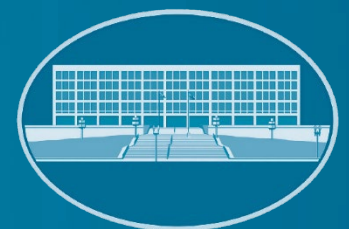


JUNE 2022



UNITED STATES DEPARTMENT OF LABOR

COVID-19 WORKPLACE SAFETY PLAN



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SUMMARY OF RECENT CHANGES

Updates as of June 1, 2022

- Updated daily health screening questions

Updates as of April 28, 2022

- Update to the health and safety protocols by vaccination status chart
- Update to conference policy to align with the CDC's COVID-19 Community Level Model
- Update to the testing policy to reflect the DOL provision of test kits for employee use in situations outlined in the policy
- Update to physical distancing policy to align with the Safer Federal Workforce Task Force on being required only if someone is not fully vaccinated

Updates as of March 4, 2022

- Update to masking policy to align with the CDC's COVID-19 Community Level Model
- Update to testing policy to align with the CDC's COVID-19 Community Level Model
- Update to physical distancing policy to align with CDC's guidance on being up to date on COVID-19 vaccines

Updates as of February 16, 2022

- Update to leave time policy for original series vaccination doses
- Updated travel restrictions after a confirmed close contact with someone who has COVID-19

Updates as of January 18, 2022

- Updated quarantine and isolation references to updated CDC guidance
- Updated with references to CDC's new guidance on 'staying up to date' with COVID-19 vaccination
- Updated daily health screening questions
- Updated to reflect compliance with nationwide preliminary injunction of the vaccine requirement pursuant to Executive Order 14043

Updates as of November 19, 2021

- Updates to content and organization to align with the updated Agency Model Safety Principles issued by the Safer Federal Workforce Task Force on September 13, 2021 and additional Frequently Asked Questions.
- Update to reflect Federal employee and Federal contractor employee vaccination requirement and implementation guidance.
- Update to clarify aspects of the travel policy.

INTRODUCTION

President Joseph R. Biden released the [National Strategy for the COVID-19 Response and Pandemic Preparedness](#) on January 21, 2021. The National Strategy initiates a coordinated pandemic response that not only improves the effectiveness of the country's fight against coronavirus disease 2019 (COVID-19), but also helps restore trust, accountability, and a sense of common purpose in the Federal response to the pandemic.

The Administration's paramount concern in crafting COVID-19 workplace safety plans is the health and safety of all Federal employees, onsite contractor employees, and individuals interacting with the Federal workforce. The Federal Government is committed to updating these plans consistent with best public health practices and guidance from the U.S. Centers for Disease Control and Prevention (CDC), the Office of Management and Budget (OMB), the General Services Administration (GSA), the Office of Personnel Management (OPM), and other Administration guidelines, including FAQs from the Safer Federal Workforce Task Force. Key governing authorities for this plan include the following:

- [Executive Order 13991: Protecting the Federal Workforce and Requiring Mask-Wearing](#) (January 20, 2021)
- [Executive Order 14042: Ensuring Adequate COVID Safety Protocols for Federal Contractors](#) (September 9, 2021)
 - In implementing Executive Order 14042, DOL will comply with all relevant court orders, including by following relevant OMB and Safer Federal Workforce Task Force [guidance](#).
- [Executive Order 14043: Requiring Coronavirus Disease 2019 Vaccination for Federal Employees](#) (September 9, 2021)
- Office of Management and Budget (OMB) Memorandum M-21-15, titled "*COVID-19 Safe Federal Workplace: Agency Model Safety Principles*" (January 24, 2021, updated on July 29, 2021 and [September 13, 2021](#))
- CDC [Interim Public Health Recommendations for Fully Vaccinated People](#) (January 16, 2022)
- OMB Memorandum [M-21-25](#), titled "*Integrating Planning for a Safe Increased Return of Federal Employees and Contractors to Physical Workplaces with Post-Reentry Personnel Policies and Work Environment*" (June 10, 2021)

PURPOSE AND SCOPE

The purpose of this document is to provide minimum mandatory safety guidance for the U.S. Department of Labor (DOL) and the DOL agencies. The health and safety of all DOL employees, onsite contractor employees, and individuals interacting with the DOL workforce is the Department's highest priority.

DOL recognizes that COVID-19 is a highly contagious infectious disease. This document is primarily focused on application of relevant guidelines at all DOL facilities to mitigate the spread of COVID-19 in the workplace. These guidelines apply to buildings wholly managed by DOL as well as those buildings (or areas within buildings) controlled by DOL, in combination referred to as "DOL facilities." These guidelines also apply to lands under DOL control.

DOL should consider equity when implementing this Plan to not only ensure consistent application of policies, but also balance the health and safety of employees and the necessary services the Department provides to the American people, particularly vulnerable populations.

This document is not meant to be comprehensive. This guidance supersedes any conflicting information in previously published internal DOL guidance on COVID-19. Additional and supplemental implementation guidance will be provided as necessary.

DOL will consult with the Safer Federal Workforce Task Force to discuss special circumstances or higher-risk work environments, in order to provide DOL agencies with specific guidance for those environments and circumstances.

COVID-19 COORDINATION TEAM

The Office of the Assistant Secretary for Administration and Management (OASAM) will continue to serve as lead for the Department's COVID-19 planning, response, and management as it relates to the protection of the DOL workforce and those with whom the DOL workforce comes into contact.

DOL has established a core COVID-19 Coordination Team (Team) to serve in an advisory role to the Secretary of Labor and Assistant Secretary for Administration and Management (ASAM) in resolving matters that are crucial to the development and implementation of these guidelines and other supplemental guidance. The Team is chaired by the ASAM and consists of seven standing members, listed below. The Secretary or ASAM may also direct others from any part of DOL, including its component agencies, to participate as members of the Team, or to provide information and assistance.

- **The Secretary**, or designee
- **The Assistant Secretary for Administration and Management (ASAM)**, or designee
- **The Occupational Safety and Health Administration (OSHA) Deputy Assistant Secretary**, or designee
- **The OSHA Deputy Director of Standards and Guidance**, or designee

- **The Chief Human Capital Officer**, or designee
- **The Director of the OASAM Business Operations Center**, or designee
- **The Solicitor of Labor**, or designee

Any Team member may designate members of their staff to represent or assist them in performing the work of the Team.

The Team is responsible for advising the Secretary on matters including, but not limited to:

- Assessments to establish, implement, and monitor compliance with: (a) relevant government-wide health and safety policies; (b) occupancy limit requirements; (c) physical space and masking protocols (where appropriate); and (d) determinations of onsite and telework/remote work;
- Revisions to the COVID-19 workplace safety plans and protocols;
- Outreach strategy for communicating with the DOL workforce and DOL unions that is regular and transparent and complies with DOL's obligations under Federal labor management relations law and existing agreements;
- Compliance issues and procedures for remediating them; and
- Exceptions to policies and procedures for reviewing requests.

Where appropriate, the Team may consult with the GSA, OPM, OMB, the Safer Federal Workforce Task Force, and other appropriate authorities. For privately owned and Federally- leased spaces, the Team will coordinate through the OASAM Business Operations Center, OASAM Regional Administrators, and Regional Executive Committees, along with GSA and the Facility Security Committees. The Team will also participate in the sharing of best and promising practices across government.

The Team shall meet as needed and may form subgroups, or workgroups, with representatives from DOL agencies to support and inform the work of the Team.

- The Team shall select a chairperson to lead each workgroup.
- Members of the Team may serve on workgroups to assist in researching and addressing specific Departmental initiatives or time-sensitive issues.
- The Team shall provide guidelines governing the operation of workgroups, including participation, scope, mandate, and time frames for decision-making.
- The Team shall review and monitor the work of the workgroups and the Team has final approval authority over all workgroup guidance, documents, and other work products.
- The Secretary of Labor or ASAM may direct the Team to create additional workgroups as needed.

WORKGROUPS

The COVID-19 Coordination Team formed workgroups to advise on and manage the implementation of specific policies within these guidelines. As the situation evolves, the Team may adjust the composition and focus of workgroups.

Workgroups should continue to be comprised of subject matter experts (SMEs) with representation from across DOL agencies.

- The chairperson of a workgroup may designate additional leads for specific projects or deliverables assigned to the workgroup.
- Additional SMEs or representatives from impacted DOL agencies may be added to workgroups or consulted by members of the workgroups when appropriate.

Workgroups may engage with DOL unions, through appropriate channels in the DOL Office of Human Resources, and with DOL agencies and regional staff to inform their work in the pre- decisional stages.

Workgroups are expected to support and inform the work of the Team by:

- Completing deliverables as assigned by the Team;
- Reviewing exception requests from DOL agencies, as assigned;
- Updating the Team on new guidelines for COVID-19 mitigation (including updates from CDC, GSA, OPM, OMB, and other authorities);
- Advising the Team when new guidelines from COVID-19 mitigation necessitate changes in DOL guidance, implementation status, and other operations;
- Advising the Team on priorities and policies;
- Advising the Team on strategies for engaging with employees and agencies; and
- Serving as SMEs for DOL agencies on topics related to the workgroup. Workgroups should meet regularly and as needed.

