

NDA Submits Comments to OSHA on COVID-19 Vaccine Mandate

On Wednesday, NDA submitted [comments](#) to the Occupational Safety and Health Administration (OSHA) regarding its Emergency Temporary Standard (ETS) on COVID-19 vaccination and testing for employers with 100 or more employees. Although enforcement of OSHA's ETS was put on hold by the U.S. Supreme Court last week, NDA wanted to ensure that the perspectives of the demolition industry were heard by OSHA through formal comments.

In the comments, NDA expressed concerns regarding the availability of COVID-19 testing kits and the impact the ETS would have on labor shortages and the continuity of operations for demolition contractors. NDA highlighted all the ongoing efforts of the industry to mitigate the spread of COVID-19 in the workplace and urged OSHA to forgo a permanent standard on vaccination and testing. NDA also provided recommendations to OSHA on how to make the ETS more workable for employers if the ETS is reinstated by the courts.

As a reminder, the Supreme Court [issued](#) a stay against OSHA's ETS last week by a 6-3 majority ruling. OSHA is now blocked from enforcing the provisions of the ETS while it will be reconsidered by the Sixth Circuit Court of Appeals. At this time, it is unclear when the Sixth Circuit will take up the case or whether the court will uphold or strike down the ETS. After the Sixth Circuit issues their ruling, the losing side could appeal the case back to the Supreme Court. NDA will continue to provide additional updates on the ETS as they become available.