

U.S. Department of Transportation

COVID-19 Workplace Safety Plan



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	Purpose

1 Purpose

This document provides updated implementation guidance for the Department of Transportation's (DOT) COVID-19 Workplace Safety Plan. This implementation guidance applies DOT-wide and puts the health and safety of all Federal employees, on-site contractors, visitors, and their families at the center. This plan is built upon taking a safe, cautious, iterative, data-driven approach, and replaces previously published DOT guidance. This document adheres to and follows guidance from:

- The President's <u>Path Out of the Pandemic: COVID-19 Action Plan</u> and the <u>National Strategy for the COVID-19 Response and Pandemic Preparedness</u>
- The President's Executive Order (EO) 14043 on Requiring Coronavirus Disease 2019 Vaccination for Federal Employees,
- EO 14042 on Ensuring Adequate COVID Safety Protocols for Federal Contractors,
- EO 13991 on Protecting the Federal Workforce and Requiring Mask-Wearing
- Office of Management and Budget (OMB) <u>Memorandum 21-15, COVID-19 Safe Federal</u> <u>Workplace: Agency Model Safety Principles;</u>
- OMB Memorandum M-21-25 on Integrating Planning for A Safe Increased Return of Federal Employees and Contractors to Physical Workplaces with Post-Reentry Personnel Policies and Work Environment
- Safer Federal Workforce Task Force <u>COVID-19 Workplace Safety: Agency Model Safety Principles</u> (Sep 13, 2021); and
- Includes the <u>latest guidance</u> from U.S. Centers for Disease Control and Prevention (CDC) and the Occupational Safety and Health Administration (OSHA).

2 Background

The DOT shifted to maximum telework on March 16, 2020, in response to the COVID-19 pandemic. On April 20, 2020, the Office of Management and Budget and the Office of Personnel Management (OPM) directed Federal organizations to draft plans to return to normal operations, and to submit weekly telework and facilities reports by geographic locations. In May 2020, DOT published Framework for DOT's Return to Normal Operations. On January 24, 2021, OMB issued updated guidance, Memorandum 21-15, COVID-19 Safe Federal Workplace: Agency Model Safety Principles, to ensure a safer Federal workforce. Pursuant to this guidance and subsequent guidance listed in the Purpose section above, DOT amends previously published guidance and implements the following DOT COVID-19 Workplace Safety Plan and Implementation Guidance.

3 COVID-19 Coordination Team

The DOT COVID-19 Coordination Team is responsible for:

Conducting assessments to establish, implement, and monitor compliance with: (a) safety
protocols for vaccinations, physical distancing, testing and masking, and other
appropriate COVID-19 mitigation strategies; and (b) determinations of on-site and
telework/remote working.

- Meeting monthly to review compliance with DOT COVID-19 workplace safety plans and protocols, consider potential revisions to those plans and protocols, and consider any other operational needs.
- Reviewing draft COVID-19 workplace vaccination protocols, testing protocols, supply distribution, safety plans and more for DOT, making any necessary changes, and submitting plans to the Safer Federal Workforce Task Force for review and comment.
- Where appropriate, consulting with a public health expert from CDC, the General Services Administration (GSA), OPM, and OMB. For privately-owned and federallyleased space, the team will coordinate with GSA and building security and safety committees.
- Coordinate with DOT's Chief Acquisition Officer and Senior Procurement Executive regarding safety protocols for Federal contractors and contractor employees.
- Meeting with the Operating Administrations (OAs) to ensure that consistent guidelines are implemented across the Department.

DOT's COVID-19 Coordination Team consists of:

- Operating Administration: The Associate Administrator for Administration in each Operating Administration
- Human Resources: Director, Departmental Office of Human Resource Management (DOHRM)
- Occupational Safety and Health Officer: Office of Facilities
- Executive leadership: Chief of Staff; Deputy Chief of Staff; Deputy Assistant Secretary for Budget and Programs; Assistant Secretary for Administration and Deputy Chief Acquisition Officer; Deputy Assistant Secretary for Administration; and Special Assistant, Office of Administration
- Office of the General Counsel: Acting General Counsel; Deputy General Counsel

DOT Operating Administrations will:

- a. Ensure the alignment of their workplace safety plans to this plan/implementation guidance.
- b. Send confirmation to the Office of the Assistant Secretary for Administration that they have communicated this guidance to employees (i.e., vaccination requirements, mandating masks and maximum telework) within one week of plan approval.
- c. Support the formulation of the DOT COVID-19 Coordination Team.
- d. Send any updates to their Operating Administration workplace safety plans or reentry plans to the Office of the Assistant Secretary for Administration for clearance.
- e. Continue to report all COVID-19 positive cases within its workforce to the Office of the Assistant Secretary for Administration. If the employee or contractor was on site, report building location, floor, and date to initiate cleaning and contact tracing.
- f. Ensure acquisition workforce complies with and communicates all Federal and Departmental COVID-19 acquisition regulations, policies and procedures for Federal contractors as appropriate.

4 Vaccination

This section addresses the requirements of <u>EO 14043 on Requiring Coronavirus Disease 2019</u>

<u>Vaccination for Federal Employees</u> and <u>EO 14042 on Ensuring Adequate COVID Safety</u>

Protocols for Federal Contractors.