INFORMATION ABOUT VACCINATION

The COVID-19 vaccine is now available to all U.S. adults and children 5 years and older free of charge and the Team has provided resources on the [Department's Intranet](#) (LaborNet) for obtaining the vaccine. If you or a family member need a COVID-19 vaccine, search vaccines.gov, text your ZIP code to 438829, or call 1-800-232-0233 to find locations near you.

COVID-19 vaccines are effective at protecting you from getting sick. Guidance from the CDC supports that people who are up to date with their vaccines are well protected from serious illness or other health outcomes.

FEDERAL EMPLOYEE VACCINATION INFORMATION

Note: The employee vaccination requirement in Executive Order 14043, as described below, is the subject of an injunction issued by a Federal court. In accordance with OMB Guidance, and pending further notice, DOL will take no action to enforce the vaccination requirement set forth in EO 14043. The injunction does not prohibit the DOL from requesting information regarding employee vaccination status for the purposes of implementing workplace safety protocols, such as protocols related to masking, physical distancing, testing, travel, and quarantine, and DOL will continue to request information on vaccinations status, as needed, to implement workplace safety protocols.

VACCINATION REQUIREMENT FOR EMPLOYEES

As required by Executive Order 14043, DOL employees must be fully vaccinated no later than November 22, 2021, except in limited circumstances where an employee is legally entitled to an accommodation. This requirement applies to all DOL employees, including those who are not currently performing onsite or in-person work through the start of Phase 3 under the maximum telework posture, as well as and employees who are working remotely under an official remote work arrangement.

Employees will be considered fully vaccinated for COVID-19 two 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 (FDA) or that has been listed for emergency use by the World Health Organization. The current definition of fully vaccinated is available on the [CDC website](#). 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.

COLLECTION OF INFORMATION AND DOCUMENTATION ABOUT VACCINATION

In accordance with Executive Order 14043 and guidance from [the Safer Federal Workforce TaskForce FAQs](#), DOL requires proof of vaccination for federal employees through the Department's [VaxTrak](#) online system. Effective October 5, 2021, all DOL employees are required to submit their vaccination status and proof of vaccination in [VaxTrak](#), unless directed to use an alternate process. DOL employees, in accordance with guidance from the Safer Federal Workforce Task Force, must provide information including 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, employees must certify under penalty of perjury that the information they are submitting is true and correct.

The below are acceptable forms of proof of vaccination:

- A copy of the record of immunization from a health care provider or pharmacy;
- A copy of the COVID-19 Vaccination Record Card;
- A copy of medical records documenting the vaccination;
- A copy of immunization records from a public health or state immunization information system;
- or
- A copy of any other official documentation containing the following required data points: the type of vaccine administered, date(s) of administration, and the name of the health care professional(s) or clinic site(s) administering the vaccine(s).

A recent antibody test cannot be used to prove vaccination status.

Additional resources to assist DOL federal employees with this requirement can be found on the [Department's intranet](#) (LaborNet) [VaxTrak](#) and [COVID-19 Vaccine Information](#) pages.

VACCINATION REQUIREMENT FOR NEW HIRES

After November 22, 2021, new hires must be fully vaccinated prior to entering on duty. All DOL job opportunity announcements and job offer letters will include information, in accordance with OPM guidance, to notify applicants of the COVID-19 vaccination requirements. New hires are required to show proof of vaccination upon Entry on Duty (EOD) and must then complete [VaxTrak](#) reporting requirements as they gain access to the system. However, should DOL have an urgent, mission-critical hiring need to onboard new staff prior to those new staff becoming fully vaccinated, DOL may delay the vaccination requirement—in the case of such limited delays, DOL should require new hires to be fully vaccinated within 60 days of their start date and to follow safety protocols for not fully vaccinated individuals until they are fully vaccinated.

DUTY TIME AND LEAVE FOR VACCINATION

Effective January 21, 2022 and while the nationwide preliminary injunction is in place regarding the Federal employee vaccine requirement, employees may use up to four hours of administrative leave (**instead of** duty time) to obtain a primary series dose of the COVID-19 vaccine during work hours. Primary doses are those necessary to comply with the current CDC definition of fully vaccinated available on the CDC website. Under this authority, an employee may use up to four hours of administrative leave per dose of the COVID-19 vaccine, not to exceed a maximum of eight hours total for multiple doses, including travel to and from vaccination appointment. If an employee spends less time getting the vaccine, only the needed amount of administrative leave will be allowed. Time needed in excess of four hours may be granted, at the employee's request, as annual leave, sick leave, or other forms of paid or non-paid leave. In addition, the Department grants up to 2 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 2 workdays for reactions associated with a single dose).

The Department is granting administrative leave for employees to receive an additional dose of the COVID-19 vaccine or a booster shot, or to take a family member to receive any dose of the COVID-19 vaccine or a booster shot. Full guidance on these policies can be found on the [Department's intranet](#) (LaborNet).

ENFORCEMENT OF VACCINATION REQUIREMENT

DOL will enforce employee obligations under Executive Order 14043 with progressive discipline, consistent with existing Departmental policies and procedures and OPM's recommended approach. Accordingly, DOL initiated its progressive discipline enforcement approach with a comprehensive informational campaign designed to encourage compliance by educating employees on the benefits of the vaccine, methods of obtaining the vaccine, and the process for obtaining a legal exception to the vaccine requirement (i.e., a medical or religious accommodation). Employees who (1) do not comply with the vaccine requirement, (2) do not obtain a legal exception, or (3) are not in the process of requesting a legal exception or extension will be subject to progressive disciplinary measures, up to and including removal from Federal service for continued non-compliance. Employees subject to a disciplinary proposal may have the proposal held in abeyance and ultimately rescinded by becoming fully vaccinated.

REASONABLE ACCOMMODATIONS RELATED TO VACCINATION REQUIREMENTS

Federal employees must be fully vaccinated except for in limited circumstances where the law requires an exception. In particular, DOL may be required to provide an accommodation to employees who submit a request for an accommodation and indicate that they are not vaccinated against COVID-19 because of a disability or medical condition or because of a sincerely held religious belief, practice, or

observance. Determining whether an exception is legally required will include consideration of factors such as the basis for the claim; 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 COVID-19.

Because such assessments will be fact- and context-dependent, the Department will consult the Office of the Solicitor with questions related to assessing and implementing any such requested accommodations.

DOL has established processes for receiving, reviewing, and considering requests from employees for legally required exceptions to the requirement for employees to be fully vaccinated. DOL has communicated those processes to employees via newsletters, content on the [Department's intranet](#) (LaborNet), in town hall style meetings where leadership was available to answer employee questions, and through this Workplace Safety Plan. Employees can find detailed instructions on how to submit a request for a reasonable accommodation and who to contact with questions on the [Department's intranet](#) (LaborNet).

Forms are available on the [Department's intranet](#) (LaborNet) to employees who are seeking a medical or religious exception or delay to the vaccine requirement. The information on the forms may be used by appropriate officials to determine whether the employee is entitled to an accommodation and to engage in an interactive process with the employee regarding potential accommodations. DOL may also ask for other information as needed to determine if the individual is legally entitled to an accommodation.

The Department consults with its senior agency official for privacy and SOL to address legal considerations and privacy requirements in developing its forms, including but not limited to an appropriate Privacy Act Statement. DOL will comply with any applicable recordkeeping and other requirements. The Department takes the privacy of its employees very seriously.

Employees who believe they are entitled to an accommodation were asked to submit a request by October 18, 2021. If they have not done so, they should submit a request as soon as possible.

Whether an exception may be granted will depend in part on the ability of employees to follow necessary safety protocols (e.g., masking, distancing, regular testing) and/or other accommodations and to perform the essential functions of their positions. In some cases, the nature of the employee's job may be such that an agency determines that no safety protocol other than vaccination is adequate.

If an employee's request for accommodation is denied, following any request for reconsideration and resolution of that request, the employee must 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 six weeks of receiving the first dose. If the employee received a first dose of a two-dose series prior to seeking an accommodation, the employee must 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, DOL employees who are approved for accommodation will need to follow applicable masking, physical distancing, and testing protocols for individuals who are not fully vaccinated, as well as applicable travel guidance. These testing protocols are available on the [Department's Intranet](#) (LaborNet).

HEALTH AND SAFETY PROTOCOLS RELATED TO VACCINATION STATUS

Certain policies in this Workplace Safety Plan apply differently to Federal employees, Federal contractor employees, and visitors who are fully vaccinated; Federal employees, Federal contractor employees, and visitors who are up-to-date with their vaccines according to [CDC guidelines](#); and not fully vaccinated Federal employees, Federal contractor employees, and visitors. Key policy differences are highlighted below.

