U.S. Commission on Civil Rights'Covid-19 Safe Federal Workplace Plan¹

Date: July21, 2022

The U.S. Commission on Civil Rights' (USCCR or "the Agency") COVID-19 Safe Federal Workplace Plan ("Plan") was developed to protect the USCCR's workforce, contractors, other building occupants, and visitors to USCCR facilities and to cease the spread of the coronavirus disease 2019 (COVID-19). USCCR's top priority is to protect its employees, contractors, and visitors to its facilities. This Plan endeavors to achieve that goal. Although the Plan is by necessity lengthy, USCCR employees are encouraged to read it and, most importantly, if they have recently been in close proximity to someone with Covid-19, whether at home or at work, or they themselves have tested positive for Covid-19, they are instructed to contact their supervisor or USCCR's Human Resources Division regarding telework, quarantine, testing, leave, and other issues outlined in this Plan.

This Plan supersedes the July 27, 2020, USCCR Return to Office Preparedness Guide and February 9, 2022, Covid-19 Safe Federal Workplace Plan. This Plan consists of safety principles implemented USCCR-wide at all official worksites around the nation and applies to all on-duty or on-site Federal USCCR employees, on-site Federal contractors, and any other person in USCCR space. This Plan will be updated consistent with new guidance and issuances from the Safer Federal Workforce Task Force, which is led by the White House COVID-19 Response Team, GSA, OPM, OMB, and, CDC,² and other applicable federal and state authorities. USCCR follows the Task Force's guidance, which is available here: https://www.saferfederalworkforce.gov/. To the extent this Plan is inconsistent with any current or future applicable legal authorities, it will not be followed. This Plan applies to employees, onsite contractors, and visitors only while they are in the USCCR's physical workspace and not while they are in other common areas of the building(s) USCCR occupies, for example, hallways

¹ This Plan incorporates by reference all applicable provisions of the Safer Federal Workforce Task Force's "COVID-19 Workplace Safety Plans: Agency Self-Assessment," (hereinafter Self-Assessment) which is attached as Appendix 1. To the extent that this Plan is inconsistent with, or omits provisions of, the Self-Assessment, the Self-Assessment takes precedence.

² Including the CDC's May 13, 2021, updated Interim Public Health Recommendations for Fully Vaccinated People, which is available here: https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html.

and corridors, elevators, restrooms, and lobbies or foyers. GSA or commercial lease spaced policies are applicable to common areas.

Pursuant to Executive Order (EO) 13991 (86 FR 7045), "Protecting the Federal Workforce and Requiring Mask-Wearing," issued on January 20, 2021, the policy of the U.S. Government is "to halt the spread of COVID-19 by relying on the best available data and science-based public health measures," including taking a science-based and data-driven approach to safety in Federal workplaces. EO 13991 is part of the National Strategy for the COVID-19 Response and Pandemic Preparedness⁴. The health and safety of the Federal workforce is the Administration's highest priority. USCCR is committed to protecting individuals in its facilities from COVID-19, while preserving the Agency's ability to complete its mission.

³ <u>https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-the-federal-workforce-and-requiring-mask-wearing/</u>

⁴ https://www.whitehouse.gov/wp-content/uploads/2021/01/National-Strategy-for-the-COVID-19-Response-and-Pandemic-Preparedness.pdf

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Chapter 1: VACCINATIONS

To ensure compliance with an applicable preliminary nationwide injunction, which may be supplemented, modified, or vacated, depending on the course of ongoing litigation, the Federal Government, including USCCR, will take no action to implement or enforce the COVID-19 vaccination requirement pursuant to Executive Order 14043 on *Requiring Coronavirus Disease* 2019 Vaccination for Federal Employees. Safer Federal Workforce Task Force guidance on other Federal agency safety protocols based on vaccination status—including guidance on protocols related to masking, distancing, travel, testing, and quarantine—remains in effect. For answers to frequently asked questions (FAQs) on compliance with the applicable preliminary nationwide injunction, see guidance available

at https://www.saferfederalworkforce.gov/downloads/FAQs_compliance_injunction_EO%2014 043 20220124.pdf.).

Collection of Employee Vaccination Documentation and Information

Safety protocols related to quarantine are contingent in part on whether an employee is up to date with COVID-19 vaccines, including all recommended doses in the primary series and one booster when eligible. To facilitate implementation of safety protocols, the agency will take steps to maintain information about whether employees are up to date with COVID-19 vaccines, including information about whether they have had recommended primary series doses or booster shots, including collection of documentation of proof, as part of broader agency processes and systems for maintaining information on employee vaccination status. USCCR requires documentation from employees to prove vaccination, even if an employee has previously attested to their vaccination status, and potential employees who have received an offer of employment, and maintain, review, and use that information and documentation for the purposes of implementing safety protocols based on vaccination status such as masking, distancing, testing, travel, and quarantine. The agency will continue to request and receive submission of vaccination information and documentation for booster shots from employees. This includes reviewing vaccination documentation and information that was submitted to the agency during implementation of E.O. 14043 prior to issuance of the injunction, for the purposes of using that information to implement other safety protocols that are based on vaccination status. If an employee does not submit their vaccination information and documentation, they will be treated as not fully vaccinated for the purposes of implementing safety protocols that are based on vaccination status.

Vaccination and New Hires

The agency will notify job applicants that the agency will request information regarding the vaccination status of applicants for the purposes of implementing other workplace safety protocols, such as protocols related to masking, physical distancing, testing, travel, and quarantine.

Vaccination on Duty Time

Effective January 21, 2022, while the preliminary injunction is in place, employees who are not otherwise required to be vaccinated against COVID-19 by their agency and who seek any authorized dose of a COVID-19 vaccination during work hours (including recommended primary series doses and boosters) will be granted administrative leave and not use duty time.

- a. In most circumstances, the agency will grant leave-eligible employees up to four hours of administrative leave to receive any authorized COVID-19 vaccine booster shot, if they are eligible to receive such a booster shot.
- b. Similarly, the agency will grant leave-eligible employees up to four hours of administrative leave to receive any authorized additional dose of COVID-19 vaccine. The administrative leave will cover the time it takes to travel to the vaccination site, receive the vaccination dose, and return to work. Because there is currently no requirement for Federal employees to receive a vaccine booster shot or additional dose, granting duty time is not allowable in these instances.
- c. If an employee needs to spend less time getting the vaccine booster shot or additional dose, only the needed amount of administrative leave should be granted. Employees should obtain advance approval from their supervisor before using administrative leave for purposes of obtaining a COVID-19 vaccine booster shot or additional dose. Employees may not be credited with administrative leave or overtime work for time spent getting a booster vaccine shot or additional dose outside their tour of duty.

