



# Labor & Employment Issues Client Alert

Pitta LLP  
For Clients  
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## CUOMO WAIVES WAITING PERIOD FOR PUBLIC WORKERS' RETIREMENT

Governor Andrew Cuomo issued Executive Order 202.18 waiving the statutory 15-day waiting period before a public employee's service retirement can take effect. The Executive Order will safeguard benefits for families who may lose a family member to COVID-19 before their service retirement can be made official.

Under the existing law, public employees must wait 15-days before their service retirement date is effective. The 15-day window exists to provide public employees time to change their minds about their retirement, since the decision is irrevocable. If a public employee were to die before the period was over, the service retirement would not be effective and their beneficiary would lose the retirement benefits the member wanted to provide for them.

The Governor's Executive Order authorizes a retroactive waiver of the 15-day waiting period to March 7, 2020, the date that the state emergency was declared, for public employees who have died of a COVID-19 related illness. The Executive Order will enable public employees who are eligible to retire and experience the sudden onset of COVID-19, to choose an effective date that is less than 15-days from the date of filing. The Executive Order applies to member of the New York State and Local Retirement System. This is a link to the Executive

Order: [https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO\\_202.18.pdf](https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO_202.18.pdf).

New York State Comptroller Thomas DiNapoli's office has prepared guidance for public employees seeking to retire during the COVID-19 pandemic including filing retirement requests online. The guidelines are available at: <https://nyretirementnews.com/retirement-online-makes-applying-for-retirement-fast-easy/>.

## COVID-19 UPDATE ON DEATH CERTIFICATES IN NYC

The New York City Department of Health and Mental Health ("DOHMH") has issued new guidelines for the public, medical directors and funeral directors to help expedite the issuance of death certificates.

The guidelines make it clear to funeral directors and the public that death certificates can still be processed and delivered to funeral homes or families even if the final funeral arrangements have not been finalized. DOHMH issued the new guidelines after receiving reports from public sector unions of the difficulty the family of their members have had trying to obtain death certificates. Death certificates are necessary for families to obtain certain municipal benefits such as health care and funds for funeral expenses.

The guidelines are available at <https://www1.nyc.gov/site/doh/services/death-certificates.page>. Members of the public that have questions obtaining a death certificate can call DOHMH at [347-396-7962](tel:347-396-7962), and funeral directors can contact the burial desk at [212-788-4545](tel:212-788-4545). Questions can also be answered via email at [nycdohvr@health.nyc.gov](mailto:nycdohvr@health.nyc.gov).

## BLOOMBERG TO LAUNCH NEW YORK AREA TEST-AND-TRACING PROGRAM

Governor Andrew Cuomo announced that former New York City Mayor Michael Bloomberg has volunteered to lead a regional effort to test and trace the contacts of COVID-19 infected people in the tri-state region of New York, New Jersey and Connecticut.

Governor Cuomo said that “Michael Bloomberg will design the program, design the training. He’s going to make a financial contribution also and put together an organization that can help hire the people.” Melissa DeRosa, secretary to the governor said that Mayor Bloomberg will spend at least \$10 million. She also said that the effort was connected to the John Hopkins University worldwide COVID-19 tracking effort that Mayor Bloomberg has helped to fund. The Bloomberg School of Public Health at John Hopkins will build an online curriculum and training program for contact tracers.

Mayor Bloomberg said that “we’re all eager to begin loosening restrictions on our daily lives and our economy. But in order to do that as safely as possible, we first have to put in place systems to identify people who may have been exposed to the virus and support them as they isolate.”

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