

USDA COVID-19 Workplace Safety Plan

USDA's mission is to provide critical services for curbing poverty and hunger, make credit available for rural development (where approximately 20% of Americans live), stabilize or improve domestic farm income, manage the integrity of critical natural resources, ensure the quality of food supplies, develop markets for agricultural products and services, and sustain the productivity of the Nation's forests, grasslands, and natural resources. Accordingly, this USDA Workplace Safety Plan was created in response to:

- Office of Management and Budget (OMB) Memorandum [M-21-15](#), COVID-19 Safe Federal Workplace: [Agency Model Safety Principles](#) (September 13, 2021),
- Executive Order [13991](#), Protecting the Federal Workforce and Requiring Mask-Wearing (January 20, 2021), a part of the National Strategy for the COVID-19 Response and Pandemic Preparedness, and

Executive Order [14043](#), Requiring Coronavirus Disease 2019 Vaccination for Federal Employees (September 9, 2021).

It continues to be updated based on evolving guidance from the Centers for Disease Control and Prevention (CDC), guidance from other agencies, such as the General Services Administration (GSA) and the Office of Personnel Management (OPM), and the [Safer Federal Workforce Taskforce](#).

USDA created this workplace safety plan to guide how Mission Areas, Agencies, and Staff Offices can implement public health best practices as determined by the CDC. As we have done since the start of the pandemic, USDA is working to balance delivery of our critical missions with adapting to the everyday challenges that COVID-19 presents to the workforce. The health and safety of the USDA workforce, contractors, and the public is paramount.

State, local, commonwealth, territorial, or Tribal governments, may provide guidance that differs from this plan, but this is the Federal requirement minimum, regardless of such guidance. However, where a locality has imposed additional pandemic-related requirements more protective than those set forth in these model safety principles, those requirements should be followed in USDA facilities and on USDA land in that locality. USDA aims to be a partner in our communities to stop the spread of COVID-19.

In response to the OMB memorandum we have:

- issued USDA-wide guidance that is consistent with current CDC and other relevant guidance,
- reviewed the safety principles provided by the Safer Federal Workforce Task Force and adapted them to meet the needs of USDA, and
- designated a COVID-19 coordination team within USDA, including a Senior Advisor for COVID in the Office of the Secretary who coordinates the work of this team (see Appendix).

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The USDA COVID-19 workplace safety plan is as follows:

Health and Safety

Telework and Remote Work

USDA utilizes telework, flexible work schedules, and remote work consistent with the principles set forth in OMB Memorandum [M-21-25](#) and USDA plans for reentry and post-reentry. Employees currently working on maximum telework because of the pandemic on a frequent or regular basis will be given at least 45 days' notice and guidance before returning to the physical workplace. In some cases, mission critical work may require a shorter notification period. This information should be included in tailored agency plans (please see below on page 4 for how tailored plans are reviewed). In determining the advance notice provided to employees, USDA agencies will ensure labor management agreements are followed. USDA's agency leaders, with support from human resources (HR), evaluate activities, on an ongoing basis, that may require onsite work. As a general principle, every effort is being made to maximize the use of telework work during widespread community transmission unless it is physically impossible.

Levels of community transmission are established by consulting [CDC's COVID Data Tracker County View](#). Essential employees whose duties cannot be performed remotely are advised to follow best health practices identified by the CDC as discussed throughout the plan.

The agency uses its discretion in determining the counties relevant to the determination of the level of community transmission related to each agency facility. For example, the agency may consider the county in which an agency 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.

