



OFFICE OF THE MAYOR
THE CITY OF NEW YORK

COVID-Safe Requirement: FAQ for Contracted Organizations

On July 26th, Mayor de Blasio [announced](#) that the City is requiring all City and contracted employees to show proof of vaccination or weekly COVID-19 tests. This is referred to as the “COVID-Safe Requirement.”

Under the COVID-Safe Requirement, employees must either:

- provide one-time verification that they are fully vaccinated OR
- provide a weekly record of a negative PCR test as evidence that they are in compliance with the mandate.

Any employees who have not provided proof of full vaccination must wear a face covering, regardless of test compliance, unless they have been granted a reasonable accommodation. Any employees interacting with the public must also wear face coverings.

For employees working in residential and congregate settings, additional details can be found in the Department of Health and Mental Hygiene’s [Commissioner’s Order](#) requiring COVID-19 Vaccination or Testing for Staff in Residential and Congregate Settings.

FAQ: Policy Details

1. Which employees are covered by the COVID-Safe Requirement?

The City strongly urges organizations to adopt this policy as broadly as possible and cover of all its employees, as the City has done.

The implementation is as follows:

Beginning August 2nd, all Health + Hospitals employees and most DOHMH clinic-based employees are covered.

Effective August 16th, all City employees and Contracted Employees working in residential and congregate settings pursuant to a City Contract are covered. See appendix for full list.

By September 13th, all full-time and part-time NYC employees who were hired before August 2, 2021 and all Contracted Employees interacting with the public or City employees are covered.

For City employees who were hired on or after August 2, 2021, please refer to [Executive Order 75](#), which requires all new hires to provide proof of having received at least one dose of an

approved COVID-19 vaccine prior to beginning their employment (unless they have a reasonable accommodation).

2. For the purpose of this policy, how are you defining “Contracted Employee” and “City Contract”?

For the purposes of this policy, a Contracted Employee is an individual or entity whose salary or funding is paid, in whole or part, by a Contract with a New York City agency to perform work within New York City.

“Contracted Employee” for this purpose also includes interns, aides, fellow, volunteers and Subcontractors that work directly with service recipients or in person with City employees.

A “City Contract” is a contract awarded by the City, and any subcontract under such a contract, for work (i) to be performed within the City of New York; and (ii) where employees can be expected to physically interact with City employees or members of the public in the course of performing work under the contract.

3. Does this policy apply to the clients served by the City or its contractors?

No. This policy is specific to City employees and City contractors including their staff, as defined above. City contractors should integrate this policy into their own COVID-19 return to work and health and safety policies. Note clients must wear face coverings at all times.

4. Does this policy cover interns?

Yes, interns, aides, and fellows that work directly with members of the public, including service recipients, or in person with City employees are covered by this policy.

5. Does this policy cover volunteers?

Yes, volunteers who work directly with members of the public, including service recipients, or in person with City employees are covered by this policy.

6. Does this policy extend to subcontractors?

Yes, this policy extends to subcontractors including building security, food service employees and other subcontractors.

7. Does this apply to people who come on-site (e.g., vendors, home health aides) that do not have a contract with the City?

Contracted organizations are responsible for verifying that all visitors that enter contracted spaces and will be interacting with or in close proximity to clients or City employees are either fully vaccinated or have proof of a negative test result within the last 7 days.

8. Do staff interacting with the public have to wear a face covering, even if fully vaccinated?

Yes, staff interacting with members of the public – including City employees, visitors, volunteers and interns of City agencies, covered contractors and their subcontractors -- have to wear a face covering, even if they have submitted proof of full vaccination. Further, a face covering is required for all individuals at all times when present in a pre-kindergarten to twelfth grade school, public transit, homeless shelter, correctional facility, nursing home, or health care setting.

9. Will there be any medical accommodations for the program?

If an employee opts not to take the vaccine, they will have to submit evidence of a weekly negative COVID-19 test. If an employee does not want to undergo weekly testing for any reason, they must get fully vaccinated.

10. Which vaccines count? What if the Contracted Employee has been vaccinated with a non-FDA approved vaccine?

FDA-authorized vaccines will be accepted. Today, this includes the Pfizer, Moderna, and Johnson & Johnson vaccines.

It is possible that someone was vaccinated outside of the country with a non-FDA approved vaccine. Only vaccines listed for emergency use by the World Health Organization (WHO) are acceptable and the person needs to have received a complete vaccine series.

People who have started, but not completed, a full series of a vaccine that is approved by the WHO, but not by the FDA, should receive a complete vaccine series with a U.S. FDA-authorized vaccine.

Employees who have been vaccinated outside the U.S. may submit their vaccine record from the place where it was administered.

