



## Employment Attorney Keith Wilkes in IndustryWeek - Biden Orders Vaccine-or-Test Mandate for Private Employers

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*IndustryWeek*

<https://www.industryweek.com/covid19/article/21174933/biden-orders-vaccineortest-mandate-for-private-employers>

Private businesses in the U.S. that employ more than 100 employees will soon have to ensure their workers are fully-vaccinated or tested weekly for COVID-19.

That's the top item in a sweeping directive issued by President Biden on Thursday, September 9, which aims to increase COVID vaccinations, keep schools open and mitigate any resurgence of the pandemic. The mandate for businesses with more than 100 employees will affect more than 80 million workers across the country.

According to the White House, the mandate will come in the form of an emergency temporary standard, or ETS, by the Department of Labor's Occupational Safety and Health Administration. Employers will also be required to give their workers time off in order to get vaccinated.

The White House didn't say when the rule will go into effect. Keith Wilkes, a labor and employment partner at national law firm Hall Estill, predicts it won't take long, based on its resemblance to an earlier order for government workers.

"Although the timing of when the ETS requirement will go into effect is not clear, it will likely not be a long wait. The federal government did its legal homework before implementing the same mandate, via executive order, for federal employees in July," Wilkes wrote in an email. [READ MORE HERE](#)

## Attorneys

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- Keith A. Wilkes

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