SOME COVID-19 PROTOCOLS DIFFER BASED ON VACCINATION STATUS.¹

COVID-19 Protocol	Not Fully Vaccinated	Fully Vaccinated but not Up to Date	Up to Date
Masks	Not based on vaccination status. Masks are required when Community Level is high, regardless of individual's vaccination status. See COVID-19 Community Levels and Masking Requirements by Location U.S. Department of Labor (dol.gov) for mask requirements by each DOL location.	Not based on vaccination status. Masks are required when Community Level is high, regardless of individual's vaccination status. See COVID-19 Community Levels and Masking Requirements by Location U.S. Department of Labor (dol.gov) for mask requirements by each DOL location.	Not based on vaccination status. Masks are required when Community Level is high, regardless of individual's vaccination status. See COVID-19 Community Levels and Masking Requirements by Location U.S. Department of Labor (dol.gov) for mask requirements by each DOL location.
Physical Distancing	Required	Not Required	Not Required
Screening Testing	Required if COVID-19 Community Level is medium or high	Not Required	Not Required

¹ e.g., quarantine and delaying travel after a confirmed close contact exposure to COVID-19

<p>Travel * The Travel section does not apply to visitors.</p>	<p>Limited to only mission-critical travel and should get a viral test no earlier than 3 days prior to departure before official travel. Employees must follow CDC guidelines for domestic or international travel (1)</p>	<p>There are no limits on official travel for federal employees who are fully vaccinated. Employees who are traveling should follow guidelines from the CDC on domestic or international travel (1)</p>	<p>There are no limits on official travel for federal employees who are fully vaccinated. Employees who are traveling should follow guidelines from the CDC on domestic or international travel (1)</p>
<p>Quarantine following a close contact exposure to COVID-19¹</p>	<p>Quarantine for at least 5 days is required after a confirmed close contact exposure to COVID-19. You should get tested at least 5 days after last close contact. For 10 days after exposure, you should monitor for symptoms and take precautions, including wearing a mask around others. Use the CDC isolation and quarantine calculator tool for recommendations based on individual factors including vaccination status and prior COVID-diagnosis</p>	<p>Quarantine for at least 5 days is required after a confirmed close contact exposure to COVID-19. You should get tested at least 5 days after last close contact. For 10 days after exposure, you should monitor for symptoms and take precautions, including wearing a mask around others. Use the CDC isolation and quarantine calculator tool for recommendations based on individual factors including vaccination status and prior COVID-diagnosis</p>	<p>Quarantine not required after a confirmed close contact exposure to COVID-19, if you are asymptomatic. However, you should get tested at least 5 days after last close contact exposure. For 10 days after exposure, you should monitor for symptoms and take precautions, including wearing a mask around others.</p>
<p>Isolation following a COVID-19 diagnosis</p>	<p>Isolation is required for a minimum of 5 days after a diagnosis of COVID-19. Use the CDC isolation and quarantine calculator tool for recommendations based on individual factors including vaccination status and prior COVID-diagnosis.</p>	<p>Isolation is required for a minimum of 5 days after a diagnosis of COVID-19. Use the CDC isolation and quarantine calculator tool for recommendations based on individual factors including vaccination status and prior COVID-diagnosis.</p>	<p>Isolation is required for a minimum of 5 days after a diagnosis of COVID-19. Use the CDC isolation and quarantine calculator tool for recommendations based on individual factors including vaccination status and prior COVID-diagnosis.</p>

Testing guidance can be found on the [Department's intranet](#) (LaborNet)

FEDERAL CONTRACTOR VACCINATION INFORMATION

Note: The contractor vaccination requirement in Executive Order 14042 is the subject of injunctions issued by Federal courts. In accordance with OMB Guidance, and pending further notice, DOL will take no action to enforce EO 14042 or DOL's implementing contract clause, FAR Deviation 52.223-99, Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors (Oct2021), for any contract performed within the United States or its outlying areas.

The court injunctions only apply to the application of requirements pursuant to Executive Order 14042. There is no change to the Safer Federal Workforce Task Force's guidance for COVID-19 workplace safety protocols for Federal agencies, which apply in all Federal buildings and Federally controlled facilities. Contractor employees working onsite in those facilities must still follow those Federal agency workplace safety protocols including completing the Certification of Vaccination form and following the guidance issued in [OSPE Policy Notice 2021-18](#).

VACCINATION REQUIREMENT CONTRACTOR EMPLOYEES

In accordance with the Guidance for Federal Contractors and Subcontractors issued by the Safer Federal Workforce Task Force pursuant to Executive Order 14042, contractors must ensure that covered contractor employees are fully vaccinated for COVID-19, except in limited circumstances where a contractor employee is legally entitled to an accommodation (see further discussion on accommodation for contractor employees below). In implementing Executive Order 14042, DOL will comply with all relevant court orders, to include following relevant OMB and Safer Federal Workforce Task Force [guidance](#).

Covered contractor employees must be fully vaccinated no later than January 18, 2022. After that date, all covered contractor employees must be fully vaccinated by the first day of the period of performance on a newly awarded covered contract, and by the first day of the period of performance on an exercised option or extended or renewed contract when the clause has been incorporated into a contract action.

For contracts awarded or extended in the future, all covered contractor employees must be fully vaccinated by the first day of the period of performance to which the clause applies.

Covered contractor employees working on a contract action from their residence also must comply with the vaccination requirement for covered contractor employees.

While enforcement of Executive Order 14042 is enjoined, and until further notice, onsite contractor employees will be asked about their vaccination status. An onsite contractor employee is defined for this purpose to include anyone who reports to a DOL facility or engages with the public on behalf of the Department. Onsite contractor employees must attest to the truthfulness of the response they provide. If an onsite contractor employee chooses not to provide a response, they are required to

follow agency safety protocols that apply to those who are not fully vaccinated. In requesting this information, DOL complies with any applicable Federal laws, including requirements under the Privacy Act and the Paperwork Reduction Act.

For contractor employees not yet subject to a contractual requirement to be vaccinated, DOL will provide them with the Certification of Vaccination form when they enter a Federal building or Federally controlled indoor worksite. Further details are contained in OSPE Policy Notice 2021-18 (available on the [Department's intranet](#) (LaborNet)):

- DOL may email the Certification of Vaccination form to onsite contractor employees in advance of their scheduled time onsite or utilize electronic tools or applications to share the form with contractor employees and enable them to easily complete it, but DOL will not collect or maintain completed records of Certification of Vaccination forms from contractor employees.
- For those onsite contractor employees who do not have access to email or applications, DOL will determine the best method of distribution, including by having printed copies of the form at the entry point to the worksite.
- OSPE Policy Notice 2021-18 directs onsite contractor employees 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 a Federal building or Federally controlled indoor worksite and to a Federal employee who oversees their work.

Pursuant to the Federal Acquisition Regulation (FAR), an approved deviation to the FAR, and the terms of the contract, contractors shall comply with FAR Clause 52.223-99 Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors. In implementing Executive Order 14042, DOL will comply with all relevant court orders, including by following relevant OMB and Safer Federal Workforce Task Force [guidance](#).

Prime contractors are required to ensure their employees comply with all COVID-19 workplace safety protocols contained within this plan when they are onsite in DOL-controlled worksites. Additionally, prime contractors are responsible for ensuring subcontractors comply with all COVID-19 workplace safety protocols contained within this plan when they are onsite in DOL-controlled worksites.

A covered contractor may be required to provide an accommodation to contractor employees who communicate to the covered contractor that they are not vaccinated against COVID-19, or that they cannot wear a mask, because of a disability or medical condition or because of a sincerely held religious belief, practice, or observance. A covered contractor should review and consider what, if any, accommodation it must offer. The contractor is responsible for considering and taking appropriate action in response to such requests for accommodations regardless of the covered contractor employee's place of performance.

DOL has determined, as outlined in this plan, the workplace safety protocols that individuals who are not fully vaccinated or not up to date on their vaccinations must follow while in a DOL facility. Guidance

from the CDC and the Safer Federal Workforce Task Force sometimes call for different protocols for testing, physical distancing, and quarantine (including after domestic and international travel) so please refer to those sections of this plan for specific information if you are not up to date on your vaccinations.

However, there may be circumstances in which DOL determines that the nature of a covered contractor employee's job responsibilities at a DOL facility, or the location of their work at a DOL facility, requires heightened safety protocols. Further, in some cases, DOL may determine that the nature of a covered contractor employee's responsibilities at a DOL facility are such that no safety protocol other than vaccination is adequate—in that case, covered contractor employees who are not fully vaccinated would be unable to perform the requisite work at the DOL facility. Such circumstances do not relieve or excuse the contractor from meeting all contractual requirements.

In order for DOL to assess appropriate safety measures for contractor employees in a DOL facility, contractors subject to a contractual requirement for maintaining COVID-19 workplace safety protocols pursuant to Executive Order 14042 should notify their DOL contracting officers no later than three days prior to a contractor employee's scheduled arrival at a DOL facility when one of their employees who works onsite at a DOL facility has received an exception to the requirement to be fully vaccinated.

