



THE CITY OF NEW YORK  
OFFICE OF THE MAYOR  
NEW YORK, N.Y. 10007  
EXECUTIVE ORDER NO. 79

September 10, 2021

SAFETY PRACTICES OF PUBLIC-FACING CONTRACTED PERSONNEL DURING THE  
COVID-19 CRISIS

WHEREAS, the City's efforts to mitigate the spread of COVID-19 are critical to the health and well-being of City workers and residents and other persons with whom they interact in the provision of services; and

WHEREAS, wearing a face covering that covers the person's mouth and nose is a highly effective measure for reducing the spread of COVID-19; and

WHEREAS, the U.S. Centers for Disease Control ("CDC") reports that new variants of COVID-19, identified as "variants of concern," have emerged in the United States, and some of these new variants, which currently account for the majority of COVID-19 cases sequenced in New York City, are more transmissible than earlier variants; and

WHEREAS, the CDC has stated that vaccination is an effective tool to prevent the spread of COVID-19 and benefits both vaccine recipients and those they come into contact with, including persons who for reasons of age, health, or other conditions cannot themselves be vaccinated; and

WHEREAS, the recent appearance in the City of the highly transmissible Delta variant of COVID-19 has substantially increased the risk of infection for the City's workforce; and

WHEREAS, many employees of City contractors hold positions in which they come into contact with other people in the course of their work for the City, and are thus in a position to transmit or contract COVID-19 while they are at work; and

WHEREAS, it is essential that the City promote the best health and safety practices recognized in light of current scientific understanding of the conditions under which COVID-19 can spread;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. Executive Order No. 74, dated July 31, 2021, and Executive Order No. 77, dated August 25, 2021, shall be superseded by this Order, effective September 13, 2021.

§ 2. Definitions. For the purposes of this Order, the following terms have the following meanings:

Contract. The term “contract” means a contract awarded by the City, and any subcontract under such a contract, for work (i) to be performed within the City of New York; and (ii) where employees can be expected to physically interact with City employees or members of the public in the course of performing work under the contract.

Covered Employee. The term “covered employee” means a person (i) employed by a contractor or subcontractor holding a contract; (ii) whose salary is paid in whole or in part from funds provided under a City contract; and (iii) who performs any part of the work under the contract within the City of New York. However, a person whose work under the contract does not include physical interaction with City employees or members of the public shall not be deemed to be a covered employee.

Full vaccination. The term “full vaccination” means at least two weeks have passed after a person received a single-dose of an FDA- or WHO- approved one dose COVID-19 vaccine or the second dose of an FDA- or WHO- approved two-dose COVID-19 vaccine.

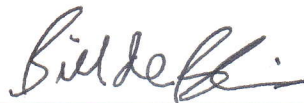
Shared indoor workspace. The term “shared indoor workspace” means a communal or open office setting in which individuals cannot be separated by a closed door.

§ 3. Requirement. Effective September 13, 2021, all City agencies must take all necessary actions to ensure that their contractors:

- a. Require all covered employees, including those who are fully vaccinated against COVID-19, to wear a face covering when (i) interacting with members of the public; or (ii) present in a pre-kindergarten to twelfth grade school, public transit facility, homeless shelter, correctional facility, nursing home, or health care setting; or (iii) in a shared indoor workspace.
- b. Require all covered employees conducting City business outside, including those who are fully vaccinated against COVID-19, to wear a face covering when interacting with members of the public.
- c. Authorize covered employees to remove their face covering in the workplace (indoors or outdoors) only when:
  - i. They are not required by subdivision (a) or (b) of this section to wear the face covering; and
  - ii. They have provided documentation of their full vaccination status.

§ 4. Notice. Each City agency must send each of its contractors notice that the Mayor has directed City contractors to comply with the requirement of this Order and request a response from each such contractor, as soon as possible, with regard to the contractor’s intent to follow this Order.

§ 5. Effective date. This Order shall take effect immediately.



---

Bill de Blasio,  
MAYOR