Guidance for Federal Employees

To ensure the safety of the Federal workforce, all DOT Federal employees must be fully vaccinated no later than November 22, 2021, except in limited circumstances where an employee is legally entitled to a reasonable accommodation. DOT will work expeditiously to ensure employees are fully vaccinated. Employees who are on maximum telework or working remotely are not excused from this requirement. Employees who refuse to be vaccinated or provide proof of vaccination will be subject to disciplinary measures, up to and including removal from Federal service described in more detail below.

Employees are considered <u>fully vaccinated</u> against 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 or that has been listed for emergency use by the World Health Organization.

For Pfizer-BioNTech, Moderna, or AstraZeneca/Oxford, that is two weeks after an employee has received the second dose in a 2-dose series. For Johnson and Johnson (J&J)/Janssen, that is two weeks after an employee has received a single-dose.

More information is available at <u>Interim Clinical Considerations for Use of COVID-19 Vaccines</u> | CDC.

Employees are encouraged to review the <u>Safer Federal Workplace FAQs for Vaccinations</u>, which provides detailed information on key topics including:

- Discussion of the vaccination requirement for Federal employees, including timelines for current employees and new hires (individuals expected to start their government service after November 22, 2021).
- Vaccination documentation and information, including questions about privacy and access to that information.
- Limited circumstances for exceptions to the vaccination requirement, including the right to request an accommodation.
- Enforcement provisions for individuals who fail to get fully vaccinated, or who do not have a pending or granted accommodation.

If employees have any questions surrounding this vaccine requirement, they may reach out to <u>DOTVaccinationDocumentation@dot.gov</u>.

Proof of Vaccination for Employees

DOT is required to obtain documentation from employees to prove vaccination, even if an employee has previously attested to their vaccination status.

Employees may provide 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 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)) through the Vaccination Documentation application on Microsoft Teams.

Employees must certify under penalty of perjury that the documentation they are submitting is true and correct.

Employees may provide a digital copy of such records, including, for example, a digital photograph, scanned image, or PDF of such a record that clearly and legibly displays the information outlined above.

Vaccination Exceptions for Employees

DOT employees must be fully vaccinated other than in limited circumstances where the law requires an exception. Employees may seek an accommodation indicating they are not vaccinated against COVID-19 because of a medical condition or 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 DOT's operations, including protecting other DOT employees and the public from COVID-19.

In the Vaccination Documentation application, there is an option to select Reasonable Accommodation. After you make this selection, you will receive a separate communication on how to complete the accommodation process. It is incumbent on you as the employee to follow all steps in requesting an accommodation.

Employee Refusal & Enforcement of the Vaccination Requirement for Federal Employees

Employees covered by Executive Order 14043 who fail to comply with a requirement to be fully vaccinated or provide proof of vaccination and have neither received an exception nor have an exception request under consideration, are in violation of a lawful order. Employees who violate lawful orders are subject to discipline, up to and including termination or removal.

The Department and its Operating Administrations will follow the framework set forth in the OPM memorandum dated October 1, 2021, Guidance on Enforcing Coronavirus Disease 2019 Vaccination Requirement for Federal Employees – Executive Order 14043.

If an employee refuses to be vaccinated, as an initial matter, DOT will provide employees with information regarding the benefits of vaccination and ways to obtain the vaccine. If the employee continues to refuse to be vaccinated or provide proof of vaccination, DOT will pursue disciplinary measures, up to and including removal from Federal service. In pursuing any

adverse action, DOT will provide the required procedural rights to an employee and follow normal processes, including any policies or collective bargaining agreement requirements concerning disciplinary matters. Generally, employees will not be placed on administrative leave while pursuing an adverse action for refusal to be vaccinated but will be required to follow safety protocols for employees who are not fully vaccinated when reporting to DOT worksites.

DOT will follow a different process if the employee claims a legally required exception as the reason for not being vaccinated or providing proof of vaccination. In that case, DOT will review and consider what, if any, accommodation it must offer to an employee. If the employee's request for an accommodation is denied, and the employee does not comply with the vaccination requirement, DOT will pursue disciplinary action, up to and including removal from Federal service.

Denial of Accommodation Request for Employees

An employee whose request for an accommodation is denied 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 6 weeks of receiving the first dose.

If the employee received a first dose of a two-dose series prior to seeking an accommodation, DOT will require that the employee receive their second dose within two weeks of the final determination to deny the accommodation or within a week of the earliest day by which they can receive their second dose, whichever is later.

Safety Protocols for Employees that are Granted an Exception to the Vaccine Requirement

DOT employees who are approved for an exception will follow applicable masking, physical distancing, and testing protocols for individuals who are not fully vaccinated, as well as applicable travel guidance. Additional guidance will be forthcoming regarding testing protocols for individuals who are excepted from the vaccination requirement. There may be circumstances in which DOT determines that the nature of an employee's job responsibilities requires heightened safety protocols if they are provided with a legally required exception. In some cases, the nature of the employee's job may be such that DOT determines that no safety protocol other than vaccination is adequate. In such circumstances, DOT may deny the requested accommodation.

Time and Attendance for Employees

When a DOT employee is required to be vaccinated, the time the employee spends obtaining any required COVID-19 vaccination dose (including travel time) is duty time; thus, there is no need for the employee to take administrative leave. DOT employees may not be credited with administrative leave for time spent getting a required vaccination. If, due to unforeseen circumstances, the employee is unable to obtain the vaccine during basic tour of duty hours the normal overtime hours of work rules may apply.