HEALTH AND SAFETY PROTOCOLS

All onsite contractor employees must adhere to all DOL workplace safety protocols based on the current COVID-19 Community Level in their area and their COVID-19 vaccination status as communicated in the DOL COVID-19 Workplace Safety Plan. See the masking, symptom monitoring, in case of exposure or illness, travel, and physical distancing sections below for policy requirements for Federal contractor employees.

VISITOR VACCINATION INFORMATION

By leveraging technology and modifying work processes, DOL can provide most products and services virtually however, some services may need to be or are better provided in-person, and we have taken steps to provide those in-person services safely. As part of the DOL Reentry Plan, DOL agencies can allow visitors in accordance with their entry occupancy limits and subject to the health and safety policies in this Plan.

In instances when an in-person meeting is necessary, or a visitor must enter a DOL workplace for DOL products or services, visitors will be subject to building screening policies and visitors that are not fully vaccinated are subject to physical distancing requirements and testing protocols. The DOL public-facing website has [instructions for visiting the FPB](#), which indicate that visitors should conduct self-screening prior to coming to the building. Other DOL facilities should provide similar screening information to their visitors. Visitors may also be asked these screening questions prior to building admittance and will be denied entry should they not answer the questions satisfactorily. The public website also states

that all Federal employees, onsite contractor employees, and visitors, regardless of vaccination status, must wear a mask inside of Federal buildings when the COVID-19 Community Level is high. Regardless of vaccination status, Federal employees, onsite contractor employees, and visitors are not required to wear a mask inside of Federal buildings when the COVID-19 Community level is low or medium. Individuals who are not fully vaccinated, or who decline to affirm their vaccination status, must practice physical distancing regardless of COVID-19 Community Level. DOL monitors COVID-19 Community Levels on a weekly basis and provides an [online tool](#) to provide employees, contractor employees, and visitors with the current mask requirements for facilities where DOL offices are located. All DOL agencies should share the public website link with visitors when scheduling meetings so they are aware of building requirements prior to arrival. DOL agencies are expected to use the working guidance for determining mission critical work when scheduling meetings with visitors.

The DOL COVID-19 Coordination Team may evaluate the need for additional guidance. Limits on visitors will also be addressed in the DOL Reentry Plan.

VACCINATION REQUIREMENTS FOR VISITORS

Effective Wednesday, August 25, 2021, visitors entering DOL facilities will be asked to provide information about their vaccination status using the [Certification of Vaccination form](#).

Visitors who disclose that they are fully vaccinated must comply with all Department guidance for fully vaccinated individuals.

Visitors that choose “not yet fully vaccinated,” “not been vaccinated,” or “decline to respond” on the form must comply with CDC and DOL guidance for individuals who are not fully vaccinated, including the following safety protocols while on premises:

- Immediately notify their DOL Agency point of contact for more information on the appropriate protocols;
- Wear a mask when the COVID-19 Community Level is high;
- Distance at least six feet from others; and
- Provide proof of having received a negative COVID-19 test from within the previous 3 days when the COVID-19 Community Level is medium or high.

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 DOL facilities to obtain a public service or benefit. If individuals entering a DOL facility to obtain a public service or benefit (e.g., to visit the Post Office, the Credit Union, or the Child Development Center) are not fully vaccinated, they must comply with all relevant CDC guidance and safety protocols, including mask-wearing and physical distancing requirements. Visitors, regardless of vaccination status, must wear a mask inside of Federal buildings when the COVID-19 Community Level is high. This information is posted on [DOL.gov](#) and the [Department’s intranet](#) (Working at or Visiting a DOL Office page on

LaborNet) for DOL agency points of contact to share with visitors.

ATTESTATION

DOL Agency personnel coordinating with visitors will notify visitors to complete the [Certification of Vaccination form](#) and keep it with them during their time on premises — they may be asked to show the form to the Federal employee who is receiving them. DOL agency personnel may share the form with visitors in advance of their time onsite, but DOL will not collect or maintain the completed Certification of Vaccination forms from visitors at this time.

All Federal employees and contractor employees are treated as visitors during their visit to another Federal agency, meaning they would need to complete a [Certification of Vaccination](#) form and, if they are not fully vaccinated or decline to disclose their status, they would need to show proof of a negative COVID-19 test result within the past 3 days prior to entry when the onsite location has a COVID-19 Community Level of medium or high. As with other visitors, the employee should keep the form with them during their time onsite at the other agency.

HEALTH AND SAFETY PROTOCOLS

All visitors to a DOL facility must adhere to all DOL workplace safety protocols based on the area's current COVID-19 Community Level and their COVID-19 vaccination status as communicated in the DOL COVID-19 Workplace Safety Plan. See the masking, symptom monitoring, in case of exposure or illness, and physical distancing sections below for policy requirements for visitors.

TESTING

In accordance with the initial implementation Guidance for Federal Agencies on COVID-19 Community Levels and Mask-Wearing issued by the Safer Federal Workforce Task Force (issued on February 28, 2022), agencies are required to have a screening testing program for employees who are not fully vaccinated and coming onsite to a DOL facility (or other workplace in some cases) or are required to be in a readiness capacity. Whether screening testing is required depends on the COVID-19 Community Level as reported by the CDC. At federal worksites in a county with a low COVID-19 Community Level, screening testing will not be required. However, screening testing will be required for federal worksites located in counties with medium or high COVID-19 Community levels. DOL will be monitoring the COVID-19 Community Level weekly and implementing masking and screening testing protocols based on this weekly review.

If an area moves from a high or medium to low COVID-19 Community Level, then COVID-19 screening testing will not be required. Not fully vaccinated employees in those areas will not be required to take a test that week to go into the workplace. If the area then moves back up to a medium (or high) COVID-19 Community Level the following week (or in any subsequent week), the employee will need to take a test within the 3 days prior to coming into the workplace for that first week in the higher Community

Level and reestablish a weekly testing schedule as long as the area remains in medium or high Community Level. Employees who have not yet started screening testing must follow this procedure in their first week of reporting to work in an area of medium or high Community Level.

Federal agencies are also required to provide a method for employee diagnostic testing after a workplace exposure and testing related to official travel. DOL will provide a test or reimburse reasonable costs for COVID-19 testing in several circumstances identified in the Department's testing policy posted on the [Department's intranet](#) (LaborNet), including when employees have workplace exposure or approved official travel, or a not fully vaccinated employee requires testing to come onsite to a DOL facility or other work site. Free testing options can also be used when available and appropriate.

When possible given resource and supply chain constraints, DOL will provide tests for required use as described below. Employees should work with their supervisor to ensure they have the test(s) needed.

When they are available, employees must use tests provided by the Department unless there is a documented need for a different test or a religious or medical accommodation for an employee to use a specific type of test not provided by the Department. An employee's preference for a different test is not sufficient. Rather, the reason for needing a different test must be documented and the exception approved by the employee's supervisor in advance. Examples of where an exception would be appropriate include if an employee is in the field and needs a test last minute to perform their job functions or if a DOL office or worksite runs out of tests and a test is needed while the supply is being restocked. When there is a documented need to utilize a test that is not provided by DOL, with supervisory approval, the employee or agency could procure a test using a purchase card or the employee can make the purchase using personal funds and then file for reimbursement.

- If purchase of a test is required, the agency's government purchase cards should be used to pay for testing when possible. If the employee is not able to arrange in advance for the testing to be paid by purchase card, and they are not on official travel, they can pay for the testing themselves and file form [SF-1034](#) for reimbursement.
- If the employee is on official travel (including authorized local travel), they should utilize their travel card to pay for testing and claim the testing cost in a travel voucher as a Miscellaneous Expense. If the employee is on official travel (including authorized local travel) and does not have a travel card, then they can pay for the testing themselves and claim the testing cost in a travel voucher as a Miscellaneous Expense.

Additional details on Department's testing policy are available on [LaborNet](#). This policy includes details on how often not fully vaccinated employees are required to test if they are coming to a DOL facility or other worksite, more details on situations when the department will provide a test or pay for or reimburse the out-of-pocket cost of a test and when duty time can be used to take a COVID-19 test.

INFORMATION MANAGEMENT

All health and medical information collected from employees, onsite contractor employees, and visitors, including test results, and any other information obtained as a result of testing and symptom monitoring, vaccination status, proof of vaccination, and reasonable accommodation requests, will be treated confidentially in accordance with applicable law, including the Privacy Act and Paperwork Reduction Act, and will be accessed only by those with a need to know in order to protect the health and safety of personnel and manage COVID-19 procedures. The Department will consult with the appropriate privacy, records, and IT security teams and forthcoming guidance from the Chief Records Officer for the U.S. Government when developing systems for collecting and maintaining this information.

DOL is authorized to collect the information requested from employees in the [VaxTrak](#) system pursuant to Executive Order 14043, Requiring Coronavirus Disease 2019 Vaccination for Federal Employees (September 9, 2021); Executive Order 13991, Protecting the Federal Workforce and Requiring Mask-Wearing (January 20, 2021); Executive Order 12196, Occupational Safety and Health Program for Federal Employees (February 26, 1980); and 5 U.S.C. chapters 11, and 79.

