#### Safer Federal Workforce Task Force

# Initial Implementation Guidance for Federal Agencies on Updates to Federal Agency COVID-19 Workplace Safety Protocols

Issued August 17, 2022

#### **Purpose**

On August 11, 2022, the Centers for Disease Control and Prevention (CDC) streamlined its existing COVID-19 guidance to make it easier to understand COVID-19 risk, prevention steps, post-exposure precautions, and what actions to take when individuals are sick with or test positive for the virus.

Included in its updated guidance, CDC has posted the following new or updated resources:

- Understanding COVID-19 Exposure Risk
- Factors that Affect Your Risk of Getting Very Sick from COVID-19
- How to Protect Yourself and Others
- What to Do If You Were Exposed to COVID-19
- <u>Isolation and Precautions for People with COVID-19</u>
- COVID-19 Community Levels
- Updated recommendations for point-in-time or serial screening testing.

Pursuant to Section 2(a) of Executive Order (EO) 13991 on "Protecting the Federal Workforce and Requiring Mask-Wearing," executive agencies must follow CDC guidance for mask-wearing, maintaining physical distance, and adhering to other public health measures. Independent agencies are strongly encouraged to comply with the requirements of EO 13991. This initial implementation guidance sets forth protocols executive agencies need to follow to comply with their obligations under section 2(a) of EO 13991 (and that independent agencies are strongly encouraged to follow), as well as protocols agencies would need to follow to implement this Task Force guidance issued pursuant to EO 13991.

The Safer Federal Workforce Task Force (Task Force) will update its guidance to reflect CDC's streamlined guidance—first through this initial implementation guidance, then through new and updated Frequently Asked Questions on <u>SaferFederalWorkforce.gov</u> to support agencies in expeditiously implementing safety protocols consistent with updated CDC and Task Force guidance, and later through updated Agency Model Safety Principles to support agencies in updating their COVID-19 Workplace Safety Plans, pursuant to OMB Memoranda M-21-15 and M-21-25.

## **Updates to Agency Workplace Safety Protocols**

The below updates to agency COVID-19 workplace safety protocols should be implemented by agencies as soon as feasible, unless otherwise noted below. For COVID-19 workplace safety protocols not addressed herein or in the Task Force's updated implementation guidance on <a href="COVID-19 Community Levels">COVID-19 Community Levels</a>, agencies should otherwise wait for further guidance from the Task Force <a href="prior">prior</a> to further updating their COVID-19 workplace safety plans, protocols, and policies, absent an exception approved by the agency head following consultation with the Task Force.

## Overview of Federal COVID-19 Safety Protocols by COVID-19 Community Level

				Change
	When COVID-19	When COVID-19	When COVID-19	from prior
	Community Level is	Community Level is	Community Level is	Task Force
Federal Facility COVID-19 Safety Protocols	LOW	MEDIUM	HIGH	guidance?
Federal employee vaccination requirement pursuant to Executive Order 14043	No implementation or enforcement given a nationwide injunction <sup>1</sup>	No implementation or enforcement given a nationwide injunction <sup>1</sup>	No implementation or enforcement given a nationwide injunction <sup>1</sup>	NO
To be consistent with Task Force guidance, agencies would need to require documentation of vaccination status from employees, and ask about the vaccination status of onsite contractor employees and visitors.	Pause, given that COVID-19 safety protocols do not vary by vaccination status at this time <sup>2</sup>	Pause, given that COVID-19 safety protocols do not vary by vaccination status at this time <sup>2</sup>	Pause, given that COVID-19 safety protocols do not vary by vaccination status at this time <sup>2</sup>	YES
Agencies must <b>require all individuals to wear a high-quality mask</b> regardless of vaccination status. <sup>3</sup>	NO <sup>4</sup> (mask-wearing optional)	NO <sup>4</sup> (mask-wearing optional)	YES	YES
To be consistent with Task Force guidance, agencies would need to post signage encouraging individuals, regardless of vaccination status, to consider physically distancing themselves from others and avoiding crowding in indoor common areas, meeting rooms, and high-risk settings in Federal facilities. <sup>5</sup>	NO	YES	YES	YES
To be consistent with Task Force guidance, agencies would need to make and maintain improvements to indoor ventilation and air filtration to the maximum extent feasible.	YES	YES	YES	NO
Where agencies have established serial screening testing programs and/or point-in-time screening testing requirements for certain agency-identified high-risk settings, 6 screening testing must be implemented for individuals enrolled in the program or subject to the requirement, regardless of vaccination status.	NO	YES	YES	YES
To be consistent with Task Force guidance, agencies would need to require <b>symptom screening</b> self-checks for all individuals prior to entry to Federal facilities.	YES	YES	YES	NO
Agencies must instruct all individuals known to be exposed to COVID-19 to wear a high-quality mask or respirator (such as an N95), take other post-exposure precautions, and watch for symptoms for 10 full days after exposure, consistent with CDC guidance—instead of at-home quarantine and regardless of vaccination status. Agencies must require individuals exposed to COVID-19 be tested at least 5 full days (ideally, on or after day 6) after their last exposure.	YES	YES	YES	YES
Agencies must instruct all individuals with probable or confirmed COVID-19 to follow agency <b>isolation protocols</b> and take other precautions consistent with CDC guidance.	YES	YES	YES	NO

