

Biden Administration Releases New Vaccine Mandate Rules Impacting Employers

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On November 4, 2021, the Biden administration announced two new rules which implement vaccine mandates in the workplace.

OSHA Rule Impacting Employers with 100 or more Employees

The Department of Labor's Occupational Safety and Health Administration (OSHA) issued its **emergency temporary standard** (ETS) which details the requirement for employers with 100 or more employees to ensure each of their workers is fully vaccinated or tests for COVID-19 on at least a weekly basis. The OSHA ETS will also require that these employers provide paid-time off for employees to get vaccinated, and ensure all unvaccinated workers wear a face mask in the workplace.

The following guidance related to OSHA's ETS is available for review:

- **Brief summary of the ETS**
- **FAQs related to the ETS**
- **OSHA's website related to the ETS**
 - Includes the ETS, news release, fact sheet, FAQs, educational webinar and other useful information

CMS Rule Impacting Health Care Workers

The Centers for Medicare & Medicaid Services (CMS) at the Department of Health and Human Services issued an **interim rule** which requires health care workers at facilities participating in Medicare and Medicaid to be fully

Practice Areas

Occupational Safety and Health (OSHA)

Public Sector

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vaccinated.

The following guidance related to CMS' interim rule is available for review:

- **CMS news release**
- **FAQs related to the interim rule**

Laner Muchin is dedicated to providing practical, legal advice for your workplace during this ever-changing regulatory landscape. Here is a **link** to a presentation hosted by Laner Muchin attorneys **Peter Gillespie** and **Brian Jackson** which addresses vaccine policies in the workplace and offers initial thoughts and reactions to the ETS.

We anticipate issuing future guidance after we have reviewed OSHA's ETS and CMS' interim rule. Please do not hesitate to contact your servicing Laner Muchin attorney if you have any questions.