

Tuesday, December 21, 2021
To New York Community Banks

FROM ICBA

ICBA NewsWatch Today hiatus starts Friday. ICBA NewsWatch Today will be on hiatus this Friday, Dec. 24. Publication will resume Monday, Jan. 3.

OSHA updates employer mandate compliance dates following court ruling

The Occupational Safety and Health Administration updated the compliance dates for its COVID-19 vaccine mandate for employers with 100 or more employees following a court ruling allowing it to proceed.

Details: After a federal appeals court on Friday reversed a separate court's stay of enforcement that halted the mandate, OSHA [said on its website](#) that it will not issue:

- Citations for noncompliance with any requirements of the emergency temporary standard before Jan. 10.
- Citations for noncompliance with the standard's testing requirements before Feb. 9, so long as employers exercise reasonable, good-faith efforts to comply

More: OSHA said it will work closely with the regulated community to provide compliance assistance with the standard, which mandates that covered employers require their employees to be vaccinated or tested weekly.

Outlook: Republican state attorneys general and other groups, who argue OSHA lacks authority to issue the mandate, have said they will seek a review of the ruling and appeal it to the U.S. Supreme Court.

Resources: ICBA offers [a summary](#) of the employer vaccine mandate. Additional resources are available on ICBA's [Pandemic Response webpage](#).

1071 grassroots resources for community bankers, small-biz customers

ICBA offers comprehensive resources for its grassroots [comment letter campaign](#) on the Consumer Financial Protection Bureau's 1071 data collection and reporting requirements.

Background: Dodd-Frank Section 1071 requires financial institutions to collect and report data on credit applications from certain small businesses, which would restrict access to credit, raise borrower privacy concerns, and require costly new third-party relationships.

Submitting Comments: Because the CFPB does not consider form letters, ICBA's [1071 resource center](#) offers a summary, guides, comment portals for community bankers and small-business customers, and more to support personalized comments advocating needed reforms.

FROM OTHER SOURCES

- [President Joe Biden on Tuesday will address the nation](#) today at 2:30 p.m. about how his administration plans to fight a surge in omicron cases raging around the United States and is expected to double down on a warning to unvaccinated Americans that they face a potentially deadly winter ahead. He will announce the administration is purchasing half a billion COVID at-home rapid tests for free distribution beginning in January. Americans will be able to get tests delivered by mail via a federal website that goes live next month. [Fact sheet](#). The president will also announce the federal government is setting up additional testing sites.

https://www.axios.com/newsletters/axios-vitals-158d5def-2ee6-473d-bff6-6813cd968cac.htmlutm_source=newsletter&utm_medium=email&utm_campaign=newsletter_axiosvitals&stream=top

- COVID-19 positivity rates have surged tremendously over the past few weeks amid the arrival of the highly transmissible omicron variant. . [here are answers to some of the most commonly asked questions about the current state of the virus.](#). How long does Omicron take to make you sick? [The Atlantic](#)
- Vaccines don't offer as much protection against omicron as against previous versions of the coronavirus but help a lot. Two doses may not be strong enough to prevent infection, but a Pfizer or Moderna booster produces virus-fighting antibodies capable of tackling Omicron. Post-booster protection against an Omicron infection still appears about 20% less than against the delta variant, but if the virus gets past that first line of defense, the vaccinated have additional layers of protection. https://apnews.com/article/how-effective-are-boosters-against-omicron-17d4ec04084a6ad283f663d29acb9537?user_email=&utm_source=Sailthru&utm_medium=email&utm_campaign=MorningWire_Dec21&utm_term=Morning%20Wire%20Subscribers

FROM NEW YORK

- Gov. Hochul gave an update yesterday on the status of COVID in New York State. <https://www.governor.ny.gov/news/governor-hochul-updates-new-yorkers-states-progress-combating-covid-19-114>.
- NYS Health Commissioner Dr. Mary Bassett has tested positive for COVID-19, is experiencing mild symptoms and is self-isolating for the next several days. She is fully vaccinated and boosted. <https://www.wamc.org/news/2021-12-20/ny-health-commissioner-tests-positive-as-state-sets-new-record-for-covid-19-cases>
- New York broke yet another record Sunday, with 23,000 new positive cases reported. To some, the situation feels eerily like early March of 2020, when the pandemic fully hit, but Gov. Hochul stressed that the state has more weapons available now. “We are avoiding a government shutdown because we now have the tools available to all of us. . .Vaccination, booster shots, masks.” <https://www.wamc.org/news/2021-12-20/ny-health-commissioner-tests-positive-as-state-sets-new-record-for-covid-19-cases>. Hochul’s office walked back her earlier comments regarding enforcement of her private-sector mask mandate by saying counties would perform spot checks. Hochul had said the state would send inspectors, [the New York Post reports](#).

####

IBANYS will continue to provide updates as additional information becomes available. Thank you all for your continued participation and support.

- **John J. Witkowski, President & CEO (Johnw@ibanys.net; 716.880.0518)**
- **Stephen W. Rice, Director, Communications & Government Relations (Steвер@ibanys.net)**