To promote the continued safety of the DOT workforce, leave-eligible employees are granted up to four hours of administrative leave to receive any authorized COVID-19 vaccine booster shot, if they are eligible to receive such a booster shot. Similarly, DOT will grant leave-eligible employees up to four hours of administrative leave to receive any authorized additional dose of COVID-19 vaccine. The administrative leave will cover the time it takes to travel to the vaccination site, receive the vaccination dose, and return to work. Because there is currently no requirement for Federal employees to receive a vaccine booster shot or additional dose, granting duty time is not allowable in these instances.

In most circumstances, DOT authorizes employees to take up to four hours to travel to the vaccination site, complete any vaccination dose, and return to work—for example, up to eight hours of duty time for employees receiving two doses. Reasonable transportation costs that are incurred as a result of obtaining the vaccine from a site preapproved by DOT are handled the same way as local travel or temporary duty cost reimbursement is handled based on agency policy and the Federal Travel Regulation.

Employees will receive paid time off to address any side effects. The agency 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).

Employees will also receive paid time off to accompany a family member being vaccinated. The agency grants leave-eligible employees up to 4 hours of administrative leave per dose to accompany a family member (as defined in OPM's leave regulations, see 5 CFR 630.201) who is receiving any COVID-19 vaccination dose.

Guidance for New Hires

The Department and its Operating Administrations will follow the framework set forth in the OPM memorandum dated October 1, 2021, <u>Guidance on Applying Coronavirus Disease 2019 Vaccination Requirements to New Hires – Executive Order 14043</u>.

Collection of Employee Vaccination Documentation

The collection and use of this information is subject to the OPM/GOVT-10 Employee Medical File system of records notice (SORN) and OPM regulations (5 C.F.R. part 293, subpart E). Under those rules, DOT will have written instructions for its EMF system with appropriate safeguards. Employees will be provided with a <u>Privacy Act statement</u> at the point of collection of this information. Employee vaccination documentation will not be maintained in the Official Personnel Folder.

DOT will maintain the IT security and privacy needs of employees, while also providing the relevant information to those who need to know in order to implement the safety protocols. The Privacy Act permits disclosure within DOT to employees "who have a need for the record in the performance of their duties." 5 U.S.C. 552a(b)(1). DOT is only disseminating information to the appropriate agency officials who have a need to know to verify the documentation. For

example, your vaccination documentation will be reviewed by an HR specialist to determine that the required documentation has been submitted. Your supervisor will be informed that you have provided proof of vaccination, but your supervisor will not have access to your documentation. DOT will comply with the requirements of the Privacy Act at all times.

Guidance for Federal Contractors

In implementing Executive Order 14042, the Department will comply with all relevant court orders, including by following relevant OMB and Safer Federal Workforce Task Force guidance.

Operating Administrations are required to comply with DOT Federal Acquisition Regulation (FAR) Class Deviation (CD) 2022-01 – Implementation of Executive Order 14042, Ensuring Adequate Safety Protocols for Federal Contractors. The Class Deviation (CD) lays out the timeline and instructions for incorporating the FAR clause required by Executive Order 14042 in DOT solicitations, contracts, contract-like instruments and orders. Generally, all DOT contracts above the micro-purchase threshold, as defined in FAR 2.101, regardless of work location, shall include the clause as prescribed in the CD and require compliance with Executive Order 14042 and the Safer Federal Workforce Task Force's guidance for (1) vaccination of covered contractor employees, except in limited circumstances where an individual is legally entitled to an accommodation; (2) masking and physical distancing requirements while in covered contractor workplaces; and (3) designation by covered contractors of a person or persons to coordinate COVID-19 workplace safety efforts at covered contractor workplaces.

Those contractor employees not yet subject to DOT FAR CD 2022-01 and a contractual requirement to be vaccinated are required to continue to comply with DOT Acquisition Directive (DAD) No. 2021-02 – COVID-19 Entry Procedures for On-Site Contractors Reporting to DOT Facilities until such time that the FAR clause has been incorporated into the contractor employee's contract/order. Generally, the DAD requires that on-site contractor staff coordinate with their employer and DOT Contracting Officer Representatives (COR) to ensure they are either vaccinated or testing regularly prior to entering DOT facilities or entering DOT worksites. Individuals must attest to the truthfulness of the response they provide. When an individual discloses that they are not fully vaccinated or declines to provide information on their vaccination status, DOT agencies should treat that individual as not fully vaccinated for purposes of implementing safety measures, including with respect to mask wearing and physical distancing. DOT's acquisition workforce and contractors should also review the Frequently Asked Questions (FAQ) developed to answer common questions regarding the DAD.

Contractors must be fully vaccinated or have received an approved exception by January 18, 2022.

Vaccination Guidance for Visitors to Federal Facilities

Visitors (except those seeking a public benefit or service, who do not need to attest to or otherwise document vaccination status) must attest to their vaccination status using the Certification of Vaccination form. DOT will not ask visitors for documentation to verify their attestation and will not retain Certification of Vaccination forms; visitors must keep the completed form on their person while in DOT facilities. Visitors must comply with the specific

rules established by each Federal facility regarding the wearing of face masks, physical distancing, and other health and safety protocols. Should a visitor (except those seeking a public benefit or service) decline to provide their vaccination status and, if unvaccinated, proof of a negative COVID test within the last three days, the visitor will be denied entry to the building.

