



On December 17, 2021, the U.S. Court of Appeals for the Sixth Circuit granted the Biden administration's motion to dissolve the stay of the vaccine emergency temporary standard (ETS) issued by the Occupational Safety and Health Administration (OSHA).

OSHA has announced that it will not issue citations for noncompliance with any requirements of the ETS before January 10, 2022 and will not issue citations for noncompliance with the standard's testing requirements before February 9, 2022, so long as an employer is exercising reasonable, good faith efforts to come into compliance with the standard. The U.S. Supreme Court has announced that it will hear oral arguments on the applications to stay the OSHA ETS on January 7, 2022. Employers should continue to monitor developments in this quickly changing legal landscape and consult with experienced legal counsel regarding any questions about the status and implementation of the ETS, including the applicability of any state laws and regulations regarding vaccination.

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