COVID-19 Coordination Team

USDA has established a COVID-19 Coordination Team which includes a representative from each Mission Area, Office of Human Resources Management, Office of the General Counsel, and two public health experts (see Appendix). The team works in collaboration with USDA unions. The Office of Operations provides occupational safety and health expertise for the National Capital Region. Mission areas leverage their mission area capacity and have been called on to support the COVID-19 Coordination Team. The team is responsible for conducting assessments to establish, implement, and monitor compliance with: (a) safety protocols for physical space including occupancy limits, cleaning, ventilation and social distancing protocols; (b) masking; and (c) determinations of onsite and telework/remote working. The USDA COVID-19 Coordination Team meets weekly to review compliance with USDA COVID-19 workplace safety plans and protocols, consider potential revisions to USDA's COVID-19 workplace safety plans and protocols, and any other operational needs. The USDA COVID-19 Coordination Team reviews draft COVID-19 workplace safety plans and protocols for USDA, makes any necessary changes, and submits plans to the Safer Federal Workforce Task Force for review and comment. As appropriate, the USDA COVID-19 Coordination Team may consult with the Safer Federal Workforce Task Force, GSA, OPM, OMB, and CDC. For privately owned and Federally leased space, the USDA COVID-19 Coordination Team coordinates with GSA, building security and

safety committees, and facility pandemic coordinators. We have proactive and iterative engagement with Federal employee unions on draft policies and on policy implementation, per the EO. To the extent USDA agency Collective Bargaining Agreement(s) provide stronger protections to employees than those outlined in this plan, the CBA(s) is followed. Given application of safety protocols to onsite contractor employees, the COVID-19 Coordination Team coordinates with the Chief Acquisition Officers/staff.

With respect to training and notification of the workforce, because USDA encompasses such a diverse workforce, we solicit Mission Area and Agency input on how they would propose training be conducted and completed for their employees. For example, some may want to leverage town halls, while others may decide to include a mandatory training in AgLearn curriculum where the USDA workplace safety plan could be posted and employees could certify that they reviewed it. Supporting our employees, including front-line supervisors and employees is a priority for USDA. Agencies and Staff Offices are strongly encouraged to identify and implement trainings that effectively guide employees on how to work and navigate working in a hybrid, and at times fully virtual, environment.

Face Masks and other PPE

Federal employees must be fully vaccinated by November 22, 2021, except in limited circumstances where an employee is legally entitled to a reasonable or religious accommodation that provides for an exception to this vaccine mandate. In addition, some contractor employees may not yet be subject to a contractual requirement to be vaccinated, and some visitors may not be fully vaccinated or decline to provide information on their vaccination status. USDA employees, onsite contractors, partners, volunteers, customers, and visitors who are fully vaccinated and working in parts of the country characterized as having “high” or “substantial” [COVID-19 transmission](#), are required to wear a mask in Federal buildings and in government owned or leased vehicles, except for the limited exceptions outlined below. Managers and employees should utilize the [CDC COVID Data Tracker](#) website to determine whether they are located in one of these areas.

The agency assesses transmission rates in a given area at least weekly to determine proper mask-wearing requirements.

When the level of transmission related to a given agency facility increases from low or moderate to substantial or high, the agency has a process to 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 agency 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 the agency utilizes those protocols recommended for areas of moderate or low transmission by CDC guidelines and guidance from the Safer Federal Workforce Task Force.

Regardless of locality, all individuals who are *not* fully vaccinated (at least 2 weeks past the final dose) are required to properly wear a mask and practice physical distancing in USDA buildings,

USDA-owned or -leased vehicles, and on USDA property and adhere to applicable CDC quarantine requirements.

In areas of low or moderate community transmission, [CDC guidance](#) indicates that, in most settings, fully vaccinated people can safely participate in most activities, indoor or outdoor, without wearing a mask or social distancing. Individuals in this scenario may voluntarily decide to wear a mask or practice physical distancing but are not required to do so. **Current USDA policy is that all employees, contractors, and visitors must wear masks in all USDA buildings and government owned or leased vehicles, regardless of vaccination status.** This is because USDA facilities are currently: in areas of “substantial” or “high” community COVID-19 [transmission \(as defined by the CDC\)](#), have employees or visitors traveling from counties of “substantial” or “high” community COVID-19 [transmission](#), or are located in close proximity to counties of “substantial” or “high” community COVID-19 [transmission](#) through which employees or visitors may regularly travel.

These Federal masking requirements are the minimum that are required, regardless of State, local, Tribal, commonwealth, or territorial and regulations regarding masking. However, federal employees that work in areas that have more protective State, local, Tribal, commonwealth, or territorial requirements as it relates to masking should follow those masking requirements.

