

Federal Court Upholds Decision to Halt Biden's "Staggeringly Overbroad" Vaccine Mandate



The 5th US Circuit Court of Appeals in New Orleans upheld its decision to block the Biden administration's vaccine mandate that requires businesses with 100 or more workers to be vaccinated by January 4 or wear face masks and undergo weekly tests. The court ordered the US Department of Labor to take no further steps to implement its mandate. Judge Kurt Engelhardt wrote in the prevailing opinion that the mandate goes too far, and that he has 'grave' concerns about whether the edict is legal or constitutional. He wrote, 'From economic uncertainty to workplace strife, the specter of the Mandate has contributed to untold economic upheaval in recent months.'

At least 27 states have filed legal challenges in at least six federal appeals courts after OSHA released its rules on November 4. The federal government said in its court filings Monday that the cases should be consolidated and that one of the circuit courts where a legal challenge has been filed should be chosen at random on November 16 to hear it.

- A three-member panel of the 5th US Circuit Court of Appeals in New Orleans affirmed its ruling
- The Biden administration argued that halting implementation of the vaccine mandate could lead to dozens or even hundreds of deaths

- However, Circuit Court Judge Kurt Engelhardt wrote in the prevailing opinion that it goes too far
- ‘From economic uncertainty to workplace strife, the specter of the Mandate has contributed to untold economic upheaval in recent months,’ he added
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A federal court has upheld its previous decision to put a hold on President Joe Biden’s COVID vaccine mandate for companies with 100 workers or more.

A three-member panel of the 5th US Circuit Court of Appeals in New Orleans, which covers Texas, Louisiana and parts of Mississippi, affirmed it’s ruling in a new opinion published Friday.

That saw it order the US Department of Labor to take no further steps to implement its mandate, whose deadline is January 4.

The Biden administration argued that halting implementation of the vaccine mandate could lead to dozens or even hundreds of deaths.

However, Circuit Court Judge Kurt Engelhardt wrote in the prevailing opinion that the mandate goes too far, and that he has ‘grave’ concerns about whether the edict is legal or constitutional.

‘The mandate is staggeringly overbroad,’ the opinion said. ‘The mandate is a one-size-fits-all sledgehammer that makes hardly any attempt to account for differences in workplaces (and workers).’

Lawyers for the Justice and Labor departments filed a response Monday in which they said stopping the mandate from taking effect will only prolong the COVID-19 pandemic and would ‘cost

dozens or even hundreds of lives per day.'

The mandate, which requires private companies with 100 or more employees to impose vaccine mandates on their workers by January 4, was officially announced by the Occupational Safety and Health Administration (OSHA) on Thursday – immediately leading to a flurry of lawsuits from Republican states and entities.

Engelhardt, on the other hand, argued that the mandate is causing more harm than good.

'From economic uncertainty to workplace strife, the mere specter of the Mandate has contributed to untold economic upheaval in recent months,' Engelhardt wrote.

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