

Marine Mammal Commission Workplace Safety Plan and Protocols for Phased Re-Opening

January 18, 2022

Based on the Safer Federal Workforce Task Force “COVID-19 Workplace Safety: Agency Model Safety Principles” Issued September 13, 2021 (Appendix 2)

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 [note: awaiting further guidance on federal contractors].

The protocols presented here are aligned with applicable Executive Orders and the latest guidance from the [Safer Federal Workforce Task Force](#), Centers for Disease Control and Prevention (CDC) for employers and for fully vaccinated people and the Occupational Safety and Health Administration (OSHA) on protecting workers, based on evolving understanding of the pandemic. These protocols will be re-assessed periodically, as conditions warrant and as CDC and other applicable guidelines are updated, and take into account local COVID transmission rates.

General Conditions

- Throughout phased re-entry, or during times of substantial or high transmission rates in the D.C. metro area, no employee (or contractor) will be required to enter the physical premises of the Commission’s office. Access to the office under such conditions will be on a voluntary basis only and will or can be scheduled so-as-to avoid or minimize overlap with other employees in the office.
- Although these protocols are designed to minimize risks to employees and contractors, coming to the office is not entirely risk-free. Employees and contractors who choose to work from the office will be viewed as recognizing and assuming those risks.

Vaccination

To promote the safety of the Federal workforce, Federal employees are required to be fully vaccinated¹ except in limited circumstances where an employee has requested and has obtained or is in the process

¹ For purposes of its safety protocols, the agency currently considers employees, onsite contractor employees, and visitors to be [fully vaccinated](#) 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.

of obtaining a reasonable accommodation under [applicable laws](#).² The Commission and other agencies were directed to work expeditiously with the goal of ensuring that all employees were fully vaccinated as quickly as possible, but not later than November 22, 2021.

The Commission is required to collect information necessary to verify that an employee is fully vaccinated. This includes the type of vaccine administered, the number of doses received, date of administration of each dose, and the submission of an approved form of required documentation, as set forth below. When providing this information, each employee is required to certify under penalty of perjury that the information he or she is submitting is true and correct. All employees must submit documentation to show proof of vaccination unless they have been granted a reasonable accommodation, even if the employee has previously attested to his or her vaccination status. Employees were asked to provide documentation by November 22, 2021. In requesting this vaccination information from employees, the Commission will: (1) comply with any applicable Federal laws, including requirements under the Privacy Act and the Paperwork Reduction Act, and any applicable collective bargaining obligations; (2) take 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) consult 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) disseminate this vaccination information only to the appropriate agency officials with a need to know to ensure

² Federal employees must be fully vaccinated other than in limited circumstances where the law provides for an exception. In particular, the agency may be required to provide an accommodation to employees based on medical reasons, disability, or a sincerely held religious belief, practice, or observance. In determining whether an exception request meets the legal requirements the Commission will consider the specific of the claim and documentation provided; the nature of the employee's job responsibilities; and the reasonably foreseeable effects on the agency's operations, including protecting other agency employees and the public from exposure to COVID-19. In making such determinations, the agency will consult its office of general counsel

- The agency has established a process for receiving, reviewing, and considering requests from employees for legally required exceptions to the requirement for employees to be fully vaccinated.
- The agency has communicated to employees, including in its COVID-19 workplace safety plan, how to make such a request.
- The agency may develop forms for employees who are seeking an exception based on a medical condition or based on religion, which can be based on templates found here (see template for agency forms for requests for exceptions based on a medical condition and template for agency forms for requests for exceptions based on religion). The information on the forms may be used by the agency to help determine whether the employee is entitled to an accommodation. The agency may also ask for other information as needed to determine if the individual is legally entitled to an accommodation. The agency has consulted with its senior agency official for privacy and their office of general counsel to address all legal considerations and privacy requirements in developing its forms, including but not limited to an appropriate Privacy Act Statement. The agency will comply with any applicable recordkeeping and other requirements.
- The agency has established a date by which employees should notify it that they are seeking a legally required exception to the requirement to not be fully vaccinated, in order to ensure the agency can fully understand the effect of accommodation requests on their operations and to seek to ensure timely review of requests for an accommodation. Employees can submit requests for an exception after the date established by the agency.
- If an employee's request for accommodation is denied, following the agency's established process for consideration and appeal, the agency will require that employee to receive their first (or, if a one-dose series, only) dose within two weeks of the final determination to deny the accommodation. If receiving a two-dose series, the employee must receive the second dose within 6 weeks of receiving the first dose. If the employee received a first dose of a two-dose series prior to seeking an accommodation, agencies should require that the employee receive their second dose within two weeks of the final determination to deny the accommodation or within a week of the earliest day by which they can receive their second dose, whichever is later.
- Generally, agency employees who are approved for accommodation would need to follow applicable masking, physical distancing, and testing protocols for individuals who are not fully vaccinated, as well as applicable travel guidance.

effective implementation of the safety protocols, which, in many cases, includes agency leadership and supervisors.

All individuals who start their government service after November 22, 2021 are required to be fully vaccinated prior to their start date, except in limited circumstances where an accommodation has been granted or is under review. However, should the agency have an urgent, mission-critical need to onboard a new staff member prior to that new staff member becoming fully vaccinated, the agency head may delay the vaccination requirement—in the case of such limited delays, new hires will be required to be fully vaccinated within 60 days of their start date and, in the interim, follow safety protocols for not-fully-vaccinated individuals until they are fully vaccinated. OPM has issued further guidance to agencies, including suggested language for job opportunity announcements and tentative and final offer letters, which the Commission will follow.

