THE VACCINE MANDATE AND THE PARK SLOPE FOOD COOP

January 25, 2022



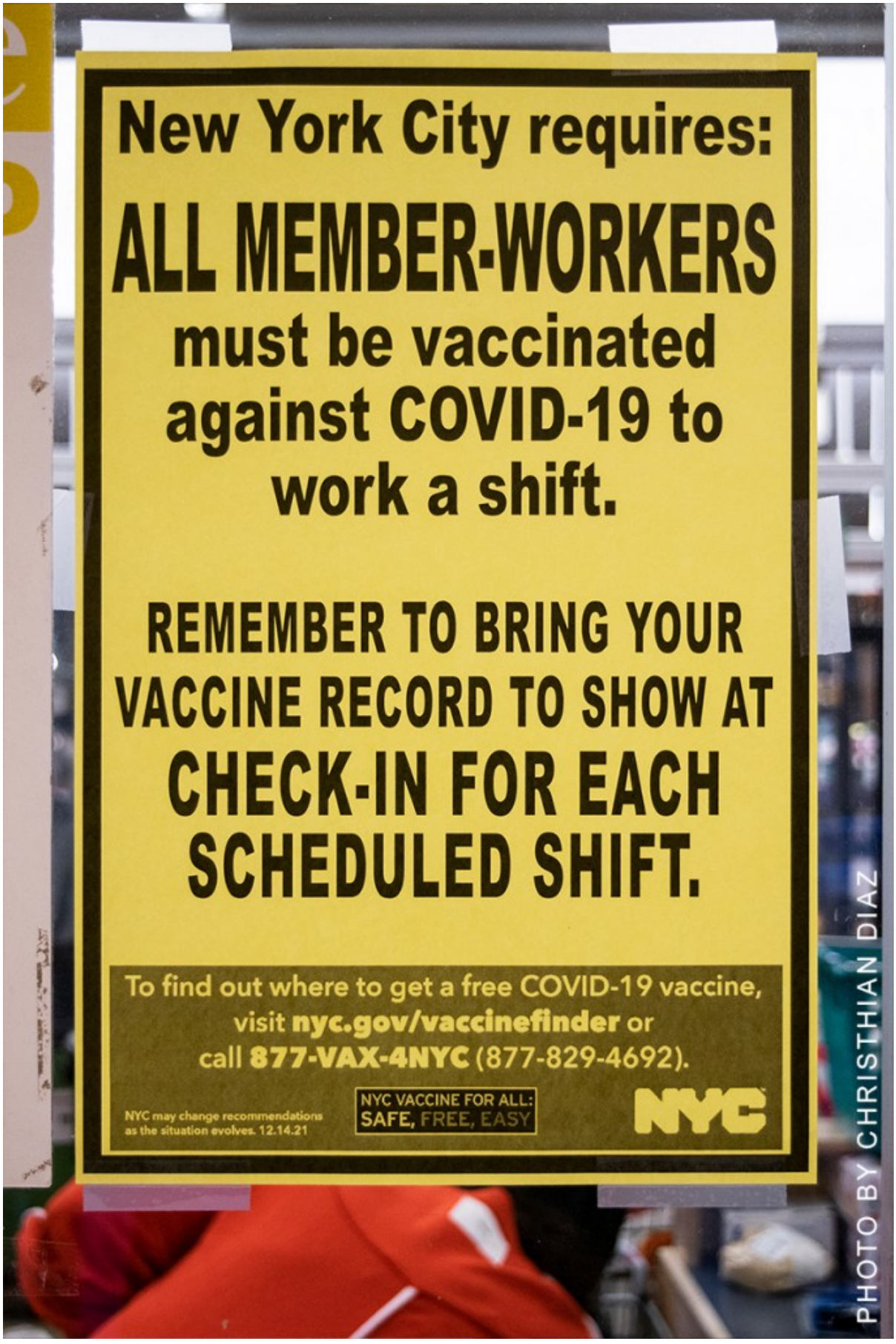
ILLUSTRATION BY MAGGIE CARSON

A Discussion with Joe Holtz

By Frank Haberle

On December 6, Mayor Bill de Blasio announced major expansions to the “Key to

NYC” program, the first-in-nation vaccination mandate for workers and customers at indoor dining, fitness, entertainment and performance venues. In addition, the mayor also announced a first-in-the-nation vaccine mandate for private-sector workers. The mandate, which was to take effect on December 27, would apply to roughly 184,000 businesses—a list which includes all businesses, nonprofit entities and the Park Slope Food Coop. At the time, December 6, the Mayor’s office announced that guidelines would be released December 15—when released, the further guidelines specified that interns and volunteers were included in the mandate.