<sup>&</sup>lt;sup>1</sup> See Frequently Asked Questions Related to Compliance with the Applicable Preliminary Nationwide Injunction on Implementation and Enforcement of the Vaccination Requirement Pursuant to Executive Order (E.O.) 14043 | Safer Federal Workforce Task Force, Updated August 17, 2022

<sup>&</sup>lt;sup>2</sup> Agencies with employee COVID-19 vaccination requirements unrelated to EO 14043 and pursuant to other authorities can continue to require documentation of proof of vaccination from employees subject to those requirements, as can agencies with other setting-specific dependencies on collecting vaccination information from employees in those settings, in consultation with the Task Force, the agency's General Counsel, and the agency's Senior Agency Official for Privacy.

<sup>&</sup>lt;sup>3</sup> See also: <u>Updated Implementation Guidance on COVID-19 Community Levels</u> | <u>Safer Federal Workforce Task Force</u>, <u>Updated August 17</u>, 2022

<sup>&</sup>lt;sup>4</sup> Agencies may need to require individuals to wear masks in certain Federal facilities or workplaces, or otherwise when Federal employees are on duty in certain settings, to be consistent with CDC guidance and other regulations.

<sup>&</sup>lt;sup>5</sup> For the purposes of this guidance, high-risk settings include certain Federal facilities—or certain specific settings within Federal facilities—where (1) COVID-19 transmission risk is high, and (2) the population present onsite is at high risk of severe outcomes from COVID-19 or there is limited access to healthcare.

Collection of Vaccination Documentation and Information from Federal Employees

As soon as possible and no later than Monday, August 22, 2022, 6 to be consistent with Task Force guidance, agencies should pause requiring or requesting employees and potential employees to provide information about their COVID-19 vaccination status regardless of COVID-19 Community Levels, where COVID-19 safety protocols do not vary based on vaccination status.

Consistent with CDC's new streamlined guidance, for most Federal workplaces, COVID-19 workplace safety protocols will not vary based on vaccination status or otherwise depend on vaccination information. Where this is the case, agencies should pause requiring, requesting, or collecting vaccination status information.

Agencies with employee COVID-19 vaccination requirements unrelated to EO 14043 and pursuant to other authorities can continue to require documentation of proof of vaccination from employees and potential employees subject to those requirements, as can agencies with other setting-specific dependencies on collecting vaccination information from employees in those settings. Agencies in these positions should consult with the Task Force, the agency's General Counsel, and the agency's Senior Agency Official for Privacy.

When agencies pause requiring, requesting, and collecting vaccination status information, such agencies must continue to preserve their vaccination information collection systems and the information collected to date from employees in accordance with National Archives and Records Administration records schedules. Furthermore, it is important to preserve this information as COVID-19 workplace safety may change in the future, or collection of this information from Federal employees may otherwise need to resume.

## Onsite Contractor Employees and Visitors

Onsite contractor employees and visitors, including those seeking to obtain a public service or benefit, must follow required COVID-19 safety protocols when accessing Federal facilities, including as it relates to mask-wearing when COVID-19 Community Levels are HIGH, pursuant to EO 13991.

