

Executive Order 14042: Survival Guide for Federal Contractors

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On September 9, 2021, the President issued Executive Order 14042, which applies new rules – including vaccination mandates – to federal service contractors and subcontractors. This rule is different and separate from (and stricter than) the OSHA emergency standard applicable to large businesses; because this federal contractor mandate does not include a weekly testing option, it is therefore a true vaccination mandate. The rule defines “federal contractor” very broadly. As a result, the rule likely covers most companies doing business with the Federal Government. Sheppard Mullin’s Government Contracts group diligently has been working in this area since the announcement of the Executive Order and release of related Task Force Guidance, and has developed an Executive Order 14042 Survival Guide that answers many of the questions related both to the EO and Guidance. It also incorporates insights from the more recently issued FAR Clause, GSA Deviation, and DOD Deviation, all of which were released September 30, 2021. Though much still is not known about how the EO and Guidance will be implemented, our Executive Order 14042 Survival Guide: An Analysis of What We Know, What We Think, and What We Don’t Know about President Biden’s COVID-19 Executive Order for Federal Contractors is here to help answer questions and provide additional insights.

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