



Meltzer, Lippe, Goldstein & Breitstone, LLP

December 7, 2021

LABOR & EMPLOYMENT PRACTICE GROUP

Meltzer Lippe is home to a large, experienced Labor and Employment Law Practice Group.

We are an integral component to the human resource chain and the first stop before taking action that impacts the employee – employer relationship.

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NYC Mandates COVID-19 Vaccinations for Private Sector Employees

On December 6, 2021, Mayor Bill de Blasio announced that New York City (the “City”) will become the first major city in the United States to mandate COVID-19 vaccinations for private sector workers across all industries.

- The mandate will take effect on December 27, 2021.
- All private-sector employees will be required to have received at least one dose of a COVID-19 vaccine by that date.
- The requirement will not be limited to businesses in certain industries or based on company size.
- There is no weekly testing or mask option.
- On December 15, 2021, the City will issue additional enforcement and reasonable accommodation guidance as well as provide additional resources to help small businesses with implementation.
- The City’s Corporation Counsel, Georgia Pestana, stated the health commissioner has the legal power to issue the mandate to protect public health and the City is “confident that this will survive any [legal] challenges.”

Further, the Mayor announced expansions to the “Key to NYC Pass” program.

- Currently, workers and patrons ages 12 and over must show proof of having received at least one dose of a COVID-19 vaccine to access, or provide services in, establishments that provide indoor dining, indoor fitness and indoor entertainment venues and performances.
- Starting December 14, 2021, the program will require children ages 5-11 to show proof of at least one vaccination dose to enter these establishments.
- Further, starting December 27, 2021, children and adults ages 12 and older will be required to show proof of two vaccine doses, instead of only one, except for those who have received the Johnson & Johnson one-dose vaccine.

New York City employers should inform employees of the new vaccine mandate as expeditiously as possible. Meltzer Lippe is well versed in the legislative developments pertaining to COVID-19 vaccine mandates. Employers with questions relative to the foregoing are encouraged to contact Jonathan D. Farrell and Larry R. Martinez, Co-Chairs of the Labor and Employment Group at Meltzer, Lippe, Goldstein & Breitstone, LLP at jfarrell@meltzerlippe.com and lmartinez@meltzerlippe.com.

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