

**OFFICE OF THE COUNTY EXECUTIVE**

11 New Hempstead Road  
New City, New York 10956  
Phone: (845) 638-5122 Fax: (845) 638-5856  
Email: CountyExec@co.rockland.ny.us

December 15, 2021

To: All Commissioners and Department Heads

From: Edwin J. Day, County Executive

Subject: **EXECUTIVE ORDER 2021-03** : Revised COVID-19 protections – modified per the NYS Dept. of Health’s *Commissioner’s Determination on Indoor Masking Pursuant to 10 NYCRR 2.60*, dated December 10, 2021.  
LM No.: 2021-01937

This Executive Order shall constitute the plan for administration of COVID-19 protections for all departments in the Executive Branch of County government whose Department Heads report to the County Executive. This modification is made to comport with the State Department of Health determination *Commissioner’s Determination on Indoor Masking Pursuant to 10 NYCRR 2.60*, dated December 10, 2021 (“Determination”). This policy shall replace any prior Executive Order or policy of the administration issued by this office on this subject.

This protocol sets different rules for vaccinated and unvaccinated persons.<sup>1</sup>

---

<sup>1</sup> A *vaccinated* person is a person who has received all required doses of a vaccination approved by the FDA and for whom two weeks has passed since the last required dose was administered. All other persons are deemed *unvaccinated*. At this time, there is no requirement for a booster shot for any brand of vaccine. Children 5 to 11 years of age shall require only a single injection plus two weeks waiting time.

Departments shall, where not in conflict with the Determination, comport with the CDC guidance applicable to the work being performed by the departments, or offices within the departments, as appropriate. Copies of CDC guidance for general business applications accompany this memorandum.

If CDC guidance, or other Federal or State authorities require different, more restrictive standards, related the Department's particular line of work, then the appropriate Federal or State requirements must be met. It is the responsibility of each Department Head to know and implement all requirements in their respective Departments.

With respect to all indoor areas of County properties, the following standards shall apply:

I. *Determining vaccination status of employees and on-site contractors*

- Each Department Head shall request each employee and on-site contractor<sup>2</sup> provide documentary proof of vaccination status and keep a record of that status. *THIS RECORD SHALL BE KEPT CONFIDENTIAL, AND SEPARATE FROM ALL OTHER EMPLOYMENT RECORDS.*
- Documentation sufficient to satisfy this requirement shall be an original *COVID-19 Vaccination Record Card* ("vaccination card"), a legible paper or electronic copy of a vaccination card, or an Excelsior Pass exhibiting proof of vaccination.
- Documentation may be requested by security personnel, at any time, for any reason. Failure to produce proof will require the employee or on-site contractor to be considered unvaccinated. However, once the Department Head has proof of vaccination, vaccination status may be verified by reference to the information held at the employee or on-site contractor' department.

II. *Determining vaccination status of visitors*

- Persons at County facilities who are not County employees or on-site contractors, are *visitors*.
- Upon request by any security personnel, department head, or other person authorized by a department head, visitors must show proof of vaccination by showing, an original *COVID-19 Vaccination Record Card* ("vaccination card"), a legible paper or electronic copy of a vaccination card, or an Excelsior Pass exhibiting proof of vaccination.

---

<sup>2</sup> An on-site contractor is an individual that regularly works at a County facility.

- Any visitor who enters a county building without showing or being requested to show proof of vaccination, is presumed to be unvaccinated until shown otherwise.
- Vaccinated visitors may use the same protection levels as vaccinated employees.

### III. *Personal protection standards*

- For *vaccinated* employees, on-site contractors, and visitors who have produced proof of vaccination, no face covering shall be required.
- For *unvaccinated* employees, on-site contractors, and visitors to the building who have not produced proof of vaccination face coverings for persons over two years of age are required indoors at all times in County facilities.

If you would like further direction, feel free to consult the State Department of Health's *Commissioner's Determination on Indoor Masking Pursuant to 10 NYCRR 2.60*, dated December 10, 2021

### IV. Penalties for violation

- Violations of this policy are subject to progressive discipline.
- Entry may be refused, and those already present on County property may be asked to leave.
- Also, please take notice that the State may choose to fine any person or entity in violation of this policy up to \$1,000 per violation.

### V. ADA Compliance

- If a person who is required by this policy to wear a face covering, claims that there he or she has a medical condition preventing the wearing of a face covering, that person must report the condition immediately to the Department Head for evaluation.
- The Department Head will consult with the County's ADA Coordinator, to resolve the issue.
- All such matters are of high priority and shall be resolved expeditiously.
- Until the matter is resolved, the person shall not enter any County building or facility unless a face covering is worn.

VI. Effective Date.

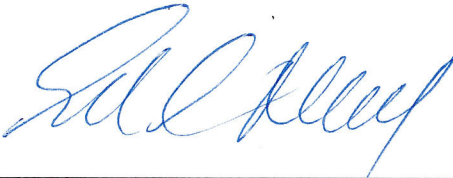
This policy is effective immediately. Notwithstanding the effective date, Department Heads shall have until 5:00 PM on December 17, 2021, to collect documentation from employees in their department. Once such documentation is completed, notify the Deputy County Executive of the number of employees reviewed, and the number outstanding due to illness vacation, etc. Employees absent between this effective date and Friday December 17, 2021, must present documentation to Department Heads within 48 hours of their return to work.

VII. Replacement of prior COVID-19 related Executive Orders and County policies

- This policy replaces and supersedes the Revised COVID-19 protections policy, Executive Order 2021-01 dated June 11, 2021, and continues the rescission of the following Executive Orders and policies, previously rescinded Executive Orders No. 02 of 2020,
- Executive Orders No. 02 of 2020, *Managing County of Rockland Personnel in relation to coronavirus disease 2019 (COVI-19)*
- The Rockland County Continuation of Operations Plan: Public Health Emergency.
- The accruals or other leave related to the *"Time reporting codes related to Coronavirus (COVID-19)", dated April 13, 2020, from Marie Quirk.*
- *FAQ for managing County of Rockland personnel in relation to coronavirus disease 2019 (COVID-19), dated March 13, 2020.*
- *The email advisory from Marie Quirk, Dated March 19, 2020, re: TRC updates.*

*DEPARTMENTS NOT SUPERVISED BY THE COUNTY EXECUTIVE*

This policy applies to all County buildings and facilities, and all persons in those buildings and facilities.



---

Edwin J. Day  
COUNTY EXECUTIVE

CC: Laurence O. Toole, Clerk to the Legislature