

## **New York City Announces COVID-19 Vaccine Mandate for Private Employers**

Written by Christopher Feudo, Natalie Panariello

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On December 6, 2021, New York City announced a vaccine mandate for all private-sector employers that will take effect on December 27, 2021. The mandate, which will require all in-person employees who are in a workplace with other co-workers to be vaccinated, will affect roughly 184,000 private-sector businesses.

The City will release additional guidance, including information on enforcement and reasonable accommodations, on December 15, 2021. While more information is forthcoming, Mayor Bill de Blasio stated during a press briefing that the mandate will not include a testing alternative for unvaccinated employees and will require employees to have received at least one dose of the vaccine by December 27, 2021.

The announcement follows in the wake of the Biden administration's federal [vaccination-or-testing rules](#), which have sparked litigation throughout the country and the validity of which is presently being tested in federal court. At the press briefing, Mayor de Blasio and NYC Corporation Counsel Georgia Pestana expressed confidence that the NYC mandate will survive any similar legal challenges that may come, citing the authority of the NYC Health Commissioner to act in response to a pressing public health threat. While such legal challenge seems imminent, employers should prepare to implement the mandate by its December 27, 2021 effective date.

Foley Hoag will continue to monitor developments and update clients on issues surrounding the mandate.

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