

September 27, 2022

On September 20, 2022, New York City Mayor Eric Adams announced that the city will end its COVID-19 vaccine mandate for private employers on November 1. Adams stated that lifting the mandate now “puts the choice in the hands of New York businesses” as to whether to require employee vaccination, subject to accommodations for religious or medical reasons. The city’s vaccine mandate for municipal employees, however, remains in effect.

Since December 2021, under former Mayor Bill de Blasio, the city had required private employers who maintained a workplace in New York City to prohibit the entry of any unvaccinated workers to work at that workplace, subject to accommodations for medical or religious reasons. The mandate broadly applied to any employee, intern, volunteer or contractor, and to any workplace where work was performed in the presence of other workers or the public. Private employers also were required to verify workers’ proof of vaccination and comply with various record keeping and posting obligations.

Next steps

After November 1, New York City employers should re-evaluate their COVID-19 protocols and policies. Employers should determine whether a mandate is necessary for their workplace, and the extent to which they will require employees to return to the office or implement a hybrid work policy.

If you have any questions about the ordinance, please contact a member of Cooley’s employment group.

This content is provided for general informational purposes only, and your access or use of the content does not create an attorney-client relationship between you or your organization and Cooley LLP, Cooley (UK) LLP, or any other affiliated practice or entity (collectively referred to as "Cooley"). By accessing this content, you agree that the information provided does not constitute legal or other professional advice. This content is not a substitute for obtaining legal advice from a qualified attorney licensed in your jurisdiction, and you should not act or refrain from acting based on this content. This content may be changed without notice. It is not guaranteed to be complete, correct or up to date, and it may not reflect the most current legal developments. Prior results do not guarantee a similar outcome. Do not send any confidential information to Cooley, as we do not have any duty to keep any information you provide to us confidential. When advising companies, our attorney-client relationship is with the company, not with any individual. This content may have been generated with the assistance of artificial intelligence (AI) in accordance with our AI Principles, may be considered Attorney Advertising and is subject to our legal notices.

Key Contacts

Erika Freeman New York	efreeman@cooley.com +1 212 479 6367
Anna Matsuo New York	amatsuo@cooley.com +1 212 479 6827
Gerard O'Shea New York	goshea@cooley.com +1 212 479 6704

Steven A. Zuckerman New York	szuckerman@cooley.com +1 212 479 6647
---------------------------------	--

This information is a general description of the law; it is not intended to provide specific legal advice nor is it intended to create an attorney-client relationship with Cooley LLP. Before taking any action on this information you should seek professional counsel.

Copyright © 2023 Cooley LLP, 3175 Hanover Street, Palo Alto, CA 94304; Cooley (UK) LLP, 22 Bishopsgate, London, UK EC2N 4BQ. Permission is granted to make and redistribute, without charge, copies of this entire document provided that such copies are complete and unaltered and identify Cooley LLP as the author. All other rights reserved.