5 Levels of Community Transmission

DOT and its Operating Administrations will use CDC data to determine level of community transmission. When determining levels of community transmission in a given area, DOT and its Operating Administrations will reference the CDC COVID-19 Data Tracker County View. In addition, DOT Operating Administrations will use discretion in determining the counties relevant to the determination of the level of community transmission related to each DOT facility. For example, an Operating Administration may consider the county in which an office facility is located, the transmission levels of surrounding local counties from which employees or visitors travel to the facility, and transmission levels in counties through which employees based at a given facility regularly travel over the course of their work in the field and between various work sites.

Weekly assessment of transmission rates in a given area to determine mask-wearing requirements. Each DOT Operating Administration will assess transmission rates in a given area at least weekly to determine proper mask-wearing requirements.

When the level of transmission related to a given DOT facility increases from low or moderate to substantial or high, DOT Operating Administrations must promptly put in place more protective safety protocols consistent with CDC guidelines and guidance from the Safer Federal Workforce Task Force as soon as operationally feasible.

When the level of transmission related to a given DOT facility is reduced from high or substantial to moderate or low, the level of transmission must remain at that lower level for at least two consecutive weeks before DOT utilizes those protocols recommended for areas of moderate or low transmission by CDC guidelines and guidance from the Safer Federal Workforce Task Force.

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

6 Telework and Remote Work

DOT will remain in maximum telework posture until further notice. On January 6, 2022, DOT employees were informed that they will be provided with 30 days' notice before beginning their new work schedules.

Upon reentry, DOT will utilize telework, flexible work schedules, and remote work consistent with the principles set forth in OMB Memorandum M-21-25 and DOT plans for reentry and post-reentry.

7 Face Masks and Physical Distancing

This section reflects the most recent guidance from the CDC to its <u>Interim Public Health</u> Recommendations for Fully Vaccinated People.

Guidance for Employees, Contractors, and Visitors who are Fully Vaccinated

To reduce their risk of becoming infected with the SAR-CoV-2, the virus that causes COVID-19, and potentially spreading it to others, fully vaccinated individuals in DOT facilities must follow CDC recommendations. That means fully vaccinated people:

- Must properly wear a mask that <u>covers the nose and mouth</u> in indoor settings if they are
 in an area of <u>substantial or high transmission</u>, consistent with any limited exceptions
 provided for in DOT guidance consistent with CDC guidance (as discussed in the next
 section).
- In areas of low or moderate transmission, in most settings, generally do not need to wear a mask or physically distance in Federal buildings or on Federal land, except where required by Federal, State, local, Tribal, or territorial laws, rules, or regulations.
- Might choose to mask regardless of the level of transmission, particularly if they or someone in their household is immunocompromised or at <u>increased risk for severe disease</u>, or if someone in their household is unvaccinated.
- Must follow any applicable Federal, State, local, Tribal, or territorial laws, rules, and regulations.

Guidance for Employees, Contractors, and Visitors who are not Fully Vaccinated

Individuals—including employees, on-site contractor employees, visitors, and members of the public who are seeking a public service or benefit—who are not <u>fully vaccinated</u>, or who have declined to provide their vaccination information when requested, must maintain a distance of at least six feet from others at all times, consistent with CDC guidelines, including in offices, conference rooms, and all other communal and work spaces) <u>and</u> properly wear a mask regardless of community transmission level, consistent with CDC guidelines.

<u>Consistent with CDC guidance</u>, those who are not fully vaccinated must wear a mask in crowded outdoor settings or during outdoor activities that involve sustained close contact with other people who are not fully vaccinated.

DOT employees, on-site contractors, and visitors who are not fully vaccinated must properly wear a mask that covers the nose and mouth, and is used in accordance with current CDC and OSHA guidance.

CDC recommends the following:

- Medical procedure masks (sometimes referred to as surgical masks or disposable face masks)
- Masks must fit properly (snugly around the nose and chin with no large gaps around the sides of the face)
- Masks should have nose wires
- Masks made with breathable fabric (such as cotton)

- Masks made with tightly woven fabric (i.e., fabrics that do not let light pass through when held up to a light source)
- Masks with two or three layers, and masks with inner filter pockets.
- Non-protective masks, masks with ventilation valves, novelty masks, or face shields are not permitted.

Accommodations may be made for individuals unable to wear a mask, upon providing required documentation in accordance with existing Equal Opportunity Employment Commission (EEOC) guidance and/or the DOT Reasonable Accommodation Order.

Masks must be worn consistently, in all common areas and shared workspaces (including open floorplan office space, cubicle embankments and conference rooms). Masks should also be worn in outdoor shared spaces when physical distancing cannot be maintained. Exceptions may be made consistent with CDC guidelines; for example, when an individual is alone in an office with floor to ceiling walls and a closed door, or for a limited time when eating or drinking and maintaining distancing in accordance with CDC guidelines.

Signage is posted throughout DOT-operated facilities to enforce the mask requirement at building entrances, and in other high traffic areas. DOT leadership, modal leadership, and security personnel will enforce compliance with the mask mandate. In addition, individuals may be asked to lower their masks briefly for identification purposes in compliance with safety and security requirements.