To the extent funds are available, USDA provides masks when requested for staff and visitors. The degree to which agencies provide PPE is negotiated with labor partners at the agency level. If any employee is unable to wear a mask properly, [CDC guidance](#) should be considered. Accommodations are made for individuals with required documentation and should be in accordance with existing USDA and Equal Opportunity Employment Commission (EEOC) guidance.

Appropriate masks must be worn consistently and properly. When required, masks must be worn while inside all Federal buildings, while inside any private office spaces leased by USDA or the Federal government, and while riding in USDA vehicles. Masks must be worn in common areas or shared workspaces (including open floorplan office space, cubicle embankments, conference rooms, and USDA vehicles).

For all unvaccinated individuals, masks must also be worn in outdoor shared spaces when physical distancing cannot be maintained as indicated by signage at USDA facilities and on USDA lands throughout the country. USDA considers that to include an array of outdoor areas, ranging from areas where people can sit outside to eat or socialize (e.g., the patio in Wing 3 of the South Building) to outdoor recreation areas (e.g. the National Arboretum).

USDA’s agencies may provide for masking exceptions consistent with [CDC guidelines](#), for example when an individual is alone in an office with floor to ceiling walls and a closed door, when an individual is alone in a vehicle, or for a limited time when eating or drinking and maintaining distancing in accordance with CDC guidelines. Exceptions to the masking requirement must be cleared by the head of the respective agency as advised by the agency’s COVID-19 Coordination Team as well as the Office of the General Counsel and in consultation with the Safer Federal Workforce Task Force. Agency employees, onsite contractors, and visitors—as well as the Safer Federal Workforce Task Force—are made aware of any approved exceptions and related science-based risk/hazard mitigation protocols consistent with CDC guidance via USDA

communications (detailed below). This document is meant to govern workforce safety practices at USDA, but mission areas may submit tailored COVID-19 workplace safety plans for outdoor shared spaces to the USDA COVID-19 Coordination Team for approval.

Masks must cover the nose and mouth in accordance with current CDC and OSHA guidance. CDC recommends the following: Non-medical disposable masks, masks that fit properly (snugly around the nose and chin with no large gaps around the sides of the face), masks made with breathable fabric (such as cotton), masks made with tightly woven fabric (i.e., fabrics that do not let light pass through when held up to a light source), masks with two or three layers, and masks with inner filter pockets. USDA does not permit novelty masks, non-protective masks, masks with ventilation valves, or face shields as a substitute for masks.

Failure to comply with these requirements may lead to appropriate administrative action. This policy is to protect the health and safety of our workforce by limiting the exposure to COVID-19.

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

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

Please note that, in addition to the circumstances outlined above, masking is required for fully vaccinated people in settings such as while flying or taking public transit.

Process for tailored plans: The development, updating, and review of tailored facility level plans is to be delegated to the agency level. All plans are reviewed by the USDA COVID-19 Coordination Team and the Office of the General Counsel for final approval. Agencies are expected to post final plans on the Department's SharePoint site.

Vaccination Status for Employees, Contractors, and Visitors

- Vaccination Status for Employees

To ensure the safety of the USDA workforce, all USDA employees must be fully vaccinated by November 22, 2021, except in limited circumstances when an employee is legally entitled to an accommodation that provides an exception to this requirement. Employees are considered "fully vaccinated" two weeks after receiving the requisite number of doses of a COVID-19 vaccine approved or authorized for emergency use by the U.S. Food and Drug Administration or that has been listed for emergency use by the World Health Organization. For Pfizer-BioNTech, Moderna, or AstraZeneca/Oxford, that is 2 weeks after an employee has received the second dose in a 2-dose series. For Johnson and Johnson (J&J)/Janssen, that is 2 weeks after an employee has received a single-dose. Clinical trial participants from a U.S. site who are documented to have received the full series of an "active" (not placebo) COVID-19 vaccine candidate, for which vaccine efficacy has been independently confirmed (e.g., by a data and safety monitoring board), can be considered fully vaccinated 2 weeks after they have completed the vaccine series. Currently, the U.S.-based AstraZeneca and Novavax COVID-19 vaccines meet these criteria. A recent antibody test cannot be used to prove vaccination status.