Medical and health information requested and provided pursuant to a request for reasonable accommodation (discussed below) will be handled consistent with the Department's DLMS on Reasonable Accommodation (DLMS 6-Chapter 200). Any other medical or health information collected from DOL employees, contractor employees, and visitors to DOL facilities will continue to be maintained and safeguarded as confidential medical information. Federal employee documentation will be maintained separately from employee personnel records.

ESSENTIAL ON-SITE FUNCTIONS

DOL recognizes that certain essential program functions may require onsite work. Essential personnel are expected to continue to report to their worksites as previously instructed by their supervisors, unless otherwise directed by their supervisor or manager. DOL agencies will make determinations of onsite functions based on agency mission and the current posture of the Department, as determined by the DOL COVID-19 Coordination Team. Adjustments to these determinations can be expected to occur over time.

As stated previously, the type of work activities that will be considered essential and cannot be performed from an approved telework site include, but are not limited to: investigations, inspections, litigation, handling paper records and documents, mail processing, and facilities maintenance. DOL investigators, inspectors, and other field personnel should receive from their supervisor or manager further instructions on these and other matters relating to DOL's efforts to protect the workforce from COVID-19. DOL contractor employees should reach out to their Contracting Officer Representatives for further guidance. Employees currently teleworking on a frequent or regular basis, including under

DOL's current maximum telework posture (further discussed below and in more detail on the [Department's Intranet](#) (LaborNet), will be given reasonable advance notice and guidance before being required to return to the physical workplace under the DOL Reentry Plan.

TELEWORK AND REMOTE WORK

Telework is an important strategic workforce planning tool that provides flexibilities to agencies and employees. Telework decisions at DOL are determined by the immediate supervisor and supervisory chain, based on the business needs of the office and agency.

DOL employees may confirm their current telework eligibility status with their supervisor and coordinate telework arrangements as appropriate. Information about telework, including DOL telework policy, collective bargaining agreement articles, and other telework resources, may be found on the Department's Intranet (LaborNet): [Telework at DOL](#).

DOL agencies will plan for employee safety and health considerations, especially with regard to, but not limited to, employees (including managers and supervisors) and contractor employees who are within those populations that the CDC has identified as being at [higher risk](#) for serious complications from COVID-19 (CDC High Risk Complications), within CDC-identified special populations including pregnant women (CDC Special Populations), or who are unable to be vaccinated or are not fully protected even when fully vaccinated. Where practical and with supervisory approval, telework may be used to mitigate individual employee situations for telework-eligible employees. Until such time as they are notified by DOL management that they must report on-site, employees who remain ineligible for telework may be granted weather and safety leave by their supervisor. If or when directed by DOL management to report on-site under the DOL Reentry Plan, individuals that feel that they may need a reasonable accommodation for a disability should promptly submit their requests through the DOL reasonable accommodations process in advance of their reentry. Employees should refer to the DOL Reentry Plan for additional information.

In addition to telework, DOL agencies should continue to make available other flexibilities for use by DOL employees to help sustain their work while managing their dependent care responsibilities. Such as, effective February 28, 2022, there are no longer core hours on Wednesdays. Core hours are on Tuesday and Thursday from 10:00 a.m. - 2:30 p.m. Also, subject to supervisory approval and mission and job requirements, these flexibilities include, but are not limited to:

- Alternative and compressed work schedules;
- Expanded work band from 5:00 a.m. - 10:00 p.m. (with 13.5 maximum hours daily) ; and
- Mid-day Flex from Monday through Friday and outside of core hours which are Tuesday and Thursday

A comprehensive list of these flexibilities and other helpful work life resources are posted for employees on the Department's Intranet (LaborNet): [DOL Workplace Flexibilities](#).

MAXIMUM TELEWORK POSTURE

Depending on widespread community transmission and other public health factors, DOL leadership may institute, in consultation with the Safer Federal Workforce Task Force, a maximum telework posture. DOL remains in a maximum telework posture until lifted under the DOL Reentry Plan.

During a maximum telework posture, DOL employees and contractor employees may not perform onsite work without prior supervisor approval, and supervisors may only direct and approve onsite work if they determine that such work is essential for business needs, approved under the DOL Reentry Plan, or approved in coordination with the DOL COVID-19 Coordination Team. Under the maximum telework posture, DOL employees who are telework eligible are expected to telework, unless they receive prior supervisory approval for onsite work in accordance with the prior sentence.

In general, DOL considers “essential onsite work” to be mission critical work that cannot be effectively performed from the employee’s approved telework site. Such activities include, but are not limited to: investigations, inspections, litigation, handling paper records and documents, mail processing, and facilities maintenance.

The COVID-19 Coordination Team has developed and may update guidelines for intermittent onsite access and facilitate any policy revisions or exceptions that may be required during a maximum telework posture.

The need for a maximum telework posture will be assessed continually, and employees will be informed in writing of any changes.²

²To address employee and management concerns regarding the recent expiration of the Resumption of On-Premises Work Memorandum of Understanding (MOU), which includes the expanded work schedule flexibilities, the parties negotiated and executed an MOU on February 23, 2022 to address DOL’s Future of Work Plans, which includes expanded work schedule flexibilities, telework and remote work policy matters, and the implementation of TeleworkXpress, DOL’s automated telework agreement tracking system.

PHASED REENTRY

OCCUPANCY LIMITS

Occupancy limits are one mechanism for limiting the spread of COVID-19 in the workplace. DOL agencies must adhere to occupancy limits in the DOL Reentry Plan and as directed by the COVID-19 Coordination Team.

Occupancy limits should be implemented at the lowest possible level (e.g., suite) in light of physical layouts of offices, cubicles, etc., and be based on the normal occupancy capacity of each space within a DOL facility. Managers and supervisors are expected to account for the occupancy or capacity of their space. For example, if a space has a normal occupancy of twelve people, then the 50% occupancy limit is six people. For DOL offices with co-located groups of employees, such as regional neighborhoods, managers and supervisors must coordinate to ensure that DOL occupancy is below the required level. Capacity limits may be accomplished with the use of cohorts or other staggered scheduling. DOL Agency Heads are responsible for ensuring that workplace flexibilities and design are used in tandem to maintain safe workspaces. The COVID-19 Coordination Team will work with agency heads to ensure that all controls are used correctly to mitigate the potential for COVID-19 spread.

Exceptions to the occupancy limits identified in the DOL Reentry Plan must be cleared by the Secretary of Labor, or designee, as advised by the DOL COVID-19 Coordination Team and in consultation with OMB, GSA, and OPM. DOL agencies may submit requested exceptions to occupancy restrictions covering several different offices in similar circumstances (e.g., all regional offices with less than three employees).

REASONABLE ACCOMMODATIONS RELATED TO REENTRY

A “reasonable accommodation” under the Rehabilitation Act, the Americans with Disabilities Act, or Title VII of the Civil Rights Act includes modification to a workplace policy due to a disability-related need or due to a sincerely held religious belief, practice, or observance of a DOL employee.

Reasonable accommodations may be required and provided to employees regardless of work location. Accommodations may relate to COVID-19 itself, for example if the employee acquires the illness and needs modifications in order to perform the essential functions of their position. Additionally, accommodations may relate to other medical conditions, unrelated to COVID-19, but which impact an employee’s ability to perform the essential functions of their position. These may be the same accommodations as those provided in the office setting or they may differ based on the office setting or other circumstances. The manner in which employees are accommodated may vary depending on the office setting or other circumstances. Employees can find detailed instructions on how to submit a request for a reasonable accommodation and who to contact with questions on the [Department’s intranet](#) (LaborNet).

Some DOL employees with disabilities may need a reasonable accommodation to return-to-work policies concerning the COVID-19 response. Under DOL's policy on reasonable accommodation, employees with non-apparent underlying disabilities that may cause their immune system to be compromised (such as cancer) or put them at higher risk if they acquire COVID-19 (such as underlying respiratory conditions) may be eligible for a reasonable accommodation to return-to-work policies. A reasonable accommodation to a return-to-work policy could include additional telework that is needed due to the DOL employee's disability. This type of reasonable accommodation must be assessed on an individual basis, taking into account the employee's needs and the essential duties of the position. An accommodation may also be needed by an employee with a disability in order to navigate the physical changes to facilities and buildings for safety and health (such as signage, physical barriers, or social distancing requirements). For more information please see the [Department's intranet](#) (LaborNet) section on Reasonable Accommodations for Employees and Applicants with Disabilities.

DOL agencies should also ensure that DOL is providing for effective communication with individuals with disabilities including, but not limited to, those who are deaf, hard of hearing, blind, have low vision, or have speech disabilities.

Additional information on reasonable accommodations and exceptions to the requirement that Federal employees must be fully vaccinated can be found above in the section on reasonable accommodations under Vaccination Information, Federal Employee Vaccination Information.

TRAVEL

There are no limits on official travel for federal employees who are fully vaccinated. For those who are not fully vaccinated, travel is limited to mission critical trips. The DOL COVID-19 Coordination Team will continue to monitor appropriate guidance and consider the need for developing supplemental protocols for evaluating the risks from travel associated with official business.

