



NYC Employers: Prepare for Vaccination Mandates for Indoor Dining, Fitness, and Entertainment

Insights

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New York City restaurants, fitness facilities, and entertainment facilities will soon be subject to mandatory vaccination requirements for workers and customers alike. In further effort to increase vaccinations and stave off rising COVID-19 infection rates stemming from the Delta variant, NYC Mayor Bill de Blasio announced yesterday that, in the coming weeks, NYC will require both employees and customers in indoor dining, fitness facilities, and entertainment venues to have received at least one dose of vaccine in order to work at or patronize the business. With this mandate, NYC will become the first major U.S. city to require proof of COVID-19 vaccination for workers and customers at restaurants, gyms, and entertainment venues. The Mayor did not rule out future vaccine mandates that could apply to other types of businesses.

What Do You Need to Know?

At this point, the impending citywide policy – dubbed the “Key to NYC Pass” – is short on details. For example, it does not yet address how this mandate will intersect with the EEOC’s guidance that employers that require the COVID-19 vaccine must consider reasonable accommodations for employees who cannot be vaccinated because of a disability or for religious reasons.

The Mayor stated the policy will be phased in over the coming weeks, with the final details of the policy to be announced and implemented in the week of August 16. Full enforcement and inspection will begin the week of September 13.

New York City restaurants, gyms and entertainment venues — stay tuned. We will monitor these developments and provide updates as warranted, so make sure that you are subscribed to Fisher Phillips’ Insights to get the most up-to-date information direct to your inbox. If you have further questions, contact your Fisher Phillips attorney, the author of this Insight, or any attorney in our New York City office.

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