At DOT and FAA headquarters, masks will be available to those that do not have one. Regional offices should procure masks to make available to those that do not have one.

8 Testing

Testing for unvaccinated employees that have been granted a medical or religious exception

DOT is awaiting further government-wide guidance on screening testing from the Safer Federal Workforce Task Force. In the interim, employees that have been granted a medical or religious exception will be required to provide proof of a negative COVID-19 test weekly – the test should be from no later than the previous 3 days prior to reporting onsite to a DOT facility. Tests should be authorized by the U.S. Food and Drug Administration (FDA) and produce a dated result. Employees can procure a test at an offsite provider of their choice – this includes local pharmacies, doctor's office, community testing site, public health department, etc.). DOT will reimburse the employee if there is a cost for the test.

This guidance may change based on forthcoming government-wide guidance on this matter.

Testing after workplace exposure

DOT employees who have been exposed to persons with COVID-19 at work should go get a diagnostic test immediately. DOT will reimburse the employee if there is a cost for the test.

Testing because of a workplace exposure can be conducted during normal duty hours. Employees can procure a test at an offsite provider of their choice – this includes local pharmacies, doctor's office, community testing site, public health department, etc.). The test must be FDA approved.

Employees who have been fully vaccinated and have had close contact with someone with suspected or confirmed COVID-19 should get tested 5-7 days after exposure, even if they do not have symptoms. They should also wear a mask indoors in public for 14 days following exposure or until their test result is negative. If their test result is positive, they should isolate for 10 days.

Testing related to official travel

The cost of testing for current infection with COVID-19 required for official travel and not available through a Federal dispensary or not covered (or reimbursable) through travel insurance, can be claimed in a travel voucher as a Miscellaneous Expense under the DOT travel policy. Testing related to official travel can be conducted during normal duty hours.

Visitors provide proof of negative COVID-19 test

Visitors (except those seeking a public benefit or service) who are not fully vaccinated or who decline to provide information about their vaccination status must provide proof of a negative COVID-19 test from no later than the previous 3 days prior to entry to a Federal building. Tests should be authorized by the U.S. Food and Drug Administration and produce a dated result.

Screening testing for unvaccinated contractor employees reporting to a federal workplace

Prior to being contractually required to be vaccinated in accordance with DOT Federal Acquisition Regulation (FAR) Class Deviation (CD) 2022-01or having an approved medical/religious exception, contractor employees reporting for work onsite a federal facility who are not fully vaccinated must provide proof of a negative COVID-19 test to their company's management team. This negative test must be from no earlier than the previous 3 days prior to entry to a Federal facility/workplace. Onsite contractor employees who are not fully vaccinated, may utilize COVID tests that are authorized by the U.S. Food and Drug Administration and produce a dated result. DOT will not retain any contractor test results or vaccination documents for contractor employees, rather the contractor company should manage this effort for their employees.

Recordkeeping requirements if an employee tests positive for COVID-19 infection

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). DOT follows state and county reporting requirements and complies with state and county contact tracing efforts.

DOT will ensure that COVID-19 test result complies with all applicable laws and in accordance with DOT's records management policies. Privacy and IT security will be maintained at all times to protect test results. DOT's Chief Information Officer, Senior Privacy Officer, and Office of General Counsel have been consulted to determine appropriate information management protocols.

9 Contact Tracing

DOT's COVID-19 Coordination Team will collaborate with and support the contact tracing programs of local health departments to help identify, track, and manage contacts of COVID-19 cases. The Office of the Assistant Secretary for Administration will coordinate with facilities staff to implement infection control and workplace safety efforts once informed of a case of COVID-19 (either due to specific symptoms or a positive test).

The Office of the Assistant Secretary for Administration has the responsibility to make disclosures to local public health officials as required or necessary to provide for the public health and safety of Federal employees and contractors, in accordance with local public health mandates. If COVID-19 cases occur within a specific building or work setting, it will be the responsibility of the COVID-19 Coordination Team (or a field office/OA designee) to determine—in consultation with local public health officials—appropriate next steps.

DOT will be transparent in communicating related information to the workforce, as relevant and appropriate, consistent with local and Federal privacy and confidentiality regulations and laws. In accordance with CDC guidance, if an individual who tests positive for COVID-19 and visits a DOT facility within seven days of the positive test, employees who may have been in close contact with the individual must be notified of possible exposure. The individual who tests positive must not be identified. If the individual has not been onsite within seven days, no notification is made.

10 Travel

The CDC provided guidance on travel for fully vaccinated people. Pursuant to OMB Memorandum M-21-15, Federal employees should adhere strictly to CDC guidance for domestic and international travel before, during, and after travel, regardless of whether the travel is personal or for official business. DOT employees who are fully vaccinated have no restrictions on travel.

