



Federal Court Blocks Enforcement of Federal Contractor Vaccine Mandate in Kentucky, Ohio, and Tennessee

Nov 30, 2021

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On November 30, 2021, the United States District Court for the Eastern District of Kentucky issued a preliminary injunction blocking enforcement of the federal contractor vaccine mandate in Kentucky, Ohio, and Tennessee.

President Biden signed the federal contractor vaccine mandate – Executive Order 14042 – on September 9, 2021, directing the Safer Federal Workforce Task Force (“Task Force”) to provide Guidance on adequate COVID-19 safeguards that would apply to federal contractors and subcontractors. As we [previously reported](#), the Task Force released its Guidance on September 24, 2021. The Guidance, as revised, requires all covered contractor employees to be fully vaccinated by January 18, 2022, unless they are legally entitled to an accommodation. The Guidance officially applies only to all newly awarded or renewed covered contracts. However, the Federal Acquisition Regulatory Council issued a deviation clause that encouraged federal agencies and contractors to incorporate the vaccine requirements into current contracts as well.

On November 4, 2021, the Commonwealth of Kentucky and others filed a lawsuit arguing the federal contractor vaccine mandate was contrary to procedure, arbitrary and capricious, and violated the U.S. Constitution. The Court granted Plaintiffs’ motion for a preliminary injunction and enjoined the U.S. government from enforcing the vaccine mandate for federal contractors and subcontractors for all covered contracts in Kentucky, Ohio, and Tennessee.

This preliminary injunction does not apply nationwide and could be lifted as the case progresses. While there are other lawsuits pending regarding the federal contractor vaccine mandate, this Court is the only one, to date, that has blocked enforcement of the mandate.

Frost Brown Todd will continue to closely monitor the pending and various legal challenges to the federal contractor vaccine mandate.

Read more of our analysis as it relates to COVID-19 and vaccine mandates.

- [Enforcement of CMS Vaccine Mandate Blocked Nationwide](#)
- [Must State and Local Governments Follow OSHA's Vaccine and Testing Mandate?](#)
- [OSHA Releases COVID-19 Vaccination and Testing Emergency Temporary Standard](#)
- [Nursing Homes: Spread of COVID and Vaccine Mandates](#)
- [Conflicting Orders: Can State Laws Thwart Federal Vaccine Mandates?](#)
- [EEOC COVID-19 Vaccine Mandate FAQ Updates Address Religious Objections](#)
- [Mandatory Vaccines Update: OSHA Sends Draft ETS to White House](#)
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