Enforcement of Vaccination Requirement

To ensure compliance with an applicable preliminary nationwide injunction, which may be supplemented, modified, or vacated, depending on the course of ongoing litigation, the Federal Government will take no action to implement or enforce the COVID-19 vaccination requirement pursuant to Executive Order 14043 on Requiring Coronavirus Disease 2019 Vaccination for Federal Employees. Safer Federal Workforce Task Force guidance on other Federal agency safety protocols based on vaccination status—including guidance on protocols related to masking, distancing, travel, testing, and quarantine—remains in effect.

Compliance with Applicable Federal Laws and Attention to Privacy and IT Security

The Agency confirms that in requesting this vaccination information from employees, onsite contractor employees, and visitors, the agency: (1) complies with applicable Federal laws, including requirements under the Privacy Act and the Paperwork Reduction Act.; (2) takes steps to promote privacy and IT security, while also providing the relevant information to those who need to know in order to implement the safety protocols; (3) consults with its Agency Records Officer, Chief Information Officer, and Senior Agency Official for Privacy to determine the best

means to maintain this information to meet the agency's needs; and (4) only disseminates this vaccination information to the appropriate agency officials who have a need to know to ensure effective implementation of the safety protocols, which, in many cases, includes the supervisor level.

Limited Legally Required Exceptions to the Now Enjoined Requirement for Employees to be Fully Vaccinated

The agency will not continue to process requests that have already been received for disability or religious exceptions to the COVID-19 vaccination requirement pursuant to E.O. 14043. Nor will the agency ask employees for additional information that may be required to process previously submitted exception requests, or take any other steps related to adjudication of exception requests.

- d. The agency will notify employees with pending exception requests that implementation or enforcement of the COVID-19 vaccination requirement pursuant to E.O. 14043 is currently enjoined and that an exception therefore is not necessary so long as the nationwide injunction is in place.
- e. If the agency receives a request for an exception from the COVID-19 vaccination requirement pursuant to E.O. 14043, the agency will accept the request, hold it in abeyance, and notify the employee who submitted the request that implementation or enforcement of the COVID-19 vaccination requirement pursuant to E.O. 14043 is currently enjoined and that an exception therefore is not necessary so long as the nationwide injunction is in place.

Definition of Fully Vaccinated

For purposes of its safety protocols, the agency considers employees, onsite contractor employees, and visitors <u>fully vaccinated</u> for COVID-19 2 weeks after they have received the requisite number of doses of a COVID-19 vaccine approved or authorized for emergency use by the U.S. Food and Drug Administration or that has been listed for emergency use by the World Health Organization. For Pfizer-BioNTech, Moderna, or AstraZeneca/Oxford, that is 2 weeks after an employee has received the second dose in a 2-dose series. For Johnson and Johnson (J&J)/Janssen, that is 2 weeks after an employee has received a single dose. Clinical trial participants from a U.S. site who are documented to have received the full series of an "active" (not placebo) COVID-19 vaccine candidate, for which vaccine efficacy has been independently confirmed (e.g., by a data and safety monitoring board), can be considered fully vaccinated 2 weeks after they have completed the vaccine series. Currently, the Novavax COVID-19 vaccine meets these criteria.

Fully vaccinated, however, is not the same as having the best protection. People are best protected when they <u>stay up to date with COVID-19 vaccinations</u>, which includes getting boosters when eligible.

Onsite Contractor Employees

The Office of Management and Budget has issued guidance on implementing requirements of Executive Order 14042 while ensuring compliance with applicable court orders and injunctions, including those that are preliminary and may be supplemented, modified, or vacated, depending on the course of ongoing litigation. For existing contracts or contract-like instruments (hereinafter "contracts") that contain a clause implementing requirements of Executive Order 14042, the Government will take no action to enforce the clause implementing requirements of Executive Order 14042, absent further written notice from the agency

When the <u>COVID-19 Community Level</u> is MEDIUM or HIGH in a county where a Federal facility is located, agencies should ask about the vaccination status of contractor employees working onsite at that facility. Onsite contractor employees should attest to the truthfulness of the response they provide. If an onsite contractor employee chooses not to provide a response, they should be treated as not fully vaccinated and therefore must provide proof of a negative COVID-19 test from within the previous 3 days when in that facility.

Contract Employees Who Have Symptoms Consistent with COVID-19 Should Not Enter a Federal Workplace:

To be consistent with Safer Federal Workforce Task Force guidance, agencies would need to not limit the ability of contractor employees who are enrolled in an agency screening testing program to work onsite at an agency workplace between screening tests, if such onsite contractor employees have met any applicable screening testing requirement, do not have COVID-19 symptoms, and are not otherwise recommended to isolate or quarantine based on agency protocols. The agency would still need to instruct such onsite contractor employees to comply with all relevant agency safety protocols. An onsite contractor employee's failure to comply with screening testing requirements may result in that individual being denied entry to a federal facility. Such circumstances do not relieve the contractor from meeting all contractual requirements.

Asking About Vaccination Status of Onsite Contract Employees

When the COVID-19 Community Level is MEDIUM or HIGH in a county where a federal facility is located, onsite contractor employees should be provided with the Certification of Vaccination form when they enter that facility. Contract employees are to complete the

Certification of Vaccination form and keep it with them during their time on Federal premises—they may be asked to show the form when in the Federal facility and to a federal employee who oversees their work.

Certification of Contract Employees' Vaccination Status

Contractor employees working onsite at that facility should be provided with the <u>Certification of Vaccination form</u> (or an agency-specific certification form approved by OMB) when they enter the facility.

The agency will require that contractor employees working onsite at that facility who are not fully vaccinated or who decline to disclose their vaccination status should be able to show proof of a negative COVID-19 test result from within the previous 3 days. If a contractor employee is enrolled in an agency screening testing program, then they do not need to be able to provide proof of a negative COVID-19 test from within the previous 3 days when in the Federal facility unless required by the agency screening testing program. At GSA-controlled facilities, it is the responsibility of the occupant agency hosting the onsite contractor employee to ensure that they have the appropriate documentation.