11. If a Contracted Employee gets their first dose prior to when they are subject to this requirement will they be required to provide weekly test results?

Employees covered by the DOHMH Commissioner's Orders related to Staff in Public Health Care Settings or Residential and Congregate Settings must have their first dose by August 16th, 2021 and their second dose within one month of the first dose.

For all other employees: an employee who has received at least one dose of a vaccine that requires two doses (ex. Moderna and Pfizer) by September 13th will not need to submit the results of weekly testing as long as proof of their second dose is provided within one month. If the employee does not submit proof of having received the second dose by such time, they will be subject to the weekly testing requirement until they do submit that proof.

An employee who has received one dose of a single dose COVID-19 vaccine (ex. Johnson and Johnson) by September 13, 2021 or the date they commence employment ("the effective start date"), whichever is later, will not need to submit proof of weekly negative test results.

Employees wishing to remove their face covering must be fully vaccinated (note there is a different policy for staff who are client-facing and in certain settings, see Question 8). An individual is considered fully vaccinated two or more weeks following receipt of the second dose in a 2-dose series of a COVID-19 vaccine, or two or more weeks following receipt of one dose of a single dose COVID-19 vaccine.

12. What counts as proof of vaccination?

Employees shall submit, using secure means, proof of vaccination directly to their own agency or contract organization. Proof must be:

- An official CDC card or other official immunization card bearing the employee's name and date(s) of vaccine administration. The employer must see this document or a photograph of it.
- An Excelsior Pass issued by the State of New York; or
- The NYC COVID SAFE app that clearly displays an image of the CDC card or other official immunization card with the above noted requirements. The NYC COVID SAFE app can be downloaded for Apple or Android (or by searching "NYC COVID Safe" on Apple app store or Google Play store).

Employers should maintain a confidential record of the employees who have demonstrated proof of vaccination, pursuant to the employer's policies and procedures for safeguarding personal information.

Employees who were vaccinated in NYC can use the self-service portal [My Vaccine Record](#) to request their official immunization record.

13. What if a Contracted Employee was vaccinated but lost their CDC vaccination card?

Employees who lost their CDC vaccination card should contact the medical provider where they got vaccinated to get an official record of vaccination. If an employee was vaccinated in New York City, they can request their immunization record through the DOHMH self-service portal [My Vaccine Record](#).

14. Where can people be vaccinated?

Vaccination is free and convenient across the five boroughs and in bordering counties. Over 95% of all NYC residents live within half a mile of a public vaccination site. Convenient vaccination sites can be found via [nyc.gov/vaccinefinder](https://www1.nyc.gov/vaccinefinder) or by calling 877-VAX-4-NYC. For anyone who lives within the five boroughs (including City employees and contractors' employees), the City is also making at-home vaccination free and available; call 877-VAX-4-NYC or visit [nyc.gov/homevaccine](https://www1.nyc.gov/homevaccine) to sign up to have our team come to your home to vaccinate you and any other household members, with any of the three FDA-authorized vaccines you choose.

15. Can employees take time from their shift to get vaccinated?

The City will reimburse contracted organizations for costs associated with time off for getting vaccinated. This is defined as four hours per shot and paid sick leave to cover any side effects experienced due to the vaccination.

16. What incentives are available for vaccination?

Please visit <https://www1.nyc.gov/site/coronavirus/vaccines/vaccine-incentives.page> for a full list of incentives offered for vaccination.

17. Is the City offering any exemptions for the vaccination requirement?

Any employee who is unable or unwilling to be vaccinated, including for medical reasons, will be required to show proof of a COVID-19 PCR test once every seven days.

18. Will employees who are seropositive – have antibodies – be able to opt out of vaccination or testing requirements?

No. Most experts agree that vaccination provides additional protection from COVID-19, including the Delta variant, above and beyond the antibodies that a person may have as a result of prior infection. Neither employees nor contractors will be exempt due to evidence of prior COVID-19 infection.

19. For Contracted Employees who opt to do weekly testing, what tests qualify?

Only polymerase chain reaction (PCR) tests processed by medical professionals qualify for the City's COVID-Safe Requirement. These tests usually take one-two days to process at a lab, but some PCR tests are rapid tests. Both rapid and non-rapid PCR tests can be used.

20. When must Contracted Employees submit a weekly test?

For each day that a Contracted Employee reports to work onsite, they must have a negative COVID-19 PCR test taken within the preceding seven days. An employee may report to work with a pending test result, provided that the test result is submitted to HR as soon as it becomes available.