At this time, official domestic travel for DOT employees who are not fully vaccinated is limited to mission critical trips, unless it is contrary to a reasonable accommodation to which an employee is legally entitled. For DOT employees who are not fully vaccinated, international travel should also be avoided if at all possible, unless it is mission-critical (e.g., military deployments, COVID-19 response deployments/activities, diplomatic travel, or high-level international negotiations that cannot occur remotely). Federal employees who are not fully vaccinated should take recommended precautions during mission-critical travel. Below is a

summary of the CDC guidelines for vaccinated and unvaccinated employees before, during and after travel:

Domestic Travel Recommendations for Fully Vaccinated People

People who are <u>fully vaccinated with an FDA-authorized vaccine</u> can travel safely within the United States. If you are fully vaccinated, take the following steps consistent with CDC guidelines to protect others if you travel:

- Before you travel:
 - o If you have a condition or are taking medication that weakens your immune system, you MAY NOT be fully protected even if you are fully vaccinated. Talk to your healthcare provider. Even after vaccination, you may need to continue taking all <u>traveler health and safety precautions</u>.
- While you travel:
 - o Wear a mask over your nose and mouth. <u>Masks are required</u> on planes, buses, trains, and other forms of public transportation traveling to, within, or out of the United States and in transportation hubs such as airports, transit, and train stations.
 - o Avoid crowds and stay at least 6 feet/2 meters (about 2 arm lengths) from anyone who is not traveling with you.
 - o Wash your hands often or use hand sanitizer (with at least 60% alcohol).
- After traveling:
 - o Self-monitor for COVID-19 symptoms; isolate and get tested if you develop symptoms.
 - o Follow all state and local recommendations or requirements.

You DO NOT need to get tested or self-quarantine if you are fully vaccinated or have recovered from COVID-19 in the past 3 months. You should still follow all other travel recommendations.

International Travel for Fully Vaccinated People

- If an employee goes on international travel, all air passengers coming to the United States from abroad, including Federal employees who are fully vaccinated, are required to have a negative COVID-19 viral test result no more than three days before the flight to the United States departs or must show documentation of recovery from COVID-19 within the previous 90 days before they board a flight to the United States.
- Fully vaccinated travelers are advised by the agency that they should also, after traveling abroad, get tested with a viral test 3-5 days after traveling; self-monitor for COVID-19 symptoms; if symptoms develop, isolate and get tested; and follow all recommendations or requirements of their local U.S. destination after travel.

Domestic Travel Recommendations for Unvaccinated People

Again, at this time, official domestic travel for DOT employees who are not fully vaccinated is limited to mission critical trips, unless it is contrary to a reasonable accommodation to which an employee is legally entitled. For DOT employees who are not fully vaccinated, international travel should also be avoided if at all possible, unless it is mission-critical, as defined above, or contrary to a reasonable accommodation to which an employee is legally entitled. If you are not

fully vaccinated and must travel, take the following steps consistent with CDC guidelines to protect yourself and others from COVID-19:

- Before you travel:
 - o Get tested with a viral test 1–3 days before your trip.
- While you travel:
 - o Wear a mask over your nose and mouth. <u>Masks are required</u> on planes, buses, trains, and other forms of public transportation traveling into, within, or out of the United States and in U.S. transportation hubs such as airports, subways, and train stations.
 - o Avoid crowds and stay at least 6 feet/2 meters (about 2 arm lengths) from anyone who is not traveling with you.
 - o Wash your hands often or use hand sanitizer (with at least 60% alcohol).
- After you travel:
 - o <u>Get tested</u> with a <u>viral test</u> 3-5 days after travel AND stay home and selfquarantine for a full 7 days after travel.
 - o Even if you test negative, stay home and self-quarantine for the full 7 days.
 - o If your test is positive, <u>isolate</u> yourself to protect others from getting infected.
 - o If you don't get tested, stay home and self-quarantine for 10 days after travel.
 - o Avoid being around people who are at <u>increased risk for severe illness</u> for 14 days, whether you get tested or not.
 - o Self-monitor for COVID-19 symptoms; isolate and get tested if you develop symptoms.
 - o Follow all state and local recommendations or requirements.

Visit your <u>state, territorial, Tribal</u> or <u>local health department</u> website to look for the latest information on where to get tested. For the most current guidance on domestic and international travel, see the CDC COVID-19 traveler website.

11 Symptom Monitoring

If DOT employees, on-site contractors, or visitors are not feeling well, they should not enter any DOT operated facility. DOT employees and contractors working on site are asked to complete a symptom check questionnaire upon entry to the workplace daily. The sponsor for a visitor should provide the visitor with the symptom monitoring checklist, and visitors should complete symptom screening before entering a DOT facility.

Any individual who develops <u>any symptoms consistent with COVID-19</u> during the workday must immediately isolate, notify their supervisor, and promptly leave the workplace.

12 Quarantine and Isolation

Any individual with a suspected or confirmed COVID-19 will be advised to isolate, <u>pursuant to CDC guidelines</u>, and in compliance with local laws/regulations. Personnel who have had a <u>close contact</u> with someone who has COVID-19 should follow <u>CDC and local guidance for quarantine</u>.

Isolation

Isolation is used to separate people infected with COVID-19 from those who are not infected. CDC's updated guidance for those who test positive for COVID-19 is as follows:

If You Test Positive for COVID-19 (Isolate)	
Everyone, regardless of vaccination status.	 Stay home for 5 days. If you have no symptoms or your symptoms are resolving after 5 days, you can leave your house. Continue to wear a mask around others for 5 additional days.
	If you have a fever, continue to stay home until your fever resolves.

