

New York State Vaccine Mandate for Health Care Workers Frequently Asked Questions

September 24, 2021

Who is subject to the vaccine mandate required by the State?

All NYC Health + Hospitals staff, including contractors, vendors, students, partners, employees, and affiliates, who work, volunteer, train or provide services in-person at any NYC Health + Hospitals facility, site or workplace, including in the community or Central Office, are subject to the mandate. This includes NYC Test & Trace Corps staff who work at any health system facilities or in the community. For MetroPlus Health staff, the requirement for vaccination depends on the person's work location. More information will be provided directly to MetroPlus staff.

When do staff need to be vaccinated?

All health system staff, including contractors, vendors, students, partners, employees, and affiliates, who work, volunteer, or are on the medical staff of any Acute Care Hospital, Skilled Nursing Facility, Correctional Health Services, NYC Test & Trace Corps, or Central Office must have received at least a first dose of any approved COVID-19 vaccine **before September 27, 2021**. These staff will be required to complete their vaccine series by **November 8, 2021**.

Staff who work exclusively at Gotham Health sites or for Community Care must receive their first dose of the vaccine **before October 7, 2021**, and must complete their vaccine series by **November 18, 2021**. Staff who work at both an Acute Care Hospital and a Gotham Health site or Community Care will be subject to the earlier deadline noted above.

Does the mandate apply to staff who telecommute and work remotely?

Only individuals who work 100% remote, in roles approved to be 100% remote by Human Resources, are not subject to the mandate. Individuals who typically work remotely but may be expected to come into a NYC Health + Hospitals worksite on occasion must be vaccinated.

Are NYC Test & Trace Corps staff who work in mobile testing sites subject to this mandate?

Yes -- anyone who interacts with patients, community members, or other staff of NYC Health + Hospitals at a NYC Health + Hospitals worksite is subject to the mandate and must have their first dose by September 27, 2021.

What happens if staff do not get vaccinated by the deadlines in the State mandate?

Individuals who do not comply with the vaccination requirement will not be cleared to work at any of our facilities or worksites **starting on September 27 or on October 7**, depending on the date that applies as noted above. NYC Health + Hospitals employees will not be allowed to come to work, will be on leave without pay until they are vaccinated and cleared to work, and their employee IDs will be suspended until they are cleared to return. Vendors, affiliates, and temps will also be sent home and should reach out to their employer for further information. Students should follow up with their schools, and volunteers can reach out to their Volunteer Office.

If I refuse to get vaccinated, can I use my annual or other leave to continue to be paid?

No, you cannot use leave to annual leave or any other leave to avoid the vaccine mandate. Anyone not in compliance with the mandate will be placed on leave without pay.

If I refused to get vaccinated and am placed on leave, will I continue to receive my benefits?

Individuals who do not comply with the vaccine mandate will be placed on leave without pay. At this time, their status will not affect healthcare benefits or accruals.

Will my ID and access to Epic be cut off if I'm not vaccinated by the deadline? When will that happen?

For those who are not cleared for duty, access to applications, including Epic, will be suspended by shutting off VPN and VDI access. EITS will be notified by Facility Human Resources (HR) leadership regarding the time to remove access. Staff will continue to have access to their Webmail, PeopleSoft Self-Serve and the COVID-19 portal remotely. Staff should not report to facilities or worksites or attempt use their ID cards if they have been relieved of duty.

What if I get vaccinated after the access is denied? How can it get access reinstated?

Once an individual is vaccinated and returning to work, access to applications, including Epic, will be restored.

Are staff going to get COVID-19 vaccine stickers for IDs? When? Will those be required?

All fully vaccinated staff are eligible to receive a COVID-19 vaccine sticker to be placed on their ID badges. This is optional. COVID-19 vaccine stickers will be made available after October 4th. You can pick up your COVID-19 vaccination sticker during the staff flu clinic hours, or you may go to your facility Occupational Health and Safety (OHS) Department to receive one.

Will vaccinated staff need to use the Point of Entry screening when coming to work after the mandated deadline?

All staff are required to complete Point of Entry Screening before entering any H+H facility even after the vaccine mandate deadline.

How or when will staff know they are getting redeployed to another facility or site if our hospitals or post-acute care facilities are short staffed?

If staff need to be redeployed to another facility or site, they will be informed between Friday September 24th and Monday, September 27th.

Will booster shots be mandated?

The NYS mandate currently only applies to first and second doses of the COVID-19 vaccine. The mandate does not address booster doses.

How will NYC Health + Hospitals be able to provide safe patient care if a significant number of staff do not get vaccinated and are placed on leave without pay?

We expect most of our staff will get vaccinated. The health system will have on standby extra trained, credentialed health care professionals ready to fill in for staff who are on leave without pay. The safety of our patients and staff is our priority, and we will take all necessary steps to ensure that we are prepared to provide high quality health care every day.

How long can staff remain on leave without pay? Can it last longer than 30 days?

Unvaccinated employees who are on leave without pay will remain on leave without pay until vaccinated or separated from employment.

If staff do not get vaccinated, will they be terminated? When?

All staff will be given an opportunity to comply with the vaccine mandate before they are separated from employment. The timeline and process for termination is still to be determined. We hope all our staff will comply with the state mandate and avoid losing income or risk the possibility of losing their job. This is certain: staff who do not get vaccinated by the deadline will be required to stay home without pay, and unvaccinated individuals will not be allowed to work at any of our facilities or in the community.

Can individuals get unemployment benefits while on leave without pay?

Unemployment benefits are generally not available to individuals who are employed without pay. The unemployment program is

administered by the NYS Department of Labor and employees can check with them about eligibility after employment ends.

If I'm unvaccinated, do I still need to submit to weekly COVID-19 testing?

