Municipal Labor Committee

55 Water Street, 23rd Floor / New York, NY 10041 / (212) 815-1474

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AFSCME, AFL-CIO

Executive Secretary
ELLEN MEDWID

August 16, 2021

To: Municipal Labor Committee Members

From: Harry Nespoli, Chair

Re: Vaccine/Testing Program

The City has now issued an FAQ regarding its policy that City workers need to be vaccinated or submit to weekly Covid testing (copy attached). The City continues to press for vaccination and the full set of incentives for getting vaccinated remain. With regard to testing, please review in particular Questions 28-30. As you will see, the City may in certain cases provide testing on-site though they have not as yet specified which ones—you are encouraged to reach out to your agencies to press the issue. If testing is offered at the work site, employees cannot take off during work hours to be tested; they can accomplish their testing outside of work but won't be paid for that time. If testing is not provided on-site, employees may take time from their shift to be tested and are urged to be tested at a place near home or work. They will need to document the time taken. The City "requires" that off-site testing be done at the beginning or end of the shift but we anticipate that may not always be feasible and we suggest that this be worked out with the agencies. If there are some who, by the nature of their job, cannot be freed during the work shift and testing is not offered on-site, compensation for that time will be taken up with the City.

As to where testing can be done, the City maintains its own testing sites throughout the five boroughs (chart also attached) and testing is free at these places. Insurance information may be taken to facilitate possible FEMA reimbursement. Testing may also be done through other providers but members are encouraged to check in advance whether there will be any co-pay charged for those fees will be the members' responsibility.   The MLC officers are pursuing a follow up meeting with City leadership and will keep you apprised of any developments. Please send any specific questions to Ellen Medwid for our use.

DOHMH/H+H Permanent Testing Sites

DOHMH and H+H run numerous permanent testing sites throughout the 5 boroughs. All sites below offer PCR testing. DOHMH locations are by appointment, and H+H locations are walk-in only with pre-registration permitted at certain locations. In addition, H+H operates dozens of mobile testing sites, with locations changing on a daily or weekly basis. The information for those sites is available at this link: https://www.nychealthandhospitals.org/covid-19-testing-sites/

DOHMH Locations – By Appointment Only (https://www1.nyc.gov/site/doh/covid/covid-19-rapid-testing.page)

Bronx

- **Morrisania**
  1309 Fulton Avenue

Brooklyn

- **Crown Heights**
  1218 Prospect Place
- **Fort Greene**
  295 Flatbush Avenue Extension

Manhattan

- **Central Harlem**
  2238 Fifth Avenue
- **Chelsea**
  303 Ninth Avenue
- **Riverside**
  160 West 100th Street
- **Washington Heights**
  600 West 168th Street, Third Floor

Queens

- **Corona**
  34-33 Junction Boulevard
- **Jamaica**
  90-37 Parsons Boulevard

H+H Locations – Walk-in only

Bronx

NYC Health + Hospitals/Gotham Health,
Belvis
545 East 142nd Street
Bronx, New York 10454
844-NYC-4NYC
COVID-19 Testing and Antibody Testing Offered Here
Monday – Friday, 9 a.m. – 3:30 p.m.
Pre-register for your visit

NYC Health + Hospitals/Jacobi
1400 Pelham Parkway South
Bronx, New York 10461
718-918-5000
COVID-19 Testing and Antibody Testing Offered Here
Monday – Friday, 8:00 a.m. – 4:00 p.m.
Saturday, 8 a.m. – 3:30 p.m.
Sunday, 9 a.m. – 3:30 p.m.
Pre-register for your visit

NYC Health + Hospitals/Lincoln
234 East 149th Street
Bronx, New York 10451
718-579-5000
COVID-19 Testing and Antibody Testing Offered Here
Monday – Friday, 9 a.m. – 5 p.m.
Saturday 9 a.m. – 4 p.m.
Pre-register for your visit

NYC Health + Hospitals/Gotham Health,
Morrisania
1225 Gerard Avenue
Bronx, New York 10452
844-NYC-4NYC
COVID-19 Testing and Antibody Testing Offered Here
Monday – Friday, 8:30 a.m. – 4 p.m.
Pre-register for your visit