Quarantine

Quarantine refers to the time following exposure to the virus or close contact with someone known to have COVID-19. CDC's updated guidance for those who are exposed to someone with COVID-19 is as follows:

If You Were Exposed to Someone with COVID-19 (Quarantine)		
If you: Have been boosted OR Completed the primary series of Pfizer or Moderna vaccine within the last 6 months OR Completed the primary series of J&J vaccine within the last 2 months	 Wear a mask around others for 10 days. Test on day 5, if possible. If you develop symptoms, get a test and stay home. 	
If you: Completed the primary series of Pfizer or Moderna vaccine over 6 months ago and are not boosted OR Completed the primary series of J&J over 2 months ago and are not boosted OR Are unvaccinated	 Stay home for 5 days. After that continue to wear a mask around others for 5 additional days. If you can't quarantine, you must wear a mask for 10 days. Test on day 5 if possible. If you develop symptoms, get a test and stay home.	

Employee questions regarding the duration of home isolation can be directed to their supervisor or HR director.

13 Employee Leave

Leave for vaccination side effects

DOT will grant up to 2 workdays of administrative leave if a DOT 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).

If an employee requests more than 2 workdays to recover the employee may take other appropriate leave (e.g., sick leave) to cover any additional absence.

Leave to accompany a family member being vaccinated

DOT will grant leave-eligible employees up to 4 hours of administrative leave per dose to accompany a family member (as defined in OPM's leave regulations, see 5 CFR 630.201) who is receiving any COVID-19 vaccination dose.

- DOT will grant leave-eligible employees up to four hours of administrative leave per dose—for example, up to a total of twelve hours of leave for a family member receiving three doses—for each family member the employee accompanies.
- If an employee needs to spend less time accompanying a family member who is receiving the COVID-19 vaccine, DOT will grant only the needed amount of administrative leave.
- Employees should obtain advance approval from their supervisor before being permitted to use administrative leave for COVID-19 vaccination purposes.
- Employees are not credited with administrative leave or overtime work for time spent outside their tour of duty helping a family member get vaccinated.
- This policy applies to covered vaccinations received after July 29, 2021.

Leave related to quarantine

Employees that go on official or personal travel will be informed if a mandatory quarantine will be required before they are allowed to return to the workplace. If quarantine is required because of official travel or workplace exposure, DOT will provide weather and safety leave, or other administrative leave.

If quarantine is required because of personal travel, and the employee is otherwise expected to be present onsite, the employee may take personal leave while quarantining. If an employee refuses to quarantine or refuses to take personal leave while under mandatory quarantine after personal travel, DOT may elect to bar the employee from the workplace for the safety of others. In this case, the employee must be placed on administrative leave until DOT determines what status the employee should be placed in while on quarantine.

Leave related to isolation due to COVID-19 infection

If an employee is subject to isolation due to being infected with COVID-19 and is unable to telework, the employee may request sick leave, as weather and safety leave would be

unavailable. Employees may also request accrued annual leave and other forms of paid or unpaid leave in this situation as appropriate. (See OPM CPM 2020-02, February 7, 2020)

14 Confidentiality and Privacy

All medical information collected from individuals, including vaccination information, test results, and any other information obtained as a result of testing and symptom monitoring, will be treated confidentially in accordance with applicable laws on confidentiality and privacy, and will be accessible only by those with a need to know. DOT consulted with our Senior Agency Official for Privacy on matters related to the handling of personally identifiable information.

15 Occupancy

There are no longer any occupancy limitations established for DOT-occupied facilities.

16 Meetings, Events and Conferences

Any in-person meeting, conference, or event that will be hosted by DOT or an Operating Administration and attended by more than 50 participants, must be approved by the Secretary, or in his place, only the Deputy Secretary, in consultation with DOT's COVID-19 Coordination Team.

Once in-person meetings resume, attendees at any meetings, conferences, and events hosted by DOT, regardless of event size, will be asked to provide information about vaccination status. In requesting this information, DOT will comply with any applicable Federal laws, including requirements under the Privacy Act and the Paperwork Reduction Act.

In-person attendees must follow the same safety protocols as visitors. Those attendees at agency hosted meetings, events, and conferences (regardless of event size) who are not fully vaccinated or who decline to provide their vaccination information must provide proof of a negative COVID-19 test completed no later than the previous 3 days and comply with masking and physical distancing requirements for individuals who are not fully vaccinated consistent with the requirements for visitors. In-person attendees in areas of high or substantial transmission must wear a mask in indoor settings regardless of vaccination status.

17 Facility Cleaning

Enhanced cleaning protocols are in place in high-touch areas. There are many high-touch areas throughout DOT that will receive enhanced cleaning, such as:

- Public high-traffic spaces: increased frequency (morning, afternoon, and evening) vs. daily cleaning
 - o Lobby turnstiles
 - o Lobby desks, chairs, door handles
 - o Elevator controls in each car and in the elevator lobbies
 - o Restrooms
 - o Handrails leading to the Headquarters concourse areas

- Lower-traffic high-touch public spaces: increased frequency (Monday, Wednesday, and Friday) vs. monthly cleaning
 - o Stairwell handrails and doorknobs
 - o Secure areas

CDC guidance on cleaning protocols can be found here: https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html.

