

[OSHA's COVID-19 Vaccination and Testing Emergency Temporary Standard on Hold](#)



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Published November 22, 2021

Federal OSHA put its [COVID-19 Vaccination and Testing ETS](#), filed on November 4, 2021, on hold pending a decision from the federal courts on various challenges to the ETS. The cases have been consolidated in the federal circuit court in Cincinnati and it is likely any decision will be appealed to the U.S. Supreme Court. Thus, the proposed ETS is at a standstill and the timeline for its application unknown. In addition, on November 18, 2021, Cal/OSHA decided not to modify its ETS to include a mandate similar to the federal OSHA ETS proposal. As a result, there is no change to the current California ETS for now and at least until the Cal/OSHA board meeting in mid-December.

The takeaway from all of this is that the federal OSHA vaccination and testing mandate for employers with over 100 employees will not be in place until some future date, if at all.

Legal Disclaimer:

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