NYC Health + Hospitals/North
Central Bronx
3424 Kossuth Avenue
Bronx, New York 10467
Appointments: 844-692-4692
General Information: 718-918-5700
COVID-19 Testing and Antibody Testing Offered Here
Monday – Saturday, 8:30 a.m. – 4:30 p.m.
Pre-register for your
visit

4101 White Plains
4101 White Plains Road
Bronx, NY 10466
Monday – Sunday, 9 a.m. – 7 p.m.
Pre-register for your visit

St James Rec Center
2530 Jerome Avenue
Bronx, NY 10468
Monday – Sunday, 9 a.m. – 7 p.m.
Rapid Molecular Testing Available Here
Pre-register for your visit

Co-op City Retail Space
105 Dreiser Loop
Bronx, NY 10475
Monday – Sunday, 9 a.m. – 7 p.m.
Rapid Molecular Testing Available Here
Pre-register for your
visit

Brooklyn

NYC Health + Hospitals/Coney
Island
2601 Ocean Parkway
Brooklyn, New York 11235
844-NYC-4NYC
COVID-19 Testing and Antibody Testing Offered Here
Monday – Saturday, 8 a.m. – 4 p.m.
Sunday, 8 a.m. – 12 p.m.
Pre-register for your visit

NYC Health + Hospitals/Gotham Health,
Cumberland
100 North Portland Avenue
Brooklyn, New York 11205
844-NYC-4NYC
COVID-19 Testing and Antibody Testing Offered Here
Monday – Friday, 9 a.m. – 3:30 p.m.
Pre-register for your visit

NYC Health + Hospitals/Gotham Health,
East New York
2094 Pitkin Avenue
Brooklyn, New York 11207
844-NYC-4NYC
COVID-19 Testing and Antibody Testing Offered Here
Monday – Friday, 8 a.m. – 3 p.m.
Pre-register for your visit

NYC Health + Hospitals/Kings
County
T-Building, Room T-110 1st floor (Corner of Clarkson Avenue & New York Avenue)
451 Clarkson Avenue
Brooklyn, New York 11203
718-245-3131
Monday – Friday, 8 a.m. – 4:30 p.m.
Saturday : 8 a.m – 3 p.m
Sunday: closed
COVID-19 Testing and Antibody Testing Offered Here
Pre-register for your visit

NYC Health + Hospitals/Woodhull
760 Broadway
Brooklyn, New York 11206
718-963-8000
COVID-19 Testing and Antibody Testing Offered Here
Monday – Sunday, 8:30 a.m. – 3:30 p.m.
Pre-register for your visit

4002 Fort Hamilton
4002 Fort Hamilton Parkway
Brooklyn, NY 11218
Monday – Sunday, 9 a.m. – 7 p.m.
Rapid Molecular Testing Available Here
Pre-register for your visit

Bay Ridge 5th Ave
8511 & 8515 5th Avenue
Brooklyn, NY 11209
Monday – Sunday, 9 a.m. – 7 p.m.
Rapid Molecular Testing Available Here
Pre-register for your visit

Bensonhurst 14th Ave
6315 14th Avenue
Brooklyn, NY 11219
Monday – Sunday, 9 a.m. – 7 p.m.
Rapid Molecular Testing Available Here
Pre-register for your visit

Midwood Pre-K
1223 Coney Island Avenue
Brooklyn, NY 11230
844-NYC-4NYC
Rapid Molecular Testing Available Here
Monday – Friday, 9 a.m. – 7 p.m.
Pre-register for your visit

Starrett City
1279 Pennsylvania Ave
Brooklyn, NY 11239
Monday – Sunday, 9 a.m – 7 p.m.
Rapid Molecular Testing Available Here
Site Closure Information
This site will be closed for the day on Thursday August 5th, reopening on Friday August 6th.
Pre-register for your visit

Manhattan

Times Square Testing Site
701 Seventh Avenue (between W 47th and W 48th Street) aka 20 Times Square
New York, NY 10036
Monday – Sunday, 9 a.m. – 7 p.m.
Rapid Molecular Testing Available Here
Pre-register for your visit

[NYC Health + Hospitals/Bellevue](#)
462 First Avenue
New York, New York 10016
212-562-5555
COVID-19 Testing and Antibody Testing Offered Here
Monday – Saturday, Walk Ins: 7:30 a.m. – 3:30 p.m.
Sunday closed.
*Walk-in hours maybe subject to change depending on patient volume.
[Pre-register for your visit](#)