At this time, DOL guidance includes the following requirements: Do not travel if you:

- are sick;
- tested positive for COVID-19 and haven't ended isolation; or
- had close contact with a person with COVID-19 and haven't ended quarantine.

When planning and approving official travel, Federal Travel Regulations and DOL policy require agencies to "select the method most advantageous to the Government, when cost and other factors are considered" and also provide that "travel by common carrier is presumed to be the most advantageous method of transportation" for temporary duty travel (41 CFR §301-10.4-5). In accordance with these authorities, and in light of safety concerns and [CDC guidance](#) at the time of travel, supervisors and travel authorizers may consider whether COVID-19 conditions make alternative transportation (e.g., by government vehicle, rental car, or other) the most advantageous travel method. DOL agencies must consider other factors, such as cost, travel time, the nature and purpose of the trip, and other impacts

of travel mode decisions.

Individuals who are fully vaccinated can travel consistent with guidelines for onsite work associated with a particular reentry phase, as described in the DOL Reentry Plan. Federal employees and Federal contractor employees who are fully vaccinated should follow their DOL agency's travel policy. Regardless of reentry phase, federal employees and Federal contractor employees who are not fully vaccinated are limited to mission critical trips, unless contrary to an approved reasonable accommodation to which the employee is legally entitled.

For employees that are not fully vaccinated, international travel should also be avoided, if at all possible, unless it is mission critical. When making these determinations, agency heads or their designee must consider information in the DOL Reentry Plan and available on the Department's Novel Coronavirus Guidance and Resources page and the CDC information page.

CONFERENCES, MEETINGS AND EVENTS

Conferences, meetings and events hosted by DOL should permit physical distancing and include a virtual participation option, if possible. DOL agencies should continue to use the normal conference approval process for planned training and conferences. Prior to submitting your request, please reach out to your normal point of contact in this process as you may be asked to provide additional information on COVID-19 mitigation measures.

EVENTS WITH MORE THAN 50 PARTICIPANTS

Should a DOL 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—additional approvals may be needed. If the event is being planned in a county where the COVID-19 Community Level, as defined by the CDC, is high, then the agency must first seek the approval of the DOL COVID-19 Coordination Team and then obtain approval from either the Secretary of Labor or Deputy Secretary of Labor. This approval is required. If a DOL agency plans to hold an event with more than 50 in-person participants in a county that has a low or medium COVID-19 community level (at the time the event is being planned), then COVID-19 Coordination Team and DOL leadership approval is not required at that time. However, the hosting DOL agency must continue to monitor the COVID-19 Community Level for the county where the event will take place. In particular, the DOL agency must check the COVID-19 Community Level two weeks before the date of the event and if the level is high at that time, the agency must seek approval from the DOL COVID-19 Coordination Team and obtain approval from either the Secretary of Labor or Deputy Secretary of Labor.

In-person attendees who are not DOL employees at any meetings, conferences, and events hosted by an agency, regardless of size, are considered visitors and are subject to all the policies in this document pertaining to visitors (see Visitor Vaccination Information). This includes being asked to provide

information about vaccination status and to wear masks in public indoor settings in areas of high COVID-19 Community Level regardless of vaccination status.

All agencies should remain cognizant that approval to move forward with an event is contingent on OMB, Safer Federal Workforce Task Force, and CDC guidance. Agencies should incorporate flexibility into their planning to permit virtual or hybrid approaches should COVID-19 conditions, precautions, or guidance change.

PERFORMANCE

In accordance with the Department's collective bargaining agreements with AFGE Local 12, the NCFLL, and NULI, as well as Departmental Personnel Regulations (DPR) 430, Section 7 (e)(1), performance ratings of record must take into account factors outside the employee's control impacting the results achieved. In other words, employee ratings will not be affected by the work an employee could not perform due to COVID-19 restrictions. Likewise, managers will not unlawfully discriminate or retaliate against any personnel (including other managers and supervisors) in performance appraisals, resultant ratings, or other covered personnel actions, for any reason, including, but not limited to, identifying themselves as members of a vulnerable population, raising operational concerns due to COVID-19 conditions, exercising flexibilities, or requesting reasonable accommodations.

HEALTH AND SAFETY

SYMPTOM MONITORING

All employees share in the responsibility for limiting the spread of COVID-19. One of the best ways to limit the transmission of the virus is to stay home if you are sick. If Federal employees, onsite contractor employees, or visitors are feeling ill, they should not enter the Federal workplace. Employees, contractor employees, and visitors who experience illness should refer to the [current CDC Guidelines on isolation](#) to ensure that they are fit to enter the workplace. If they have questions about whether they can end isolation and work onsite, they should speak with their medical provider.

Federal employees and contractor employees working onsite will be asked to regularly complete symptom screening (e.g., a symptom questionnaire, an exposure history questionnaire, a temperature check), on a daily basis or upon entry to the workplace. Visitors will also be asked to complete symptom screening before entering a Federal facility. These tools will be updated based on CDC guidance. Where the entrance screening questions do not apply to fully vaccinated individuals and individuals who are up to date on COVID-19 vaccines, specific language will be incorporated into the question.

All DOL employees are required to conduct a health screening at home each day prior to traveling to their worksite as specified on the [Department's Intranet](#) (LaborNet). This is designed to reduce the risk of exposure to known or potential infection in DOL's workplaces. In order to conduct this screening,

employees should take their temperature and answer a series of questions based on current CDC guidelines on COVID-19 and their vaccination status. In addition to conducting DOL's required health screening at home, DOL employees and contractor employees must adhere to directions provided by Facility Security Committees and building owners concerning screening procedures. These questions are posted at the entrances of the FPB with a current list of symptoms (per the CDC) that result in a prohibition on entering. They will also be posted at the entrances of DOL controlled spaces in the field. DOL's required health screening questions are based on factors that may indicate a higher risk for COVID-19 including questions about current health and symptoms, exposure to positive cases, and travel history. Below are the questions that currently comprise the screening questionnaire and that employees, onsite contractor employees, and visitors may be asked to answer:

1. Are you currently experiencing any [symptoms consistent with COVID-19 \(or have you taken medication to treat COVID-19 symptoms in the past 48 hours\)](#)?
2. Have you received a positive COVID-19 test or been diagnosed with COVID-19 within the past 6 days (and have not yet completed isolation in accordance with CDC guidelines)?
3. Based on your vaccination status (including whether you are up to date on recommended vaccinations per the CDC), are you within a quarantine period because of either exposure to someone who has COVID-19 or return from travel for which quarantine is required?

If a DOL employee answers "yes" to any of the screening questions that apply to them based on their vaccination status during their home health screening, they must stay home and notify their supervisor for further information and instructions. If an employee, contractor employee, or visitor cannot successfully answer "no" to all of the screening questions upon arriving at any DOL worksite, they must not enter the building. Employees and contractor employees are instructed to contact their supervisor in a way that limits contact and potential transmission of the virus, preferably by electronic means, or phone, to let them know that they have been denied entry and to get further instructions. Visitors are instructed to contact the DOL office that scheduled their appointment in a way that limits contact and potential transmission of the virus, preferably by electronic means, or phone to let them know that entry has been denied and to ask for further instructions.

Any individual, regardless of vaccination status, who develops any symptoms consistent with COVID-19 while at their worksite 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 as soon as they can safely do so. The DOL Office of Human Resources is equipped to provide advice and support to supervisors on any related reporting or HR requirements.

Additionally, supervisors should consult with their servicing HR Office regarding the appropriate use of leave, as well as administrative remedies in the event that Departmental COVID-19 policies and practices are not followed. Finally, DOL agencies must comply with existing procedures for required reports of cases involving COVID-19 exposure or illness. These procedures and reports are posted on the [Department's Intranet](#) (LaborNet). Failure to follow Departmental COVID-19 policies and practices

may result in disciplinary action up to and including removal from Federal service.

MASKING AND COVID-19 COMMUNITY LEVELS

MASKING

DOL follows CDC recommendations and Safer Federal Workforce Task Force guidance on masking, including initial “Implementation Guidance for Federal Agencies on COVID-19 Community Levels and Mask-Wearing.”

Where a locality imposes more protective pandemic-related safety requirements than federal requirements, those requirements are followed by DOL employees and onsite contractor employees, in DOL buildings, DOL-controlled indoor worksites, and on agency lands within that locality.

All Federal employees, onsite contractor employees, and visitors, regardless of vaccination status, must wear a mask inside of Federal buildings in areas with a high COVID-19 Community Level. In such areas, individuals must wear a mask in any common areas or shared workspaces (including open floorplan office space, cubicle embankments, and conference rooms)

Staff engaged in field work (e.g., onsite investigations) must also wear a mask in workplaces in areas of high COVID-19 Community Levels.

In areas of low or medium COVID-19 Community Levels, in most settings, individuals do not need to wear a mask in DOL facilities, except where required by DOL, GSA, Facility Security Committee (FSC), or Federal, State, local, Tribal, or territorial laws, rules, or regulations. All individuals have a personal responsibility to maintain awareness of the COVID-19 Community Levels. Additionally, all individuals must continue to follow current CDC guidelines on quarantine and isolation including as it relates to wearing a mask after exposure to COVID-19 or when returning to work after isolation after receiving a positive COVID-19 test.

