



Workplace Safety Co-Chair weighs in on What Employers Can Expect Now that OSHA Has Withdrawn Vaccine-or-Testing ETS

News

1.26.22

Todd Logsdon was quoted in a SHRM article that outlines what employers can expect now that the Occupational Safety and Health Administration (OSHA) has withdrawn its emergency temporary standard (ETS) following the U.S. Supreme Court ruling that blocked it on Jan 13. The standard would have required large businesses to ensure employees are vaccinated against the coronavirus or undergo weekly COVID-19 testing.

According to Todd, the U.S. Supreme Court's Jan. 13 ruling didn't mean that OSHA's ETS was "completely dead" – they just couldn't enforce it while the 6th U.S. Circuit Court of Appeals considered the merits of lawsuits against the directive.

OSHA officially ended the litigation by withdrawing the ETS effective Jan. 26, but employers should note that the temporary directive served a dual purpose -- the ETS also acts as a proposal for a permanent standard, which is separate from the litigation and requires the agency to undergo a formal rulemaking process with a notice-and-comment period.

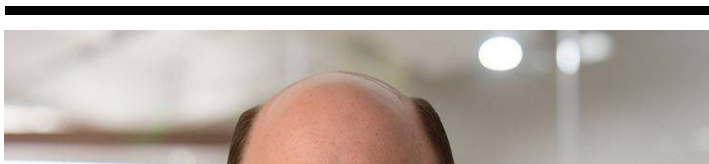
Logsdon said employers should pay attention to the COVID-19 guidance that OSHA has put out—much of which incorporates guidelines from the U.S. Centers for Disease Control and Prevention.

"The guidance includes things we've all been doing for two years," he said. "OSHA recommends that employers encourage workers to get vaccinated; provide paid time off for vaccination; ensure rooms are properly ventilated; set rules for masking, physically distancing and practicing good hygiene; and have protocols in place for employees to follow if they test positive for COVID-19."

Read the full article in [SHRM](#) (subscription required).

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