For the PSFC, this has required a fast and major overhaul of our own guidelines and

practices to ensure that we are in compliance with the new mandate. From the December 6 announcement, the PSFC's 92 paid staff (71 full-time permanent staff, 8 permanent part-time, and 13 pandemic support staff) had to either vaccinate or apply for an accommodation by December 27 (more than 90% were already compliant). However, under the December 15 announcement, the mandate's extension also would include working members (who are, under the City's definition, 'volunteers').

> "OUR MEMBER WORKERS ARE NOT REALLY EMPLOYEES AND THEY ARE NOT VOLUNTEERS—THEY SIGN UP FOR WORK SHIFTS VOLUNTARILY AND THEY SCHEDULE THEMSELVES."
>
> *GENERAL COORDINATOR JOE HOLTZ*

The new mandates put the PSFC into a short turnaround window over the holidays to work with staff and on-site working members to communicate and clarify the new requirements and put systems in place to ensure that working members kept proof of vaccination or had applied for an exemption. The *Linewaiters' Gazette* spoke to General Coordinator Joe Holtz to learn more about the PSFC's experience with the mandates, how the PSFC responded and what this means to our workforce.

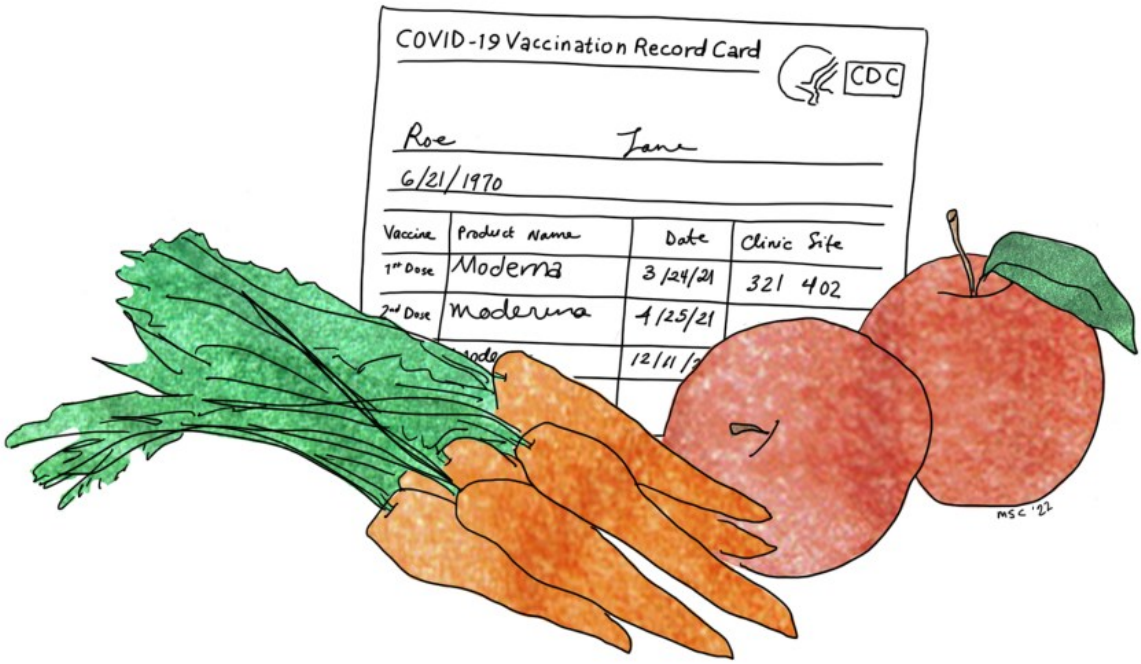


ILLUSTRATION BY MAGGIE CARSON

A Fast Turnaround

"As it was originally announced on December 6, the vaccine mandate was extended to all private employers in New York City—even those with under 100 employees," Holtz recalled. "Because we currently have 92 employees, down from 200 in July, we were not required by the Federal mandate [since overturned by the Supreme Court] to have workers either get a vaccination or get tested weekly. The new NYC mandate announced by de Blasio required that all workers get vaccinated or get a formal accommodation for not being vaccinated. This announcement gave us three weeks to meet with our staff and ensure that they understood and met the requirements. As this only affected a small percentage of our staff, this did not pose a serious problem, and all of our staff complied.

