

Employment & Labor Alert



Vaccine Requirements Face Continued Legislative and Legal Challenges

By: Chris S. Thrutchley and Scott Kiplinger
December 9, 2021

Biden's vaccine mandates have triggered a wave of legal challenges across the country. The GableGotwals employment and labor team has issued previous client alerts regarding the [OSHA Emergency Temporary Standard](#) and [CMS guidance](#), as well as the [nationwide injunction](#) issued in response.

While the Oklahoma Attorney General has [sued the Biden administration](#) to enjoin implementation and enforcement of the mandates, Oklahoma lawmakers have also proposed legislation to prevent employers from requiring their workforce to be vaccinated. Senator Blake Stephens recently proposed the "[Employee Liberty and Freedom Act](#)," which seeks to ensure that current employees are exempt from any vaccines or other medical treatments an employer may require of new employees. Senator Stephens explained that should the bill pass in February of 2022, employers would be free to require vaccination as a condition of employment, but such requirements could not be applied retroactively to existing employees.

In addition to legislative challenges to vaccine requirements, courts across the country continue to receive and consider legal challenges. On Tuesday, a federal judge in Georgia [granted an injunction](#) blocking Biden's vaccine mandate for federal contractors. Previous decisions in other states blocked Biden's contractor mandate in their respective jurisdictions, but Tuesday's ruling extended the injunction nationwide. To date, every vaccine mandate imposed by the federal government has been challenged in court and has either been temporarily or indefinitely blocked by the federal courts.

GableGotwals' [Employment & Labor team](#) is available to help employers assess their current policies, procedures, and practices in light of these announcements. We will be monitoring for any action by OSHA, and any and all related legislation and litigation. Please contact any member of the team for further assistance.



[Chris S. Thrutchley](#)
918-595-4810
cthutchley@gablelaw.com



[Scott Kiplinger](#)
405-568-3317
skiplinger@gablelaw.com

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