

LATOYA CANTRELL, MAYOR
CITY OF NEW ORLEANS

OFFICE OF THE MAYOR

EXECUTIVE ORDER

LC 21-05

**SAFETY PRACTICES OF CITY EMPLOYEES AND PUBLIC-FACING CONTRACTED
PERSONNEL DURING THE COVID-19 EMERGENCY**

WHEREAS, the City of New Orleans has been under a declared local state of emergency since March 11, 2020, when the Mayoral proclamation entitled “Mayoral Proclamation of a State of Emergency Due to COVID-19” was filed in Civil District Court; and

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, the U.S. Centers for Disease Control and Prevention (“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 CDC reports that new COVID-19 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 Orleans, are more transmissible than earlier variants; 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 City employees and employees of City contractors; and

WHEREAS, many City employees and 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 those who do not get vaccinated receive routine COVID-19 testing to ensure that the risks of transmission or contraction of COVID-19 by City employees and public-facing contracted personnel are mitigated to the extent possible; and

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

NOW, THEREFORE, I, LATOYA CANTRELL, by the authority vested in me as Mayor of the City of New Orleans by the Constitution and laws of the State of Louisiana, and the Home Rule Charter and laws of the City of New Orleans, **HEREBY ORDER AS FOLLOWS:**

1. **Effective Date**

This Executive Order is effective upon the date of its issuance.

2. **Purpose**

The purpose of this Executive Order is to establish safety practices of City employees and public-facing contracted personnel during the COVID-19 emergency.

3. **Definitions**

For the purposes of this Order, the following terms have the following meanings:

- **Contractor.** The term “contractor” refers to any person or entity that has an active contract with the City, or any subcontract under such a contract, for work (i) to be performed within the City of New Orleans and (ii) where contractor employees can be reasonably expected to come within six feet of 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, (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 Orleans. However, a person whose work under the contract does not include coming within six (6) feet of City employees or members of the public shall not be deemed to be a covered employee.
- **COVID-19 Test.** The term “COVID-19 test” or “test” means an approved method of testing for COVID-19 infection. Both antigen and polymerase chain reaction (PCR) tests will be accepted, with different parameters. Antibody tests will not be accepted. For antigen tests, tests must either be conducted at a worksite in the presence of a supervisor or human resources manager, or the results must be timestamped and with the employee’s correct name printed and clearly visible. Antigen test results will only be accepted for a period of 24 hours from the time that the test was conducted. For PCR tests, results must be timestamped and with the employee’s correct name printed and clearly visible. PCR test results will be accepted for a period of 72 hours from the time that the test was conducted. Commercially available tests that do not provide timestamped dates will not be accepted if they are conducted away from the worksite.
- **COVID-19 Vaccine.** The term “COVID-19 vaccine” or “vaccine” means a vaccine for which the U.S. Food and Drug Administration (FDA) has issued Emergency Use Authorization (EUA) or full licensure to prevent the spread or mitigate the effects of COVID-19.
- **Fully vaccinated.** The term “fully vaccinated” means at least fourteen (14) days have passed since the person received a single dose of a single-dose COVID-19 vaccine series or the second dose of a two-dose COVID-19 vaccine series.
- **Worksite.** The term “worksite” means any location where an employee or contractor is performing work on behalf of the City and can reasonably be expected, through the course of that work, to come within six (6) feet of City employees or members of the public.

4. **Requirements**

City Employees. Effective August 30, 2021, all City employees shall provide proof that they are fully vaccinated for COVID-19 or shall be tested on a periodic basis for COVID-19 in accordance with policies and procedures to be established by the Chief Administrative Office.

Covered Employees. Effective August 30, 2021, all contractors shall require their covered employees to be fully vaccinated for COVID-19 or to be tested on a periodic basis for COVID-19 in accordance with policies and procedures to be established by the Chief Administrative Office.

Chief Administrative Office - Notice. Upon the issuance of this Executive Order, the Chief Administrative Office shall send City contractors written notice that the Mayor has directed City contractors to comply with the requirements herein and shall request a response from each such contractor, as soon as possible, with regard to the contractor's intent to comply with this Executive Order.

City Agencies - Contracted Personnel. Upon the issuance of this Executive Order, all City agencies shall take all necessary actions to ensure that their contractors are in compliance with this Executive Order.

5. **Implementation**

CAO Policy. The Chief Administrative Office shall adopt an administrative policy to implement the requirements of this Executive Order.

6. **Future Requirements**

Future Employees. The Chief Administrative Office shall work with City agencies to ensure that the requirements of this Executive Order for City employees are reflected in all future job announcements and written onboarding communications with all future City employees.

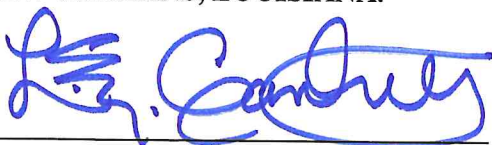
Future Contracts. The City Attorney and Chief Procurement Officer shall work with City agencies to ensure that the requirements of this Executive Order are reflected in all future City contracts for which the procurement process has not begun as of August 30, 2021. However, the Chief Administrative Officer may make written exceptions to this requirement if he or she determines that doing so is in the best interest of the City.

7. **Duration**

This Executive Order shall remain in effect until the occurrence of one or more of the following events:

- (i) The amendment, suspension, or termination of this Executive Order by a subsequent order approved in accordance with Section 4-206(3)(c) of the Charter; or
- (ii) The termination of the state of emergency declared via the Mayoral proclamation entitled "Mayoral Proclamation of a State of Emergency Due to COVID-19" on March 11, 2020.

WITNESS MY HAND AND SEAL THIS 19TH DAY OF August, 20 21, AT
NEW ORLEANS, LOUISIANA.



LaToya Cantrell, Mayor
City of New Orleans