



# Federal Court Blocks Enforcement of Federal Contractor Vaccine Mandate Nationwide

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On December 7, 2021, the United States District Court for the Southern District of Georgia issued a preliminary injunction temporarily blocking enforcement of the federal contractor vaccine mandate nationwide.

As [previously reported](#), 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. The Task Force’s Guidance, as revised, requires all covered contractor employees to be fully vaccinated by January 18, 2022, unless they are legally entitled to an accommodation. Although the Guidance officially applies only to all newly awarded or renewed covered contracts, 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 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 only in Kentucky, Ohio, and Tennessee.

A decision today from the U.S. District Court for the Southern District of Georgia enjoins the U.S. government “from enforcing the vaccine mandate for federal contractors and subcontractors in all covered contracts in any state or territory of the United States of America.” Order at p. 27. The Court made the scope nationwide, in part, because one of the Plaintiffs is a trade association, Associated Builders and Contractors, Inc., with members who have federal contracts throughout the country. The Court concluded, “Given the breadth of [the association’s] membership, the number of contracts Plaintiffs will be involved with,

and the fact that EO 14042 applies to subcontractors and others, limiting the relief to only those before the Court would prove unwieldy and would only cause more confusion.” Order at p. 27. Accordingly, the Court entered a nationwide preliminary injunction. The Court’s Order is temporary, however, and could be lifted as the case progresses.

Frost Brown Todd will continue to closely monitor the various legal challenges to the federal contractor vaccine mandate. For more information, please contact [Catherine Burgett](#), [Jeff Shoskin](#), [Kyle Johnson](#), [Jennifer Rulon](#), [Anne Duprey](#), [Steve Withee](#), [Daniel Edwards](#), or any attorney in either the [Labor and Employment](#) or [Government Contracting](#) groups.

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