[NYC Health +
Hospitals/Gotham Health, Gouverneur](#)
227 Madison Street
New York, New York 10002
844-NYC-4NYC
COVID-19 Testing and Antibody Testing Offered Here
Monday – Friday, 9 a.m. – 3 p.m.
[Pre-register for your visit](#)

[NYC Health + Hospitals/Harlem](#)
506 Lenox Avenue
New York, New York 10037
212-939-1000
COVID-19 Testing and Antibody Testing Offered Here
Monday – Saturday, 8 a.m. – 4:00 p.m.
[Pre-register for your visit](#)

[NYC Health +
Hospitals/Metropolitan](#)
1901 First Avenue
New York, New York 10029
212-423-6262
COVID-19 Testing and Antibody Testing Offered Here
Monday – Sunday, 9 a.m. – 3:30 p.m.
[Pre-register for your visit](#)

[NYC Health + Hospitals/Gotham Health,
Sydenham](#)
264 West 118th Street
New York, New York 10026
844-NYC-4NYC
COVID-19 Testing and Antibody Testing Offered Here
Monday – Friday, 9 a.m. – 3:30 p.m.
[Pre-register for your visit](#)

Queens

NYC Health + Hospitals/Elmhurst
77-04 41st Avenue
Elmhurst, New York 11373
718-334-4000
COVID-19 Testing and Antibody Testing Offered Here
Monday – Saturday, 8 a.m. – 4:00 p.m.
Sunday, 8 a.m. – 12:00 p.m.
Pre-register for your visit

NYC Health + Hospitals/Queens
82-68 164th Street
Jamaica, New York 11432
718-883-3000
COVID-19 Testing and Antibody Testing Offered Here
Monday – Saturday, 7 a.m. – 1 p.m.
Pre-register for your visit

51-30 Northern Boulevard
Woodside, NY 11377
Monday – Sunday, 9 a.m. – 7 p.m.
Rapid Molecular Testing Available Here
Pre-register for your visit

John F. Kennedy Airport
Located next to the Terminal 5 Airtrain Station
Jamaica, NY 11430
Monday – Sunday, 9 a.m. – 7 p.m.
Rapid Molecular Testing Available Here
Pre-register for your visit

LaGuardia Airport
Terminal B Parking Garage, Level 1
Queens, NY 11371
Monday – Sunday, 9 a.m. – 7 p.m.
Rapid Molecular Testing Available Here
Pre-register for your visit

Sorrentino Rec Center
18-48 Cornaga Avenue
Queens, NY 11691
Monday – Sunday, 9 a.m. – 7 p.m.

Rapid Molecular Testing Available Here
Pre-register for your visit

Staten Island

NYC Health + Hospitals/Gotham Health, Vanderbilt
165 Vanderbilt Avenue
Staten Island, New York 10304
844-NYC-4NYC
COVID-19 Testing and Antibody Testing Offered Here
Monday – Friday, 8:30 a.m. – 4:30 p.m.
Pre-register for your visit

Former St John Villa HS
57 Cleveland Place
Staten Island, NY 10305
Monday – Sunday, 9 a.m. – 7 p.m.
Pre-register for your visit

Greenbelt Recreation Center
501 Brielle Avenue
Staten Island, NY 10314
Monday – Sunday, 9 a.m. – 7 p.m.
Rapid Molecular Testing Available Here
Pre-register for your visit

Staten Island Ferry Terminal
1 Bay St, Retail Space 103 (Level 1 of the Ferry Terminal, next to the North Shore Esplanade exit)
Staten Island, NY 10301
Monday – Sunday, 9 a.m. – 7 p.m.
Rapid Molecular Testing Available Here
Pre-register for your visit

COVID-Safe Requirement: Frequently Asked Questions

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 employee who has not provided proof of full vaccination must wear a face covering, regardless of test compliance, unless they have been granted a reasonable accommodation by their agency's EEO office (or office/personnel providing the EEO function).

Policy Details

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

   All Health + Hospitals employees and most DOHMH clinic-based employees are covered beginning August 2nd.

   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).

   City employees and employees of City contractors working in residential and congregate settings (defined below) pursuant to a City contract are covered, effective August 16th. See appendix for full list.

