



October 13, 2021

Ms. Sharon Block
Associate Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th St. NW
Washington, DC 20503

Dear Administrator Block:

Some 19 months into the pandemic, after retailers have invested tens of billions of dollars and taken unprecedented efforts to mitigate the spread of the virus, the administration now seeks to declare an “emergency” and impose a new and potentially burdensome mandate on the American economy generally and the retail industry specifically. On behalf of the National Retail Federation (NRF), I write to ask for the opportunity to provide input as the administration promulgates the new Occupational Safety & Health Administration (OSHA) emergency temporary standard (ETS), which will require certain employers to mandate the COVID-19 vaccine.

NRF is the world’s largest retail trade association, representing discount and department stores, home goods and specialty stores, Main Street merchants, grocers, wholesalers, chain restaurants and internet retailers from the United States and more than 45 countries. Retail is the nation’s largest private-sector employer, supporting one in four U.S. jobs — 52 million working Americans. Contributing \$3.9 trillion to annual GDP, retail is a daily barometer for the nation’s economy.

Retailers have taken great strides to help foster increased vaccination rates. Some NRF members have instituted vaccine mandates for certain targeted groups of employees. Some have offered cash incentives and paid time off to workers to get the vaccine. Despite these efforts, the administration seeks to impose this new mandate without allowing any public input into the ETS.

Yesterday, NRF wrote to Secretary Walsh and offered the retail industry’s recommendations as to how the administration should proceed. I have attached this letter. I urge you to ensure that all the issues raised in this letter are addressed in full in the ETS. If any issue is not addressed, I urge you to send the ETS back to OSHA for redrafting.

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National Retail Federation

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It is my hope that the administration changes course and allows stakeholders to provide substantive input on the ETS, one of the most far-reaching and impactful regulatory actions in OSHA's history. NRF requests such a meeting as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "David French". The signature is stylized and cursive.

David French
Senior Vice President
Government Relations