

Marine Mammal Commission COVID-19 Workplace Safety Plan – updated December 2022

The Federal Government is committed to addressing essential work requirements consistent with best public health practices. The Administration’s paramount concern is the health and safety of all Federal employees, onsite contractors, and visitors or other individuals interacting with the Federal workforce.

The protocols presented here align with applicable Executive Orders and the latest guidance from the [Safer Federal Workforce Task Force](#) and the Centers for Disease Control and Prevention (CDC). These protocols will be reassessed periodically, as conditions warrant and as CDC and other applicable guidelines are updated, and will take into account local COVID community levels.

Agency COVID-19 Coordination Team

- **Maintain COVID-19 Coordination Team.** To be consistent with Safer Federal Workforce Task Force guidance and OMB Memorandum M-21-15, the Marine Mammal Commission has established and continues to maintain a COVID-19 Coordination Team. The team consists of the Executive Director, the General Counsel, the Scientific Program Director, and the Administrative Officer.

COVID-19 Community Levels

- **COVID-19 Community Levels.** CDC has set recommendations related to [COVID-19 Community Levels](#), which measure the impact of COVID-19 illness on health and healthcare systems and inform the appropriate prevention strategies to utilize at a given time. CDC provides county-level data showing the COVID-19 Community Level for each county in the United States, as determined by CDC. The Commission will utilize that data in determining the COVID-19 Community Level for a given facility by looking to the COVID-19 Community Level for the county in which the facility is located. The Commission will review the COVID-19 Community Level on a weekly basis, to determine any changes that should be made to agency COVID-19 workplace safety protocols for the upcoming week.

NOTES:

- FAQs regarding local conditions can be found on SaferFederalWorkforce.gov [here](#).
- See [Updated Implementation Guidance on COVID-19 Community Levels | Safer Federal Workforce Task Force](#) (updated August 17, 2022)

Vaccination

- **Compliance with Applicable Nationwide Injunctions.**
 - **E.O. 14043.** To ensure compliance with an applicable nationwide preliminary injunction, which may be supplemented, modified, or vacated, depending on the course of ongoing litigation, the Commission 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. Any aspects of this COVID-19 Workplace Safety Plan related to the vaccination requirement pursuant to E.O. 14043 are not in effect and will not be implemented or enforced by agencies while the injunction is in place.”

- **E.O. 14042.** To ensure compliance with an applicable nationwide injunction, the Commission will take no action to implement enforce E.O. 14042 on Ensuring Adequate COVID Safety Protocols for Federal Contractors. For existing contracts or contract-like instruments that contain a clause implementing requirements of E.O. 14042, no action will be taken to enforce the clause implementing requirements of E.O. 14042, absent further written notice from the Commission.

- **Leave Related to Vaccination**

- **Leave to Obtain Vaccination.** To be consistent with Task Force guidance, employees who seek any non-required dose of FDA-authorized COVID-19 vaccine during work hours will be granted administrative leave and will not use duty time. This includes employees who are not required to be vaccinated due to the nationwide preliminary injunction on implementation and enforcement of E.O. 14043.
 - The administrative leave will cover the time it takes to travel to the vaccination site, receive the vaccine dose, and return to work. If an employee needs to spend less time getting the vaccine 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 dose.
 - For those employees who are required to be vaccinated against COVID-19 by their agency pursuant to agency-specific vaccination requirements, time spent receiving any required authorized COVID-19 vaccine dose must be duty time.
 - Employees may not be credited with administrative leave or overtime work for time spent getting a vaccine dose outside their tour of duty.
- **Leave to Accompany a Family Member to Obtain Vaccination.** To be consistent with Task Force guidance, the Commission will provide employees with administrative leave to accompany a family member being vaccinated. For this purpose, a “family member” is an individual who meets the definition of that term in Office of Personnel Management (OPM) leave regulations (see 5 CFR 630.201).
- **Leave for Post-Vaccination Recovery.** To be consistent with Task Force guidance, the Commission will provide employees with administrative leave to address any side effects related to a recent vaccination.
- *See FAQs regarding [vaccination-related leave](#) for more information about the use of duty time and administrative leave, including how much duty time or administrative leave agencies should provide for the above circumstances.*

- FAQs regarding **vaccination** can be found on SaferFederalWorkforce.gov [here](#).

- FAQs regarding **vaccination-related leave** can be found on SaferFederalWorkforce.gov [here](#).
- FAQs regarding **contractor employees** can be found on SaferFederalWorkforce.gov [here](#).
- FAQs regarding **visitors** can be found on SaferFederalWorkforce.gov [here](#).