2. **For the purpose of this policy, how are you defining "contracted employee" and "City contractor"?**
   For the purposes of this policy, a contracted employee and City contractor are, respectively, 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, and interacts with city employees or members of the public.

   The City strongly urges organizations to adopt this policy as broadly as possible and cover of all of their employees, as the City has done. This policy is intended to keep your employees and the clients they serve safe, as well as streamline the implementation process.

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, volunteers and interns. City contractors should integrate this policy into their own COVID-19 return to office and health and safety policies. Clients must wear face coverings at all times.

4. **Does this policy cover interns?**
    Yes, interns, aides, and fellows that work directly with service recipients or in person with City employees are covered by this policy. All agencies should update their policies to include this requirement.

5. **Does this policy cover volunteers?**
    Yes, volunteers who work directly with service recipients or in person with City employees are covered by this policy. All agencies should update their volunteer policies to include this requirement.

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?**
    City contractors are responsible for verifying that all visitors that enter the contracted space 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 employees, visitors, volunteers and interns of City agencies, City contractors and their subcontractors – must 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, volunteer, or intern chooses not to be vaccinated, they will have to submit evidence of a weekly negative COVID-19 test. If an employee, volunteer, or intern does not want to undergo weekly testing for any reason, they must get fully vaccinated.

    If an employee, volunteer, or intern has a medical reason for not complying with these requirements, they should be referred to the agency EEO office to review and discuss that information.

10. **Which vaccines count? What if the 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. The current list of vaccines authorized by the WHO for emergency use is here.

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

11. **If an employee, intern, or volunteer gets their first dose prior to when they are subject to this requirement will they be required to provide weekly test results?**
Employees, interns, and volunteers 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 the date specified in those orders. An employee, intern or volunteer who has received at least one dose of a vaccine that requires two doses (ex. Moderna and Pfizer) 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, intern or volunteer 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.

For all others:
An employee, intern, or volunteer 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.

An employee, intern or volunteer who has received at least one dose of a vaccine that requires two doses (ex. Moderna and Pfizer) by September 13, 2021, or the effective start date, whichever is later, will not need to submit the results of weekly testing as long as proof of their second dose is provided within one month of their effective start date. If the employee, intern or volunteer 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.

Employees, interns, and volunteers who wish 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 7). 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, interns, and volunteers may submit, using secure means, proof of vaccination directly to their own agency or contract organization. Employers should maintain a confidential record of the employees who have demonstrated proof of vaccination.
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).

Proof of vaccination for vaccines administered outside the U.S. must be an official immunization record and will include all of the following:
- First name and last name
- Date of birth
- Vaccine product name (ex: Moderna)
- Lot number (note: lot number may not be included on all official cards)
- Date(s) administered
- Site where the vaccine was administered or person who administered the vaccine.

13. **How will City agencies use the proof of vaccination?**
Agencies will collect vaccination proof from City employees using secure means. This information will be used to compile a list of employees who have not submitted proof of vaccination and must wear a face covering and submit weekly negative test results. HR must ensure that these employees submit negative test results, as a term of their employment. See information below regarding consequences for failure to comply.

This list of employees, volunteers, and interns required to wear a face covering will be securely shared with designated supervisors and other designated agency personnel who will conduct audits of face covering compliance. Agencies should proactively audit for compliance daily. In the compliance support role, designated agency staff must never inquire about an employee's medical condition; such inquiries may be a violation of federal law. Refer to the guidance issued by the City's Chief Privacy Officer on 7/30/21 for further information about handling individuals' confidential vaccination status and related information.

An employee, intern, or volunteer who chooses not to share their vaccination status with their agency's Human Resource Department (HR) must continue to wear a face covering. An unvaccinated employee, intern, or volunteer, other than those with an approved reasonable accommodation, must continue to wear a face covering as required by DCAS Commissioner's Directive 2020-1.

14. **What if an employee, intern, or volunteer is vaccinated, but lost their CDC vaccination card?**
Employees, interns, and volunteers 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, intern or volunteer was vaccinated in New York City, they can request their immunization record through the DOHMH self-service portal My Vaccine Record.

15. **For employees, interns, and volunteers who opt to do weekly testing, which 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.

