

NEWS

New York Supreme Court Strikes Down NYC Vaccine Mandate for All City Workers; Reinstates Employees, Orders Back Pay

By **Brandon Drey**

Oct 26, 2022 DailyWire.com



Lev Radin/Pacific Press/LightRocket via Getty Images

Unvaccinated New York City workers scored a victory Monday after a New York Supreme Court judge ruled the city's vaccine mandate for all city employees is arbitrary, capricious, and unconstitutional.

New York City Democratic Mayor Eric Adams fired roughly 2,000 municipal workers – including police officers and firefighters – earlier this year who refused to comply with the COVID vaccination mandate.

The court found that “being vaccinated does not prevent an individual from contracting or transmitting COVID-19,” adding that vaccinated and unvaccinated individuals have the same quarantine and isolation guidelines issued by the Centers for Disease Control and Prevention.

“The vaccine mandate for City employees was not just about safety and public health; it was about compliance,” Judge Ralph Porzio wrote in his ruling. “If it was about safety and public health, unvaccinated workers would have been placed on leave the moment the order was issued.”

Attorney Chad LaVeglia announced the verdict Monday outside the Richmond County Courthouse, saying the judge found the Health Commissioner’s mandate unconstitutional and violated the separation of powers.

“It’s null and void, essentially,” LaVeglia said in a video on the NYCforYourself Twitter account. “We just defeated the vaccine mandate for every single city employee.”

Such employees included workers from the Department of Education, New York Police Department, New York Fire Department, and the Department of Corrections – among other city staff in various departments.

“For all the brave men and women who have been our first responders and have been brave through all this are now free, and you should be able to go back to work,” he added.

NYCforYourself
@nycforyourself · [Follow](#)

[#BREAKING](#) Judge Strikes Down NYC Vaccine Mandate for City Workers. “It’s null and void,” says attorney [@ChadLaveglia](#). “We just defeated the vaccine mandate for every single city employee.”

Watch on Twitter

4:38 AM · Oct 25, 2022

[Read the full conversation on Twitter](#)

7K See the latest COVID-19 information on Twitter

[Read 264 replies](#)

On Monday, the New York State Supreme Court further ruled that all employees terminated for their vaccination status would be reinstated and receive back pay for violating their rights.

FDNY-Firefighters Association President Andrew Ansbro and FDNY-Fire Officers Association President Lt. James McCarthy told [Fox News](#) that

the groups support revoking the vaccine mandate implemented by city officials earlier this year.

FDNY Association officials blasted Mayor Adams earlier this year for exempting athletes and performers from the mandate, adding it should have been extended to all New Yorkers.

“We support the revocation of the mandate for the athletes and performers that work in New York City,” McCarthy said. “We think that the people that work for New York City should also have the mandate relocated for them.”

Ansbro said if Adams removed the vaccine mandate for certain people, “you need to remove it for everybody in the city.”

“If you’re gonna follow the science, science is gonna tell you there isn’t any danger right now and putting hundreds of firefighters, police officers, and other emergency workers out of work is not in the best interest of the city. It’s not safe,” Ansbro said.

In the judge’s ruling, the court said city workers shouldn’t be terminated for their vaccination status and for choosing “not to protect themselves.”

“In a City with a nearly 80% vaccination rate, we shouldn’t be penalizing the people who showed up to work, at great risk to themselves and their families, while we were locked down,” Judge Porzio wrote. “If it was about safety and public health, no one would be exempt.”

“It is time for New York to do what is right and what is just,” Porzio

concluded. [COVID-19 Vaccine](#), [New York City](#), [New York Police Department \(NYPD\)](#), [Unvaccinated](#), [Vaccine Mandate](#)