As soon as possible and no later than Monday, August 22, 2022, to be consistent with Task Force guidance, agencies should pause asking onsite contractor employees and visitors to Federal facilities to provide information about their COVID-19 vaccination status, regardless of COVID-19 Community Levels, where COVID-19 safety protocols do not vary based on vaccination status.

The Government-wide <u>Certification of Vaccination form</u> must not be used. If an agency head approves an exception following consultation with the Task Force for asking onsite contractor employees and/or visitors about their vaccination status because of setting-specific dependencies on vaccination information, then the agency would need to use an agency-specific form approved by OMB. If an agency head approves an exception following consultation with the Task Force for *collecting* vaccination information from onsite contractor employees because of setting-specific dependencies on vaccination information, any information collection regarding the vaccination status of onsite contractor employees and/or visitors would require an agency-specific Systems of Records Notice. To be consistent with Task

<sup>&</sup>lt;sup>6</sup> As notified to agencies by email on Thursday, August 11, 2022

<sup>&</sup>lt;sup>7</sup> As notified to agencies by email on Thursday, August 11, 2022

Force guidance, agencies should not collect vaccination information from visitors in any setting, even in settings in which agencies continue to collect vaccination information.

As soon as possible and no later than Monday, August 22, 2022, pursuant to EO 13991 and consistent with CDC guidance, agencies must stop implementing any current requirements that, solely because of their vaccination status, onsite contractor employees or visitors need to be able to provide proof of a negative COVID-19 test when accessing or in Federal facilities, or at an agency-hosted meeting, event, or conference.

Following consultation with agency COVID-19 Coordination Teams and the Task Force, agencies may establish COVID-19 point-in-time screening testing<sup>9</sup> requirements for onsite contractor employees and visitors accessing high-risk settings<sup>10</sup> within Federal facilities. When an agency has identified potential high-risk settings across its facilities, the agency should consult with the Task Force to confirm that those settings are high-risk and that conducting point-in-time screening testing in those facilities would be consistent with CDC and Task Force guidance.

If an agency has established such requirements for high-risk settings, then when COVID-19 Community Levels are MEDIUM or HIGH in the county where the Federal facilities with those high-risk settings are located, agencies must require visitors (except those seeking to obtain a public service or benefit) and onsite contractor employees (except those otherwise enrolled in an agency serial screening testing program, if any—see below), regardless of vaccination status, to be able to provide proof that they received a negative test result within 24 hours of accessing that Federal facility or high-risk setting from a viral test authorized by the Food and Drug Administration (FDA) to detect current COVID-19 infection, pursuant to EO 13991 and consistent with CDC guidance.

To be consistent with Task Force guidance, agencies should not establish point-in-time screening testing requirements for onsite contractors or visitors in other settings within Federal facilities, absent an exception approved by the agency head following consultation with the Task Force.

## Mask-Wearing<sup>11</sup>

When the COVID-19 Community Level is HIGH in a county where a Federal facility is located, agencies must require individuals, including employees, contractor employees, and visitors who are 2 years or older, to wear a high-quality mask indoors in the facility, regardless of their vaccination status, pursuant to EO 13991 and consistent with CDC guidance. This includes when Federal employees are interacting with members of the public as part of their official responsibilities.

Individuals can choose to wear a mask regardless of the COVID-19 Community Level. Nothing in CDC or Task Force guidance precludes an individual from wearing a mask, if the individual so chooses.

<sup>&</sup>lt;sup>8</sup> As notified to agencies by email on Thursday, August 11, 2022

<sup>&</sup>lt;sup>9</sup> Point-in-time screening testing is the testing on a situational basis of asymptomatic persons without recent known or suspected exposure to SARS-CoV-2, the virus that causes COVID-19, for purposes of early identification, isolation, and disease prevention.

<sup>&</sup>lt;sup>10</sup> For the purposes of this guidance, high-risk settings include certain Federal facilities—or certain specific settings within Federal facilities—where (1) COVID-19 transmission risk is high, and (2) the population present onsite is at <a href="high-risk of severe outcomes from COVID-19">high-risk of severe outcomes from COVID-19</a> or there is limited access to healthcare.

