

Client Alert: Vaccine Mandate for Boston Restaurants Begins January 15

By Adam Barnosky on January 12, 2022



Beginning Saturday, January 15, 2022, certain food establishments in the City of Boston will be required to obtain proof of COVID-19 vaccination from customers and employees. The vaccine mandate, officially titled the "Temporary Order Requiring COVID-19 Vaccination for Indoor Entertainment, Recreation, Dining, and Fitness Settings in the City of Boston" was established by the Boston Public Health Commission in an order dated December 20, 2021.

Restaurants & Types of Dining Affected:

The mandate applies to indoor dining and any food service establishments offering food and drink, including hotels, restaurants and bars.

The order does not apply to:

- Food establishments exclusively offering to-go and outdoor dining;
- Charitable food services (i.e. soup kitchens);
- Indoor dining within higher education institutions that already require vaccination for all members of the community;
- Anyone entering a food establishment for a quick and limited purpose (i.e. pickup or delivery); and
- Hotel in-room dining services that are not open to the public.

Forms of Verification:

The following verifications will be required for entry:

1. Physical CDC vaccination card;
2. Digital image of CDC vaccination card;
3. Image of any official immunization record; or
4. City of Boston app or any other COVID vaccine verification app (i.e. Clear Health Pass, Common Pass, Key to NYC, VaxYes, IATA Travel Pass, and the Excelsior Pass.).

For restaurant employees, the policy does *not* allow weekly testing as a substitute for proof of vaccination status.

Vaccine Date/Status:

- Saturday, January 15: Age 12+ must show proof of one dose of vaccine
- Tuesday, February 15: Age 12+ must show proof of full vaccination
- Tuesday, March 1: Children age 5-11 must show proof of one dose of vaccine
- Sunday, May 1 : All people age 5+ must show proof of full vaccination

PROFESSIONALS

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PRACTICES

Restaurant & Hospitality

Tips for Implementation:

The City of Boston created a series of tools, signage and workshops for implementation of the vaccine mandate.

- Place a public notice at the front entrance stating that proof of vaccination is required.
- Check proof of vaccination upon entry. You do not need to check vaccination status for an entry for a quick and limited purpose, such as using the bathroom, placing an order, or making a delivery.

Other Considerations:

- Keep in mind the city's indoor mask mandate remains in effect.
- The vaccine mandate does not currently require proof of a "booster" shot.
- Food establishments subject to the vaccine mandate do not have to ask for photo ID alongside proof of vaccination.
- City inspectors will make compliance checks and issue warnings, fines, and take other enforcement actions as needed for businesses found to not comply.
- This city will not ask businesses to share employee vaccination records.

The BPHC order can be found [here](#).

Source Information: City of Boston Website, "Introducing B Together,"
<https://www.boston.gov/departments/mayors-office/introducing-b-together>

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