

## **NYC Vaccine Mandate FAQ**

On December 13, 2021, the New York City Commissioner of Health and Mental Hygiene issued an Order (the "Order") requiring COVID-19 vaccination in the workplace effective as of December 27, 2021. Guidance was issued by the city on December 15, 2021 and can be found at: [Workplace-FAQ.pdf \(nyc.gov\)](#).

### **What does the Order require?**

All NYC employers must verify that its employees are vaccinated in order to permit them to come to work. Any employee that does not provide proof of vaccination by December 27, 2021, and who has not applied for a reasonable accommodation, must be excluded from the workplace premises.

### **When does the Order take effect?**

Workers must submit proof to their employer of at least ONE dose by December 27, 2021. Employers are required to obtain proof of their second dose within 45 days, or February 10, 2022. If the worker does not provide proof of the second dose by February 10, they must be excluded from the workplace.

### **If I did not receive a COVID-19 vaccine and am laid off for this reason, can I file for New York State Unemployment Benefits?**

No, New York State explicitly disqualifies individuals from unemployment benefits if they quit or are terminated for not adhering to vaccination requirements.

### **Can I access my Security Benefit Fund balance if I am not eligible for New York State unemployment benefits?**

No, you must be receiving New York State Unemployment Benefits to withdraw funds from your Security Benefit Fund for replacement wage benefits.

### **Can I access the Financial Assistance Benefit for my unpaid home mortgage, rent, property taxes, or maintenance fee if I am not eligible for New York State Unemployment benefits?**

No, the Security Benefit Fund will require documentation from either Unemployment, Disability, Workers' Compensation, or Inpatient Substance Abuse Rehabilitation benefits for a week ending in that month to disburse a benefit for that month