Jan. 4, 2022 compliance deadlines associated with implementing a vaccine mandate or weekly testing program.

For more information and updates on the developing situation, visit [GT's Health Emergency Preparedness Task Force: Coronavirus Disease 2019](#) and [Business Continuity Amid COVID-19](#) page.

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