The agency may email the Certification of Vaccination form (or an agency-specific certification form approved by OMB) to contractor employees in advance of their time onsite or utilize a tool or application to share a form with contractor employees and enable them to easily complete it.

Type of Covid-19 Test for Onsite Contractors

The Commission will inform individual onsite contractor employee who is not subject to a contractual requirement to be vaccinated of the type of test to use. in order to enter a federal building.

Federal contractors and subcontractors with a covered contract will be required to conform to the following workplace safety protocols:

- Compliance by individuals, including covered contractor employees and visitors, with the Guidance related to masking and physical distancing while in covered contractor workplaces.
- Designation by covered contractors of a person or persons to coordinate COVID-19 workplace safety efforts at covered contractor workplaces.

Visitors

When the <u>COVID-19 Community Level</u> is MEDIUM or HIGH in a county where a Federal facility is located, the following information pertains to VISITORS:

Asking Visitors About Vaccination Status

The agency will ask visitors to that facility to provide information about vaccination status for purposes of applying agency safety protocols. The agency will comply with any applicable Federal laws, including requirements under the Privacy Act and the Paperwork Reduction Act.

Proof of Negative Covid-19 Test for Visitors

The agency will require that visitors who are not fully vaccinated or who decline to provide information about their vaccination status be able to provide proof of a negative COVID-19 test from within the previous 3 days prior to entry to that facility. At GSA-controlled facilities, it is the responsibility of the occupant agency associated with the visitor to ensure that individuals accessing the facility have the appropriate documentation given their COVID-19 vaccination status. USCCR employees and/or contractors, including security guards, will endeavor to ensure individuals accessing the facility have the appropriate documentation given their COVID-19 vaccination status.

Certification of Visitors' Vaccination Status

When asking about their vaccination status, the agency will provide visitors with the <u>Certification of Vaccination form</u> (or an agency-specific certification form approved by OMB) when they enter that facility. Agencies should direct visitors to complete the Certification of Vaccination form (or an agency-specific certification form approved by OMB) and keep it with them during their time on Federal premises—visitors may be asked to show the form upon entry to the Federal facility. If they are not fully vaccinated or decline to provide information about their vaccination status, the agency will require that the visitor be able to provide proof of a negative COVID-19 test result from within the previous 3 days.

Agencies may email the Certification of Vaccination form (or an agency-specific certification form approved by OMB) to visitors in advance of arrival or utilize a tool or application to share the form with visitors and enable visitors to easily complete it, but the agency should not maintain Certification of Vaccination forms from visitors.

Individuals entering a federal building or Federal land to obtain a public service or benefit do NOT need to attest to their vaccination status or show documentation of a negative COVID-19 test result, regardless of the COVID-19 Community Level in the county where the Federal facility they are visiting is located. However, these visitors would need to follow required safety protocols while accessing the facility.

Type of Covid-19 Test for Visitors

USCCR will inform the individual visitor who is not fully vaccinated of the type of test he or she must be able to show provided that the tests are authorized by the U.S. Food and Drug Administration to detect current infection and produce a dated result.

Special Rules for Transient Visitors

'Transient Visitors,' defined by the Safer Federal Workforce as visitors accessing a federal facility for less than approximately 15 minutes who interact with very few people including,

delivery drivers, couriers, U.S. Postal Service employees, Federal Express employees, United Parcel Service employees, and others, do NOT need to present a completed Certification of Vaccination form as a condition of entry, however, they will be required to follow safety protocols consistent with their vaccination status while accessing the facility.

Special Rules for Emergency Personnel

Emergency personnel responding to an emergency in a federal facility, as determined by GSA, a facility's security officers, or individual occupant agencies within a facility, will not be required to present a completed Certification of Vaccination form to the security officer as a condition of entry, regardless of COVID-19 Community Level. They will be required to follow required safety protocols consistent with their vaccination status while accessing the facility.

Treating Those Who Decline to Provide Vaccination Information as Unvaccinated

When an employee discloses that they are not fully vaccinated or declines to provide their vaccination status to the agency, or until an agency knows the vaccination status of an employee, the agency will have the employee follow the protocols for an individual who is not fully vaccinated. When an onsite contractor employee or visitor, discloses that they are unvaccinated or declines to provide their vaccination information, the agency treats that individual as not <u>fully vaccinated</u> for purposes of implementing safety measures, including with respect to mask wearing, not allowing entry into the building, physical distancing, testing, travel, and quarantine.

Chapter 2: HEALTH AND SAFTEY

Levels of Community Transmission

USCCR will use CDC data to determine level of community transmission. When determining levels of community transmission in a given area, the agency references the CDC COVID-19 Data Tracker County View, which is available at https://covid.cdc.gov/covid-data-tracker/#datatracker-home. The Agency will use discretion in determining the counties relevant to the determination of the level of community transmission related to each agency facility and

will make weekly assessments of transmission rates in a given area to determine mask-wearing requirements. Where a locality imposes more protective pandemic-related safety requirements, those requirements are followed by agency employees and onsite contractor employees, in Agency buildings, in Agency-controlled indoor worksites, and on Agency lands within that locality.

Telework

The agency will utilize telework, flexible work schedules, and remote work consistent with the principles set forth in OMB Memorandum M-21-25 and the Agency Telework Policy for reentry and post entry.

Face Masks/Coverings

The Centers for Disease Control and Prevention (CDC) has set recommendations related to COVID-19 Community Levels, which measure the impact of COVID-19 illness on health and healthcare systems. COVID-19 Community Levels will be used by the agency to determine the appropriate prevention strategies to utilize at a given time, including as it relates to mask-wearing. The Agency will follow this initial implementation guidance on COVID-19 Community Levels (Issued February 28, 2022 and is available here, 19%20Community%20Levels_Initial%20Guidance%20for%20Federal%20Agencies_20220228.pdf).

Per current CDC guidance, in a county where the COVID-19 Community Level is LOW or MEDIUM, the Agency does not need to require individuals to wear masks in that Federal facility, regardless of vaccination status. Where the COIVD-19 Community Level is HIGH, the Agency will require individuals to wear masks in that Federal facility, regardless of vaccination status consistent with the CDC and Safer Workforce Taskforce guidance on mask-wearing. Individuals may wear a mask based on personal preference, regardless of COVID-19 Community Level and consistent with agency protocols.