<sup>11</sup> See also: Updated Implementation Guidance on COVID-19 Community Levels | Safer Federal Workforce Task Force, Updated August 17, 2022

When the COVID-19 Community Level is LOW or MEDIUM in a county where a Federal facility is located, in most settings, to be consistent with Task Force guidance, agencies would need to communicate to individuals, such as through signage, that mask-wearing is optional, and should not otherwise require individuals to wear a mask, except where required by Federal, State, Tribal, territorial, or local laws, rules, regulations, or existing collective bargaining agreements. Should an agency identify unique operational circumstances in certain agency workplaces that may require other or additional prevention measures, it should consult with the Task Force regarding exceptions, per the Exceptions section below.

Pursuant to EO 13991, CDC's guidance for mask wearing in specific settings, including healthcare, travel, and high-risk congregate settings, must be followed, as applicable.

When masks are required in a Federal facility, agencies should require all individuals to wear a high-quality mask or respirator (such as an N95) that covers their nose and mouth, and that is in accordance with <u>current CDC guidance</u>. When agencies require that individuals wear a "high-quality" mask or respirator when COVID-19 Community Levels are HIGH, and when agencies instruct individuals to wear a "high-quality" mask or respirator for post-exposure and post-isolation precautions, agencies should instruct individuals to wear either a NIOSH-approved respirator (such as an N95 respirator) or a well-fitting KN95 or disposable "procedure" or "surgical" mask—not a cloth mask. Agencies should otherwise avoid unnecessarily limiting the types of masks that can be worn by individuals in Federal facilities.

Agencies that want to distribute N95 respirators to employees should follow an Occupational Safety and Health (OSHA) <u>respiratory protection program</u>. Specially labeled "surgical" N95 respirators should be reserved for use by healthcare personnel. Agencies should not allow novelty or non-protective masks, masks with ventilation valves, or face shields<sup>12</sup> as a substitute for masks.

When individuals are required to wear a mask in Federal facilities, agency mask-wearing protocols should reflect that:

- Masks should be well-fitting and worn consistently and correctly (over mouth and nose).
- Masks should be worn in any common areas or shared workspaces (including open floorplan office space, cubicle embankments, and conference rooms).
- Individuals do not need to wear masks when outdoors.

Agencies may provide for limited exceptions to mask-wearing, such as when an individual is alone in an office with floor to ceiling walls and a closed door, or for a limited time when an individual is eating or drinking and maintaining distance from others.

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

Facilitating Physical Distancing and Avoiding Crowding

To be consistent with Task Force guidance, when COVID-19 Community Levels are MEDIUM or HIGH, agencies would need to post signage encouraging individuals, <u>regardless of vaccination status</u>, to consider avoiding crowding and physically distancing themselves from others in indoor common areas, meeting rooms, and high-risk settings in Federal facilities.

<sup>12</sup> Unless the individual has been approved by the agency to use a face shield as a reasonable accommodation to wearing a mask.

To be consistent with Task Force guidance, agencies should not establish facility-level occupancy limits solely for the purpose of facilitating physical distancing as a COVID-19 prevention action, absent an exception approved by the agency head following consultation with the Task Force. When COVID-19 Community Levels are MEDIUM or HIGH, agencies can consider establishing occupancy limits for indoor common areas and meeting rooms in Federal facilities, and in high-risk settings within Federal facilities, where necessary, including where ventilation and air filtration is challenging to improve despite agency efforts to the maximum extent feasible, or crowding cannot otherwise be avoided.

## Improving Ventilation and Air Filtration

To be consistent with Task Force guidance, agencies would need to make and maintain improvements to indoor ventilation and air filtration throughout Federal facilities to the maximum extent feasible, regardless of COVID-19 Community Levels. Agencies should deploy portable high-efficiency particulate air (HEPA) cleaners in indoor common areas and meeting rooms, particularly where ventilation or air filtration is otherwise challenging to improve despite agency efforts to the maximum extent feasible, or where crowding cannot be avoided, and in high-risk settings. Agencies may reference the Environmental Protection Agency's <u>Clean Air in Buildings Challenge</u> for potential steps to improve indoor air quality, as well as CDC guidance on <u>ventilation in buildings</u>.