When a Federal employee is required to be vaccinated the time the employee spends obtaining any COVID-19 vaccination dose (including travel time) 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. Employees may not be credited with administrative or other leave for time spent getting a vaccination. If, due to unforeseen circumstances, the employee is unable to obtain the vaccine during basic tour of duty hours the normal overtime hours of work rules apply.

Employees covered by Executive Order 14043 who fail to comply with the requirement to be fully vaccinated or provide proof of vaccination and have neither received an exception nor have an exception request under consideration, are in violation of a lawful order. Employees who violate lawful orders are subject to discipline, up to and including termination or removal. Consistent with the Administration's policy, the agency will initiate an enforcement process to work with employees to encourage compliance.

Some contractors or employees of contractors may not yet be subject to a contractual requirement to be vaccinated, and some visitors may not be fully vaccinated or decline to provide information on their vaccination status. Guidance on implementing Executive Order 14042 (which applies to government contractors) and rulings in ongoing litigation may prompt the Commission to seek amendments to existing contracts that address the vaccination status of contractors and their employees who access the Commission's workplace or preclude the Commission from doing so. The Commission will propose amendments to such contracts as authorized and appropriate.

Given the different safety protocols and requirements applicable to individuals who are fully vaccinated and those who are not, agencies need to ask about the vaccination status of visitors to Federal buildings and onsite contractors and their employees who are not yet contractually required to be vaccinated. Individuals must attest to the truthfulness of any responses they provide. When an individual discloses that he or she is not fully vaccinated or declines to provide information on his or her vaccination status, we will treat that individual as not fully vaccinated for purposes of implementing safety measures, including those with respect to mask wearing and physical distancing.

Onsite contractors and their employees not yet contractually required to be vaccinated and who are not fully vaccinated or who decline to provide information about their vaccination status must provide proof of a negative COVID-19 test administered within three days prior to entry to the Commission workplace—as noted below, contractor employees that are regularly tested pursuant to an approved testing program that tests the employee at least once every seven days, need only provide proof of a negative COVID-19 test within each of the specified testing intervals for which he or she is seeking entry.

Visitors to the Commission’s office who are not fully vaccinated or who decline to provide information about their vaccination status, must provide proof of a negative COVID-19 test administered within three days prior to entry to the Commission workplace.

Returning to the Office

- The Commission encourages a phased re-entry to the office by those employees in the D.C. metro area based on local COVID transmission rates determined in accordance with guidance from the CDC.
 - The baseline operating status is that, if local COVID transmission rates are **low or moderate**, employees with duty stations in the D.C. metro area will report to the office a minimum of two days per week; they will be encouraged to report more frequently, as conditions permit.
 - If local COVID transmission rates are **substantial or high** in the D.C. metro area, no employee (or contractor) will be required to enter the physical premises of the Commission’s office. Access to the office will be on a voluntary basis only and will or can be scheduled so-as-to avoid or minimize overlap with other employees in the office.
 - Community transmission rates are reported by the CDC (see [COVID Data Tracker County View](#)). For employees in the D.C. metro area, the Commission will use the reported transmission rates for Montgomery, and Howard Counties in Maryland and Arlington and Fairfax Counties in Virginia to determine our operating or re-entry status. To trigger the baseline operating status for re-entry described above, community transmission rates in all of these counties must be low or moderate. When transmission rates are substantial or high in any one of these counties the alternative operating status will apply.
 - Once the Commission’s Workplace Safety Plan and Protocols for Phased Re-Opening have been finalized and after employees have been notified that COVID transmission rates in the D.C. metro area have remained low or moderate for two consecutive weeks, employees will then have 30 days to transition to their new schedules to meet the baseline operating status specified above. If, following phased-reopening, the COVID transmission rates in the D.C metro area return to a high or substantial rate in any of the specified counties, access to the Commission office will again be voluntary until such time as the transmission rates return to low or moderate levels for two consecutive weeks.

Telework and Remote Work

- Before the re-entry process is initiated, the Commission intends to review and revise its telework and remote work policies and agreements applicable to individual employees. Agency leadership anticipates that the number of employees interested in teleworking and the percentage of time most are allowed to telework will both increase, compared with pre-COVID agreements.
- During re-entry, the Commission will establish core office days of Monday, Tuesday, and Thursday when most employees with duty stations in the D.C. metro area are expected or encouraged to be in the office. Core office hours for Commission employees, when they are expected to be on duty, regardless of whether reporting in person or teleworking, will be from 11 a.m. to 3 p.m. Eastern time and will be reflected in individual telework agreements.
- For workers with remote work agreements that require quarterly or periodic visits to the agency's headquarters, resumption of those visits will be considered on a case-by-case basis depending on COVID transmission rates in the D.C. metro area and/or the employee's duty station, any applicable quarantine requirements or recommendations, and other relevant considerations. Such visits will be scheduled to overlap with one another and to coincide with core office days to the extent possible and appropriate given safety considerations.

COVID-19 Coordination Team

The Agency COVID-19 Coordination Team has been in place since March 2020. This team includes employees representing HR; occupational safety and health; executive leadership; and the general counsel's office, and is responsible for establishing, implementing, and enforcing agency policies related to the pandemic. The team will consult with the Safer Federal Workforce Task Force public health experts as necessary. Given the small size of the Commission staff, the team plans to share and discuss draft plans with staff before finalization. The group will meet as needed to review compliance with agency COVID-19 workplace safety plans and protocols, consider potential revisions to agency COVID-19 workplace safety plans and protocols (e.g., in response to new guidance from the Safer Federal Workforce Task Force and/or CDC), and evaluate any other operational needs related to COVID-19 workplace safety. As appropriate, the agency's COVID-19 Coordination Team will consult and coordinate with building management, the General Services Administration (GSA), the Office of Personnel Management (OPM), the Office of Management and Budget (OMB), and building security and safety committees.

