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Contractor Vaccine Mandate Deadline Will Be Extended to January 4, 2022

Government Contractor Compliance & Regulatory Update Blog on **November 4, 2021**

Today, the Biden Administration issued a Fact Sheet related to the new OSHA emergency temporary standard ("ETS") requiring vaccination or masking for employers with more than 100 employees and the new Centers for Medicare and Medicaid Services requirement that health care workers at facilities participating in Medicare and Medicaid are fully vaccinated (the "CMS rule"). In that statement, the Administration indicated that to assist contractors who may be subject to the contractor vaccine mandate (which has no testing option) and the new OSHA ETS and/or CMS rule standard at different facilities, ***it will be extending the vaccine mandate previously issued for federal contractors to January 4, 2022.*** The Safer Federal Workforce Task Force ("Task Force") Guidelines had previously set a December 8, 2021 deadline for employees to be vaccinated.

The Fact Sheet states:

Federal contractors may have some workplaces subject to requirements for federal contractors and other workplaces subject to the newly-released COVID-19 Vaccination and Testing ETS. To make it easy for all employers to comply with the requirements, the deadline for the federal contractor vaccination requirement will be aligned with those for the CMS rule and the ETS. Employees falling under the ETS, CMS, or federal contractor rules will need to have their final vaccination dose – either their second dose of Pfizer or Moderna, or single dose of Johnson & Johnson – by January 4, 2022. This will make it easier for employers to ensure their workforce is vaccinated, safe, and healthy, and ensure that federal contractors implement their requirements on the same timeline as other employers in their industries. And, the newly-released ETS will not be applied to workplaces subject to the federal contractor requirement or CMS rule, so employers will not have to track multiple vaccination requirements for the same employees.

Our prior discussion of the Task Force's Guidelines are available here, here, here, and here.

We will continue to monitor and update our readers on these critical issues.

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