

# LEGAL ALERT

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## PRELIMINARY INJUNCTION GRANTED FOR FEDERAL CONTRACTOR MANDATE

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On November 30, 2021, a federal judge granted a preliminary injunction to block the COVID-19 vaccine mandate for federal contractors from going into effect in Ohio, Kentucky, and Tennessee. In approving the preliminary injunction, the judge addressed the narrow question presented, “Can the president use congressionally delegated authority to manage the federal procurement of goods and services to impose vaccines on the employees of federal contractors and subcontractors? In all likelihood, the answer to that question is no.”

Because the final result of the litigation is unknown and it may take weeks of planning for federal contractors and subcontractors to comply with requirements of the mandate, those impacted may want to continue preparations for compliance in the event the vaccine mandate is ultimately upheld and takes effect.

The case in which the injunction was entered is Commonwealth of Kentucky et al. v. Biden et al., case number 3:21-cv-00055, in the U.S. District Court for the Eastern District of Kentucky. Hahn Loeser’s Labor and Employment and Construction groups will monitor this developing situation.

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