

Biden orders vaccine mandates or weekly testing for employers

A sweeping set of White House proposals issued Sept. 9 requires companies with 100 or more employees to require all workers to either prove they have been vaccinated against covid-19 or undergo weekly testing to prove they're not infected.

The mandate relies on the general-duty clause written into the Occupational Safety and Health Act: Employers must provide a work environment "free from recognized hazards that are causing or are likely to cause death or serious physical harm."

The Department of Labor's Occupational Safety and Health Administration will issue an emergency temporary standard to implement the requirement, which will affect more than 80 million private-sector workers. The ETS will also include a rule requiring employers with 100 or more employees to provide paid time off for workers to get vaccinated or to recover if they are under the weather post-vaccination.

President Biden issued separate executive orders requiring covid-19 vaccinations for:

- **All federal employees and employees of federal contractors.** The order is estimated to cover 2.5 million employees.
- **Workers in most healthcare settings that receive Medicare or Medicaid reimbursement.** The requirement will apply to approximately 50,000 healthcare facilities nationwide and cover most healthcare workers—about 17 million in all.

Neither of those mandates lets employees choose weekly testing instead of receiving the vaccine.

Employers failing to comply with the vax-or-test mandate or the paid-time-off requirement face fines of up to \$14,000 per violation.

Together, the mandates cover about two-thirds of the U.S. workforce, about 100 million workers.

"The bottom line: We're going to protect vaccinated workers from unvaccinated co-workers," Biden said. "We're going to reduce the spread of covid-19 by increasing the share of the workforce that is vaccinated in businesses all across America."