21. Where can people find testing?

The City of New York offers free COVID-19 testing in convenient locations across the five boroughs and will continue to do so, but employees may opt to go to their trusted medical professionals as well. There are hundreds of PCR testing locations in the five boroughs; the list can be found at [nyc.gov/covidtest](https://www.nyc.gov/covidtest). If employees or contractors would prefer to receive a test specifically at a City-sponsored site, that list can be found here: <https://www.nychealthandhospitals.org/test-and-trace/testing/>. Copies of test results shall be submitted directly to their agency or contract organization.

22. Will the City be providing onsite vaccination and testing at City and contracted worksites?

Testing and vaccination are both widely available and convenient for all New Yorkers. The City will continue to bring mobile vaccination clinics to select worksites, including City worksites.

23. Who is responsible for paying for tests at non-City sites (to the extent it isn't covered)?

Most providers across the City will attempt to bill insurance for test collection. While private providers may charge for testing or charge a co-pay, tests are widely available at no cost to individuals across dozens of City-sponsored test sites. All New Yorkers are strongly encouraged to ask about associated costs before being tested.

24. Do rapid tests qualify?

Rapid PCR tests will qualify for this requirement. Antigen tests will not.

25. Do at-home tests qualify?

At-home tests will not be accepted at this time.

26. What happens if an employee tests positive?

An employee, intern or volunteer who tests positive must not report to work until all of these conditions are met:

- a. It has been at least 10 days since their symptoms began;
- b. They have not had a fever for at least 24 hours without the use of a fever reducer; and
- c. Other respiratory symptoms (cough, shortness of breath) have improved.

For information on the City's Leave Policy during COVID-19, please see: Updated Guidance for City Agencies on Leave Policy Applicable During the Outbreak of Coronavirus Disease 2019 (COVID-19).

27. Will Contracted Employees be expected to pay out of pocket for vaccine or test?

No. Vaccination is free to all New Yorkers including City and contract organization employees. Testing is provided at no cost to the individual and is widely available. The City will continue to provide options for both vaccinations and weekly PCR testing in all five boroughs and near public transportation hubs to make compliance as convenient as possible. There will be no reimbursement for individuals choosing to pay out of pocket for these costs.

28. What happens if an employee is supposed to come in, but says their test results are pending? Do we track how many times someone does this?

Employees who have been tested, but whose test results are pending should come to work as long as they meet the criteria of the health screening. They must provide proof of test collection while they await the result.

29. Does the COVID-Safe Requirement apply to Pre-K staff in city-contracted sites?

The COVID-Safe Requirement applies to all City employees and contracted staff that are interacting with the public or City employees. This includes Pre-K staff in City-Contracted Sites.

30. Can Contracted Employees take time from their shift to get tested?

Contracted organizations may develop their own policies and procedures with regards to testing. However, no additional funding will be provided associated with time off for testing.

For contracted employers that choose to allow employees to get tested on shift time, the City recommends:

- Requiring employees to be tested at the beginning or end of their shift.
- Requiring employees for whom testing is already provided on-site due to pre-existing safety protocols, in places such as schools, shelters, and jails, to continue to use these services during their shift.
- Requiring employees to get tested in a place close to their home or work.
- Requiring employees to document time taken to seek testing.
- Requiring employees to provide adequate notice and request time off in advance to supervisors for testing.

In no case should testing time have a detrimental impact on operations.

31. Will tests at City sites be billed to employees' insurance (which the City pays)?

For many of the tests conducted, employee insurance will be billed. At City-run sites, FEMA requires that the City attempt to bill for all tests in order to seek federal reimbursement for any costs uncovered by insurance. For this reason, the City will attempt to bill for most tests performed by a City provider regardless of the fact that the City pays for the insurance coverage. The City does provide some testing without billing for it because the testing is funded by sources of federal funds that are not subject to FEMA rules and regulations.

32. Are there resources that organizations can share with their staff about the requirement and safety of vaccines?

Yes! Share the facts about vaccines:

- a. [FAQ](#)
- b. [Factsheet](#)
- c. [What New Yorkers Need to Know Palm Card](#)
- d. [Youth Flyer](#)
- e. [COVID-19 Vaccine Development Infographic](#)
- f. [How It Works - Infographic](#) – Pfizer and Moderna
- g. [How It Works - Infographic](#) – J&J
- h. [Videos](#)
 - [Delta Variant](#)
 - [Back to School Vaccinations](#)
 - [Don't Delay](#)
 - [Community Vaccine Stories](#)
 - [Community Doctor Series](#)
 - [Community Leaders](#)
 - [Dr. Morse on Pregnancy, Nursing & Fertility](#)
 - [Dr. Easterling Vaccine PSA](#)
 - [COVID-19 Vaccines and Fertility](#)
 - [Summer of Fun](#)
- i. [Social Media kit](#) - use hashtags #IGotTheShotNYC and #NYCVaccineForAll
- j. [Resources for Healthcare Providers](#)

It's never been easier to get vaccinated in NYC:

- k. nyc.gov/vaccinefinder OR by calling 877-VAX-4NYC (877-829-4692)
- l. **In home vaccinations are available for ALL New Yorkers 12 and older:** Go to nyc.gov/homevaccine to sign up or call 877-VAX-4NYC (877-829-4692)

FAQ: Enforcement and Compliance

33. How will City agencies and contracted organizations track compliance?

Each contracted organization will track compliance for their employees. Contracted organizations are responsible for verifying individual vaccination status of each employee and monitoring compliance with weekly testing and face covering requirements for those who have not submitted proof of vaccination.