Additionally, individuals may choose to wear a mask, regardless of COVID-19 Community Level for a variety of reasons.

The Department will monitor these factors and communicate masking requirements for DOL facilities on [DOL.gov](https://www.dol.gov). If staff are engaged in field work in an area not covered on DOL.gov, they can check the COVID-19 Community Level on the CDC website to determine masking requirements.

Additionally, masks must be worn by all employees, regardless of vaccination status, while on official travel on a plane, bus, train, or other form of public transportation, as required by the CDC.

As of the publication of this plan, CDC recommends that, to protect yourself and others from COVID-19, you wear the most protective mask you can that fits well and that you will wear consistently. All masks should have a proper fit over the nose, mouth, and chin to prevent leaks and should have a nose wire. Masks may not have gaps around the sides of the face or nose, exhalation valves, vents or openings. Cloth masks should have multiple layers of tightly woven, breathable fabric that blocks light

when held up to a bright light source. Disposable procedure masks (sometimes referred to as surgical masks) are acceptable as long as they meet the requirements for all masks. For extra protection, wear two masks with a disposable mask underneath and a cloth mask on top. Respirators (such as KN95 and N95) can be worn as long as they seal tightly to your face when fitted properly. DOL does not permit novelty/non-protective coverings, including neck gaiters, scarves, and bandanas, masks with ventilation valves, or face shields as a substitute for masks.

DOL agencies, in coordination with the Coordination Team, will consider how to grant exceptions to masking requirements consistent with CDC guidelines, such as in an area of high COVID-19 Community Level, when an individual is alone in a room or office with floor to ceiling walls and a closed door, completely alone in a workspace, or for a limited time when eating or drinking and maintaining at least six feet of distance in accordance with CDC guidelines.

When masks are required (for example, in areas of high COVID-19 Community level or when local rules require masks), 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 (PPE) required or recommended for specific job functions. It is important to note that masks are different than PPE (such as surgical or N95 respirator masks) as defined by OSHA. If such PPE is needed by a DOL employee to perform their duties, it will be provided by the agency just as it would be in a non-pandemic environment in compliance with applicable OSHA regulatory standards. It is also important to note that the use of masks is not a substitute for physical distancing practices. In areas of high COVID-19 Community level, DOL will enforce mask policies in all DOL-controlled spaces whether owned or leased. Signs or notices will be posted prominently at the entrances to DOL controlled spaces to inform employees and visitors of the policy.

DOL will seek to make masks available to employees, contractor employees, and visitors, in accordance with OSHA and CDC guidelines, to the extent permitted by law and subject to the availability of appropriations and resources.

Wearing masks may be difficult for some people with sensory, cognitive, behavioral, or other medical issues or may conflict with a DOL employee's sincerely held religious belief, practice, or observance. In areas of high COVID-19 Community Level, if a DOL employee or onsite contractor employee is instructed or permitted under the DOL Reentry Plan to enter a DOL worksite is unable to wear a mask properly or cannot tolerate a mask, they must notify their supervisor and are encouraged to notify OASAM's Civil Rights Center and discuss whether telework or other appropriate arrangements should be considered. People who are deaf or hard of hearing may rely on reading lips and may have difficulty communicating while wearing a mask. If possible, employees should consider wearing a clear mask or a cloth mask with a clear panel when interacting in person with people who are or may be deaf or hard of hearing. Alternatively, ensuring written communication, closed captioning, or decreasing background noise to make communication possible while wearing a mask that blocks visibility of lips

should be considered. Accommodations will be made for individuals in accordance with existing Equal Employment Opportunity Commission (EEOC) guidance.

Individuals that feel that they may need a reasonable accommodation from masking requirements based upon a disability or sincerely held religious belief, practice, or observance should submit their requests in advance of their reentry. Employees can find detailed instructions on how to submit a request for a reasonable accommodation and who to contact with questions on the [Department's intranet](#) (LaborNet). As with all requests for accommodations received, requests (and supporting medical or religious documentation) will be individually assessed in order to determine an effective accommodation.

In addition to abiding by these guidelines for wearing masks in Federal buildings and DOL-occupied space, DOL employees are expected to follow CDC guidelines and local regulations on wearing masks, as well as those regarding physical distancing and hygiene, while discharging their official duties in other locations (for example, when entering a location to conduct an investigation). Employees are expected to adhere to this policy, and failure to follow (absent an approved accommodation) may result in disciplinary action. Supervisors who need assistance in addressing employees who are not following Departmental COVID-19 safety protocols including, but not limited to adhering to the Department's masking and physical distancing policies or screening procedures, should contact the DOL Branch of Employee Relations in the OASAM Office of Human Resources.

COVID-19 COMMUNITY LEVELS

DOL assesses the CDC COVID-19 Community Level in a given area weekly to determine proper mask-wearing requirements. When determining COVID-19 Community Levels in a given area, DOL references the CDC data at a county level. If an area's COVID-19 Community Level changes from one week to the next, DOL will adjust mask-wearing requirements accordingly the following week.

PHYSICAL DISTANCING

DOL will follow Safer Federal Workforce Task Force direction on physical distancing. Until physical distancing requirements are removed for all individuals, DOL will continue to implement workplace practices that facilitate physical distancing, as set forth below.

Federal employees who are fully vaccinated, onsite contractor employees who are fully vaccinated, and visitors who are fully vaccinated are no longer required to maintain six feet physical distance. However, in order to be respectful of others, individuals may choose to practice physical distancing.

All employees who are not fully vaccinated will follow physical distancing protocols. Similarly, all onsite contractor employees or visitors that are not fully vaccinated must also follow physical distancing requirements. Those Federal employees, onsite contractor employees, and visitors who are not fully vaccinated must continue to maintain, to the extent practicable, 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 workspaces. In areas of high COVID-19 Community Level, masking is required by all individuals, regardless of their vaccination status, in addition to the physical distancing that is required for individuals who are not fully vaccinated. Reconfiguration of workspaces or office assignments, and other mitigation strategies may be implemented to minimize in-person interactions, until physical distancing requirements are completely removed by the CDC.

Until physical distancing requirements are removed for everyone, certain workplace configurations may remain, including signage that notes appropriate distance where lines may form, markers in elevators to note where occupants can stand while maintaining physical distance, etc.

Likewise, until physical distancing requirements are entirely ended, virtual meetings should be employed as appropriate and where possible. If a face-to-face meeting is required, furniture may be removed from conference spaces in order to meet any occupancy limits or local public health orders that limit the size of gatherings (whichever is lower) or allow for physical distancing, until those requirements are removed for all individuals.

Many office workspaces can allow individuals who are not fully vaccinated to work onsite while retaining physical distancing and occupancy limits, as required, by employing staggered work times, cohort-based scheduling, etc. When proper physical distancing is impossible, alternate methods of mitigation should be employed. Physical barriers such as Plexiglas shields may be installed where appropriate (e.g., fixed locations such as guard desks, visitor reception desks, cafeteria cashier stations).

Employees are expected to adhere to this policy, and failure to follow (absent an approved accommodation) may result in disciplinary action. DOL agencies should comply with any applicable laws, including requirements under the Privacy Act and the Paperwork Reduction Act, and any applicable collective bargaining obligations.

Supervisors who need assistance in addressing employees who are not following Departmental COVID-19 safety protocols, including but not limited to adhering to the Department's masking and physical distancing policies or screening procedures, should contact the DOL Branch of Employee Relations in the OASAM Office of Human Resources.

HYGIENE

To prevent the transmission of all respiratory infections, respiratory hygiene should be practiced by everyone.

- Cover your cough or sneeze with a tissue or mask, or use the inside of your elbow, and then throw the tissue away in the trash and immediately wash your hands.
- In areas of high COVID-19 Community Level, wear an appropriate mask covering your nose and mouth in accordance with [CDC guidance](#).
- Do not touch your eyes, nose, or mouth with unwashed hands.

- Wash your hands often with soap and water for at least 20 seconds especially if you have been in a public space, or after blowing your 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.
- Clean and disinfect frequently touched surfaces daily.

Hand sanitizer stations are to be available at the building entrance and throughout workspaces, and should contain FDA-approved hand sanitizer, with at least 60% alcohol. Personnel will be encouraged to wash their hands with soap and water or use hand sanitizer or alcohol-based hand rubs frequently.

ENVIRONMENTAL CLEANING

Enhanced cleaning in common use/high touch/high density spaces, such as lobbies, restrooms, elevators, and stairwells, will be conducted. Office space that is in regular use will be cleaned regularly, and in accordance with CDC guidelines. Wipes and other EPA-approved disinfectants will be made available for individuals to wipe down their workstation and related personal property. Gloves and other appropriate PPE will be made available to workers using cleaning supplies.

In the event of a suspected or confirmed case of COVID-19 in the workplace (if the individual has been in the building up to three days prior), enhanced environmental cleaning will be performed in accordance with CDC and GSA guidance.