Response Plan for Symptomatic or Confirmed Exposure

DOT will clean and disinfect after persons who are diagnosed with, or are symptomatic of, COVID-19 have been in a DOT facility. DOT's response plan is based on the <u>CDC guidance</u> and enhanced to deal with each building's HVAC systems and layout. OAs with Regional Offices should coordinate with their building points of contacts or lessor to clarify what processes they will or already have in place.

The CDC recommends that areas used by COVID positive or symptomatic persons are immediately closed off. DOT Facilities will wait as long as practical before beginning cleaning and disinfection to minimize potential for exposure to respiratory droplets.

Cleaning Guidelines

- Office of Facilities will isolate the space by closing doors to private offices, impacted bathrooms and pantries, and relocating people from cubicles or benching areas within 6 feet of the COVID positive or symptomatic individual's workspace.
- GSA contract cleaning staff will clean and disinfect all areas (e.g., offices, bathrooms, and common areas) used by the COVID positive or symptomatic person, focusing especially on frequently touched surfaces including counters, tabletops, doorknobs, bathroom fixtures, toilets, phones, keyboards, and tablets.
- If surfaces appear dirty, they will also be cleaned using a detergent or soap and water prior to disinfection. Disinfection cleaning will utilize products from the EPA List of Cleaning Chemicals Effective Against Coronavirus.

The agency ensures enhanced environmental cleaning of the spaces that the individual occupied or accessed in accordance with CDC and, where applicable, GSA guidance, which provides as follows:

- If fewer than 24 hours have passed since the person who is sick or diagnosed with COVID-19 has been in the space, clean and disinfect the space.
- If more than 24 hours have passed since the person who is sick or diagnosed with COVID-19 has been in the space, cleaning is enough. Agency 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.

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

18 Hygiene

DOT will continue to emphasize personal hygiene and basic infection prevention measures, including:

- Frequent and thorough hand washing with soap and water (for more than 20 seconds), or hand sanitizers that contain 60% alcohol if soap and water are unavailable.
- Having employees stay home if they feel sick.
- Practicing good etiquette when sneezing and coughing, to minimize spread of viruscontaining droplets.

DOT headquarters and field locations will ensure hand sanitizer stations are available at entrances and throughout workspaces. For example, touchless hand sanitizer units with sanitizer solution (with at least 60% ethyl alcohol solution) are available throughout the DOT headquarters building.

19 Ventilation and Air Filtration

Additional modifications may be considered in accordance with CDC guidance, including as employee density increases. To the maximum extent feasible, indoor ventilation will be optimized to increase the proportion of outdoor ventilation, improve filtration, and reduce or eliminate recirculation.

The CDC <u>COVID-19 Employer Information for Office Buildings</u> calls for office buildings to have ventilation system filtration that meets the <u>standards established by the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) with a Minimum Efficiency Reporting Value (MERV) of MERV 13 or higher.</u>

20 Collective Bargaining Agreements with DOT Workforce

Communication and collaboration with DOT's many labor unions is important. OA Labor Relations (LR) Officers should maintain strong lines of communication, reach out to their respective unions to share the recent safety guidance/direction, advise that new safety plans or procedures are forthcoming, and to emphasize that the safety of DOT employees is the absolute priority. OAs may have or create collective bargaining obligations in instances where safety directives differ from or affect the conditions of employment outlined in their collective bargaining agreements (CBAs). CBAs that establish safety standards higher than the minimum outlined in the OMB COVID-19 guidance or this safety plan should still be maintained. OAs should coordinate any such communications with their respective labor relations office and counsel office to address compliance questions including agency requirements pursuant to collective bargaining agreements and employee requirements regarding safety directives. OAs should strive for proactive and iterative engagement with unions on draft policies and on policy implementation, per EO 13991 and when appropriate.

21 Appendix A: Signage and Other Displays at DOT Headquarters

Note: Similar equipment and signage may be found at other DOT-occupied facilities.



Wall mounted hand sanitizer stations in all elevator lobbies above the ground floor



Freestanding sanitizer stations in the shuttle elevators and ground floor elevator lobbies





Typical TV display at ground floor elevator entrances



Building notice signs at elevator lobbies on all floors



Sign in restroom and pantry sinks on all floors

MASK REQUIRED IF NOT FULLY VACCINATED



IF NOT FULLY VACCINATED
(TWO WEEKS PAST YOUR FINAL DOSE)

FACE MASK REQUIRED TO ENTER

HELP PREVENT THE SPREAD OF COVID-19

Lobby signage

22 Appendix B: Additional Resources

The following provides additional resources are available to Operating Administrations and DOT employees, contractors, and contractor employees to inform their return to normal operations:

Cleaning	https://www.cdc.gov/coronavirus/2019-
	ncov/community/disinfecting-building-facility.html and
	https://www.epa.gov/coronavirus/guidance-cleaning-and-
	disinfecting-public-spaces-workplaces-businesses-
	schools-and-homes
Communications	https://www.cdc.gov/workplacehealthpromotion/planning/
	communications.html
Face masks	https://www.cdc.gov/coronavirus/2019-ncov/prevent-
	getting-sick/diy-cloth-face-coverings.html
OPM COVID-19 Policy Library	https://www.opm.gov/policy-data-oversight/covid-19/
Telework	<u>Telework Guide - Telework.gov</u>
Travel	https://www.cdc.gov/coronavirus/2019-
	ncov/travelers/index.html