"The follow-up announcement on December 15, which defined what they meant by 'workers,' posed a much bigger problem for the PSFC," Holtz continued. "By definition, a 'worker' under the mandate would include employees, interns, or volunteers. Under their definition, our working members are essentially 'volunteers.' So, suddenly, the PSFC was grappling with a serious challenge: how do we communicate to our

10,000 working members that they need to be vaccinated or apply for accommodation in two weeks, in order to work their shifts and stay active at the Coop?”


WELC
PROTECT
EACH OTHER
At the Coop we take everyone's safety seriously. We require all adults and children age 2 and up to wear a mask that covers their nose and mouth AT ALL TIMES when inside the building.
Never pull down your mask. Members that fail to cooperate with our mask protocols may be asked to leave the store. If you have any questions, please visit the Membership Office.
IMPORTANT! VALVE MASKS
Masks with valves do not protect those around you and are therefore prohibited inside The Coop.
NO!
NEXT
PHOTO BY CHRISTHIAN DIAZ

Holtz pointed out that, unlike the pre-COVID days of two years ago, “the PSFC has worked to build out our member service, and we encouraged members to update their email addresses and register with Member Services. So reaching out to members to alert them was not as great a problem.” The Coop was able to email all members and communicate in various ways. Announcements were made on the PSFC website. But because of the holiday break and the rapid rise of Omicron, there was no definite way to reach every Coop member. By December 27, a system was in place: at the start of every work shift, working members must demonstrate that they have proof on hand or have applied for an accommodation. This is the only way, should a health inspector make an unannounced visit, that we can ensure that the PSFC is protected. At the same time, the mandate supports that more working members interacting with each other, with staff and with shopping members on the Coop shopping floors are vaccinated and that we are keeping our members safer from the spread of COVID-19.

> “PSFC IS FORMALLY A BUSINESS ENTITY IN NEW YORK CITY, AND WE HAVE TO OBEY NEW YORK CITY MANDATES.”
>
> *GENERAL COORDINATOR JOE HOLTZ*

“You could make the case that this was not a reasonable thing to ask,” Holtz said. “Our member workers are not really employees and they are not volunteers—they sign up for work shifts voluntarily and they schedule themselves. We don’t recognize or refer to our member workers as ‘volunteers’—we see them as workers. But under the City’s definition, they are ‘volunteers,’ even if we don’t like the word. When you come to do a work shift, you are a ‘working member,’ not a volunteer. When you come to shop, you are a ‘shopping member,’ not a ‘customer.’ And when you come to the General Meeting and have your voice heard and vote on important topics, you are an ‘owner member.’

Member Response

Holtz was asked if there has been member pushback on the vaccine mandate. “Some members have definitely pushed back on this,” Holtz replied. “We’ve received some phone calls and emails. One member said that it’s not officially law until the New York City Council votes on it, that the Mayor does not have authority, and that we should ignore the mandate until the City Council votes. But we’re not willing to take the risk of having the PSFC closed down. Another member argued that they don’t believe this is what the Coop stands for. I agree with them, but PSFC is formally a business entity in New York City, and we have to obey New York City mandates. As an administrator of the PSFC, my intent is not to put the PSFC at risk by not obeying this. Another member is asking me to not comply, to make a stand. But that member can write an agenda item, and we can vote on it as a cooperative. In the meantime, the PSFC has to obey rules and regulations in New York City, and we try to follow public health mandates and requirements.

“The most common refrain is to say, ‘I have a problem with these rules at the PSFC.’ But in this case, these are not the rules of the PSFC. These are the rules of New York City.” Holtz recommends that PSFC members who have issues with this come together and communicate with one another. “We are truly a unique organization. But when the Mayor included ‘volunteers’ in his mandate, he was probably thinking of nonprofit groups that have 100 or 200 volunteers. But under the City of New York’s definition, we have 10,000 volunteers. Does any other business or nonprofit entity in NYC have this many?

“We tried to pound the message home to our members,” Holtz concluded. “Some people are still deeply committed to not getting vaccinated. But the PSFC needs to follow the public health guidelines. We want the PSFC to be a good public health citizen. We want everyone here to be a part of preventing the spread of the disease.”



PHOTO BY CHRISTHIAN DIAZ