

High Court To Scrutinize Vaccine Rules As 2022 Kicks Off

Monday, January 3, 2022

Michael Schmidt was quoted in *Law360* discussing OSHA's emergency rule of the COVID-19 vaccine mandate. The high court's second oral argument session on Jan. 7 will center around emergency applications for a stay to be reimposed on OSHA's emergency rule. In the meantime, the back-and-forth by the circuit courts regarding OSHA's rule on top of an array of state and local requirements have posed challenges for employers and leaves them hoping for clarity soon, according to Michael. "You've got compliance deadlines that are issued and then they come and go because of stays," he said. "You've got federal mandates, and then you've got a lot of state and local governments coming in and either making broad mandates themselves or issuing prohibitions and restrictions on the ability of employers to mandate." "Employers don't know what they're going to have to do and when," he added. "They've heard, from the federal OSHA ETS standpoint, the new deadlines of Jan. 10 and Feb. 9. That all depends on whether the Supreme Court steps in and issues a new stay of enforcement for the ETS."

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