

## Federal Contractor COVID-19 Safety Standards Back in Force but Without the Vaccine Mandate

Important news for federal contractors! The Federal Contractor COVID-19 Standards released on September 24, 2021, described in our [September 29, 2021 Client Alert](#), are back in force, but without the vaccine mandate.

By way of background, on September 24, 2021, the Safer Federal Workforce Task Force released a guidance on COVID-19 workplace safety protocols for federal contractors and subcontractors (the “Guidance”). Pursuant to the Guidance, federal contractors and subcontractors with a covered contract were required to conform to certain workplace safety protocols, including implementing a mandatory vaccination policy. As reported in [our December 13, 2021 Client Alert](#), on December 7, 2021 a federal court in Georgia issued a nationwide injunction blocking implementation of the Guidance. Based on that decision, some federal contractors have held off on implementing the required safety standards.

On January 21, 2022, however, that same federal court issued a new [Order](#) clarifying that its prior decision barring enforcement of the Guidance only applied to the mandatory vaccination requirement. All of the other requirements in the Guidance, including requirements related to masking, social distancing, and designation of a COVID-19 Coordinator, remain in effect and enforceable. There are other pending Court cases challenging the Guidance, but for now it is back, minus the mandatory vaccination requirement.

Federal contractors that chose, based on the earlier court ruling, to hold off on implementing the requirements in the Guidance now need to get into compliance. Employers in Massachusetts and most other states can keep the mandatory vaccination requirement, if they wish, but do not have to.

### **If you are a federal contractor and have any questions about your obligations under the Guidance or need assistance preparing or updating your policy, contact:**

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- Any member of the [HRW Team](#) to discuss your particular situation.