Masking, and Distancing Protocols

Mask wearing and distancing protocols in the office are based on [federal government-wide policies and requirements](#) and any applicable requirements of state and local jurisdictions. These requirements are dependent on 1) local transmission rates, 2) building requirements, and 3) individual vaccination status. These protocols apply to all employees, contractors, and visitors entering the Commission office space.

1). Local transmission rates: if the transmission rate for any one of the following counties is reported to be **substantial or high**—Montgomery, Howard, Arlington, or Fairfax Counties—(as determined by CDC’s [COVID Data Tracker County View](#)): **ALL** employees, contractors, and visitors, regardless of vaccination status, **MUST** wear a mask in public indoor settings (i.e., within the Commission’s office space and all common areas of the building), except when an individual is alone in the Commission’s office space, working alone in an office with floor to ceiling walls and a closed door, or, for short periods, when eating or drinking and maintaining distancing in accordance with CDC guidelines.

If local transmission rates are **low or moderate**, **employees, contractors, and visitors who attest that they are fully vaccinated** are encouraged, but not required to wear a mask in the Commission office space. Those that are not fully vaccinated or do not attest to being fully vaccinated are required to wear a mask the Commission’s office space in accordance with the requirements applicable to periods of high or substantial transmission rates. Building requirements will still apply to all employees, contractors, and visitors in common building areas and must be followed.

Masks must cover the nose and mouth, and be in accordance with current CDC guidance. [CDC recommends](#) the following: Non-medical disposable masks, masks that fit properly (snugly around the nose and chin with no large gaps around the sides of the face), masks made with breathable fabric (such as cotton), masks made with tightly woven fabric (i.e., fabrics that do not let light pass through when held up to a light source), masks with two or three layers, and masks with inner filter pockets. The following masks are not allowed: novelty/non-protective masks, masks with ventilation valves, or face shields as a substitute for masks. The Commission will maintain a contingency supply of acceptable face coverings in the office. (See section below on Provision of Necessary Equipment)

In addition to properly wearing a mask, individuals who are not fully vaccinated or who decline to provide information about their vaccination status must maintain distance. To the extent practicable, individuals who are not fully vaccinated or who decline to provide information about their vaccination status should maintain a distance of at least six feet from others at all times, consistent with CDC guidelines, including in offices, conference rooms, and all other communal and work spaces.

2). Building requirements: all employees, contractors, and visitors must also follow mask wearing and social distancing requirements for common building areas such as elevators and stairwells as they enter/exit the office.

3). Requirements dependent on vaccination status: As discussed elsewhere in this plan, not all employees, contractors, or visitors to the Commission’s office may be required to be fully vaccinated. However, those that are not fully vaccinated and that do not attest to being so must wear a mask and socially distance, regardless of local transmission rates or any conflicting building requirements/guidance, except when an individual is alone in the office, alone in an office with floor to ceiling walls and a closed door, or for short periods when eating or drinking and maintaining distancing in accordance with CDC guidelines.

Protocols prior to building entry

- Effective 23 August 2021, all employees were required to complete and submit a certification attesting to their vaccination status before being eligible to access the office. Employees have an ongoing responsibility to complete and submit an updated certification to the Executive Director and Administrative Officer if their vaccination status changes.
 - Employees who are unvaccinated or not fully vaccinated (e.g., pursuant to a reasonable accommodation request), must provide proof of a negative COVID-19 test administered within three days prior to entry. Tests must be FDA-approved and indicate the date the test was administered.
- Contractors and visitors are required to present a form to an authorized Commission employee (usually the Executive Director or Administrative Officer) attesting to their vaccination status before being granted access to the office.
 - Contractors and visitors who are unvaccinated, not fully vaccinated, or who decline to disclose their vaccination status must show proof of a negative COVID-19 test administered within three days prior to entry. Contractor employees can also meet the testing requirement by presenting negative results from an approved, contractor-run, program that tests its employees regularly (at least once every seven days). Tests must be FDA-approved and indicate the date the test was administered. Unless approved to do so by OMB, the Commission will not collect or retain any paperwork from contractors or visitors related to their vaccination or Covid-19 status.
- Access to the office will be coordinated according to a pre-arranged schedule located on the Commission's Outlook Calendar.
- Employees who are hosting visitors are responsible for ensuring that:
 - those visitors have been included in the scheduling process and have been advised in advance of the requirements for entry,
 - other individuals in the office at that time are aware of all visitors, and
 - the visitors comply with all safety plan requirements and protocols.
- Ad hoc employee or contractor visits with approval by other staff if necessary can be approved by the Executive Director or Administrative Officer, bearing in mind the pre-arranged schedule and providing notification to all staff who are in the office that day.
- All employees, contractors, and visitors entering the office must review the Health Screening form (Appendix I) and confirm that they are answering "no" to all of the questions to the Executive Director and Administrative Officer (or another authorized employee) before entering the office.

