US Government Safety and Health Authority (OSHA) Suspends Requirement that Employers Report Vaccine-Related Injuries

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In order to encourage American workers to get vaccinated, the Occupational Safety and Health Administration (OSHA) has suspended the legal requirement for employers to report work-related injuries resulting from vaccinations aimed at combating the CCP virus, which causes the disease COVID-19.

OSHA enforces the Occupational Safety and Health Act.

The statute covers "most private sector employers and their workers, in addition to some public sector employers and workers in the 50 states and certain territories and jurisdictions under federal authority. Those jurisdictions include the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Northern Mariana Islands, Wake Island, Johnston Island, and the Outer Continental Shelf Lands."

This suspension of the law by OSHA, an agency within the U.S. Department of Labor (DOL), doesn't change the liability faced by employers under workers' compensation laws or under civil personal injury laws, according to the nonprofit group Liberty Counsel.

Earlier in May, the OSHA website stated that employers could be held liable if they required employees to receive COVID-19-related injections as a condition of employment and said employees then experienced adverse reactions.

According to Liberty Counsel, a "Frequently Asked Questions" (FAQ) section of OSHA's website stated: "If you require your employees to be vaccinated as a condition of employment (i.e., for work-related reasons), then any adverse reaction to the COVID-19 vaccine is work-related. The adverse reaction is recordable if it is a new case under 29 CFR 1904.6 and meets one or more of the general recording criteria in 29 CFR 1904.7."

But visitors to the same website's FAQ section now see a different message, which reads:

> "DOL and OSHA, as well as other federal agencies, are working diligently to encourage

> COVID-19 vaccinations. OSHA does not wish to have any appearance of discouraging workers from receiving COVID-19 vaccination, and also does not wish to disincentivize employers' vaccination efforts. As a result, OSHA will not enforce 29 CFR 1904's recording requirements to require any employers to record worker side effects from COVID-19 vaccination through May 2022. We will reevaluate the agency's position at that time to determine the best course of action moving forward."

Liberty Counsel apparently inferred from the changed guidance that the White House influenced the decision to drop enforcement of the reporting requirement from a year.

> "No doubt receiving pressure from the Biden administration, OSHA suspended the enforcement requirement to record adverse injuries or death from COVID shots until May 2022 in order to push the COVID shots. This politically motivated change by OSHA is unprecedented," the group stated in a release.

Liberty Counsel founder and Chairman Mat Staver criticized the decision to change the OSHA guidance.

> "Employers that require employees to take a COVID shot may be held liable for adverse injuries and death. The fact that OSHA will not enforce recording requirements does not alter the legal liability of employers who require, coerce, or incentivize employees to take COVID shots," he said in a statement.
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> "OSHA's suspension of the recording requirement so as not to discourage experimental COVID shots reveals that the Biden administration could care less about the collateral damage being caused by the COVID shots. The people can see this biased agenda. They are not stupid."

OSHA confirmed in a statement to The Epoch Times why it suspended the reporting requirement.

> "OSHA reconsidered its policy in recognition of federal agencies' ongoing work to encourage COVID-19 vaccinations," a Department of Labor spokesperson said.
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> "The agency does not want to give any appearance of discouraging workers from receiving COVID-19 vaccination or disincentivize employers' vaccination efforts."

None of the available COVID-19 shots are approved or licensed by the U.S. Food and Drug Administration, Liberty Counsel noted. They have instead been classified as an emergency use authorization (EUA), which means their use can't be required.

The FDA acknowledges on its website that it "must ensure that recipients of the vaccine under an EUA are informed, to the extent practicable given the applicable circumstances … that they have the option to accept or refuse the vaccine, and of any available alternatives to the product."

EUA authority under section 564 of the Federal Food, Drug, and Cosmetic Act, permits the FDA to take steps to protect public health against "chemical, biological, radiological, and nuclear (CBRN) threats including infectious diseases, by facilitating the availability and use of medical countermeasures needed during public health emergencies."

When the U.S. Department of Health and Human Services declares that an EUA is needed,

as it did on March 27, 2020, regarding the ongoing pandemic, the FDA may authorize otherwise unapproved medical products or unapproved uses of approved medical products to be used “in an emergency to diagnose, treat, or prevent serious or life-threatening diseases or conditions caused by CBRN threat agents when certain criteria are met, including there are no adequate, approved, and available alternatives.”

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Featured image: A hand holding an mRNA vaccine vial. (Spencer Davis / Unsplash)