Employees who are on maximum telework or working remotely are not excused from this requirement because employees working offsite may interact with the public as part of their duties and agencies may need to recall employees who are on maximum telework or working remotely.

For employees in the National Capitol Region, USDA recently re-established its Health Unit, which has vaccinations and boosters available. The location is 1411 South Building and employees should call (202) 720-9522 to make an appointment. Two satellite clinics are being stood up in the Whitten Building and the George Washington Carver Center. Details for those satellite clinics will be shared when it is available.

When a Federal 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 for such time during the employee's basic tour of duty. If, due to unforeseen circumstances, the employee is unable to obtain the vaccine during basic tour of duty hours the normal overtime hours of work rules apply.

In most circumstances, the agency 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. (If an employee needs to spend less time getting the vaccine, only the needed amount of duty time should be granted.)

The agency requires employees taking longer than four hours to document the reasons for the additional time (e.g., they may need to travel long distances to get the vaccine). If, due to unforeseen circumstances, the employee is unable to obtain the vaccine during basic tour of duty hours, the normal overtime hours of work rules apply.

Reasonable transportation costs that are incurred as a result of obtaining the vaccine from a site preapproved by the agency are handled the same way as local travel or temporary duty cost reimbursement is handled based on agency policy and the Federal Travel Regulation.

Supervisors should, based on Government-wide guidance grant leave-eligible employees up to 4 hours of administrative leave to employees who choose to receive a COVID booster shot. If an employee needs to spend less time getting the booster shot, only the needed amount of administrative leave should be granted. Additional time may be granted for extenuating circumstances such as the distance to the vaccination site. Employees may only receive administrative leave during their normal work hours and may not receive administrative leave or overtime work for time spent getting a booster shot outside their tour of duty.

Employees receive paid time off to address any side effects for the vaccination or booster. Administrative leave of up to two days is authorized if any employee has an adverse reaction to a 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 should work with their supervisor and HR organization to change timesheets in accordance with this guidance and answer any specific questions the employee might have. If an employee requests more than 2 workdays to recover, the agency (e.g., supervisor) may make a determination to grant emergency paid leave under the American Rescue Plan Act—if available—or the employee may take other appropriate leave (e.g. sick leave) to cover any additional absence.

Employees impacted by this mandate who receive required COVID-19 vaccinations on or after the date of the Executive Order (September 9, 2021) may be afforded coverage under the Federal Employees' Compensation Act (FECA) for any adverse reactions to the vaccine itself, and for any injuries sustained while obtaining the vaccination.

Employees also receive up to four hours of administrative leave per dose to accompany a family member being vaccinated. For this purpose, a "family member" is an individual who meets the definition of that term in OPM's leave regulations (see 5 CFR 630.201). If an employee needs to spend less time accompanying a family member who is receiving the COVID-19 vaccine, the agency grants only the needed amount of administrative leave. Employees should obtain advance approval from their supervisor before being permitted to use administrative leave to accompany a family member who is receiving a COVID-19 vaccination. 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.

All employees, even if they have previously attested to their vaccination status, must provide proof of vaccination, except in limited circumstances where an accommodation is legally required. Proof of vaccination means 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 or verification containing required data points (the document submitted must identify 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)). Employees must certify under penalty of perjury that the documentation they are submitting is true and correct.

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

Employees must submit proof of vaccination by clicking [here \(restricted USDA employees\)](#). Employees should contact their supervisor with questions about submitting proof of vaccination.

Only persons with a need to know have access to an employee's vaccine verification information. The documentation is held in accordance with all applicable laws, including the Privacy Act and Rehabilitation Act of 1973. If an employee signs and submits a paper form, then this form, like all medical information, must be kept confidential and stored separately from the employee's personnel files.