Protocols in MMC office space and common building areas

- Any individual, regardless of vaccination status, who develops any [symptoms consistent with COVID-19](#) during the workday must immediately isolate, wear a mask (if the individual is not already doing so), notify his or her supervisor, and promptly leave the workplace.
- Employees and contractors will follow CDC guidance on How to Protect Yourself and Others <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>
- Employees, contractors, and visitors will follow **Masking and Distancing Protocols** as described above.
- Regular hand washing with soap and water for at least 20 seconds is encouraged, especially after employees have been in a public space, in contact with communal surfaces, or after blowing their nose, coughing, or sneezing.
 - If soap and water are not readily available, use a hand sanitizer that contains at least 60% alcohol. Cover all surfaces of your hands and rub them together until they feel dry.
 - Avoid touching your eyes, nose, and mouth with unwashed hands.
- Employees, contractors, and visitors are required to follow mask wearing and social distancing protocols in communal areas, such as the conference room, the kitchen, the copy room, or the main lobby seating area (see above). Access to these areas will be coordinated amongst those in the office at a given time.
- When employees and/or contractors overlap at the office, each shall generally remain in their individual workstations and refrain from congregating in halls, offices, conference rooms, or other areas. If employees are occupying adjacent or nearby offices, doors should be closed.
- Overlap to “catch up” or otherwise socialize with fellow staff should be done in open air space outside the building (e.g. on the plaza) to the extent possible.
- All employees, contractors, and visitors are required to follow building management protocols regarding use of the public spaces, stairways, and elevators in the building.
- Employees and contractors are responsible for ensuring the cleanliness of personal office spaces or communal equipment and spaces after they have used them and, as appropriate, before they depart for the day. The MMC will provide disinfecting products.

Covid Testing

- Employees who are unvaccinated or not fully vaccinated must comply with the terms and conditions of the applicable reasonable accommodation. The Commission anticipates that those terms and conditions will include testing requirements.
- Contractors and their employees accessing the Commission’s office that do not attest to being fully vaccinated are required to show proof of a negative COVID-19 test administered within three days prior to entry or negative results from the most recent test from an approved, contractor-run, program that tests its employees regularly (at least once every seven days).

- Visitors to the Commission's office that do not attest to being fully vaccinated are required to show proof of a negative COVID-19 test administered within three days prior to entry.
- Diagnostic testing for individuals who are fully vaccinated: Employees and onsite contractor employees who are fully vaccinated and have had close contact with someone with suspected or confirmed COVID-19 should follow current CDC guidance on [isolation](#).
- In each case, the results must be from an FDA-approved test and indicate the date the test was administered. The Commission will not collect or retain any paperwork from contractors or visitors related to their vaccination or COVID-19 status unless approved by OMB to do so.

Contact Tracing

- Any individual visiting the Commission's office or otherwise having close contact with Commission employees, contractors, or visitors and who thereafter develops a confirmed or suspected case of COVID-19, regardless of vaccination status, shall report that occurrence to the local health care department and the Executive Director or the Administrative Officer and follow [CDC](#) and State, local, and Tribal guidance for quarantine.
- Such individuals must follow current CDC guidance on quarantine and isolation.
- Employees who have had recent close contact with someone who has contracted COVID-19 will report this on the Health Questionnaire and discuss their situation about coming into the office with the Executive Director or Administrative Officer.
- The agency's COVID-19 Coordination Team will collaborate with and support the contact tracing programs of local health departments to help identify, track, disclose, and manage contacts of COVID-19 cases. The team will engage in coordination with building staff to implement infection control and workplace safety efforts once informed of a known or suspected case of COVID-19 (due either to the presence of specific symptoms or a positive test).

Travel Protocols

For Federal employees who are fully vaccinated, there are no Government-wide restrictions on domestic travel (agency travel policies and approval processes still apply).

- Federal employees are required to adhere strictly to [CDC guidelines](#) before, during, and after official travel (including all interstate travel on a public conveyance (bus, rail, plane, etc.) outside of the D.C. metro area (or outside other duty stations) and are strongly encouraged to follow those guidelines on personal travel.
- For Federal employees who are not fully vaccinated, official domestic travel will be limited to mission-critical trips as determined by the Executive Director.

- Following a trip, whether for business or personal reasons, employees will report their travel on required office-entry health screening forms and consult with the Executive Director or Administrative Officer on the appropriate timing of returning to the office.
- In addition to completing and receiving approval on routine travel authorization forms, any proposed travel should be discussed with and approved by the Executive Director. “Routine” visits to the office by employees on virtual work agreements will be considered on a case-by-case basis.

International travel is discouraged and will be limited to only mission-critical trips as determined by the Executive Director. International travelers will be required to be tested prior to returning to the United States and are encouraged by [CDC guidance](#) to get tested within three days of return.

Meetings, Events and Conferences

At the time of release of this current Safety Plan the agency is not holding or approving in-person meetings of more than 10 people. The agency head must approve any in-person meeting, conference, or event that will be hosted by the agency and attended by more than 10 participants. Regardless of whether participants include members of the public, the meeting organizer must first seek the approval of the agency head, in consultation with the agency’s COVID-19 Coordination Team. This guidance will be reviewed and updated at such time as larger meetings are considered potentially safe and being contemplated.

In-person attendees at any meetings, conferences, and events hosted by the agency, regardless of event size or venue, will be asked to provide information about vaccination status as if they were entering the Commission’s office. In requesting this information, the agency will comply with any applicable Federal laws, including requirements under the Privacy Act and the Paperwork Reduction Act.

In-person attendees must follow the same safety protocols as visitors to the Commission office. Any attendee at an agency hosted meeting, conferences, or other events (regardless of event size) who is not fully vaccinated or who declines to attest to his or her vaccination status must provide proof of a negative COVID-19 test administered within three days of the start of the event and comply with masking and physical distancing requirements for individuals who are not fully vaccinated consistent with the requirements for visitors to the Commission’s office in the Masking and Distancing protocols section above. In-person attendees at Commission-hosted events in any area with a high or substantial COVID transmission rate must wear a mask in public indoor settings regardless of their vaccination status.