Contractors are subject to reviews for compliance beginning 9/13. Like all other contract provisions, if providers are non-compliant, contracting agencies will exercise any rights they may have under the contract.

34. How will the policy be enforced for contracted organizations?

All City contractors must submit an attestation signed by the organization's Executive Director or equivalent that they are complying with the City's "COVID-Safe Requirement" by uploading it directly to their PASSPort vendor profile or sending it to their contracting agency if they do not have a PASSPort account. Organizations must also submit their updated internal policies that reflect the mandates.

The document should be uploaded to the Miscellaneous Documents section of the Documentation tab in your PASSPort vendor profile.

If an agency does not manage contracts via PASSPort, it must independently collect contractor certifications and policies and monitor them in an ongoing manner.

Note that this attestation is in addition to the certification that they are complying with [Executive Order 74](#), which requires face coverings for unvaccinated employees.

35. What documentation must contracted organizations keep on hand?

Contractors must collect and/or store vaccination and test result information in hard copy or digitally, taking proper precautions to protect personal health information.

36. What is the penalty? Will non-compliant employees be subject to termination?

Note that City staff who are in violation of the COVID-Safe Requirement that they either be vaccinated or complete weekly testing, and City staff who are in violation of the face covering requirement will be placed on Leave Without Pay until they are in compliance. Employees who refuse to comply will be terminated.

It is suggested that contracted organizations adopt a similar policy. If contractors are non-compliant, contracting agencies will exercise any rights they may have under their contract.

37. Will employees be required to use the City's NYC COVID Safe application?

No. Employees may choose to provide one-time documentation of vaccination or provide weekly documentation of a test in hard copy or digitally in a format that is acceptable to the employer and consistent with guidance provided above.

38. What is the functionality of the NYC COVID Safe application?

The app, which can be downloaded on Android and iOS, allows users to store and present necessary documentation to verify that they have been fully immunized or have a negative COVID-19 PCR test result.

39. Do staff have to tell the City or their employer whether or not they are vaccinated?

It is not a violation of ADA privacy requirements for an employer to ask about an employee's vaccination status. However, any contracted employee who does not share their vaccination status will need to provide a weekly COVID-19 PCR test and wearing a face covering while indoors.

40. Does a test have to be within the previous seven days or in the same calendar week?

The test must be within the previous seven days and does not need to be in the same calendar week.

Where can I find...

- Vaccination sites: www.nyc.gov/vaccinefinder
- Vaccination appointments: www.vax4nyc.nyc.gov and 877-VAX-4-NYC
- How to schedule an at home vaccine appointment: www.nyc.gov/homevaccine and 877-VAX-4-NYC
- A testing site: www.nyc.gov/covidtest
- A City-run testing site: www.nychealthandhospitals.org/test-and-trace/testing/
- A doctor or nurse to talk with about my vaccination concerns: call 311 and ask to talk to a clinician about COVID-19 vaccination
- Assistance for New Yorkers experiencing Long COVID: www.nyc.gov/aftercare

For any additional questions, please contact your contracting agency.

Appendix: Phases**On August 2nd: Clinical settings**

- **Health + Hospitals**
 - All employees
- **DOHMH**
 - All clinic-based employees

On August 16th: Residential and Congregate Programs

- ACS
 - Residential juvenile justice programs (Secure and nonsecure detention, close to home)
 - Residential foster care
 - Children's Center
- DFTA
 - Senior Centers
 - NORCS
 - Social Adult Day Cares
- DHS
 - Shelter (family, adult, safe havens, etc.)
 - Drop in Centers
- DOC
 - Jails
- DOHMH
 - Supportive housing
- DYCD
 - RHY Shelter
 - Drop in center
- HRA
 - DV Shelter
 - HASA shelter/supportive housing
- MOCJ
 - Reentry hotels
 - Transitional housing

On September 13th: ALL City Workforce

- All City employees
- All City interns and volunteers working in person and indoors with service recipients or working in person and indoors with City employees.
- All Contracted Employees interacting with members of the public or City employees.