



## AmericanHort

### OSHA ETS Announcement on COVID Vaccination Mandates

Today the U.S. Department of Labor's (DOL) Occupational Safety and Health Administration (OSHA) announced an Emergency Temporary Standard (ETS) to minimize the risk of COVID-19 transmission in the workplace. The ETS establishes binding requirements to protect employees of large employers (100 or more employees) from the risk of contracting COVID-19 in the workplace. [A fact sheet](#) describing the rule is attached and more information can be found on the OSHA website.

Some of the key points include:

- Employers must require their employees to get vaccinated by January 4 or require their unvaccinated employees to produce a negative COVID test weekly.
- While the testing requirement for unvaccinated workers will begin after January 4th, employers must be in compliance with all other requirements – such as providing paid-time for employees to get vaccinated and masking for unvaccinated workers – on December 5th.
- Employers must ensure that any employees who have not received the necessary shots begin producing a verified negative test to their employer on at least a weekly basis, and they must remove from the workplace any employee who receives a positive COVID-19 test or is diagnosed with COVID-19 by a licensed health care provider.
- The ETS lays out the wide variety of tests that comply with the standard. Given that vaccines are safe, free, and the most effective way for workers to be protected from COVID-19 transmission at work, the ETS does not require employers to provide or pay for tests. Employers may be required to pay for testing because of other laws or collective bargaining agreements.
- Employers must provide paid-time for their employees to get vaccinated and, if needed, sick leave to recover from side effects experienced that keep them from working.
- Employers must ensure that unvaccinated employees wear a face mask while in the workplace.
- The standard requires employers to maintain records.

You can find the ETS materials on [OSHA's website](#) and the ETS on the [federal register inspection desk](#).

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