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Attorney General Steve Marshall Challenges Biden's Private-Employer Vaccine Mandate

(MONTGOMERY) — Attorney General Steve Marshall filed a legal challenge Friday to block President Biden's private-employer vaccine mandate. The petition for review was filed in the Eleventh Circuit immediately after the rule was formally published Friday morning.

First announced on September 9th by Biden, the proposed emergency rule from the Occupational Safety and Health Administration (OSHA) requires private companies with 100 or more employees to ensure that their workers are either fully vaccinated by January 4, 2022 or will submit to weekly testing and wear masks. It is estimated that the rule would impact over eighty million employees across the country. Employers could face stiff financial penalties for noncompliance.

"Today, I've challenged the Biden Administration's latest attempt to wreck our nation's economy while satiating the left's infatuation with government-mandated immunization," said Attorney General Marshall.

"Not only is this mandate based on a faulty public health premise—that workplace immunization will stop the spread of COVID—but it is based on an utterly flawed legal premise as well. When you consider the number of employees impacted by both the federal-contractor and private-employer mandate, Biden has effectively issued a nationwide vaccine mandate. As I have said before, this effort is illegitimate and legally unserious. Based on recent U.S. Supreme Court precedent, I am confident the Eleventh Circuit will agree.

"Our nation is in the midst of a labor crisis. We can see and feel that here in Alabama. Instead of promoting policies that would encourage individuals to re-enter the work force, this Administration has done nothing but deter them. Vaccine mandates don't guarantee protection from COVID—they guarantee a labor shortage."

Attorney General Marshall joined with his colleagues from Florida and Georgia to challenge the OSHA rule, along with one Alabama-based private plaintiff, Scotch Plywood Company, Inc. The petition for review can be read [here](#). This is a separate and distinct matter from the Attorney General's lawsuit filed [last Friday](#) challenging the federal-contractor vaccination mandate.

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