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OSHA Regulation on Vaccination of Employees at Large Employers

Members may be aware that in early September 2021 President Biden asked the Federal Occupational Safety and Health Administration (OSHA) to develop a regulation that will require all employers with 100 or more employees to

- either ensure that their workforce is fully vaccinated against COVID-19
- or require unvaccinated workers to produce a negative test result on at least a weekly basis before coming to work.

The regulation would also require these employers to provide employees with paid time off for the time it takes to get vaccinated and to recover if they experience any reactions to the vaccine. OSHA is expected to issue an Emergency Temporary Standard (ETS) to implement this request.

VLCT and PACIF anticipate more clarity from OSHA in the coming days and weeks, including specific requirements and the schedule for implementing this regulation. Once OSHA issues the ETS, we believe it is likely that the Vermont Occupational Safety and Health Administration (VOSHA) will adopt the regulation and make it enforceable in Vermont.

If adopted by VOSHA, this regulation would likely apply to both private and public sector employers, including municipalities. Check this page soon for more information as it becomes available. PACIF members dealing with issues related to vaccine mandates, as with other employment situations, may access the Human Resources Consultation Program. If your municipality encounters circumstances that need legal guidance, such as the need to accommodate an employee for medical or other reasons, please contact Jill Muhr, Senior Human Resources Consultant, to discuss the situation and whether it qualifies for the Employment Practices Liability (EPL) Referral Program. The EPL Referral program provides PACIF members with a certain amount of free, targeted legal assistance with employment matters. Jill may be reached at jmuhr@vlct.org or via her direct office number, 802-262-1923.

Links:

[VLCT Guidance on COVID-19 Vaccine Mandates for Vermont Municipal Employees](#) [1]

Resource Category:

- Guidance

Links

[1] https://www.vlct.org/sites/default/files/VLCT_GdCovVaccMuniEmps_20210913.pdf