#### Screening Testing

As soon as possible and no later than Monday, August 22, 2022, <sup>13</sup> pursuant to EO 13991 and consistent with CDC guidance, agencies must stop implementing any COVID-19 serial screening testing <sup>14</sup> programs and any point-in-time screening testing requirements that differentiate among individuals based on their COVID-19 vaccination status.

To be consistent with Task Force guidance, agencies should not implement serial or point-in-time screening testing when COVID-19 Community Levels are LOW or in other Federal facilities, or for other settings, roles, and functions within Federal facilities, beyond those identified by agencies for high-risk settings, as described below, absent an approved exception from the agency head following consultation with the Task Force.

CDC guidance states that, "Screening testing can provide important information to limit transmission and outbreaks in high-risk congregate settings." Following consultation with agency COVID-19 Coordination Teams and the Task Force, agencies may establish COVID-19 serial screening testing programs for employees (or employees and onsite contractor employees) working in high-risk settings within Federal facilities. Examples of such settings provided by CDC include, "High-risk congregate settings, such as assisted living facilities, correctional facilities, and homeless shelters, that have demonstrated high potential for rapid and widespread virus transmission to people at high risk for severe illness" and "Settings that involve close quarters and that are isolated from healthcare resources (e.g., fishing vessels, wildland firefighter camps, or offshore oil platforms)." When an agency has identified potential high-risk settings across its facilities, the agency should consult with the Task Force

 $<sup>^{\</sup>rm 13}$  As notified to agencies by email on Thursday, August 11, 2022

<sup>&</sup>lt;sup>14</sup> Serial screening testing is testing that is repeated at different points in time within a group of asymptomatic persons without recent known or suspected exposure to SARS-CoV-2, the virus that causes COVID-19, for purposes of early identification, isolation, and disease prevention.

<sup>15</sup> For the purposes of this guidance, high-risk settings include certain Federal facilities—or certain specific settings within Federal facilities—where (1) COVID-19 transmission risk is high, and (2) the population present onsite is at <a href="https://high.risk.of.severe.outcomes from COVID-19">high risk of severe outcomes from COVID-19</a> or there is limited access to healthcare.

to confirm that those settings are high-risk and that establishing a serial screening testing program and/or requiring point-in-time screening testing in those facilities would be consistent with CDC and Task Force guidance.

When COVID-19 Community Levels are MEDIUM or HIGH where agencies have established COVID-19 serial screening testing programs for high-risk settings, then pursuant to EO 13991 and consistent with CDC guidance, Federal agencies must implement serial screening testing for all asymptomatic employees (or all asymptomatic employees and onsite contractor employees) without recent known or suspected exposure who are enrolled in the agency's established serial screening testing program and who work onsite or interact in person with members of the public as part of their job duties in those high-risk settings, regardless of vaccination status. When serial screening testing is implemented, agencies must not differentiate among individuals on the basis of their vaccination status, pursuant to EO 13991 and consistent with CDC guidance.

For purposes of regularly testing these employees through a serial screening testing program, an employee enrolled in the program should be tested at least twice weekly for any week during which they work onsite or interact in person with members of the public as part of their job duties. Testing may be conducted at a Federal facility or offsite as determined by the agency. The test can be both self-administered and self-read by the employee if the agency has the employee certify as to when they took the test and that they received a negative result.

#### Meetings, Events, and Conferences

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

For agency-hosted meetings, events, and conferences, there are no Government-wide restrictions, and agencies do not need to first seek approval of agency heads, regardless of the expected number of inperson participants or local COVID-19 Community Levels, unless required to do so by agency policy.