Signs Communicating Masking Requirements

The Agency will post signs and information online on its agency website making clear what masking requirements apply in each federal facility. As appropriate and based on Community Levels, signs communicating mask requirements will be placed conspicuously at the entrance to every USCCR facility and in common spaces.

Mask Wearing in Government Operated Vehicles

Pursuant to Executive Order 13991 and consistent with CDC guidance for the indoor transportation corridor and public transportation conveyances, agencies must require that individuals wear well-fitting masks when in Government-operated aircraft, boats and other maritime transportation conveyances, and buses with multiple occupants. In these conveyances, occupants can remove their masks for safety reasons or for brief periods of time while eating, drinking, or taking medication. Mask-wearing is not required for outdoor areas of conveyances, if any. Mask-wearing in these Government- operated conveyances is not required if there is a single occupant or if the occupants are all co- habitants. In Government-operated vans, cars, trucks, and other motor pool passenger vehicles, agencies must recommend that individuals wear well-fitting masks when there are multiple occupants.

Testing

Diagnostic testing provided after workplace exposure. Diagnostic testing is intended to identify current infection in individuals and should be performed on anyone that has signs and symptoms consistent with COVID-19 and/or following recent known or suspected exposure to SARS-CoV-2.

Federal employees who have been exposed to persons with COVID-19 at work will receive diagnostic testing at no cost to the employee. Employees should be tested at an authorized testing site, i.e., doctor's office or testing facility and seek reimbursement from USCCR through a local reimbursement, or through an alternative process the agency determines for individual employees, such as at-home rapid testing.

An agency is not responsible for providing diagnostic testing to an individual as a result of a potential exposure that is not work-related. An employee or contractor employee who comes into close contact with a person with COVID-19 outside of work should follow CDC guidelines for testing and quarantine consistent with their vaccination status. When the Agency requires diagnostic testing for employees, the Agency will pay for said diagnostic testing either through the agency's screening testing program or through alternative means.

As discussed in other sections of this Guidance, USCCR requires that an individual with confirmed Covid-19, take any FDA-approved viral antigen test, including at-home rapid tests, prior to returning to a Federal workplace or interacting with the public as part of their official duties after isolating. Individuals should only collect a test sample if they are fever-free for 24 hours without the use of fever-reducing medication and their other symptoms have improved. If

their test result is positive, they must continue to isolate until day 10. If their test result is negative and 5 full days have passed since they began their isolation, they can return to their workplace or begin to interact with the public as part of their official responsibilities. Such an individual must continue to wear a mask around others for 10 full days from when they began isolation.

Screening Testing

Screening tests are intended to identify infection with SARS-CoV-2, the virus that causes COVID-19, in **unvaccinated people** who are asymptomatic and do not have known, suspected, or reported exposure to SARS-CoV-2. Screening helps to identify unknown cases so that measures can be taken to prevent further transmission. Screening testing is separate and distinct from diagnostic testing, which should be performed on anyone that has signs and symptoms consistent with COVID-19 or following recent known or suspected exposure to SARS-CoV-2.

The following testing protocols will be applied through the Agency's screening testing programs: when COVID-19 Community Levels as determined by the CDC are MEDIUM or HIGH, employees who are not fully vaccinated and who work onsite should undergo regular screening testing through their agency's screening testing program. This includes employees who do not work at a federal facility but who interact in person with members of the public as part of their job duties, such as safety inspectors. For purposes of regularly testing these employees through a screening testing program, an employee enrolled in the program should be tested weekly for any week during which they work onsite or interact in person with members of the public as part of their job duties. The Agency may require more frequent testing, such as for certain roles, functions, or work environments.

Employees should be tested at an authorized testing site, i.e., doctor's office or testing facility and seek reimbursement from USCCR through a local reimbursement, or through an alternative process the agency determines for individual employees, such as at-home rapid testing with FDA-approved tests.

When a federal employee is required to be tested pursuant to an agency's screening testing program, the time the employee spends obtaining the test (including travel time) from a site preapproved by the agency is duty time; thus, there is no need for the employee to take administrative leave for such time during the employee's basic tour of duty.

Federal employees participating in an agency screening testing program do not need to be able to provide the results of a negative test each time they enter or are present in their agency's facilities, unless required as part of the agency's screening testing program and workplace safety protocols.

Likewise, contractor employees participating in an agency testing program do not need to be able to provide the results of a negative test each time they enter or are present at that agency's

facilities when <u>COVID-19 Community Levels</u> are MEDIUM or HIGH, unless required as part of the agency's testing program and workplace safety protocols.

Refusals to take a required test or to provide the results of the test may result in disciplinary measures. In addition to pursuing any disciplinary action, USCCR may separately elect to ban the employee from the agency workplace for the safety of others pending resolution of any disciplinary or other action the agency may pursue. Any decision to ban the employee should occur in consultation with the agency's onsite security authority, agency's human resources office, and agency's legal counsel. In pursuing an adverse action, the agency must also follow normal processes to provide the required notice to the employee.

Contact Tracing⁵

When USCCR has received a report of an incident of COVID-19 in one of its immediate facilities, i.e., the same floor as USCCR occupies, USCCR follows an internal USCCR COVID-19 Incident Notification and Cleaning Protocol (Appendix A), which includes the following procedures:

- USCCR employees or contractors, <u>regardless of vaccination status</u>, who tested positive for COVID-19; were exposed to an individual who tested positive for COVID-19; or who suspect they have COVID-19; were possibly exposed to COVID-19, report the situation to their supervisor (or for contractors, the on-site supervisor).
- The supervisor (or for contractors, the on-site supervisor) completes a COVID-19 Incident Report Form (Appendix B) for any reporting employee or contractor regardless of whether the employee or contractor has reported to and been present at facility. The completed form is submitted to HRD.
- Immediately upon receipt of a COVID-19 Incident Report Form HRD will contact the supervisor or Contracting Officer's Representative (COR) for assistance in identifying any individuals with whom the employee or contractor came in close contact while at USCCR facilities, as defined by the CDC (within six (6) feet for a cumulative of fifteen (15) minutes or more with or without a mask), as well as any building areas the employee or contractor may have visited. If the areas identified were not previously included on the Incident Report Form, HRD will report the areas to Facilities to deep clean the impacted areas. After each reported incident at any USCCR-managed facility, the contractor confirms the area was cleaned using EPA-approved and recommended chemicals, per the CDC guidelines. After each reported incident at any GSA-managed facility, GSA contacts ASCD upon completion of the

⁵ CDC's recent May 13, 2021, Interim Public Health Recommendations for Fully Vaccinated People and https://www.saferfederalworkforce.gov/faq/mask-wearing/ do not appear to change "contact tracing" requirements; thus this section of the USCCR's Covid-19 Safe Federal Workplace Plan remains unchanged.