Provision of Necessary Equipment

- Guidance on face coverings is available at this link – <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html> The Commission will maintain a contingency supply of face masks that meet these requirements and shall provide masks when needed.
- The Commission will provide hand sanitizer at the entrance to the office and make hand sanitizer, disinfecting wipes, and gloves available to employees.
- The Commission will equip all accessible common areas, including areas near doorknobs and in printer areas, with hand sanitizer and sanitizing wipes including no-touch dispensers if available.
- While this is not expected to be necessary, if closer work proximity is required to perform job functions that cannot otherwise be executed within masking and social distancing protocols (see above), the Commission shall provide employees working onsite under such conditions the necessary PPE and safety supplies.

Confidentiality and Privacy

Treatment of medical and personally identifiable information. All medical information collected from individuals, including vaccination information, test results, and any other information obtained as a result of testing and symptom monitoring, is subject to applicable laws and federal policies on confidentiality and privacy, and is accessible only to those with a need to know. The agency has consulted its Senior Agency Official for Privacy on matters related to the handling of personally identifiable information.

The Administrative Officer is the point of contact for all questions relating to the agency's treatment of personal medical information in the context of its COVID-19 workplace safety protocols

Leave

Leave for vaccination side effects. The agency grants up to two workdays of administrative leave if an employee has an adverse reaction to any COVID-19 vaccination dose that prevents the employee from working (i.e., no more than two workdays for reactions associated with a single dose).

- If an employee requests more than two workdays to recover, the agency may make a determination to grant emergency paid leave under the American Rescue Plan Act—if available—or the employee may take other appropriate leave (e.g. sick leave) to cover any additional absence.

Leave to accompany a family member being vaccinated. The agency grants leave-eligible employees up to four hours of administrative leave per dose to accompany a family member (as defined in OPM's leave regulations, see 5 C.F.R. § 630.201) who is receiving any COVID-19 vaccination dose.

- The agency grants leave-eligible employees up to four hours of administrative leave per dose—for example, up to a total of twelve hours of leave for a family member receiving three doses—for each family member the employee accompanies.
- If an employee needs to spend less time accompanying a family member who is receiving the COVID-19 vaccine, the agency grants only the needed amount of administrative leave.
- Employees should obtain advance approval from their supervisor before being permitted to use administrative leave for COVID-19 vaccination purposes.
- Employees are not credited with administrative leave or overtime work for time spent outside their tour of duty helping a family member get vaccinated.

Leave related to quarantine. Employees are advised that official or personal travel may result in a mandatory quarantine before they are allowed to return to the workplace. If quarantine is required because of official travel or workplace exposure, the agency provides weather and safety leave, or other administrative leave and the employee is expected to telework to the extent possible.

- If quarantine following personal travel is determined necessary by the agency head, and the employee is otherwise expected to be present onsite, the employee may (1) with the approval of his or her supervisor, telework in lieu of reporting onsite, or (2) take personal leave to cover the absence. If an employee refuses to quarantine or refuses to take personal leave while under mandatory quarantine after personal travel, the agency may elect to bar the employee from the workplace for the safety of others. If the agency bars the employee from the workplace, the employee must be placed on administrative leave until the agency determines what status the employee should be placed in while on quarantine. The agency, however, should avoid placing an employee on extended administrative leave in this situation and should act quickly to determine the appropriate status for the employee.

Other provisions

- The Commission protocols above are focused largely on requirements and operations within the Commission workspace and for Federal Employees in general. They are based on government-wide guidance with agency-specific modifications tailored to meet the needs and circumstances of the Commission. Memorandum M-21-15 and subsequent guidance, including September 13, 2021 [updated model safety principles](#) cover additional topics including vaccination requirements, symptom monitoring, quarantine and isolation, and confidentiality. The Commission will follow the guidance and safety principles contained in elements of M-21-15 and subsequent guidance not specifically addressed in this safety plan and protocols and further adapt those provisions as events and re-opening conditions require or otherwise warrant.

APPENDIX ONE

Health Screening Inventory

Regarding your personal health, please answer the following questions to the best of your ability:

Before arriving to work, notify pthomas@mmc.gov or cshrestha@mmc.gov via email of your result by indicating “I answered no to all questions,” or, “I answered yes to at least one question” and indicating you are aware of the current COVID-19 transmission rates for Montgomery County.

Are you currently experiencing, or have you experienced within the past 7 days any of the following symptoms?

- | | | |
|--|------------------------------|-----------------------------|
| Fever (Temp greater than or equal to 100.4 F) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Chills | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Sore throat | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Cough | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Shortness of breath or difficulty breathing | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Muscle pain or body aches (non-exercise related) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| New loss of ability to taste or smell | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Fatigue | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Headache | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Congestion or runny nose | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Nausea or vomiting | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Diarrhea | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If you answered yes to any of these questions, DO NOT report to work. Stay home and consult your personal physician for further guidance.

Are you well, but a member of your household is sick at home with bronchitis-like or cold symptoms?

- Yes No

Are you or a member of your household awaiting COVID-19 test results, or have you been told to self-isolate?

- Yes No

Have you traveled on an airplane, to another state besides the Maryland, DC or Virginia area, or been in a large gathering? **If so, please discuss your situation with the Executive Director of Administrative Officer** in order to determine whether going to the office is permitted.

Please check the current local transmission rates for Montgomery, Howard, Arlington, and Fairfax Counties via the CDC’s [COVID Data Tracker County View](#) and indicate with a “check/x” below what the highest current transmission level is among all counties:

__ Low, __ Moderate, __ Substantial, __ High in _____ County

Please initial here ____ to indicate that you will adhere to appropriate masking and distancing protocols within the office given this local transmission rate and your vaccination status.

