



News & Types: Employment, Labor & Benefits Update

# Masuda Funai Employment Newsflash

## - Supreme Court Blocks OSHA Vaccine or Testing Mandate

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Hours ago, the Supreme Court of the United States found that the States, businesses, and nonprofit organizations that sought emergency relief from the OSHA Emergency Temporary Standard (“ETS”), which required employers with 100 or more employees to ensure their workforce was vaccinated or show a negative test once per week, would likely prevail in their arguments that the ETS exceeds OSHA’s authority. As a result, the Supreme Court granted the application to stay the OSHA ETS.

The Court noted that, “although Congress has indisputably given OSHA the power to regulate occupational dangers, it has not given the agency the power to regulate public health more broadly. Requiring the vaccination of 84 million Americans, selected simply because they work for employers with 100 or more employees, certainly falls into the latter category.”