- deep cleaning to confirm that it was done. Once the areas are deep cleaned, ASCD notifies HRD to document when the cleaning was completed.
- HRD will advise the supervisor or COR of any exposed employees or contractors to ensure timely notifications, as relevant and appropriate, to employees and building occupants once a case of COVID-19 (either due to specific symptoms or positive test) has been reported, consistent with Federal privacy and confidentiality regulations and laws. HRD will remind the supervisor/COR to protect information about individuals who test positive for COVID-19 and those identified as having been exposed to that individual and provide that information only to those who need to know within USCCR. HRD will also provide supervisors in writing with applicable quarantine (see quarantine section), telework, and/or leave information and will include the appropriate action to take. Contractor personnel should seek guidance regarding quarantine, telework, or leave with their respective employer(s).
- If the information on a positive test⁶ is received, ASCD, consistent with the Privacy Act, American with Disabilities Act (ADA), and all other applicable law and regulations, will send a notification worksite-wide when it can confirm that the affected individual has been in close contact with other employees or if it cannot confirm the person's exact contacts or building locations.
- As appropriate, a USCCR official will disclose COVID-19 information to local public health officials. If an outbreak occurs within a specific building or work setting, the USCCR COVID-19 Coordination Team will decide - in consultation with local public health officials - appropriate next steps. For additional information on Contact Tracing, see the section 7 of the Self-Assessment.
- Under OSHA's recordkeeping requirements, if an employee tests positive for SARS-CoV-2 infection, the case must be recorded on the OSHA Illness and Injury Log if each of the following conditions are met: (1) the case is a confirmed case of COVID-19; (2) the case is work-related; and (3) the case involves one or more relevant recording criteria (set forth in 29 CFR 1904.7) (e.g., medical treatment beyond first aid, days away from work). USCCR also follows state and local reporting requirements and comply with state and local contact tracing efforts.

Chapter 3: OFFICE TRAVEL

Agency employees are not subject to any Government-wide restrictions on official travel, regardless of their vaccination status.

⁶ USCCR does not routinely request medical documentation to support employee reports of positive COVID-19 results.

According to the CDC, you are "up to date" with your COVID-19 vaccines when you have received all doses in the primary series and all boosters recommended for you when eligible. For more information on what is means to be "up to date" on your COVID-19 vaccine, visit the CDC's website at https://www.cdc.gov/coronavirus/2019-ncov/vaccines/stay-up-to-date.html

In approving official travel for employees, agencies should:

- Inform those employees that CDC recommends that individuals make sure they are up to date with COVID-19 vaccines before travel.
- Recommend that those employees consider being tested for current infection with a viral test as close to the time of departure as possible (no more than 3 days) before travel.
- Instruct those employees to adhere strictly to CDC guidance for <u>domestic</u> and <u>international</u> travel before, during, and after official travel; and
- Instruct those employees to check their destination's COVID-19 situation before traveling, including given that State, Tribal, local, and territorial governments may have travel restrictions in place.

When CDC recommends that travelers consider COVID-19 testing for current SARS-CoV-2 infection with a viral test prior to or following travel, agencies should recommend to employees traveling on official business that they consider being tested consistent with such CDC guidance. When CDC otherwise recommends or requires COVID-19 testing prior to or following travel, agencies must require employees traveling on official business be tested consistent with such CDC guidance, pursuant to Executive Order 13991.

If an individual has had a known close contact with someone with COVID-19 and is recommended to quarantine for 5 days, i.e., has **not** received recommended boosters, after the close contact, then pursuant to Executive Order 13991 and consistent with CDC guidance, agencies must not approve official travel for 5 days after the close contact. In addition, agencies should not approve official travel for such individuals during days 6-10 after the close contact unless the official travel is urgent, necessary, and mission-critical, given CDC guidance that it is best for these individuals to avoid travel for a full 10 days after the close contact.

In the rare circumstances in which the agency has an urgent, necessary, and mission-critical need for the individual who had a close contact and is recommended to quarantine to undertake official travel during that time period of 6-10 days after the close contact, the agency must ensure the individual is tested 5 days after the close contact. If the test result is negative and the individual remains without COVID-19 symptoms before traveling, the agency must instruct the individual to wear a well-fitting mask when around others for the duration of the travel that falls within the 10 days after the close contact. If either the test result is positive or the individual develops COVID-19 symptoms, the agency must not approve the official travel for the individual and must instruct the individual to follow agency protocols on isolation.

If an individual has had a known close contact with someone with COVID-19, is not recommended to quarantine due to being up to date with COVID-19 vaccines, i.e., has received recommended boosters, and has not had confirmed COVID-19 within the previous 90 days, then agencies may approve only mission-critical official travel during days 1-5 after the close contact, i.e., routine official travel home will not be approved. The agency may approve any official travel after that period, consistent with the agency's travel policy. Agencies must recommend to the individual that they be tested for current infection with a viral test as close to the time of departure as possible (no more than 1 day) before travel. If the test result is negative and the individual remains without COVID-19 symptoms before traveling, the agency must instruct the individual to wear a well-fitting mask when around others for the duration of the travel that falls within the 10 days after the last close contact. If either the test result is positive or the individual develops COVID-19 symptoms, the agency must not approve the official travel for the individual and must instruct the individual to follow agency protocols on isolation. Agencies must also require that such individuals be tested at least 5 full days after they last had close contact with someone with COVID-19.

If an individual has had a known close contact with someone with COVID-19, is not recommended to quarantine, i.e., has received recommended boosters, and has had confirmed COVID-19 within the previous 90 days, then agencies may approve official travel, consistent with the agency's travel policy. If the individual remains without COVID-19 symptoms before traveling, the agency must instruct the individual to wear a well-fitting mask when around others for the duration of the travel that falls within the 10 days after the close contact. If the individual develops COVID-19 symptoms, the agency must not approve the official travel for the individual and must instruct the individual to follow agency protocols on isolation and testing.