As soon as possible and no later than Monday, August 22, 2022, <sup>16</sup> to be consistent with Task Force guidance, agencies should pause asking in-person attendees at agency-hosted meetings, events, and conferences to provide information about their COVID-19 vaccination status, regardless of COVID-19 Community Levels, where COVID-19 safety protocols at the meeting, event, or conference location do not vary based on vaccination status. <sup>17</sup>

As soon as possible and no later than Monday, August 22, 2022, <sup>18</sup> pursuant to EO 13991 and consistent with CDC guidance, agencies must stop implementing any current requirements that, solely because of

<sup>&</sup>lt;sup>16</sup> As notified to agencies by email on Thursday, August 11, 2022

<sup>&</sup>lt;sup>17</sup> The Government-wide Certification of Vaccination form previously used with visitors and onsite contractor employees may not be used for agency-hosted meetings, events, and conferences at this time. If an agency head approves an exception following consultation with the Task Force for asking attendees at agency-hosted meetings, events, and conferences to certify information about their vaccination status, the agency would need to use an agency-specific form approved by OMB. If an agency head approves an exception following consultation with the Task Force for *collecting* vaccination information from attendees at agency-hosted meetings, events, and conferences, any information collection regarding the vaccination status of attendees at agency-hosted meetings, events, and conferences would require an agency-specific Systems of Records Notice.

<sup>&</sup>lt;sup>18</sup> As notified to agencies by email on Thursday, August 11, 2022

their vaccination status, in-person attendees at agency-hosted meetings, events, and conferences need to be able to provide proof of a negative COVID-19 test.

In consultation with agency COVID-19 Coordination Teams and the Task Force, agencies may establish COVID-19 point-in-time screening testing <sup>19</sup> requirements for in-person attendees at agency-hosted meetings, events, or conferences taking place in high-risk settings <sup>20</sup> within Federal facilities or high-risk non-Federal settings. <sup>21</sup> If an agency has established such requirements, then when COVID-19 Community Levels are MEDIUM or HIGH where those high-risk settings within Federal facilities are located, pursuant to EO 13991 and consistent with CDC guidance, agencies must require in-person attendees at agency-hosted meetings, events, or conferences, regardless of vaccination status, to be able to provide proof that they received a negative test result within 24 hours of attending the meeting, event, or conference from a viral test authorized by the FDA to detect current COVID-19 infection.

To be consistent with Task Force guidance, agencies should not establish point-in-time screening testing requirements for in-person attendees at agency-hosted meetings, events, and conferences taking place in other settings, absent an exception approved by the agency head following consultation with the Task Force.

#### Post-Exposure Protocols

As soon as possible and no later than Monday, August 22, 2022, 22 pursuant to EO 13991 and consistent with CDC guidance, agencies must no longer require that individuals who are not up to date with COVID-19 vaccines and who have been exposed to someone with COVID-19 do not enter Federal facilities or do not interact with members of the public in person as part of their official responsibilities for at least 5 full days.

Pursuant to EO 13991 and consistent with CDC guidance on <u>post-exposure precautions</u>, agencies must instruct individuals who are known to have been <u>exposed to someone with COVID-19</u>, regardless of their vaccination status, to:

- (1) Immediately wear a high-quality <u>mask</u> or respirator (such as an N95) while working indoors at an agency workplace or interacting indoors with members of the public in person as part of their official responsibilities as soon as possible after notification of exposure and continue to do so for 10 full days from the date they were last exposed;
- (2) Take <u>extra precautions</u>, such as avoiding crowding and physically distancing from others, when they know they are around people who are <u>more likely to get very sick from COVID-19</u> while working onsite at an agency workplace or interacting with members of the public in person as part of their official responsibilities, for 10 full days from the date they were last exposed; and
- (3) Watch for COVID-19 symptoms for 10 full days from the date they were last exposed.

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<sup>&</sup>lt;sup>19</sup> Point-in-time screening testing is the testing on a situational basis of asymptomatic persons without recent known or suspected exposure to SARS-CoV-2, the virus that causes COVID-19, for purposes of early identification, isolation, and disease prevention.

<sup>&</sup>lt;sup>20</sup> For the purposes of this guidance, high-risk settings include certain Federal facilities—or certain specific settings within Federal facilities—where (1) COVID-19 transmission risk is high, and (2) the population present onsite is at high risk of severe outcomes from COVID-19 or there is limited access to healthcare.

<sup>&</sup>lt;sup>21</sup> Consistent with CDC guidance, these non-Federal high-risk settings are also facilities and situations where (1) COVID-19 transmission risk is high, and (2) the population served is at high risk of severe outcomes from COVID-19 or there is limited access to healthcare.