Mask-Wearing

- **Mask-Wearing When COVID-19 Community Level is HIGH.** When the COVID-19 Community Level is HIGH in a county where a Federal facility is located, pursuant to E.O. 13991 and consistent with CDC guidance, individuals—including employees, contractor employees, and visitors—who are 2 years or older, are required to wear a high-quality mask indoors in the facility, regardless of their vaccination status. This includes when Federal employees are interacting with members of the public as part of their official responsibilities.
- **Optional Mask-Wearing When COVID-19 Community Level is LOW or MEDIUM.** Nothing in CDC or Task Force guidance precludes an individual from wearing a mask, if the individual so chooses when the COVID-19 Community Level is LOW or MEDIUM. When the COVID-19 Community Level is LOW or MEDIUM in a county where a Federal facility is located, in most settings, to be consistent with Task Force guidance, the Commission will communicate to individuals, such as through signage, that mask-wearing is optional, and should not otherwise require individuals to wear a mask, except where required by Federal, State, Tribal, territorial, or local laws, rules, regulations, or existing collective bargaining agreements.
- **Mask-Wearing on Government-Operated Transportation Conveyances.** Pursuant to Executive Order 13991 and consistent with CDC [guidance](#) for the indoor transportation corridor and public transportation conveyances, the Commission required that individuals wear high-quality masks or respirators (such as an N95) when in Government-operated aircraft, boats and other maritime transportation conveyances, and buses with multiple occupants.
 - In these conveyances, occupants can remove their masks or respirators 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 high-quality masks or respirators (such as N95s) when there are multiple occupants.
- **Types of High-Quality Mask and Respirators** High-quality masks or respirators include respirators that meet U.S. or international standards (e.g., N95, KN95, KF94), masks that meet a standard (e.g., ASTM), or “procedure” or “surgical”-style masks. Agencies should otherwise avoid limiting the types of masks that can be worn by individuals in Federal facilities.

- **Protocols When Mask-Wearing is Required.** When individuals are required to wear a high-quality mask or respirator (such as an N95) in Federal facilities, they must adhere to the following protocols:
 - Masks and respirators should be well-fitting and worn consistently and correctly (over mouth and nose).
 - Masks or respirators should be worn in any common areas or shared workspaces (including open floorplan office space, cubicle embankments, and conference rooms).
 - Individuals do not need to wear masks or respirators when outdoors.
 - Agencies may provide for limited exceptions to mask-wearing, such as when an individual is alone in an office with floor to ceiling walls and a closed door, or for a limited time when an individual is eating or drinking and maintaining distance from others.
 - Masked individuals may be asked to lower their masks briefly for identification purposes in compliance with agency safety and security requirements.

NOTES:

- FAQs regarding mask-wearing can be found on SaferFederalWorkforce.gov [here](#).

Official Travel

- **Instructions for Traveling Individuals.** The following is specific travel guidance for official Marine Mammal Commission travel. In approving official travel, all travelers are advised the following:
 - CDC recommends that individuals make sure they are up to date with COVID-19 vaccines before travel;
 - The traveling individual 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;
 - The traveling individual must adhere strictly to CDC guidance for [domestic](#) and [international](#) travel before, during, and after official travel;
 - The traveling individual must check their destination’s COVID-19 Community Level before traveling, and wear a high-quality mask or respirator (such as an N95) while on-duty and around others indoors at their destination, if the COVID-19 Community Level in the county where their destination is located is HIGH;
 - The traveling individual must make sure they understand and follow all travel restrictions put in place by State, Tribal, local, and territorial governments; and
 - The traveling individual must prepare to be flexible, as restrictions, policies, and circumstances may change during their travel.

- **Travel for Individuals with Known Exposure.** For asymptomatic individuals who have had a known [exposure](#) to someone with COVID-19 within the past 10 days, the Commission may approve official travel, consistent with the agency’s travel policy.
 - If the individual remains without COVID-19 [symptoms](#) before traveling, then pursuant to E.O. 13991 and consistent with CDC guidance, travelers are

instructed to do the following, in addition to other standard pre-travel instructions related to COVID-19:

- Wear a high-quality [mask or respirator](#) (such as an N95) the entire time they are on-duty and around others indoors for the full duration of their travel that falls within the 10 full days after their last known exposure;
 - Not travel on public transportation such as airplanes, buses, and trains if they will not be able to wear a high-quality mask or respirator (such as an N95) when around others indoors for the full duration of their travel within the 10 full days after their last known exposure; and
 - Follow other aspects of [post-exposure protocols](#), including the requirement for individuals with a known exposure to be tested for COVID-19 after 5 full days following their last known exposure (ideally, on or after day 6)—note that this testing may need to occur while the individual is traveling, and that agencies do not need to require that employees wait for the results of this post-exposure diagnostic test to undertake official travel, including return travel.
- If the individual develops COVID-19 symptoms after official travel has been approved, then pursuant to E.O. 13991 and consistent with CDC guidance, the agency must instruct the individual to not undertake further official travel, including under that previously approved travel authorization, and to instead follow agency protocols consistent with the Task Force guidance on travel for individuals with COVID-19 symptoms.
- **Travel for Individuals with COVID-19 Symptoms or a Positive COVID-19 Test.** Pursuant to E.O. 13991 and consistent with CDC guidance, the Commission will not approve official travel (i.e., travel conducted under an official travel authorization) for individuals who have COVID-19 symptoms and are waiting for an initial diagnostic viral test result, and will not approve official travel for individuals who have tested positive for COVID-19 for at least 5 full days after their first day of symptoms, or after the date of the initial positive diagnostic viral test for asymptomatic individuals. If an individual who tested positive for COVID-19 has returned to working onsite at an agency workplace or interacting with members of the public as part of their official responsibilities (once they are fever-free for 24 hours without the use of fever-reducing medication and their other symptoms are improving), then the Commission may approve official travel for the individual.
- Pursuant to E.O. 13991 and consistent with CDC guidance, the Commission instructs the traveling individual to, in addition to other standard pre-travel instructions related to COVID-19:
- Wear [a high-quality mask or respirator](#) (such as an N95) the entire time they are on-duty and around others indoors for the full duration of their travel that falls within the period they are otherwise required to wear a high-quality mask or respirator after ending [isolation](#), consistent with Task Force guidance;
 - Not travel on public transportation such as airplanes, buses, and trains if they will not be able to wear a high-quality mask or respirator (such as an N95) when around others indoors for the full duration of their travel that

falls within the period they are otherwise required to wear a high-quality mask or respirator after ending isolation, consistent with Task Force guidance; and

- Follow other aspects of [post-isolation](#) protocols.

- If after official travel has been approved, the individual's COVID-19 symptoms recur or worsen, then pursuant to E.O. 13991 and consistent with CDC guidance on isolation, individual are instructed to not undertake further official travel, including under any previously approved travel authorization, and to again not enter a Federal facility or interact with members of the public as part of their official responsibilities, restarting at day 0 of isolation protocols.

NOTES:

- FAQs regarding official travel can be found on SaferFederalWorkforce.gov [here](#).

Meetings, Events, and Conferences

- **Attendees Comply with Relevant COVID-19 Safety Protocols.** All in-person attendees at any meetings, conferences, or events hosted by Federal agencies must comply with relevant COVID-19 safety protocols, including as it relates to any mask-wearing when COVID-19 Community Levels are HIGH, pursuant to E.O. 13991 and consistent with CDC guidance.

NOTES:

- FAQs regarding meetings, events, and conferences can be found on SaferFederalWorkforce.gov [here](#).

Symptom Screening

- **No Entry for Individuals with COVID-19 Symptoms or Suspected COVID-19.** If a Federal employee, contractor employee, or visitor has fever or chills, or if they have other new or unexplained symptoms consistent with COVID-19 such as new or unexplained onset of cough, shortness of breath, or difficulty breathing, new or unexplained loss of taste or smell, or new or unexplained muscle aches, they should not enter a Federal workplace. If an individual suspects that they have COVID-19, such as because they have new or unexplained COVID-19 symptoms, but they do not yet have test results, they should not enter a Federal workplace and should get tested if they have not already done so.

- **Symptom Screening Before Entering Federal Facilities.** The Commission requires 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. The Commission will use the screening tool developed by [CDC](#).

- - The Commission requires that all employees complete symptom screening prior to interacting with members of the public in person as part of their official responsibilities.

- Symptom screening can be self-conducted and does not need to be verified by agency personnel.
- **Developing COVID-19 Symptoms While Onsite.** Pursuant to E.O. 13991, Any individual, regardless of vaccination status, who develops fever, chills, or other new or unexplained symptoms consistent with COVID-19, or who tests positive for COVID-19, while onsite during the workday immediately wear a high-quality mask or respirator (such as an N95) and promptly leave the workplace.

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- In developing symptom screening tools, agencies may adapt the screening tool developed by [CDC](#).
- FAQs regarding symptom screening can be found on SaferFederalWorkforce.gov [here](#).