If an employee has probable or confirmed COVID-19 while on official travel (i.e., travel conducted under an official travel authorization), then pursuant to Executive Order 13991 and consistent with CDC guidance, agencies must instruct the individual to follow agency isolation protocols and not undertake further travel, including return travel, for 10 full days after their first day of symptoms, or after the date of a positive viral test for asymptomatic individuals. The agency is responsible for all costs associated with travel and lodging expenses, as well as the cost of any diagnostic testing, in these circumstances.

Pursuant to Executive Order 13991 and consistent with CDC guidance for the indoor transportation corridor and public transportation conveyances, agencies must require that individuals wear well-fitting masks when in Government-operated aircraft, boats, and other maritime transportation conveyances, and buses with multiple occupants. In these conveyances, occupants can remove their masks for safety reasons or for brief periods of time while eating, drinking, or taking medication. Mask-wearing is not required for outdoor areas of conveyances, if any. Masking-wearing is not required if there is a single occupant or if the occupants are all co-habitants. In Government-operated vans, cars, trucks and other motor pool passenger vehicles, agencies must recommend that individuals wear well-fitting masks when there are multiple occupants.

Federal employees should adhere strictly to CDC guidance for domestic and international travel before, during, and after official travel. Wearing a mask over your nose and mouth is currently recommended by the CDC in indoor areas of public transportation (including airplanes) and indoors in U.S. transportation hubs (including airports.) For updates *see* https://www.cdc.gov/coronavirus/2019-ncov/travelers/travel-during-covid19.html.

When visiting a facility under the control of another agency when the COVID-19 Community Level in the county where the agency facility is located is MEDIUM or HIGH, Federal employees should complete a Certification of Vaccination form (or an agency-specific certification form approved by OMB) and, if they are not fully vaccinated or decline to provide their vaccination information, they should be able to show proof of a negative COVID-19 test result within the past 3 days. As with other visitors, the employee should keep the documentation with them during their time onsite at the other agency.

Finally, for additional detailed information about specific travel scenarios or questions, please see https://www.saferfederalworkforce.gov/faq/travel/ and contact HRD or the Office of the General Counsel.

Chapter 4: SYMPTOM MONITORING

If USCCR employees, contractors, or visitors have symptoms consistent with COVID-19, they should not enter USCCR space. To be consistent with Safer Federal Workforce Task Force guidance, agencies would need to require that all employees and contractor employees working onsite at an agency workplace and all visitors to Federal facilities complete symptom screening before entering a federal facility. All Employees, contractors, and visitors will need to do a self-evaluation check before they enter a USCCR space. **Symptom screening can be self-conducted and does not need to be verified by agency personnel**. Employees should monitor the symptom list on the CDC website, which is available here https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html.

COVID-19 pre-screening signage (Appendix C) will remain posted at the main entrances of the USCCR headquarters space and will remain visible at other USCCR facilities. Individuals are required to review questions on the pre-screening sign before entering an USCCR space. If they answer "Yes" to the questions, they are not authorized to enter the building. Agencies also would need to require that all employee's complete symptom screening prior to interacting with members of the public in person as part of their official responsibilities.

Any employees working at an USCCR facility or space who develop any symptoms consistent with COVID-19 during the workday must immediately isolate, notify his or her supervisor and request leave, and promptly leave the workplace. Supervisors should advise the employee to:

- go home prepared to telework if applicable should they need to self-isolate/quarantine and feel well enough to work;
- contact their supervisor with an update by the next workday;
- work with their supervisor to adopt recommendations from their health care provider if applicable; and
- take appropriate leave and return to work measures. Supervisors should contact HRD for leave options in the event an employee is asymptomatic, in an isolation/quarantine situation, and not able to telework.

Alternatively, if a supervisor observes an employee with COVID-19-like symptoms at work, the supervisor has a responsibility to ensure the safety of the workforce and should ask the employee to request leave and promptly leave the workplace. Although leave is generally voluntary, an agency may direct an employee to take leave. If a supervisor encounters a situation, he/she/they thinks warrants this kind of action, the supervisor should contact HRD immediately. While the action to direct leave is considered, the supervisor will generally place the employee on administrative leave. Time and attendance records can be corrected, as applicable, after the action is resolved. For additional information on leave issues, see the section 18, "Leave" and for additional information on "Symptom Monitoring" see section 10 of the Self-Assessment.

Chapter 5: QUARANTINE AND ISOLATION⁷

A <u>close contact</u> is defined as being within 6 feet of someone who has <u>probable</u> or confirmed COVID-19 for a cumulative total of 15 minutes or more over a 24-hour period.

Individuals Up to Date with COVID-19 Vaccines

If an asymptomatic individual comes into close contact (within 6 feet of someone with probable or confirmed COVID-19 for 15 minutes or more), they do not need to quarantine if they are <u>up to date with COVID-19 vaccines</u>, i.e., have had recommended boosters, or if they had confirmed COVID-19 within the last 90 days (i.e., they tested positive using a <u>viral test</u>).

Agencies should instruct individuals to watch for symptoms for 10 full days after they last had close contact with someone with COVID-19 (the date of last close contact is considered day 0 and day 1 is the first full day after they last had close contact with someone with COVID-19).

These individuals should take precautions for 10 full days from the date they last had close contact with someone with COVID-19, including by wearing a <u>well-fitting mask</u> when around others (see FAQs on <u>mask-wearing</u>), avoiding eating and drinking around others, avoiding

⁷ For more information on USCCR's Quarantine and Isolation policy, please see https://www.saferfederalworkforce.gov/faq/quarantine-and-isolation/.

environments such as dining facilities and gyms where they may be unmasked around others, avoiding people who are <u>immunocompromised or at high risk for severe disease</u>, and avoiding nursing homes and other high-risk settings. If an individual is unable to wear a mask, then they should quarantine for 10 days.

As part of agency testing protocols, the agency will require that these individuals be tested at least 5 full days after they last had close contact with someone with COVID-19 (unless they tested positive for COVID-19 with a <u>viral test</u> within the previous 90 days and subsequently recovered and remain without COVID-19 symptoms, in which case they do not need to get tested after close contact). If they test positive or if they at any time develop COVID-19 symptoms, they should isolate from other people, following CDC recommendations on <u>isolation</u>.