In requesting this vaccination information from employees, onsite contractor employees, and visitors, the agency: (1) complies with any applicable Federal laws, including requirements under the Privacy Act and the Paperwork Reduction Act, and any applicable collective bargaining obligations; (2) takes steps to promote privacy and IT security, while also providing the relevant information to those who need to know in order to implement the safety protocols; (3) consults with its Agency Records Officer, Chief Information Officer, and Senior Agency Official for Privacy to determine the best means to maintain this information to meet the agency's needs; and (4) only disseminates this vaccination information to the appropriate agency officials who have a need to

know to ensure effective implementation of the safety protocols, which, in many cases, includes the supervisor level.

USDA will not disclose, except in limited circumstances when authorized, the vaccination status of its employees consistent with applicable laws that require the Agency to maintain the confidentiality of Federal employee medical information, including the confirmation of COVID-19 vaccination. While USDA cannot divulge vaccination status, USDA has implemented a robust workplace safety program to limit the spread of COVID-19. Employees are expected to comply with USDA's established safety protocols for vaccinated and unvaccinated employees.

If a Federal employee refuses to be vaccinated or provide proof of vaccination and does not have an approved religious or reasonable accommodation for a vaccine exception, USDA will pursue disciplinary measures, up to and including removal from Federal service.

When an employee discloses that they are not fully vaccinated or declines to provide their vaccination status to USDA, or until USDA knows the vaccination status of an employee, the employee must follow the protocols for an individual who is not fully vaccinated, pending any appropriate disciplinary action if the employee has not requested an exception and does not have an exception request under consideration by the deadline for vaccination.

Individuals who start their government service prior to November 22, 2021 must be fully vaccinated by November 22, 2021, except in limited circumstances where an accommodation is legally required. Individuals who start their government service after November 22, 2021, need to be fully vaccinated prior to their start date, except in limited circumstances where a reasonable or religious accommodation is legally required. If an agency has an urgent, mission-critical hiring need to onboard new staff who cannot be fully vaccinated by November 22, 2021, such new hires must be fully vaccinated within 60 days of their start date (except in limited circumstances where a religious or reasonable accommodation is legally required), and they must follow safety protocols for not fully vaccinated individuals until they are fully vaccinated. OPM has issued [further](#) guidance to agencies, including suggested language for job opportunity announcements and tentative and final offer letters. USDA has incorporated OPM's further guidance.

Employees on extended leave of absence (e.g., utilizing annual leave, sick leave, donated annual leave, military leave, leave without pay, paid parental leave, unpaid leave under Family and Medical Leave, or due to receiving workers compensation) must submit documentation establishing that they are fully vaccinated (or request a legally required exception) prior to the employee returning to duty. Such employees are not required to be vaccinated by the November 22, 2021 deadline, as long as they are on extended leave of absence and will not return to work until a later date.

Seasonal employees must submit documentation establishing that they are fully vaccinated (or request a legally required exception) prior to returning to duty. Such employees are not required to be vaccinated by the November 22, 2021 deadline, as long as they will not return to duty until a later date.

Employees who are on detail to another executive branch agency must be fully vaccinated by November 22, 2021. Detailed employees should follow the procedures of their home agency for submitting documentation to demonstrate their compliance with the vaccination requirement.

Employees who are detailed to positions outside of an executive branch agency must submit documentation establishing that they are fully vaccinated (or request a legally required exception) prior to the employee returning to duty at their home agency. Employees who are overseas should follow their Chief of Mission.

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. Consistent with the Administration's policy, USDA will initiate an enforcement process to work with employees to ensure their compliance.

If an employee has provided notice that they are leaving federal employment and are on leave until the date they depart, USDA will not enforce the vaccine requirement of Executive Order 14043.

- Exceptions to the Vaccine Requirement for Employees

Federal employees must be fully vaccinated other than in limited circumstances where the law requires USDA to provide an accommodation to an employee who cannot be vaccinated against COVID-19 because of a medical condition or because of a sincerely held religious belief, practice, or observance. Employees may request a medical or religious accommodation.

Employees who wish to request an exception to this requirement for medical reasons should submit a request for a reasonable accommodation to their Reasonable Accommodation Coordinator. [Here](#) is a link to the Reasonable Accommodation Coordinators.

