



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EMERGENCY EXECUTIVE ORDER NO. 331

February 9, 2023

WHEREAS, the COVID-19 pandemic has severely impacted New York City and its economy, and is addressed effectively only by joint action of the City, State, and Federal governments; and

WHEREAS, the state of emergency to address the threat and impacts of COVID-19 in the City of New York first declared in Emergency Executive Order No. 98, dated March 12, 2020, and extended most recently by Emergency Executive Order No. 315, dated January 20, 2023, remains in effect; and

WHEREAS, this Order is given because of the propensity of the virus to spread person-to-person, and also because the actions taken to prevent such spread have led to property loss and damage; and

WHEREAS, Executive Order No. 25, dated February 6, 2023, rescinded the requirement for prospective City employees to be vaccinated against COVID-19 as of February 10, 2023; and on February 9, 2023, the Board of Health resolved to make COVID-19 vaccination optional for certain City and DOE employees; and

WHEREAS, pursuant to paragraph 6.2.6 of the Personnel Rules and Regulations of the City of New York ("PRR"), a person who was dismissed from a permanent competitive or labor class position in an agency under the jurisdiction of the Commissioner of Citywide Administrative Services may submit a written application for reinstatement in accordance with the Rule, and is eligible for discretionary reinstatement for a period of one year only from the date of dismissal; and

WHEREAS, certain employees were dismissed from their positions effective February 11, 2022 for failing to provide proof of vaccination against COVID-19, and now may be eligible to apply for reinstatement pursuant to PRR Rule 6.2.6, but would need adequate time to do so;

NOW, THEREFORE, pursuant to the powers vested in me by the laws of the State of New York and the City of New York, including but not limited to the New York Executive Law, the New York City Charter and the Administrative Code of the City of New York, and the common law authority to protect the public in the event of an emergency:

Section 1. I hereby order that section 1 of Emergency Executive Order No. 327, dated February 4, 2023, is extended for five (5) days.

§ 2. I hereby suspend paragraph 6.2.6(b)(1) of the PRR, to the extent necessary to allow a person who was dismissed on or after February 11, 2022, but prior to March 10, 2022, from a permanent competitive or labor class position in an agency under the jurisdiction of the Commissioner of Citywide Administrative Services for failure to provide proof of vaccination against COVID-19, to submit a written application for reinstatement, which shall be otherwise in accordance with Rule 6.2.6, on or before March 10, 2023.

§ 3. I hereby direct the Fire and Police Departments, the Department of Buildings, the Sheriff, and other agencies as needed, to enforce the directives set forth in this Order in accordance with their lawful authorities, including Administrative Code sections 15-227(a), 28-105.10.1, and 28-201.1, and section 107.6 of the Fire Code. Violations of the directives set forth in this Order may be issued as if they were violations under Health Code sections 3.07 and 3.11, and enforced by the Department of Health and Mental Hygiene or any other agency.

§ 4. This Emergency Executive Order shall take effect immediately and shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.



Eric Adams
Mayor