16. **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 https://www.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 https://www.nyc.gov/homevaccine to sign up to have a team member come to your home to vaccinate you and any other household members, with any of the three FDA-authorized vaccines you choose.

17. **When must employees submit a weekly test?**
For each day that an employee reports to work onsite, they must have had a negative COVID-19 PCR test taken within the preceding seven days. This test result, which must be submitted to HR, must be negative. An employee who has been tested within the preceding seven days, but is still waiting for the result may report to work with a pending test result as long as they meet the criteria of the health screening, and provided that the test result is submitted to HR as soon as it becomes available.

18. **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 http://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.

19. **Will the City be providing on-site vaccination and testing at City 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 certain City worksites. The City will bring mobile testing to City worksites that previously receiving regular testing, specifically for schools, corrections facilities, and some congregate settings.

20. **Do rapid tests qualify?**
Rapid PCR tests will qualify for this requirement. Antigen tests will not.

21. **Do at-home tests qualify?**
At-home tests will not be accepted at this time.

22. **What happens if an employee, intern, or volunteer tests positive?**
An employee, intern or volunteer who tests positive must not report to work until they meet all the criteria of the health screening and 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).

23. **Will employees, interns, and volunteers 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; nearly 60% of all employees have chosen to protect themselves and their community by getting vaccinated. 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.

24. **Can employees take time from their shift to get vaccinated?**
    All employees are allowed to take up to four hours to get vaccinated during their workday. Employees who get a vaccine that requires two doses may take up to four hours on both days they receive a dose of that vaccine. Please see PSB 600-4 Temporary Citywide Policy for Vaccination of City Employees against SARS-CoV-2 for more information. In addition, all employees may be entitled to paid excused leave for any side effects experienced due to the vaccination. Please see: Updated Guidance for City Agencies on Leave Policy Applicable During the Outbreak of Coronavirus Disease 2019 (COVID-19) for more information.

    It is suggested that City contractors adopt the same or similar policy. The City will reimburse contractors for costs associated with providing time off to employees getting vaccinated.

25. **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.

26. **Does the COVID-Safe Requirement apply to pre-K staff in City-contracted sites? Or only DOE staff?**
    The COVID-Safe Requirement applies to all City employees and contracted staff interacting with the public or City employees. This includes Pre-K staff in City-contracted sites.

27. **Is the City offering any exemptions for the vaccination requirement?**
    Any employee, intern, or volunteer who is unwilling or unable to be vaccinated, including for medical reasons, will be required to show proof of a COVID-19 PCR test with a negative result once every seven days.

28. **Can City and contracted employees take time from their shift to get tested?**
    City employees may use City time to be tested, but some restrictions apply:
    - Employees are required to get tested at the beginning or end of their shift.
    - If testing is offered at an employee's place of work, they may not use work hours to be tested off-site.
    - If testing is not onsite at the workplace, employees should get tested in a place close to their home or work.
    - Employees will be required to document time taken to seek testing and will be required to seek the fastest option available.
    - Employees should work with their supervisors to schedule a time for testing.
    - Testing time should be scheduled so that it does not have any detrimental impact on operations.

Like City employees, contracted employees may use shift time to get tested and the same restrictions apply. Contracted employees with testing available on site must use that option if they get tested during their shift. No additional funding will be provided associated with time off for testing.

29. **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 not covered 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.

30. **Who is responsible for paying for tests at non-City sites (to the extent it isn't covered)?**
Tests are widely available at no cost to individuals across dozens of City-sponsored test sites. Private providers may charge for testing or charge a co-pay and all New Yorkers are strongly encouraged to ask about associated costs before being tested. Most providers across the City will attempt to bill insurance for test collection.

31. **Will the City reopen its employee testing sites?**
Testing is now widely available and convenient for all New Yorkers. The Test & Trace Corps will continue to deploy City resources to ensure all geographies have access and to respond to case rates, outbreaks, and demand.

32. **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.

Enforcement and Compliance

33. **How will City agencies track compliance?**
Each agency will track compliance for their employees, interns, and volunteers. Agencies are responsible for verifying individual vaccination status of each employee, intern, and volunteer, and monitoring compliance with weekly testing and face covering requirements for those who have not submitted proof of vaccination.

