COVID-19 Vaccines & Employers
Guidance and resources for community-based employers in New York City

As many New Yorkers return to their offices and more community services transition from remote to in-person, employers play a key role in encouraging COVID-19 vaccination and achieving vaccine equity. This fact sheet offers the latest in city, state, and federal guidance and key resources to assist employers in ensuring a safe and equitable workspace.

WHAT STEPS CAN I TAKE TO ENCOURAGE VACCINATION AMONG MY STAFF?

- Post informational flyers about vaccines in the workplace.
  - NYC has materials in a variety of languages.
- Advertise walk-up, mobile, and pop-up vaccination sites close to the office.
- Initiate partnerships with local providers to host information sessions and onsite vaccination events for employees.
- Have 1-1 conversations with unvaccinated staff. The Institute for Healthcare Improvement’s Conversation Guide has tips for effective conversations.
- Offer vaccine incentives to your employees.
- Remind employees about their right to paid leave for getting vaccinated.
- Provide paid sick leave for recovery time.
- Remind staff that COVID-19 vaccines are available to everyone for free, regardless of immigration status and insurance.
  - Several forms of ID can be used for proof of age, including the IDNYC card.
- Consider requiring staff to be vaccinated or submit weekly COVID-19 tests.
  - Your organization may be required to mandate the vaccine under new city, state, and federal rules.
IS MY ORGANIZATION REQUIRED TO MANDATE THE COVID-19 VACCINE?

- Any organization that offers dining, indoor fitness, or indoor entertainment is required to follow the Key to NYC policy.
  - Employees, interns, contractors, and volunteers must display proof of vaccination. There is no weekly testing option for unvaccinated staff.
  - If you have questions about this policy, contact the NYC Department of Small Business Services hotline at 888-SBS-4NYC (888-727-4692).
- Any organization that has a contract with a city government agency must require contracted employees to be fully vaccinated or submit a weekly negative PCR test. Contractors are subject to reviews for compliance.
- In addition to the above city requirements, healthcare organizations are subject to state and federal vaccine requirements.
  - Pending a federal court case, hospitals and nursing homes must require personnel to be vaccinated by September 27. Diagnostic and treatment centers, home care programs licensed under Article 36, hospices, and adult care facilities under the NYS Department of Health’s regulatory authority must require personnel to be vaccinated by October 7.
  - Pending a CMS rule expected in October, FQHC’s and any organization receiving federal or Medicaid/Medicare funding will be subject to new federal vaccine requirements.
- Pending a new rule from OSHA, any organization that has 100 or more employees will need to follow new federal vaccine requirements. Unvaccinated employees may submit weekly negative tests.

RESOURCES FOR EXEMPTIONS & REASONABLE ACCOMMODATIONS

- Under NYC Human Rights Law, employers are required to provide reasonable accommodation to employees seeking exemption from a vaccine requirement because of disability, religious belief, and other limited circumstances.
- More information on what a reasonable accommodation entails as well as guidance on the documentation for these instances is available from the NYC Commission on Human Rights.

NYAM.org
WHAT TYPES OF DOCUMENTATION CAN BE USED FOR PROOF OF VACCINATION?

- CDC Vaccination Card, including a photo or copy of the card
- Photo or copy of NYC Vaccination Record or other official immunization record
- The NYC COVID Safe App [Android | iOS]
- The Excelsior Pass App

HOW CAN I REPLICATE WHAT OTHER EMPLOYERS ARE DOING?

- Employers that are not subject to the vaccination requirements described above can adapt or replicate the NYC government policy.
- Employers can use this sample COVID-19 Safety Policy created by LiveOn NY, Lawyers Alliance of New York, and Pro Bono Employment Council.

ARE THERE RESOURCES TO HELP WITH IMPLEMENTATION?

- FEMA Public Assistance Grants may provide funding for the cost of emergency protective measures conducted due to COVID-19.
- The COVID-19 Vaccine Outreach and Counseling Program is reimbursing healthcare providers for outreach and counseling to unvaccinated patients in participating Medicaid and Medicare Advantage plans.
- The NYC Vaccine Referral Bonus program is making $100 payments to organizations that refer their members for the COVID-19 vaccine.
- The Mt. Sinai Selikoff Centers for Occupational Health provides tailored support to organizations on COVID-19 health and safety in the workplace.
- Some applications that are being used to help with compliance tracking include Kokomo, JotForm HIPAA forms, and MyMedBot.
- Employers, including City contractors, are not expected to absorb the cost of COVID-19 PCR testing for unvaccinated employees.

CONTACT

MICHELE CALVO, MPH
Program Officer
Center for Community Partnerships and Policy Solutions
The New York Academy of Medicine
MCalvo@NYAM.org

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