

## Shepler Quoted in *Columbus Business First* Story Titled “Some Central Ohio Employers Mandating Covid-19 Vaccine, Others Waiting For Details on Federal Rule”

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Ben Shepler, a partner in the Vorys Columbus office and a member of the labor and employment group, was quoted throughout a *Columbus Business First* article about an emergency rule being developed by the Federal Occupational Safety and Health Administration that will require all employers with 100 or more employees to ensure their workforce is fully vaccinated or require any unvaccinated employees to produce a weekly negative test in order to come to work.

#### The article states:

*“Employers can wait for the explicit guidance, and even then the rule may never take effect, said Ben Shepler, partner in employment law at Vorys Sater Seymour and Pease LLP. Businesses already have the right to set their own requirements.*

*‘We’ve got this general pronouncement, but we have no idea what it means on the ground,’ Shepler said.*

*Still, he said, ‘if you’re an employer who’s been really on the fence, this could be the reason to push you to say, let’s just go ahead and take that step.’*

*The Labor Department’s rule needs to answer several questions, Shepler said, such as the type of test required and who pays for it. A rule that requires testing, rather than one that requires the shot with no test opt-out, might be better able to withstand legal challenges, he said.”*

#### The article also states:

*“Half of U.S. employers surveyed in late August by consultant Willis Towers Watson said they likely would implement some sort of vaccine requirement, up from 21% in prior surveys.*

*‘A lot of employers, all things being equal, would prefer all their employees being vaccinated,’ Shepler said. ‘There were concerns*

*given the labor market of losing people. In theory, one of the benefits of this requirement, if it actually goes into effect, is it creates a level playing field.”*

To read the entire story on the *Columbus Business First* website, [click here](#). (Subscription may be required).