Individuals Not Up to Date with COVID-19 Vaccines

If an individual who is **not up to date with COVID-19 vaccines**, i.e., has not received recommended boosters, and has not had confirmed COVID-19 within the last 90 days, comes into **close contact** with someone with COVID-19, they should **quarantine** at home, i.e., not report to the office, for at least 5 full days after their last close contact with someone who has COVID-19 (the date of exposure is considered day 0, and day 1 is the first full day after they last had close contact with someone with COVID-19). If they are unable to wear a mask when around others, such as pursuant to a medical condition or disability for which they have received a reasonable accommodation from their agency, they should quarantine for 10 full days.

During quarantine, an individual should watch for COVID-19 symptoms, and if they develop symptoms, they should isolate immediately, get tested, and remain isolated until they receive their test results—if they test positive, they should follow CDC recommendations on isolation. The agency will instruct individuals who have quarantined to continue to take precautions for 10 full days from the date they last had close contact with someone with COVID-19, including by wearing a well-fitting mask when around others (see FAQs on mask-wearing), avoiding eating and drinking around others, avoiding environments such as dining facilities and gyms where they may be unmasked around others, avoiding people who are immunocompromised or at high risk for severe disease, and avoiding nursing homes and other high-risk settings.

As part of agency testing protocols, the agency will require that these individuals be tested at least 5 full days after they last had close contact with someone with COVID-19. If they test negative, they can return to their workplace and interact with members of the public as part of their official responsibilities. If they test positive, they should follow CDC recommendations on <u>isolation</u>. If the individual is unable to get a test 5 days after they last had close contact with someone with COVID-19, the agency may determine it will allow them to return to their workplace after day 5 if they have been without <u>COVID-19 symptoms</u> throughout the 5-day period. If the individual is not working onsite at an agency workplace or interacting with

members of the public in person as part of their official responsibilities within 10 days of the close contact, then the agency should not require them to be tested.

Guidance for Individuals with Probable or Confirmed COVID-19

Any individual with probable or confirmed COVID-19, regardless of their vaccination status, must not enter a Federal facility or interact with members of the public in person as part of their official responsibilities, consistent with CDC guidance on <u>isolation</u> and the workplace safety protocols set forth by their agency, and monitor their symptoms.

This includes people who have a <u>positive viral test</u> for COVID-19, regardless of whether or not they have symptoms, and people with symptoms of COVID-19, including people who are awaiting test results or have not been tested. People working onsite at an agency workplace or interacting with members of the public in person as part of their official responsibilities who develop COVID-19 <u>symptoms</u> must isolate even if they do not know if they have been in close contact with someone with COVID-19.

Guidance for Allowance of an Individual to Return to Federal Workplace or Interact with Members of the Public if Previously Tested Positive for COVID-19

• As noted below, USCCR requires that an individual take a viral antigen test, including FDA-approved at-home or rapid tests, prior to returning to a federal workplace or interacting with the public as part of their official duties after isolating following testing positive Covid-19. Prior to returning to the office, please contact HRD or your supervisor if you have tested positive for Covid-19.

A tool to help determine how long you need to isolate, quarantine, or take other steps to prevent spreading COVID-19 may be found here. Individuals who had COVID-19 and had symptoms if they are fever-free for 24 hours without the use of fever-reducing medication, their other symptoms have improved, and they have met any agency testing requirements. Note that loss of taste and smell may persist for weeks or months after recovery and need not delay the end of isolation. Those individuals who end their isolation after 5 full days should continue to wear a mask around others for an additional 5 days when working onsite at an agency workplace or interacting with members of the public in person as part of their official responsibilities.

Individuals who tested positive for COVID-19 and never developed symptoms can end isolation after 5 full days after their positive COVID-19 test, assuming they have not developed symptoms and comply with any agency testing requirements. Such an individual should continue to wear a mask around others for an additional 5 days after the end of their 5-day isolation period when working onsite at an agency workplace or interacting with members of the public in person as

part of their official responsibilities. If they develop symptoms at any point, they should start a 5-day isolation period over, with day 0 being their first day of symptoms.

USCCR requires that an individual take a viral antigen test, including FDA-approved at-home or rapid tests, prior to returning to a federal workplace or interacting with the public as part of their official duties after isolating following testing positive Covid-19. Individuals should only collect a test sample if they are fever-free for 24 hours without the use of fever-reducing medication and their other symptoms have improved. If their test result is positive, they must continue to isolate until day 10. If their test result is negative and 5 full days have passed since they began their isolation, they can return to their workplace or begin to interact with the public as part of their official responsibilities. Such an individual must continue to wear a mask around others for 10 full days from when they began isolation. If the individual is not working onsite at an agency workplace or interacting with members of the public in person as part of their official responsibilities within 10 days of when they began isolation, then the agency should not require them to be tested.

Guidance for Individuals Ending Isolation

Agencies must instruct individuals to continue to take precautions when working onsite at an agency workplace or interacting with members of the public in person as part of their official responsibilities even after ending isolation, for 10 full days after their first day of symptoms, or after the date of a positive viral test for asymptomatic individuals including wearing a well-fitting mask when around others (see FAQs on mask-wearing), avoiding eating and drinking around others, avoiding environments such as dining facilities and gyms where they may be unmasked around others, avoiding travel, avoiding people who are immunocompromised or at high risk for severe disease, and avoiding nursing homes and other high-risk settings.

Chapter 6: CONFIDENTIALITY AND PRIVACY

All information collected from USCCR employees, contractors, and visitors to USCCR facilities in connection with the implementation of this Plan, including but not limited to names and contact information, COVID-19 screening information, test results, any information obtained as a result of testing and symptom monitoring, and any other personal and/or medical information, will be treated confidentially and in accordance with applicable law, including the ADA and Privacy Act, and Government-wide policy. Within USCCR, this information will be accessible by and disclosed to only those who have a need to know the information in order to carry out the requirements of this Plan. In addition, this information will be disclosed outside of USCCR, for example to other Federal agencies and local public health officials, only as permitted by applicable law and policy and only to those individuals and entities with a need to know in order to protect health and safety. The Agency has consulted their Senior Agency Official for Privacy on matters related to the handling of personally identifiable information.