- 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. Agencies may choose to also disinfect depending on certain conditions or everyday practices required by its 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.

This cleaning is coordinated with GSA for locations where DOL is leasing space from GSA under an occupancy agreement. Cleaning in the headquarters building is completed in accordance with the relevant guidance.

VENTILATION AND AIR FILTRATION

While most of the DOL workforce occupies buildings that are owned or managed by GSA, to the extent feasible, DOL facilities will make changes to their heating, ventilation and air conditioning (HVAC) systems in order to optimize indoor ventilation by increasing the proportion of outdoor ventilation, improving filtration to a filter rated at least MERV-13 (or the highest efficiency filter that the HVAC system can handle), or reduce/eliminate recirculation.

CDC provides additional guidance on [ventilation in buildings](#).

The HVAC system at the DOL FPB headquarters, the only building under DOL direct control, has been modified to maximize the mix of outside air and to run continuously to increase circulation of fresh air. The HVAC system filters are changed on the required refresh cycle as recommended by the CDC.

ELEVATORS

Until all physical distancing requirements are removed by the CDC, DOL, or regional occupational health specialists should assess elevators to determine safe occupancy in DOL facilities. The use of stairs by those who are physically able is strongly encouraged. Where possible, signage will be posted to explain current procedures.

SHARED SPACES

DOL agencies will plan for controls that help prevent the spread of COVID-19 infection through shared spaces and equipment as needed. Shared tools and equipment must be disinfected by users anytime the equipment is used by or transferred to a new person, and disinfectant wipes will be provided. This includes phones, computers, and other communication devices, kitchen implements, and other office equipment. Refrigerators, water coolers, and coffee brewers with disposable cups (or a personal re-usable cup/container) and single serve condiments and creamers may be used with proper hand hygiene. Visual markers may be installed to promote physical distancing within common spaces, and furniture may be removed or disabled. Steps may be taken to limit the number of people who can use common spaces at any one time, and signage outlining these limits will be prominently displayed.

IN CASE OF EXPOSURE OR ILLNESS

The CDC has updated guidance for individuals who are up to date with COVID-19 vaccines, and fully vaccinated individuals but still recommends clinical evaluation / testing for those who experience COVID-19 symptoms. Because all employees and contractor employees should be conducting daily health screenings prior to departing for their worksite, there should not be many instances where an employee or contractor employee is in a DOL office when they learn of their exposure or when they fall ill. In the rare instance where that occurs or the more common instance where someone becomes ill and was in the workplace prior to developing symptoms but while they could transmit the disease, it is important and required that the employee or contractor employee immediately notify their supervisor or management, and the DOL Office of Worker Safety, Health, and Environment (OWSHE) in order to follow the notification and cleaning protocols put into place by the Department.

An employee or contractor employee who is not up to date with their vaccinations and has been in contact with someone who is sick—must stay home. Fully vaccinated individuals who are up to date with vaccines as defined by the CDC do not need to quarantine after exposure but must stay home if they are sick. As long as the fully vaccinated individual who is up to date with their COVID-19 vaccines remains asymptomatic, they are not required to stay home, but must wear a mask around others for 10 days. It is important and required that as soon as anyone in a DOL workplace begins feeling sick or an individual who is not up to date with their vaccinations becomes aware that they have been in

contact with someone who has been diagnosed with COVID-19, they isolate or quarantine and notify their supervisor based on the risk to the workplace and co-workers. Employees and contractor employees who have been placed in quarantine or instructed to isolate must remain away from the workplace for their entire period of quarantine or isolation set forth in the current CDC guidelines. Employees in quarantine or isolation may be permitted to telework.

COVID-19 can be transmitted by asymptomatic or pre-symptomatic individuals, which means that DOL needs to gather information about the employee's symptoms and exposures such as the date that an employee or contractor employee became aware of potential COVID-19 illness or exposure, the date of a positive test, the date that an affected employee or contractor employee was last in the office, those that they have had close contact with, etc. Employees and contractor employees must provide the requested information to their supervisor so the supervisor can confer with OWSHE on whether anyone should be notified of potential exposure, and what type of cleaning needs to be done in accordance with CDC guidelines. DOL Agencies must ensure they discuss with OWSHE whether and how a contractor employee, employee, or visitor will be notified in each situation.

DOL will safeguard the privacy of all DOL employees, onsite contractor employees, and visitors while also discharging its responsibility to protect the safety and health of all employees by notifying them when they may have had an exposure at work. The Department will also clean office suites, where appropriate, to mitigate viral transmission.

Additionally, disclosures to local public health officials will be made as required or necessary to provide for the health and safety of all DOL employees, contractor employees, and visitors, in accordance with local public health mandates. If a member of the public has been exposed to a potentially infected DOL employee performing their official job duties, notification to local public health will be performed as authorized and appropriate. Notifications of public health authorities will only be conducted by, or with approval of OWSHE, and under the oversight of the DOL COVID-19 Coordination Team.

The 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, as appropriate and in accordance with CDC guidance.

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 (as defined by 29 CFR 1904.5); 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).

QUARANTINE AND ISOLATION

Any individual with a suspected or confirmed COVID-19 infection should isolate and follow their healthcare provider's instructions, pursuant to CDC guidelines and in compliance with local laws/regulations. Personnel who are not fully vaccinated or who are not up to date with their vaccine based on the [CDC guidelines](#) and have had a close contact with someone who has tested positive for COVID-19 should follow CDC and local guidance for quarantine. Fully vaccinated individuals whose last vaccine dose was within acceptable timeframes to be considered up to date with their vaccines do not need to quarantine after exposure if they remain symptom free, but the CDC recommends that they get tested at least 5 days after exposure. They should also isolate for 5 days after exposure and wear a mask for 10 days after exposure if their test result is positive. Employees are permitted to self-certify that they have completed all conditions of isolation or quarantine and are then permitted to return to work.

CONTACT TRACING

DOL'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, as appropriate. The Department has a robust plan for identifying and mitigating positive and potential COVID-19 cases in DOL facilities and field operations. This process notifies DOL employees and contractor employees of potential exposure in the workplace. Additionally, the Department also has a plan for contacting local public health authorities when a potential exposure extends to members of the public who interacted with DOL employees while working in their official capacity.

The COVID-19 Coordination Team will work with OASAM to make disclosures to local public health officials as required or necessary to provide for the public health and safety of Federal employees, contractor employees, and visitors in accordance with local public health mandates. DOL will continue to be transparent in communicating related information to the workforce, as relevant and appropriate, while safeguarding the privacy of DOL employees, contractor employees, and visitors.

WELLNESS RESOURCES

The Department recognizes employees may be experiencing increased anxiety, stress, depression, or other mental health conditions as a result of the COVID-19 pandemic. Accordingly, DOL consistently promotes WorkLife programs and resources through Department-wide internal communications to help our employees balance and manage daily home and work responsibilities or deal with life challenges.

Employees can reach out to the Employee Assistance Program (EAP) for help on coping with stress and anxiety that they may be experiencing related to this public health crisis. EAP is a free, confidential, and professionally staffed service. It is available to all DOL employees to help them resolve life challenges, through confidential counseling and coaching with experienced, licensed counselors —

including legal and financial consultation. EAP is available 24 hours a day/7 days per week/365 days per year. Employees can find information on how to reach EAP or schedule a consultation on the Department's Intranet (LaborNet): [Employee Assistance Program](#)

WorkLife4You is another resource and referral program designed to help DOL employees and their dependents better manage daily responsibilities and life events. Services include expert guidance from WorkLife specialists, personalized referrals to helpful resources nationwide, and online tools to help with topics such as child care and parenting, adult care and aging, education and career development, financial and legal, health and wellness, and other everyday needs. For additional information regarding the WorkLife4You program, employees may visit the Department's Intranet (LaborNet): [WorkLife4You – A Free Resource and Referral Service](#).

More information on these resources and other helpful work life resources can be found on Department's Intranet (LaborNet): [What is work life and engagement?](#)

TRAINING

DOL is providing training to DOL employees to communicate policy and best practices for mitigating the spread of COVID-19, in accordance with CDC guidelines, and training materials will be updated as appropriate. OASAM has developed and implemented different mandatory training courses that cover physical distancing, use of masks, and other pandemic hygiene strategies. The new Workplace Safety Plan training, walks through the details of this plan as well as health and safety COVID –19 mitigation strategies. Employees must complete the new Workplace Safety Plan training within eight hours of returning to onsitework, if not previously completed remotely. This is required and is different than previous Workplace Safety Training released earlier in the year. Additional optional [training and video resources](#) are also available to provide employees with more information about DOL's pandemic response policies.

CONTACT

DOL employees, DOL contractor employees, and visitors to DOL facilities who have questions about the DOL COVID-19 Workplace Safety Plan can contact the following:

- DOL employees -- Contact COVID19Questions@dol.gov or your [Agency Point of Contact](#).
- DOL contractor employees -- Contact the appropriate DOL Contracting Officer or Contracting Officer's Representative.
- Visitors to DOL facilities -- Contact the DOL office or point of contact for your visit.