

Vaccine mandate withdrawn after Supreme Court ruling

[Ryan McCarthy](#)



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WASHINGTON – The Biden administration will withdraw its emergency temporary standard (ETS) for COVID-19 vaccines and testing for companies with 100 or more employees. The decision follows the Supreme Court’s ruling on Jan. 13, when six justices ruled in favor of a stay and three voted against it.

The Occupational Safety and Health Administration (OSHA) said the

withdrawal will take effect on Jan. 26.

“Although OSHA is withdrawing the vaccination and testing ETS as an enforceable emergency temporary standard, the agency is not withdrawing the ETS as a proposed rule,” OSHA said on its website. “The agency is prioritizing its resources to focus on finalizing a permanent COVID-19 Healthcare Standard.”

The agency stated that it continues to strongly encourage vaccination of workers against COVID-19.

The original ETS was issued by OSHA in November 2021. Before the Supreme Court’s stay, 80 million people would have fallen under the ETS.

“COVID–19 can and does spread at home, in schools, during sporting events, and everywhere else that people gather,” the majority court opinion stated on Jan. 13. “That kind of universal risk is no different from the day-to-day dangers that all face from crime, air pollution, or any number of communicable diseases. Permitting OSHA to regulate the hazards of daily life — simply because most Americans have jobs and face those same risks while on the clock — would significantly expand OSHA’s regulatory authority without clear congressional authorization.”

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