Contact HRD at <u>HRD@USCCR.GOV</u> with any questions regarding documentation, including how to address any information collected.

Chapter 7: WORKPLACE OPERATIONS

Meetings, Events, and Conferences

- In person meetings, conferences, or events that are hosted by the Commission and attended by more than 50 participants at a facility in a county where the COVID-19 Community Level is HIGH, must gain approval from the Staff Director.
- In-person attendees at any meetings, conferences, and events hosted by the Commission, regardless of event size, where the COVID-19 Community level is MEDIUM or HIGH, will be asked to provide information about vaccination status.
- In-person attendees must follow the same safety protocols as visitors.
- In-person attendees at Commission hosted meetings, events, and conferences (regardless of event size) who are not fully vaccinated or who decline to provide their vaccination information must provide proof of a negative COVID-19 test completed no later than the previous 3 days.

Occupancy

USCCR may, at its discretion, establish occupancy limits for specific workplaces as a means of facilitating physical distancing. USCCR will provide ample notice to employees, contractors, and visitors concerning occupancy limitations.

Physical Distancing

To the extent practicable, all USCCR employees who are not fully vaccinated, contractors, and visitors will be asked to maintain distance of at least six (6) feet from others at all times, consistent with CDC guidelines, including in offices, conference rooms, and all other communal and workspaces. USCCR has notified employees and contractors and visitors who are not fully vaccinated to maintain physical distance of at least six (6) feet through USCCR's email communication and signage that is posted throughout USCCR facilities. As visitors enter the building, they will see the signage for physical distancing. Physical distancing will be reinforced at the security guard entrances. USCCR will continue to inform employees, contractors, and visitors of this requirement based on their vaccination status. Note: Distance and testing are not substitutes for wearing face masks/coverings; individuals must both maintain distance and properly wear face masks/coverings.

USCCR will maintain adequate COVID-19 related visible signage at USCCR facilities and will continue to refresh signs and distribute them as necessary.

To encourage physical distancing between personnel in conference rooms and other shared spaces, USCCR has posted signage in shared spaces which indicates to personnel there is a limitation on seating.

Hygiene Sanitization

All cleaning and disinfectants are EPA-approved, and communication plans will also include these healthy practices. Hand sanitizer stations and disinfectant wipes are available at USCCR facilities and near equipment that is shared by employees. USCCR has procured FDA-approved hand sanitizer, with at least 60% ethanol, at hand sanitizer stations. Personnel are encouraged to wash their hands with soap and water or use hand sanitizer or alcohol-based hand rubs frequently.

USCCR will continue to refresh and distribute hygiene etiquette signage throughout its facilities to encourage employees to use healthy hygiene practices, such as covering coughs and sneezes, washing hands correctly, and keeping hands clean, to help stop the spread of COVID-19.

For any worksites for which USCCR does not manage the facility, USCCR will coordinate cleaning and sanitization with the leased facility's management staff in accordance with CDC and GSA regulations.

Elevators

Consistent with the Safer Federal Workforce Task Force guidance, including in areas of high or substantial transmission and in accordance with state and local laws, regulations, and policies all Employees must wear face masks/coverings in the elevators. Individuals are encouraged to use the stairs if they are physically able to do so and if the building permits usage of stairs.

Chapter 8: EXPECTATIONS

Executive Order 13991 directs agencies to, as appropriate and consistent with applicable law, require compliance with CDC guidance with respect to wearing masks, maintaining physical distance, and other public health measures by: on-duty or onsite Federal employees; onsite Federal contractors; and all persons in Federal buildings or on Federal lands. Executive Order 13991 also provides that heads of agencies may make categorical or case-by-case exceptions to the extent that doing so is necessary or required by law, and consistent with applicable law. Consistent with Executive Order 13991, if agencies have implementation challenges or operational circumstances that may require other or additional prevention measures, agencies should consult the Safer Federal Workforce Task Force regarding exceptions.

Pursuant to Executive Order 13991, Federal agencies must follow CDC guidance related to certain settings where different or additional layers of prevention are recommended by CDC, including, for example, transportation settings, schools, health care settings, congregate settings, and correctional facilities. Where there is a conflict with more general Safer Federal Workforce Task Force or CDC guidance, agencies must follow the setting-specific CDC guidance.

In addition, to be consistent with Safer Federal Workforce Task Force guidance, where a locality has imposed additional pandemic-related requirements more protective than those set forth in Safer Federal Workforce Task Force guidance, agencies would need to follow those additional local requirements in Federal buildings, in Federally controlled worksites, on Government-operated transportation conveyances, and on Federal land in that locality. For example, if a locality has imposed mask-wearing requirements for indoor facilities, agencies would need to apply those requirements in Federal facilities, even if not otherwise required under agency mask-wearing protocols.

Chapter 9: LEAVE ISSUES

To promote the safety of the Federal workforce and the public they serve, agencies must grant leave-eligible employees up to four hours of administrative leave to receive any authorized COVID-19 vaccine booster shot, if they are eligible to receive such a booster shot. To facilitate expeditious vaccination of the federal workforce, agencies must allow employees to undertake required COVID-19 vaccination doses on duty time. In most circumstances, agencies should authorize employees to take up to four hours to travel to the vaccination site, complete a vaccination dose, and return to work—for example, up to eight hours of duty time for employees receiving two doses. An agency should grant up to 2 workdays of administrative leave if an

employee has an adverse reaction to a COVID-19 vaccination dose that prevents the employee from working (i.e., no more than 2 workdays for reactions associated with a single dose).

The Task Force has developed a series of FAQs regarding the type of leave (sick, administrative, weather and safety, etcetera) and work arrangements agencies should grant employees during various scenarios, such as awaiting COVID-19 test results or if an employee has probable or confirmed Covid-19, mandatory quarantine for non-up to date (i.e., non-boosted) employees following a close contact with an individual with Covid-19, and issues arising due to quarantine after domestic and international official travel. If you have questions related to these issues, please consult https://www.saferfederalworkforce.gov/faq/leave/ and contact your supervisor or HRD.

APPENDICES

Appendix A – COVID-19 Incident Notification and Cleaning Protocol and see Section 14, "Facility Cleaning" of the Self-Assessment.

Appendix B – Coronavirus Disease Incident Report

Appendix C- COVID-19 Pre-Screening Signage