

Coronavirus (COVID-19) Information

Update 46: May 27, 2021

EXECUTIVE ORDER 243 REMOVES TELEWORK ACCOMODATION REQUIREMENT & MASK MANDATE FOR VACCINATED EMPLOYEES – STARTING FRIDAY, JUNE 4

Governor Phil Murphy today issued [Executive Order No. 243](#), which rescinds the requirement in [Executive Order No. 107, paragraph 10](#) and 11, that businesses and non-profits accommodate telework arrangements for their workforce to the maximum extent practicable and reduce their on-site staff to the minimal number necessary for their operations. Employers bringing employees back to the physical worksite must continue to follow all applicable portions of [Executive Order No. 192](#), **including notifying employees of on-site exposure and performing health screenings of employees entering the worksite.**

The Order further permits employers in indoor worksites that are closed to the public to allow employees who can verify that they are vaccinated the ability to forego wearing a mask and social distancing. *Employers retain the ability to issue more restrictive policies on masking and social distancing. Employers shall not restrict individuals from wearing masks and shall not penalize or retaliate against individuals who choose to wear a mask.*

Highlights from Executive Order 243:

- Paragraphs 10 and 11 of Executive Order No. 107 (2020) are hereby rescinded. Businesses and non-profits that require staff to report to a physical worksite must continue to follow the provisions of [Executive Order No. 192 \(2020\)](#), as applicable.
- It is hereby clarified that employers, as defined in Executive Order No. 192 (2020), in workplaces that are not open to the public per Executive Order No. 242 (2021) are not mandated to require employees to wear face masks or social distance at the worksite where the employee provides proof that they are fully vaccinated, as defined by the CDC, and in accordance with federal and State law. **Where an employer is unable to determine the individual's vaccination status or the individual is not fully vaccinated, employers must continue to require those employees to wear masks and practice social distancing in indoor spaces in accordance with Paragraph 3 of Executive Order No. 242 (2021) and Paragraph 1 of Executive Order No. 192 (2020).**

- It is hereby clarified that employers, as defined in Executive Order No. 192 (2020), in workplaces that are not open to the public per Executive Order No. 242 (2021) are permitted to allow customers, visitors, and other authorized individuals to enter the worksite without requiring use of a mask or adherence to social distancing, regardless of their vaccination status.
- **It is hereby clarified that Executive Orders No. 239 and 242 (2021) and this Order [243] do not supersede all other requirements on employers [outlined in Executive Order No. 192 \(2020\)](#), including the daily health checks described in Paragraph 1(f).**
 - *The following protocols outlined in Executive Order 192 remain in place as per Executive Order 243:*
 - *c. Provide sanitization materials, such as hand sanitizer that contains at least 60% alcohol and sanitizing wipes that are approved by the United States Environmental Protection Agency for SARS-CoV-2 virus to employees, customers, and visitors at no cost to those individuals;*
 - *d. Ensure that employees practice regular hand hygiene, particularly when such employees are interacting with the public, and provide employees break time for repeated handwashing throughout the workday and access to adequate hand washing facilities. Employers may adopt policies that require employees to wear gloves in addition to regular hand hygiene. Where an employer requires its employees to wear gloves while at the worksite, the employer must provide such gloves to employees;*
 - *e. Routinely clean and disinfect all high-touch areas in accordance with DOH and CDC guidelines, particularly in spaces that are accessible to employees, customers, or other individuals, including, but not limited to, restrooms, hand rails, door knobs, other common surfaces, safety equipment, and other frequently touched surfaces including employee used equipment, and ensure cleaning procedures following a known or potential exposure are in compliance with CDC recommendations;*
 - *f. Prior to each shift, conduct daily health checks of employees, such as temperature screenings, visual symptom checking, self-assessment checklists, and/or health questionnaires, consistent with CDC guidance, including latest CDC guidance regarding COVID-19 symptoms, consistent with the confidentiality requirements of the ADA, NJLAD and any other applicable laws, and consistent with any guidance from the Equal Employment Opportunity Commission (“EEOC”) and the New Jersey Division on Civil Rights;*
 - *g. Immediately separate and send home employees who appear to have symptoms, as defined by the CDC, consistent with COVID-19 illness upon arrival at work or who become sick during the day. Employers subject to the New Jersey Earned Sick Leave Law, New Jersey Family Leave Act, N.J.S.A. 34:11D-12 and/or federal leave laws must continue to follow the requirements of the law, including by allowing individuals to use accrued leave in the manner permitted by law and employer policy, when requiring employees to leave the workplace in accordance with the provisions of this subparagraph;*

- *h. Promptly notify all employees of any known exposure to COVID-19 at the worksite, consistent with the confidentiality requirements of the ADA and any 9 other applicable laws, and consistent with guidance from the EEOC;*
- *i. Clean and disinfect the worksite in accordance with CDC guidelines when an employee at the site has been diagnosed with COVID-19 illness; and*
- *j. Continue to follow guidelines and directives issued by the New Jersey DOH, the CDC and the Occupational Safety and Health Administration, as applicable, for maintaining a clean, safe and healthy work environment.*

Nothing in any of these orders prevents the employer from adopting or maintaining stricter policies for all employees, vaccinated or not vaccinated, to fit the needs of their workplace.

- The state's main COVID-19 information portal is located at <https://covid19.nj.gov/>.
- The state business COVID-19 information portal is located at <https://business.nj.gov/covid>.

[To access previous updates click here.](#)

NO COST ON-SITE POP-UP VACCINE CLINIC

The New Jersey Department of Health (NJDOH) is helping to pair vaccine providers with employers to create on-site vaccine pop-up clinics to make the vaccine as convenient as possible to employees and their families. ***Please complete the [On-site Vaccine Clinic Interest Survey](#) if you would like to be considered to host a pop-up clinic on-site at no cost.***

Completing this survey is the first step to notify NJDOH and its partners of your interest. The NJDOH will be in touch to discuss how to help fulfill your request.

PLEASE NOTE: For those companies that applied to be a closed POD, if the Department of Health has not reached out to you about a Closed POD for your employees, we encourage you to consider the On-site Pop-up Vaccine Clinic, if you feel it will be worthwhile for your employees.

You must complete the survey above to be considered:
<http://healthsurveys.nj.gov/NoviSurvey/n/zz2mh.aspx>.

CDC / OSHA MANUFACTURING COVID-19 GUIDANCE

[Manufacturing Workers and Employers](#)

Interim Guidance from CDC and the Occupational Safety and Health Administration (OSHA)

[Click here to read more](#)