34. **Are there privacy concerns with handling employee vaccination information and documents?**
Yes. Employee vaccination information is considered confidential medical information under the federal Americans with Disabilities Act and is also identifying information that is protected under the City's privacy law. This information must be kept private and secure and may only be shared with designated agency staff and City officials. Refer to guidance issued by the City's Chief Privacy Officer on July 30, 2021 for further information on handling this information, or email PrivacyOfficer@cityhall.nyc.gov.

35. **What tools can an agency use to collect and store vaccination or testing proof?**
Agencies developing or utilizing a survey tool to collect proof of employee vaccination status, because it is confidential medical information, must only use tools that have successfully

completed the citywide application security review and have the appropriate controls to support the storage, transmission, and handling of information classified as "Restricted" information under the NYC Cyber Command Policies & Standards. If an agency procures a vendor to develop its survey tool, the contract should include NYC3 security provisions and be reviewed by the Chief Privacy Officer to ensure appropriate privacy protections are included. For further information, contact PrivacyOfficer@cityhall.nyc.gov or legal@cyber.nyc.gov.

36. **How will the COVID-Safe Requirement be enforced for contracted organizations?**
All City contractors with covered contracts must submit a signed certification that they are complying with the City's policies regarding testing, vaccine proof, and face coverings by uploading it directly to their PASSPort vendor profile or sending it to their contracting agency if they do not have a PASSPort account. They must also submit related policies. Further guidance on certification of the COVID-Safe Requirement will be issued soon.

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

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

37. **What is the penalty for non-compliance? Will non-compliant employees be subject to termination?**
City staff who are in violation of either the COVID-Safe Requirement to be vaccinated or complete weekly testing 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 providers are non-compliant, contracting agencies will exercise any rights they may have under their contract.

38. **Will employees be required to use the City's NYC COVID Safe application?**
No. The NYC COVID Safe application should be on every phone issued by the City of New York, if an employee wishes to use it. However, employees may choose to provide one-time documentation of vaccination or provide weekly documentation of a test via any proof acceptable to the employer and consistent with guidance provided above.

39. **In City agencies, who is responsible for checking if someone has had a test in the last week? Are supervisors supposed to be involved in enforcement or just HR? Will supervisors be told who is and isn't vaccinated to enforce among their staff? Will they make direct outreach to employees or go through HR?**
Employees, volunteers, and interns must submit proof of full vaccination once or proof of a negative COVID-19 PCR test ever seven days to HR. HR will provide designated supervisors and other designated personnel with a list of employees who are required to wear a face covering. HR will enforce compliance with the test requirement and will notify any employee who is out of compliance. HR and HR-designated supervisors/personnel will enforce compliance with the face covering requirement using the list provided by HR.

Employees seeking reasonable accommodations should seek them through the agency's EEO office. A supervisor who becomes aware that an employee may need an accommodation should let them know the official way to request an accommodation.

40. **In City agencies, if someone suspects that a coworker is in violation of the COVID-Safe Requirement, what is the process for reporting their concern?**
An employee may speak to their HR representative if they believe that a coworker is not complying with City policy. The employee should not engage their coworker directly on the issue.

41. **In City agencies, do staff have to show proof of vaccination or testing multiple times a day every time someone comes in and out of the workplace, or can they get a "pass" for the day or permanently?**
No. Designated supervisors and other designated personnel will be provided with a weekly list of employees for the purpose of monitoring face covering compliance. HR will be responsible for monitoring weekly test compliance for those who choose to remain unvaccinated. Agencies will designate supervisors or other agency personnel who will conduct audits of face covering compliance on a regular basis.

42. **Do staff have to tell the City whether or not they are vaccinated?**
No. Any employee who prefers to keep their vaccination status private can do so by providing a weekly COVID-19 PCR test and wearing a face covering.

43. **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
- CPO Privacy Guidance dated 7/30/21 contact PrivacyOfficer@cityhall.nyc.gov

Appendix: Phases

On August 2nd: Clinical settings
- **Health + Hospitals**
  - All employees and contractors
- **DOHMH**
  - All clinic-based employees and contractors

On August 16th: Residential and Congregate Programs, including the following agencies and their contractors.
- ACS
  - Residential juvenile justice programs (Secure and nonsecure detention, close to home)
  - Residential foster care
  - The 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
  - Transitional housing sites

On September 13th: ALL City Workforce and Certain Contracted Employees
- 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