Employees who wish to request an exception to this requirement due to a sincerely held religious belief or practice should submit their request for a religious accommodation to their Religious Accommodation Coordinator. [Here](#) is a link to the Religious Accommodation Coordinators, which includes a religious accommodation request form. Requests must be in writing but there is no requirement to use a particular form or format. Employees who do not answer all the questions on the provided form are not disqualified from requesting a religious accommodation. However, employees should provide sufficient information to support their requested accommodation. Failure to provide sufficient information may lead to a decision-maker denying the request.

USDA will not pursue disciplinary measures for failure to comply with the vaccination requirement against an employee who has a pending request for an accommodation related to the vaccine requirement.

Determining whether an exception is legally required will include consideration of factors such as the basis for the claim; the nature of the employee's job responsibilities; and the reasonably foreseeable effects on the agency's operations, including protecting other agency employees and the public from COVID-19.

If an employee's request for accommodation is denied, following the agency's established process for consideration and appeal, the agency will require that employee to receive their first

(or, if a one-dose series, only) dose within two weeks of the final determination to deny the accommodation. If receiving a two-dose series, the employee must receive the second dose within 6 weeks of receiving the first dose. Departmental Regulation 4300-008 permits employees to request reconsideration within 10 business days. A request for reconsideration does not extend the time limits for initiating administrative, statutory, or collective bargaining claims. However, employees are not required to receive their COVID vaccination until after the timeframe for reconsideration has passed.

Generally, employees who are approved for accommodation would need to follow applicable masking, physical distancing, and testing protocols (if required) for individuals who are not fully vaccinated, as well as applicable travel guidance.

- **Vaccination Status and Other Safety Protocols for Contractor Employees**

Pursuant to [Executive Order 14042](#) on Ensuring Adequate COVID Safety Protocols for Federal Contractors, as well as the Safer Federal Workforce Task Force's guidance and Frequently Asked Questions for Federal contractors and subcontractors, and in addition to any requirements or workplace safety protocols that are applicable because a covered contractor or subcontractor employee is present at a Federal workplace, Federal contractors and subcontractors with a covered contract for construction or services above the simplified acquisition threshold are required to comply with all guidance, including guidance conveyed through Frequently Asked Questions, as amended during the performance of this contract, for contractor or subcontractor workplace locations published by the Safer Federal Workforce Task Force at <https://www.saferfederalworkforce.gov/contractors/>. That guidance includes details regarding the following workplace safety protocols:

- Covered Contractor Employees must be fully vaccinated for COVID-19 by January 18, 2022, except in limited circumstances where an employee is legally entitled to an accommodation.
- All individuals, including covered contractor employees and visitors, must comply with the Guidance related to [Masking and Physical Distancing](#) while in covered contractor workplaces.
- Designation of a Point Person or Persons to coordinate COVID-19 workplace safety efforts at covered contractor workplaces.

Covered contractors are also required to include the substance of this [contract clause](#) in subcontracts at any tier that exceed the simplified acquisition threshold, as defined in Federal Acquisition Regulation 2.101 on the date of subcontract award, and are for services, including construction, performed in whole or in part within the United States or its outlying areas.

This new clause applies to contracts and contract-like instruments, as defined under Executive Order 14042, under the following timelines:

- New contracts awarded on or after November 14, 2021 from solicitations issued before October 15, 2021 (this includes new orders awarded on or after November 14, 2021 from solicitations issued before October 15 under existing indefinite-delivery contracts).
- New solicitations issued on or after October 15, 2021 and contracts awarded pursuant to those solicitations (this includes new solicitations issued on or after October 15, 2021 for

orders awarded pursuant to those solicitations under existing indefinite-delivery contracts).

- Extensions or renewals of existing contracts and orders awarded on or after October 15, 2021.
- Options on existing contracts and orders exercised on or after October 15, 2021.

Pursuant to the Guidance, the [Executive Order](#) 14042 applies to all procurement contracts and contract-like instruments for services or construction, services covered by the Service Contract Act (including concession contracts), and contracts in connection with Federal property or lands and related to offering services to Federal employees, their dependents, or the general public. The term contract or contract-like instrument also includes lease agreements, cooperative agreements, licenses, and permits. The [Executive Order](#) 14042 also applies to solicitations, extensions or renewals, and exercises of options for these types of contracts and contract-like instruments.

