



May 7, 2021

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**TO:** ALL NYSE MEMBERS AND MEMBER ORGANIZATIONS

**FROM:** NYSE REGULATION

**SUBJECT:** UPDATE TO STANDARDS OF CONDUCT FOR THE SAFETY AND WELFARE OF PERSONS ON THE NYSE TRADING FLOOR AT 11 WALL STREET RELATING TO COVID-19

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**Purpose**

NYSE IM-20-03 (May 14, 2020) and NYSE IM-20-06 (June 15, 2020) (the “Health and Safety Memos”) communicated to all members and member organizations and their associated persons and employees (together, “Members”) the standards of conduct that are required to ensure the safety and welfare of persons on the Trading Floor at 11 Wall Street (the “Floor”) and to ensure the ordinary and efficient conduct of business following the partial resumption of trading operations.

This memorandum supplements the Health and Safety Memos to inform Members of several adjustments to the Exchange’s health and safety protocols which will go into effect on May 10, 2021 for Members who document being fully vaccinated for Covid-19.

Members who have not provided documentation of vaccination remain subject to all standards contained in the Health and Safety Memos and all subsequent updates.

**Updated Policy Changes for the Floor**

As of May 10, 2021, and pursuant to a policy update implementing several adjustments to the Covid-19 health and safety protocols for the trading floors at 11 Wall Street, individuals who have been fully vaccinated will be exempt from certain restrictions on the Floor. For purposes of this Information Memo, a person is “fully vaccinated” if (1) two or more weeks have passed since the administration of a final dose of a Covid-19 vaccine that has been approved by the U.S. Food and Drug Administration (“FDA”) or authorized by the FDA for emergency use, and (2) documentation of vaccination has been provided in accordance with the procedure outlined below. For those Members who are fully vaccinated, the following policy changes will apply:

1. Fully vaccinated Members will no longer be included in the Exchange's random testing program.
2. When seated at assigned workstations and maintaining social distancing (six feet or more), Fully vaccinated Members may remove their face coverings and eating will be permitted.
3. If 100% of a firm's Floor-based staff are fully vaccinated, the firm will be permitted to increase its headcount on the Floor. Note that if density in booths or posts prevents maintaining social distancing, masks will be required irrespective of vaccination status to comply with New York state law.<sup>1</sup>

Please note that everyone, irrespective of vaccination status, is required to wear a mask when moving about the Floor.

Members should be aware that the policies set forth in the Health and Safety Memos remain applicable, except as outlined above, and non-compliance with those policies may result in disciplinary action. Additionally, regardless of vaccination status, Members are further reminded that if they test positive for Covid-19 or are exposed to someone who has tested positive for Covid-19, they must notify the Exchange promptly of the positive test or exposure.

### **Documentation of Fully Vaccinated Status**

Members seeking to document their vaccination status must submit an email to [NYSEFloorNotifications2020@nyse.com](mailto:NYSEFloorNotifications2020@nyse.com) containing the following information:

1. A statement that he or she is fully vaccinated.
2. Proof of vaccination, which includes either a New York Excelsior Pass screenshot or a photo of a completed vaccination card.

Upon confirmation by the Exchange, Members will receive an updated building ID card to indicate their vaccination status to security and operations personnel.

Any persons who misrepresent their vaccination status to the Exchange may be subject to disciplinary action for violations of Exchange rules.

### **Supervision**

Pursuant to Rule 3110, each Member must implement policies and procedures designed to reasonably ensure compliance by the Member and its associated persons and employees with the above requirements. Members are reminded that failure to adequately supervise an employee to ensure his or her compliance with safety and conduct requirements may also result in disciplinary action.

Member organizations should provide a copy of this memorandum to all Floor-based employees.

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<sup>1</sup> Prior to adding Members to its floor operation, firms must first confirm with NYSE Floor Operations that it is appropriate to do so.

## **Contact Information**

Regulatory questions relating to this bulletin should be addressed to:

- Michael Fitzpatrick, Director, Regulation, Michael.Fitzpatrick@nyse.com, 212-656-2092, or
- Stephen Larson, Senior Director, Regulation, Stephen.Larson@nyse.com, 212-656-3830.

Operational questions related to the subject matter of this bulletin should be addressed to Charles Caccese, Director, NYSE Floor Operations, Charles.Caccese@nyse.com, 212-656-3230.