



AGC
THE CONSTRUCTION
ASSOCIATION

Chapter Townhall

November 3, 2021

COVID-19 Vaccines and Mandates for Their Use

A Quick Review of the National Organization's Comprehensive Response

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COVID-19 Vaccines



- Challenges for the Construction Industry
 - Reservations about Vaccines
 - Employment Laws that Company Policies and Practices Have to Take into Account
 - Private Owners' Mandates for Vaccinations
 - Two Federal Mandates for Vaccinations
 - The “Federal Contractor Mandate”
 - OSHA’s Emergency Temporary Standard (ETS)

COVID-19 Vaccines



- Another Opportunity for AGC Leadership
 - Educate
 - Public Service Announcements
 - Webinars
 - Frequently Asked Questions
 - And More
 - Advocate
 - Letters to Federal Decision-Makers
 - Meetings with Federal Decision-Makers
 - Ongoing Dialogue with the Federal Professionals on the Front Line
 - Plans and Preparation for Litigation

COVID-19 Vaccines



- The Vaccines Themselves
 - PSA in Conjunction with CDC and Several More in the Works
 - COVID-19 Vaccine Toolkit
 - Webinar on How to Increase Vaccination Rates
 - Vaccine Awareness Week
- The Employment Laws that Apply to Company Policies
 - Webinar on the ADA and Title VII
 - Frequently Asked Questions
 - Working Lunch with Legal Experts

COVID-19 Vaccines



- The Contours of the Federal Mandates
 - Memo to AGC Members
 - Webinar on “Federal Contractor Mandate”
 - Links to Official Briefings and Web Sites
 - Still Waiting for OSHA’s Emergency Temporary Standard (ETS)
- Practical Strategies for Managing Mandates
 - Virtual Meetings for In-House Lawyers
 - Three Webinars Scheduled for Next Week (on Third-Party Vendors, Policies and Procedures that Companies Require, and Contract Terms and Conditions)

COVID-19 Vaccines



- Letters to and Meetings with Federal Decision-Makers
 - Quick Letters to FAR Council, Safer Federal Workforce Task Force, GSA and Departments of Labor (Including OSHA) and Defense
 - Two Meetings with OMB
 - Ongoing Dialogue with Front Line Professionals at GSA, Corp of Engineers, NAVFAC, and Other Contracting Agencies, and with OSHA
 - Federal Contractors Conference Scheduled for Next Week

COVID-19 Vaccines



- Plans and Preparation for Litigation
 - On the “Federal Contractor Mandate”
 - One Memo on President’s Authority and Another on Procedural Issues
 - Survey of Federal Contractors among AGC Members
 - Interviews of Individual AGC Members (8 Completed and 3 More Scheduled)
 - Preliminary Work on Legal Complaint
 - On OSHA’S Emergency Temporary Standard (ETS)
 - Memo on OSHA’s Authority to Issue an ETS, Including Jurisdictional and Other Questions that AGC Litigation Would Raise
 - Ongoing Discussions of Potential for Mounting a Joint Attack in Conjunction with Other Construction Trade Associations

QUESTIONS?