APPENDIX TWO

In January 2021 the President established a Safer Federal Workforce Task Force. The Task Force's guidance and recommendations to departments and agencies will be based on public health best practices as determined by the Centers for Disease Control and Prevention (CDC) and other public health experts and will be co-chaired by the Director of the Office of Personnel Management (OPM), the Administrator of General Services (GSA), and the COVID- 19 Response Coordinator, with membership from several agencies. A complete listing of the Tasks Forces guidance and recommendations can be found on their website: <https://www.saferfederalworkforce.gov/overview/>

Included below are the Agency Model Safety Principles as revised on September 13th 2021.

Safer Federal Workforce Task Force**COVID-19 Workplace Safety: Agency Model Safety Principles****Last Updated September 13, 2021 (Previously Updated July 29, 2021)****Recent Updates**

- Federal Executive Branch employees must be fully vaccinated, except in limited circumstances where an employee is legally entitled to a reasonable accommodation. Agencies must work expeditiously so that their employees are fully vaccinated as quickly as possible and by no later than November 22, 2021.
- With the government-wide adoption and implementation of these vaccination requirements, agencies are no longer required to establish a screening testing program for employees or onsite contractor employees who are not fully vaccinated, although they may do so.
- The President has [announced](#) that Federal contractor employees will be required to be vaccinated. Prior to being contractually required to be vaccinated, onsite contractor employees who are not fully vaccinated and are not part of an agency testing program must provide proof of a negative COVID-19 test from no later than the previous 3 days prior to entry to a Federal building.

Purpose

The purpose of this document is to provide model safety principles for executive departments and agencies (hereafter, "agency" and collectively, "agencies") for their COVID-19 workplace safety plans. In Executive Order No. 13991, President Biden established the Safer Federal Workforce Task Force to oversee the development and implementation of agency COVID-19 workplace safety plans across the Federal Government. In his Executive Order on *Requiring Coronavirus Disease 2019 Vaccination for Federal Employees* and his Executive Order on *Ensuring Adequate COVID Safety Protocols for Federal Contractors*, President Biden directed the Task Force to issue guidance on implementation of the requirements in those Orders.

Agencies should incorporate these model safety principles into their existing COVID-19 workplace safety plans.

Agencies with onsite contractor employees should address how the protocols below are applied to those individuals to promote Federal workplace safety in the context of COVID-19.

Overview of Model Principles

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 contractor employees, and individuals interacting with the Federal workforce.

The principles presented here are aligned with the latest guidance from the Centers for Disease Control and Prevention (CDC) for employers and for fully vaccinated people and the Occupational Safety and Health Administration (OSHA) on protecting workers, based on evolving understanding of the pandemic. These principles will be reassessed over time, as conditions warrant and as CDC guidelines are updated. Where a locality has imposed additional pandemic-related requirements more protective than those set forth in these model safety principles, those requirements should be followed in Federal buildings and on Federal land in that locality.

Goal

The health and safety of the Federal workforce is the Administration's highest priority.

Health and Safety

Vaccination

To ensure the safety of the Federal workforce, Federal employees must be fully vaccinated, except in limited circumstances where an employee is legally entitled to a reasonable accommodation. Agencies must work expeditiously so that their employees are fully vaccinated as quickly as possible and by no later than November 22, 2021.

When a Federal employee is required to be vaccinated, the time the employee spends obtaining any COVID-19 vaccination (including travel time) 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. Employees may not be credited with administrative leave for time spent getting a vaccination. If, due to unforeseen circumstances, the employee is unable to obtain the vaccine during basic tour of duty hours the normal overtime hours of work rules apply.

Employees will receive paid time off to address any side effects. Employees will also receive paid time off to accompany a family member being vaccinated. For this purpose, a "family member" is an individual who meets the definition of that term in OPM's leave regulations (see 5 CFR 630.201).

Some contractor employees may not yet be subject to a contractual requirement to be vaccinated, and some visitors may not be fully vaccinated or decline to provide information on their vaccination status. Given the different safety protocols for individuals who are fully vaccinated and those who are not fully vaccinated, agencies need to ask about the vaccination status of visitors to Federal buildings and onsite contractor employees who are not yet contractually required to be vaccinated. Individuals must attest to the truthfulness of the response they provide. When an individual discloses that they are not fully vaccinated or declines to provide information on their vaccination status, agencies should treat that individual as not fully vaccinated

for purposes of implementing safety measures, including with respect to mask wearing and physical distancing.

Onsite contractor employees who are not yet contractually required to be vaccinated and who are not fully vaccinated or who decline to provide information about their vaccination status must provide proof of a negative COVID-19 test from no later than the previous 3 days prior to entry to a Federal building— as noted below, if a contractor employee is regularly tested pursuant to an agency testing program, they do not need to provide proof of a negative COVID-19 test from no later than the previous 3 days prior to entry to a Federal building unless required to by the agency testing program.

Visitors to Federal buildings who are not fully vaccinated or who decline to provide information about their vaccination status must provide proof of a negative COVID-19 test from no later than the previous 3 days prior to entry to a Federal building. See the section below on Meetings, Events, and Conferences for how visitor requirements apply to in-person participants in meetings, events, and conferences hosted by agencies.

These requirements related to the provision of information about vaccination and provision of proof of a recent negative COVID-19 test do not apply to members of the public entering a Federal building or Federal land to obtain a public service or benefit. If they are not fully vaccinated, these visitors must comply with all relevant CDC guidance, including wearing a mask and physically distancing from other people.

Levels of Community Transmission

For purposes of this guidance, when determining levels of community transmission in a given area, agencies should reference the CDC COVID-19 Data Tracker County View. Agencies can use discretion in determining the counties relevant to the determination of the level of community transmission in a given area for a given Federal facility. For example, agencies may consider the county in which an agency facility is located as well as the transmission levels of surrounding local counties from which employees commute to the facility.

Telework and Remote Work

Agencies should utilize telework and remote work consistent with the principles set forth in OMB Memorandum M-21-25 and agency plans for reentry and post-reentry.

