

NEWS BRIEF

Provided by: TechServe Alliance

OSHA Submits Draft of COVID-19 Vaccine Mandate ETS to the OMB

Recently, the Occupational Safety and Health Administration (OSHA) announced that it submitted a draft of its emergency temporary standard (ETS) for private employers requiring mandatory COVID-19 testing or vaccination to the Office of Management and Budget (OMB).

The ETS will require all businesses with 100 or more employees to ensure their workers are either fully vaccinated or tested for COVID-19 once a week, according to the White House. The rule will also reportedly require applicable employers to provide their workers with paid time off to get vaccinated and recover from any vaccination-related side effects (e.g., chills).

This submission to the OMB for review is a standard part of the regulatory process for an ETS. Once the OMB finishes its review and the rule is published in the Federal Register, the ETS will go into effect.

It's currently unclear how long this process will take. The OMB's review process for the most recent COVID-19-related OSHA ETS lasted more than six weeks. However, this ETS could have a different timeline, as President Biden has called for an expedited process on this rule.

“The Occupational Safety and Health Administration (OSHA) has been working expeditiously to develop an emergency temporary standard (ETS)

that covers employers with 100 or more employees to ensure their workers are fully vaccinated or undergo weekly testing to protect employees from the spread of coronavirus in the workplace.”

- U.S. Department of Labor

What This Means

While this announcement does not provide any new details on the contents of the ETS, it signals that the rule is moving forward as expected and could be in effect as soon as the coming weeks.

While the OMB reviews the rule, large employers with over 100 employees should begin preparing to comply. Employers with less than 100 employees that are interested in their own vaccine mandates should consult with legal counsel before moving forward.

Stay tuned for more details about the ETS in the coming weeks.

We will keep you apprised of any noteworthy updates. Reach out to TechServe Alliance today for more resources.