<sup>&</sup>lt;sup>22</sup> As notified to agencies by email on Thursday, August 11, 2022

For purposes of calculating the 10 full days, day 0 is the day of their last exposure to someone with COVID-19, and day 1 is the first full day after their last exposure.

As part of agency testing protocols, and pursuant to EO 13991 and consistent with CDC guidance, agencies must require that such employees and contractor employees who have been exposed to COVID-19 and are working onsite at an agency workplace or interacting with members of the public in person as part of their official responsibilities be tested with a viral test authorized by the FDA to detect current infection at least 5 full days after their last exposure (ideally, on or after day 6).<sup>23</sup>

If they test negative, they must continue to follow the above precautions for 10 full days from the date they were last exposed. If they test positive, or if they at any time develop COVID-19 symptoms, they must follow agency protocols on <u>isolation</u>.

If the individual is not working onsite at an agency workplace or interacting with members of the public in person as part of their official responsibilities within 10 days of the exposure, then the agency should not require them to be tested.

Protocols if Individuals Develop COVID-19 Symptoms or Test Positive for COVID-19

Pursuant to EO 13991 and consistent with CDC guidance, agencies must instruct any individual with COVID-19 symptoms, regardless of their vaccination status or COVID-19 Community Levels, to not enter a Federal facility or interact with members of the public as part of their official responsibilities, even if the individual does not know if they have been exposed to someone with COVID-19. Agencies also should advise individuals with COVID-19 symptoms to get tested immediately with a viral test authorized by the FDA to detect current infection.<sup>24</sup>

To be consistent with Task Force guidance, agencies would need to allow individuals who tested positive for COVID-19 and never developed symptoms to return to working onsite at an agency workplace or interacting with members of the public as part of their official responsibilities after 5 full days following their positive COVID-19 test (day 0 being the day the individual was tested). If they develop symptoms at any point, then pursuant to EO 13991 and consistent with CDC guidance, the agency must instruct them to again not enter a Federal facility or interact with members of the public as part of their official responsibilities, restarting at day 0 on the day symptoms developed, consistent with CDC recommendations on isolation and the protocols set forth by their agency.

To be consistent with Task Force guidance, agencies would need to allow individuals who tested positive for COVID-19 and had symptoms to return to working onsite at an agency workplace or interacting with members of the public as part of their official responsibilities after 5 full days from the onset of symptoms (day 0 being the day of symptom onset, regardless of when the individual tested positive), once they are fever-free for 24 hours without the use of fever-reducing medication and their other

<sup>&</sup>lt;sup>23</sup> If the individual that has been exposed to COVID-19 had tested positive for COVID-19 with a <u>viral test</u> within the previous 30 days and subsequently recovered and remain without COVID-19 symptoms, then they do not need to get tested after exposure. If the individual that had been exposed to COVID-19 had testing positive for COVID-19 with a viral test within the previous 31-90 days and subsequently recovered and remain without COVID-19 symptoms, then they should be tested using a viral antigen test. *See also:* <u>CDC guidance on specific testing recommendations for those that have had COVID-19 within the past 90 days.</u>

<sup>&</sup>lt;sup>24</sup> If the individual that had been exposed to COVID-19 had testing positive for COVID-19 with a viral test within the 90 days and subsequently recovered, then they should be tested using a viral antigen test authorized by the FDA to detect current COVID-19 infection. *See also*: <u>CDC</u> <u>guidance on specific testing recommendations for those that have had COVID-19 within the past 90 days</u>.

symptoms are improving.<sup>25</sup> Note that loss of taste and smell may persist for weeks or months after recovery and need not delay the end of isolation. If at any point their COVID-19 symptoms recur or worsen, agencies must instruct the individual to again not enter a Federal facility or interact with members of the public as part of their official responsibilities, restarting at day 0, consistent with EO 13991 and CDC recommendations on <u>isolation</u> and the protocols set forth by their agency.

To be consistent with Task Force guidance, agencies should not use a test-based approach to determine when an individual can return to working onsite at an agency workplace or interacting with members of the public as part of their official duties, absent an exception approved by the agency head following consultation with the Task Force.