COVID-19 Coordination Team

Each agency should maintain its COVID-19 Coordination Team, as detailed in OMB Memorandum M-21-15. This team should, at a minimum, include a representative from: each component agency (if applicable); the appropriate human resources office(s); occupational safety and health experts; executive leadership; legal counsel; and a public health expert. If such a public health expert does not exist at the agency, the Safer Federal Workforce Task Force will designate someone. The team should meet regularly to review compliance with agency COVID-19 workplace safety plans and protocols, consider potential revisions to agency COVID-19 workplace safety plans and protocols pursuant to guidance from the Safer Federal Workforce Task Force and current CDC guidelines, and evaluate any other operational needs related to COVID-19 workplace safety. The team should coordinate all decisions with Facility Security Committees, as appropriate. For privately owned facilities leased by the Federal Government, the team must coordinate with the General Services

Administration (GSA), where appropriate, and the lessor's designated representative.

Face Masks and Physical Distancing

Federal employees must be fully vaccinated, except in limited circumstances where an employee is legally entitled to a reasonable accommodation. In addition, some contractor employees may not yet be subject to a contractual requirement to be vaccinated, and some visitors may not be fully vaccinated or decline to provide information on their vaccination status.

Individuals who are not fully vaccinated must wear a mask regardless of community transmission level. In areas of high or substantial transmission, fully vaccinated people must wear a mask in public indoor settings, except for limited exceptions discussed in this section. In areas of low or moderate transmission, in most settings, fully vaccinated people generally do not need to wear a mask or physically distance in Federal buildings or on Federal land, except where required by Federal, State, local, Tribal, or territorial laws, rules, or regulations. Fully vaccinated individuals might choose to wear a mask regardless of the level of transmission for a variety of reasons. Nothing in CDC guidance precludes an employee from wearing a mask, if the employee so chooses. CDC's guidance for mask wearing and physical distancing in specific settings, including healthcare, transportation, correctional and detention facilities, and schools, should be followed, as applicable.

Individuals who are not fully vaccinated or who decline to provide their vaccination status—or who are in an area of substantial or high transmission—must wear a mask that covers their nose and mouth, and that is in accordance with current CDC guidance. CDC recommends the following: disposable masks, masks that fit properly (snugly around the nose and chin with no large gaps around the sides of the face), masks made with breathable fabric (such as cotton), masks made with tightly woven fabric (i.e., fabrics that do not let light pass through when held up to a light source), masks with two or three layers, and masks with inner filter pockets. Agencies should not allow novelty or non-protective masks, masks with ventilation valves, or face shields as a substitute for masks.

In addition to properly wearing a mask, individuals who are not fully vaccinated or who decline to provide information about their vaccination status must maintain distance. To the extent practicable, individuals who are not fully vaccinated or who decline to provide information about their vaccination status should maintain a distance of at least six feet from others at all times, consistent with CDC guidelines, including in offices, conference rooms, and all other communal and work spaces.

For individuals who are required to wear a mask:

- Appropriate masks should be worn consistently and correctly (over mouth and nose).
- Appropriate masks should be worn in any common areas or shared workspaces (including open floorplan office space, cubicle embankments, and conference rooms).
- In general, people do not need to wear masks when outdoors. However, consistent with CDC guidance, those who are not fully vaccinated should wear a mask in crowded outdoor settings or during outdoor activities that involve sustained close contact with other people who are not fully vaccinated.

- Agencies may provide for exceptions consistent with CDC guidelines, for example, when an individual is alone in an office with floor to ceiling walls and a closed door, or for a limited time when eating or drinking and maintaining distancing in accordance with CDC guidelines.

Masked individuals may be asked to lower their masks briefly for identification purposes in compliance with safety and security requirements.

Masks do not provide the same level of protection as respirators and should not replace personal protective equipment required or recommended at the workplace.

Testing

Agencies may establish a program to test Federal employees who are not fully vaccinated for COVID-19. Agencies may also test contractor employees working onsite who are not fully vaccinated as part of a testing program—if contractor employees are tested as part of an agency testing program, they do not need to provide proof of a negative COVID-19 test from no later than the previous 3 days prior to entry to a Federal building unless required to by the agency testing program.

Agencies must have a process in place for employee diagnostic testing after a workplace exposure.

Contact Tracing

The agency's COVID-19 Coordination Team will collaborate with and support the contact tracing programs of local health departments to help identify, track, and manage contacts of COVID-19 cases.

The team will engage in coordination with facilities staff to implement infection control and workplace safety efforts once informed of a known or suspected case of COVID-19 (due either to specific symptoms or a positive test).

The team should ensure that the agency makes disclosures to local public health officials, as required or necessary, to provide for the health and safety of Federal employees, contractor employees, and the general public, in accordance with local public health mandates. If COVID-19 cases occur within a specific building or work setting, it will be the responsibility of that agency's COVID-19 Coordination Team (or a field office or agency component designee) to determine—in consultation with local public health officials—appropriate next steps. Agencies should be transparent in communicating related information to the workforce, as relevant and appropriate; disclosures must be consistent with Federal, State, and local privacy and confidentiality laws and regulations.

Travel

Federal employees should adhere strictly to CDC guidelines before, during, and after travel.

For Federal employees who are fully vaccinated, there are no Government-wide restrictions on travel (although agency travel policies still apply).

For the limited number of Federal employees who are not fully vaccinated, agencies should generally observe the following guidance, unless it is contrary to a reasonable accommodation to which an employee is legally

entitled. Official domestic travel should be limited to only necessary mission-critical trips. International travel should also be avoided, if at all possible, unless it is mission critical (e.g., military deployments, COVID-19 response deployments or activities, diplomats traveling, high-level international negotiations that cannot occur remotely). Heads of agencies should issue specific guidance to account for the particulars of their agency's mission.

