Date:

To: All Employees

From: [Contact Person]

**Re: COVID-19 Vaccine Announcement by President Biden**

On September 9th, 2021, President Biden announced that OSHA is going to issue a new rule requiring ***all employers*** with 100 or more employees to require employees to either: (a) get fully vaccinated for COVID-19 or (b) submit to weekly testing.

We at [Company] understand that many of you have questions about President Biden’s announcement and, although there is limited information available, we wanted to do our best to provide you with a few clarifications:

* ***First***, although the rule was announced on September 9th, ***no rule has been published***.  Once the rule is published, we will have more information about what is required and timing. Until then, we have no obligation to change our current policies.
* ***Second***, even after the OSHA rule is published, it is likely to be challenged by groups arguing that OSHA does not have the authority to issue such a rule. It remains to be seen whether OSHA has such authority, but this will be an issue for the courts to decide.
* ***Third***, even if the OSHA rule is published and courts rule that OSHA has authority to issue such a rule, the OSHA rule does ***not*** require [Company] to mandate that employees receive the COVID-19 vaccine as a condition of employment. Instead, the rule would require [Company] to give employees a choice – ***either***: (a) get the vaccine ***or*** (b) submit to weekly COVID-19 testing.

Again, it’s too early to tell exactly what the new rule will require or whether it will be subject to legal challenge. Thus, there will be no immediate changes and we will update you all as soon as we have more information.

If you have any questions, feel free to contact [contact person].

[Signed]