Once the individual has returned to working onsite at an agency workplace or interacting with members of the public as part of their official responsibilities, then pursuant to EO 13991 and consistent with CDC guidance, the agency must instruct the individual to continue to take precautions consistent with CDC guidance for at least 10 full days after their first day of symptoms, or after the date of a positive viral test for asymptomatic individuals, including wearing a high-quality <a href="mask">mask</a> or respirator (such as an N95) when around others, avoiding eating and drinking around others, avoiding environments such as dining facilities, gyms, or other places where they may need to be unmasked around others, and avoiding being around people who are at <a href="mailto:high risk">high risk for severe disease from COVID-19</a>.

As it relates to mask-wearing after returning from isolation, agencies may also inform such individuals that they can opt to take two viral antigen tests authorized by the FDA to detect current COVID-19 infection, starting on day 6. With two sequential negative tests 48 hours apart, the individual may remove their mask sooner than day 10. If either of their antigen test results are positive, the individual should continue taking antigen tests at least 48 hours apart until they have two sequential negative results. This may mean that the individual would continue wearing a mask and testing beyond day 10.

## **Reminder on Setting-Specific Guidance and Requirements**

It is important to note that this initial implementation guidance from the Task Force is intended to apply to most Federal workplace settings, and references CDC guidance for the general public in community settings. CDC will continue to recommend additional protections in some settings where COVID-19 is more likely to spread quickly or cause severe disease if introduced. Guidance for healthcare settings, schools, congregate settings at higher risk for transmission, and travel are covered in stand-alone guidance documents that will be updated on CDC's website. Pursuant to EO 13991, Federal agencies must follow CDC guidance related to certain settings where different or additional layers of prevention are recommended by CDC. Where there is a conflict with more general Task Force and CDC setting-specific guidance, agencies must follow the setting-specific CDC guidance.

In addition to the updated COVID-19 workplace safety protocols described in this initial implementation guidance, agencies should continue to instruct Federal employees to adhere strictly to CDC guidance for

<sup>&</sup>lt;sup>25</sup> If an individual had moderate illness (if they experienced shortness of breath or had difficulty breathing), or severe illness (they were hospitalized) due to COVID-19, or they have a weakened immune system, then to be consistent with Task Force guidance, agencies would need to advise the individual to delay returning to working onsite at an agency workplace or interacting with members of the public as part of their official responsibilities for a full 10 days. If an individual had severe illness or have a weakened immune system, they should consult their doctor before ending isolation. Ending isolation without a viral test may not be an option for them. If an individual is unsure if their symptoms are moderate or severe or if they have a weakened immune system, agencies should advise the individual to talk to a healthcare provider for further guidance.

domestic and international travel before, during, and after official travel. The Task Force will update its guidance on official travel when CDC updates its travel guidance.

To be consistent with Task Force guidance, where a locality has imposed additional pandemic-related requirements more protective than those set forth in Task Force guidance, agencies would need to follow those additional local requirements in Federal buildings, in Federally controlled worksites, on Government-operated transportation conveyances, and on Federal land in that locality.

## **Reminder on Exceptions**

Consistent with EO 13991, if agencies have implementation challenges or operational circumstances that may require other or additional prevention measures, agencies should consult the Safer Federal Workforce Task Force regarding potential exceptions prior to approval of any exceptions by the agency head.

## **Reminder on Confidentiality and Privacy**

Agencies should consult their Senior Agency Official for Privacy and their agency General Counsel on matters related to the collection and handling of personally identifiable information and medical information in accordance with applicable laws and policies on confidentiality and privacy.

### **Reminder on Labor Relations Obligations**

Agencies should engage with employee unions at their earliest opportunity as they adjust agency COVID-19 workplace safety plans, protocols, and policies, and otherwise satisfy any applicable collective bargaining obligations under the law, if any, at the earliest opportunity, including on a post-implementation basis where appropriate in order to meet the deadline established by the Task Force.

Agencies should also review existing collective bargaining agreements (CBAs) to assess whether these updated COVID-19 workplace safety protocols conflict with existing CBA provisions. To the extent existing CBA provisions exist, agencies are strongly encouraged to bring the CBA into compliance with these updated COVID-19 workplace safety protocols at the earliest opportunity permitted under the law.