Post-Exposure Precautions

- **Agency Instructions to Those Known to Have Been Exposed.** Pursuant to E.O. 13991 and consistent with CDC guidance on [post-exposure precautions](#), individuals who are known to have been exposed to someone with COVID-19, regardless of their vaccination status, are instructed to:
 - Wear a [high-quality mask or respirator](#) (such as an N95) while indoors at an agency workplace or interacting indoors with members of the public in person as part of their official responsibilities as soon as possible after notification of exposure and continue to do so for 10 full days from the date they were last known to have been exposed;
 - Take [extra precautions](#), such as avoiding crowding and physically distancing from others, when they know they are around people who are [more likely to get very sick](#) from COVID-19 while onsite at an agency workplace or interacting with members of the public in person as part of their official responsibilities, for 10 full days from the date they were last known to have been exposed (for purposes of calculating the 10 full days, day 0 is the day of their last known exposure to someone with COVID-19, and day 1 is the first full day after their last known exposure); and
 - Watch for [COVID-19 symptoms](#) for 10 full days from the date they were last known to have been exposed (for purposes of calculating the 10 full days, day 0 is the day of their last known exposure to someone with COVID-19, and day 1 is the first full day after their last known exposure).

NOTES:

- FAQs regarding post-exposure precautions can be found on SaferFederalWorkforce.gov [here](#).

Isolation and Post-Isolation Precautions

- **Isolation 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 [isolation](#) and the workplace safety protocols set forth by their agency, and monitor their symptoms. This includes people who have an initial positive diagnostic [viral test](#) 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.

- **Returning to Working Onsite at an Agency Workplace After Isolation:**
 - Individuals who tested positive for COVID-19 and never developed symptoms may return to working onsite at an agency workplace or interacting with members of the public as part of their official responsibilities after 5 full days following their positive COVID-19 test (day 0 being the day the individual was tested).
 - Individuals who tested positive for COVID-19 and had symptoms may return to working onsite at an agency workplace or interacting with members of the public as part of their official responsibilities after 5 full days from the onset of symptoms (day 0 being the day of symptom onset), once they are fever-free for 24 hours without the use of fever-reducing medication and their other symptoms are improving. Note that loss of taste and smell may persist for weeks or months after recovery and need not delay the end of isolation.
 - If an individual had moderate illness (if they experienced shortness of breath or had difficulty breathing) or severe illness (they were hospitalized) due to COVID-19, or they have a weakened immune system, the Commission advises the individual to delay returning to working onsite at an agency workplace or interacting with members of the public as part of their official responsibilities for a full 10 days. If an individual had severe illness or has a weakened immune system, they should consult their healthcare provider before ending isolation. If an individual is unsure if their symptoms are moderate or severe or if they have a weakened immune system, agencies should advise the individual to talk to a healthcare provider for further guidance.

- **Post-Isolation Precautions.** Once an individual has returned to working onsite at an agency workplace or interacting with members of the public as part of their official responsibilities after having tested positive for COVID-19 and isolated consistent with [CDC guidance on isolation](#), then pursuant to E.O. 13991 and consistent with CDC guidance, the individual must to continue to take precautions consistent with CDC guidance for at least 10 full days after their first day of symptoms, or after the date of a positive viral test for asymptomatic individuals, including wearing a [high-quality mask or respirator](#) (such as an N95) when around others, avoiding eating and drinking around others, avoiding environments such as dining facilities, gyms, or other places where they may need to be unmasked around others, and avoiding being around people who they know are at [high risk for severe disease from COVID-19](#).
 - As it relates to mask-wearing after returning from isolation, individuals can opt to take two viral antigen tests authorized by the FDA to detect current COVID-19 infection, starting on day 6. With two sequential negative tests 48 hours apart, the individual may remove their mask sooner than day 10. If either of their antigen test results are positive, the individual should continue taking antigen tests at least 48 hours apart until they have two sequential negative results. This may mean that the individual would continue wearing a mask and testing beyond day 10.
 - If at any point their COVID-19 symptoms recur or worsen, individuals must not enter a Federal facility or interact with members of the public as part of their

official responsibilities, restarting at day 0, consistent with E.O. 13991 and CDC recommendations on [isolation](#) and the protocols set forth by their agency.

NOTES:

- FAQs regarding **isolation and post-isolation precautions** can be found on SaferFederalWorkforce.gov [here](#).

Appendix: Additional Notes

- **Notes on Confidentiality & Privacy**
 - All medical information collected from individuals, including vaccination information, test results, and any other information obtained as a result of testing and symptom monitoring, will be treated in accordance with applicable laws and policies on confidentiality and privacy, and will be accessible only to those with a need to know.
 - Agencies should consult their Senior Agency Officials for Privacy on matters related to the collection and handling of personally identifiable information and identify a point of contact for all questions relating to personal medical information.
 - FAQs regarding building operations can be found on SaferFederalWorkforce.gov [here](#).
 - FAQs regarding facilities can be found on SaferFederalWorkforce.gov [here](#).
 - FAQs regarding signage can be found on SaferFederalWorkforce.gov [here](#).