



Eye On The Law

## OSHA Rule on Mandatory Vaccination Policies Released

### [PRIVATE SECTOR EMPLOYERS WITH OVER 100 EMPLOYEES MUST IMPLEMENT A MANDATORY VACCINATION POLICY BY EARLY JANUARY](#)

In accordance with President Biden's Executive Order, OSHA is set to publish a rule today requiring private sector employees with over 100 employees to implement a mandatory COVID-19 vaccination policy. The rule has an implementation deadline for employers of January 4, 2022 and does allow for regular testing and wearing masks in place of vaccination. Yesterday, OSHA issued a [press release](#) (click to see release) announcing the upcoming publication of the rule. The rule is almost certain to face legal challenges.

### WHAT'S NEXT?

In the next issue of Eye on the Law (11.9.21), we will give you the details of the new OSHA rule and provide other information on employees' return to work, including:

- What to do when an employee says he can't or won't return to work;
- Can you or should you ask questions when an employee refuses to be vaccinated because of a religious exemption?;
- Who pays for COVID testing and time taken to get a COVID test and what do you do with the test results?; and
- How to prepare yourself now for the inevitable flood of work-at-home requests in the future.

*If you have concerns about this or any other workplace or litigation issue, please contact David Ryan at [david.ryan@ryan-ryan.net](mailto:david.ryan@ryan-ryan.net) or by telephone at 860.460.7139 (mobile) or 203.752.9794 (office).*

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