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## Employer Attorney Says OSHA's SVEP Is 'Unconstitutional' Amid Tightening

During a Jan. 20 webinar hosted by the employer law firm Conn Maciel Carey, Jordan Barab — a former deputy assistant secretary for OSHA during the Obama administration — argued that the agency is likely to regulate COVID-19 safety through the OSH Act's general duty clause in the coming months, in light of the Jan. 13 Supreme Court decision blocking implementation of its vaccine-or-testing ETS.

But, Eric Conn, chair of the firm's OSHA practice, countered that he felt "a little less confident" that COVID-19 enforcement based on the general duty clause "will be able to proceed unimpeded," after the high court's ruling, arguing that the decision seemed to caution OSHA from regulating COVID-19 hazards broadly.

[Read the full article in \*Inside OSHA\*](#)