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Attorney General Steve Marshall Addresses Growing Concern over Vaccination Mandates

(MONTGOMERY) – In response to public inquiries, Attorney General Steve Marshall today addressed vaccine mandates and the State of Alabama’s response.

On September 9, the Biden administration announced plans to mandate the COVID-19 vaccination for certain segments of the workforce. The first mandate applies to federal employees and contractors, as well as to healthcare facilities that receive Medicare or Medicaid funding. The second mandate applies to private employers with 100 or more employees.

The federal-employee mandate purportedly went into effect, via executive order, on September 9. In late September, the Biden administration announced a deadline of December 8 for federal contractors to comply. The Attorney General is presently examining legal options for challenging this order.

The Biden administration will attempt to implement the private-employer mandate via an emergency rule from the Occupational Safety and Health Administration. At this time, no such rule has been proposed (or “noticed”), nor has the administration given any indication of when it will be, other than to vaguely suggest that there will be “more detail . . . in the coming weeks.” The Attorney General is preparing to challenge this regulation as soon as it is published.

At the state level, Act 2021-493, enacted in May of this year, dictates that no government, school, or business in Alabama may demand that a constituent, student, or customer be vaccinated for COVID-19 or show proof of his or her vaccination for COVID-19. You can read more about this law [here](#).

Given the recent escalation of COVID-19 vaccination mandates, the Attorney General recommends the Alabama Legislature consider two updates to state law as soon as practicable:

- (1) Act 2021-493 should include an enforcement provision and a private right of action to better deter violations of the law.
- (2) Private employers seeking to mandate the COVID-19 vaccination for employees should be required to provide exceptions for religious or medical reasons, including natural immunity.

The Attorney General remarked, “Vaccine mandates are having an undeniably negative impact on the freedom of individuals, on Alabama’s workforce, and on our free-market system. The people of Alabama need to know that their government is not ignoring their calls for help. Rest assured, my office is working tirelessly to deal with these heavy-handed mandates and to ensure that our state is well-positioned to succeed in this fight.”