Meetings, Events, and Conferences

Should an agency intend to host an in-person meeting, conference, or event that will be attended by more than 50 participants—regardless of whether participants include members of the public—the agency must first seek the approval of its agency head, in consultation with the agency's COVID-19 Coordination Team.

In-person attendees at any meetings, conferences, and events hosted by an agency, regardless of size, must be asked to provide information about vaccination status. In requesting this information, agencies should comply with any applicable Federal laws, including requirements under the Privacy Act and the Paperwork Reduction Act. In-person attendees who are not fully vaccinated or decline to provide information about their vaccination status must provide proof of a negative COVID-19 test completed no later than the previous 3 days and comply with masking and physical distancing requirements for individuals who are not fully vaccinated consistent with the requirements for visitors in the Face Masks and Physical Distancing section above. In-person attendees in areas of high or substantial transmission must wear a mask in public indoor settings regardless of vaccination status.

Symptom Monitoring

If Federal employees, onsite contractors, or visitors have symptoms consistent with COVID-19, they should not enter a Federal workplace.

Federal employees and contractor employees working on site should regularly complete virtual or in-person health checks (ask about symptoms, close contact with someone with SARS-CoV-2 infection, and SARS-CoV-2 testing and diagnosis status). The agency will use this information to assess the individual's risk level and to determine whether the individual should be allowed entry to the workplace. Visitors may be asked to complete symptom screening before entering a Federal facility. In developing these tools, agencies may adapt the one developed by CDC.

Any individual, regardless of vaccination status, who develops any symptoms consistent with COVID-19 during the workday must immediately isolate, wear a mask (if the individual is not already doing so and one is available), notify their supervisor, and promptly leave the workplace. Agencies should have processes in place to provide advice and support to supervisors on any related reporting or human resources requirements.

Quarantine, Isolation, and Steps for Fully Vaccinated Individuals Following Exposure to Someone with Suspected or Confirmed COVID-19

Any individual with a suspected or confirmed case of COVID-19 will be advised to isolate, pursuant to CDC guidelines, and in compliance with State, local, and Tribal laws and regulations. Personnel who are not fully vaccinated and who have had a close contact with someone who has tested positive for COVID-19 should

follow CDC and State, local, and Tribal guidance for quarantine.

Individuals who have been fully vaccinated and have had close contact with someone with suspected or confirmed COVID-19 should get tested 3-5 days after exposure, even if they do not have symptoms. They should also wear a mask indoors in public for 14 days following exposure or until their test result is negative. If their test result is positive, they should isolate for 10 days.

Confidentiality and 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 handling of personally identifiable information and identify a point of contact for all questions relating to personal medical information.

Workplace Operations

Occupancy

Agencies may establish occupancy limits for specific workplaces as a means of facilitating physical distancing. Note that by reducing the number of people in a space, occupancy limits also increase the heating, ventilation, and air conditioning delivery of outdoor air per person.

Environmental Cleaning

Agencies should ensure regular cleaning of common use, high-touch, and high-density spaces, such as lobbies, restrooms, elevators, and stairwells. Office space that is in regular use is to be cleaned regularly, and in accordance with CDC guidelines. Wipes and other Environmental Protection Agency-approved disinfectants will be made available for use by individuals to wipe down workstations and related personal property. Physical barriers, such as plexiglass shields, may be installed, where appropriate.

In the event of a suspected or confirmed case of COVID-19 in the workplace, agencies should ensure enhanced environmental cleaning of the spaces that the individual occupied or accessed in accordance with CDC and, where applicable, GSA guidance, which provides as follows:

- If fewer than 24 hours have passed since the person who is sick or diagnosed with COVID-19 has been in the space, clean and disinfect the space.
- If more than 24 hours have passed since the person who is sick or diagnosed with COVID-19 has been in the space, cleaning is enough. You may choose to also disinfect depending on certain conditions or everyday practices required by your facility.
- If more than 3 days have passed since the person who is sick or diagnosed with COVID-19 has been in the space, no additional cleaning (beyond regular cleaning practices) is needed.

If enhanced cleaning is required, wait as long as possible (at least several hours) before cleaning and

disinfecting. Extended wait periods allow increased opportunity for viral deactivation to occur naturally, while also allowing time for aerosols to settle, prior to surface disinfection.

The agency's COVID-19 Coordination Team will determine the appropriate scope of workplace closures needed—in some cases, it may be a suite or individual offices or part of a floor, in other cases, it may include an entire building.

Hygiene

Hand sanitizer stations are to be available at the building entrance and throughout workspaces. Hand sanitizers should contain at least 60% alcohol and be manufactured in accordance with the requirements of the U.S. Food and Drug Administration (FDA). Ingredients should be listed on a "Drug Facts" label. Agencies should ensure the hand sanitizer is not on the FDA's do not use list.

Ventilation and Air Filtration

Modifications to ventilation systems should be considered in accordance with CDC guidance, especially as building population density increases. To the maximum extent feasible, indoor ventilation will be optimized to increase the proportion of outdoor air and improve filtration. Deployment of portable high-efficiency particulate air (HEPA) cleaners should be considered for higher-risk spaces (e.g., health clinics).

Collective Bargaining Obligations

Consistent with President Biden's policy to support collective bargaining, agencies are reminded to satisfy applicable collective bargaining obligations under 5 U.S.C. Chapter 71 when implementing workplace safety plans, including on a post-implementation basis where necessary. Agencies are also strongly encouraged to communicate regularly with employee representatives on workplace safety matters.