NYC Health + Hospitals will follow NYC Health Commissioner guidance on testing for requirements for staff who are not fully vaccinated. Testing to continue working will not be an option for anyone who does not get a first dose by September 27, 2021, or October 7, 2021. Staff who do not get vaccinated by the mandated time will be required to stay home without pay until they are vaccinated.

Are there medical exemptions to the mandate?

The State rule provides that medical accommodations will only be considered for individuals who have a pre-existing medical condition that makes any COVID-19 vaccination "detrimental" to their health and who submit a physician or nurse practitioner certification of this medical condition. Such requests for medical accommodations will be reviewed by the Office of Equal Employment Opportunity (EEO) with input from a committee of medical professionals. If granted, medical exemptions will be time limited, and must be revisited if the medical condition persists past the accommodation expiration. Accommodations will not allow unvaccinated employees to work in person at any NYC Health + Hospitals facility, worksite or in the community. Medical accommodation request forms are available [here](#). Employee requests for medical accommodations must include the provider certification and should be submitted by September 14 to the [Vaccine Accommodation link](#).

What is a medical condition that might be eligible for an accommodation?

CDC considers a history of the following to be a contraindication to vaccination with COVID-19 vaccines:

- + Severe allergic reaction (e.g., anaphylaxis) after a previous dose or to a component of the COVID-19 vaccine
- + Immediate allergic reaction of any severity to a previous dose or known (diagnosed) allergy to a component of the COVID-19 vaccine

People with a contraindication to one of the mRNA COVID-19 vaccines should not receive doses of either of the mRNA vaccines (Pfizer-BioNTech or Moderna). However, people with a contraindication to mRNA COVID-19 vaccines may be able to receive Janssen COVID-19 vaccine, and vice versa.

Individuals who are currently infected with SARS-CoV-2 should defer vaccination until they have recovered from the acute illness (if the individual has symptoms) and they have met [criteria](#) to discontinue isolation. Vaccination should be deferred for at least 90 days after receiving monoclonal antibodies or convalescent plasma. Individuals who need to defer vaccination for one of these reasons may also be eligible for a medical exemption.

Can I obtain a medical exemption to the mandate because I am pregnant?

No, not if there is no other condition present. The [CDC recommends](#) people who are pregnant, breastfeeding, trying to get pregnant, or might become pregnant in the future to be vaccinated.

Are there religious exemptions to the mandate?

Religious accommodation requests will be considered if submitted by **September 14, 2021**. If granted, religious accommodations will be time limited. Accommodations will not allow unvaccinated staff to work in person at any NYC Health + Hospitals facility, worksite or in the community. Employee requests for religious accommodations should be submitted by September 14 to the [Vaccine Accommodation link](#). Affiliate staff and vendors need to contact their employer to request an exemption.

What type of accommodation will be offered to those who are granted an exemption?

NYC Health + Hospitals will not allow unvaccinated staff to work in any health system facility, work sites or in the community. Individuals granted medical or religious accommodation may be permitted to work remotely if their job duties can be done remotely. Wearing a face covering or other personal protective equipment (PPE) will not be considered an accommodation.

Will an exemption from COVID-19 vaccination be granted to people who acquired natural COVID-19 immunity through virus exposure?

No. The CDC recommends vaccination regardless of prior COVID-19 infection or antibody status. Individuals who previously had COVID-19 or have COVID-19 antibodies are still required to be vaccinated.

How can staff submit proof of vaccination to comply with the mandate?

If you are vaccinated at an NYC Health + Hospitals facility and you provided your TKID, your vaccine records are automatically included in our registry. If you are vaccinated outside our system, valid documentation of your vaccine must be submitted immediately to Occupational Health Services (OHS) via [this online COVID-19 Vaccination Registry](#) or by bringing documentation to your local OHS office. Only valid vaccination cards should be submitted. [Learn more.](#)

Where can staff get vaccinated?

Vaccines are free and widely available at NYC Health + Hospitals locations. Employees with an NYC Health + Hospitals ID will be prioritized and proof of vaccination will be automatically uploaded to OHS.

Will the mandate apply to volunteers, like Community Advisory Board Members?

Any volunteer who has business or volunteer activities inside our facilities will be required to comply with the vaccine mandate. If the volunteer service is 100% remote, then the mandate does not apply.

When will I hear back about my request for an exemption?

The Office of EEO continues to respond to requests for accommodations. It is anticipated that responses to all requests for medical accommodations, and reasonable accommodation that were submitted by September 14, 2021, as well as most requests submitted up to September 21, 2021, will be communicated by Friday, September 24, 2021.

If I have recently taken monoclonal antibodies and have been advised that I should not take a vaccine for 90 days, may I continue to work without a vaccine?

No, if you have recently received a treatment with monoclonal antibodies and are not vaccinated you will not be permitted to work at a System facility or work location starting September 27, or October 7, as applicable. You should seek a medical accommodation immediately if you have not already done so. Requests can be submitted [here](#).

If I have natural immunity to COVID-19 because I had the infection, and I can show that I have a high level of antibodies, can I continue to work even if I haven't gotten a vaccine?

No, the requirement to get vaccinated is for all employees and affiliated workers, regardless of your antibody level or prior infection with COVID-19. If you have not received an initial dose of the vaccine by September 27, or October 7 as applicable, you will not be able to work and will be sent home without pay. CDC recommends that individuals be vaccinated even if they already had COVID-19, because you can catch it more than once. While you may have some short-term antibody protection after recovering from COVID-19, we don't know how long this protection will last. Vaccination helps protect you even if you've already had COVID-19. Evidence is emerging that people get better protection by being fully vaccinated compared with having had COVID-19. One study showed that unvaccinated people who already had COVID-19 are more than 2 times more likely than fully vaccinated people to get COVID-19 again.