The [Executive Order 14042](#), however, exempts (1) grants; (2) contracts, contract-like instruments, and agreements with Indian Tribes under the Indian Self-Determination and Education Assistance Act; (3) contracts or subcontracts below the simplified acquisition threshold; (4) employees who perform work outside the United States or its outlying areas; and (5) contracts or subcontracts solely for the provision of products (including commodity purchases).

To the extent allowable under agency authorities, USDA strongly encourages agencies and higher-tier contractors to incorporate these requirements into contracts excluded by the [Executive Order 14042](#), such as contracts under the simplified acquisition threshold and contracts and subcontracts for products.

- **Vaccination Status for Onsite Contractor Employees**

A “contractor”, for purposes of this section, is defined as a contractor employee performing a procurement contract providing goods or services for the direct use of the Federal government that is governed by the Federal Acquisition Regulation or performing work under a contract-like instrument, on-site.

“Onsite” contractors may include contractor personnel who share USDA facilities (which includes vehicles and aircraft) or work at an outdoor site together with Federal employees on a regular basis on activities that make social distancing impractical or is contraindicated by operational needs to complete work to be performed (e.g., FS firefighting crews; county committee meetings and executive sessions).

A. Onsite Contractor Employees Not Subject to a Contractual Requirement to be Vaccinated

Prior to a contractor’s employees being subject to a contractual requirement to be vaccinated, USDA will ask about the vaccination status of those onsite contractor employees. Onsite contractor employees must attest to the truthfulness of the responses they provide by completing the [Certification of Vaccination form](#) and present it upon entry to a Federal Building or Federal worksite. A paper copy of the form can also be completed upon arrival. Onsite contractors are expected to keep the completed Certification of Vaccination form on their person while they are inside a Federal building.

Onsite contractor employees who are not yet contractually required to be vaccinated and who are not fully vaccinated or who decline to provide information on their vaccination status must provide proof of a negative COVID-19 test from no earlier than 3 days prior when in a Federal building. Of note, it is 3 days from when the test was taken (not 3 days from when the results became available). If a contractor employee is regularly tested pursuant to an agency screening testing program, they do not need to provide proof of a negative COVID-19 test from no later than 3 days when in a Federal building unless required by the agency testing program.

USDA may email the form to contractor employees in advance of their time onsite or utilize a unique tool or application to share the form with contractor employees and enable them to easily complete it. For those onsite contractor employees who do not have access to email or applications, USDA has determined the best method of distribution, including by having printed copies of the form at the entry point to the worksite.

B. Onsite Contractor Employees Subject to a Contractual Requirement to be Vaccinated

For contractor employees who do have a contractual requirement to be vaccinated, it is the responsibility of the COR (Contracting Officer Representative) or agency-authorized official for a contract-like agreement to work with the covered contractor entity Designated Point of Contact to determine the vaccination status of covered contractors and ensure they follow the appropriate COVID safety protocols. For example, agencies with employees and a covered contractor on the same floor with shared facilities could ask the contractor to submit a weekly vaccination status list for its employees to be onsite that week to the COR and then the agency can make such adjustments as needed for physical distancing, etc., without need for the covered contractor employee to present a Certification of Vaccination at the agency location.

Unless separate arrangements are made with a contractor entity by the contracting officer representative (COR) or agency-authorized official for a contract-like agreement (see below), onsite contractor employees subject to a contractual requirement to be vaccinated still must complete the Certification of Vaccination form, provide it to the agency, and keep a copy with them during their time on Federal premises—they may be asked to show the form upon entry to a Federal building or Federally controlled indoor worksite and to a Federal employee who oversees their work. If collected at the onsite USDA agency, Certification of Vaccination forms from contractor employees may be collected and maintained in accordance with the Privacy Act under system of records, USDA/OSEC-02 Contractor and Visitor Public Health Emergency Records 86 Fed. Reg. 62,142 (November 9, 2021). Forms will be distributed to contractor employees in the same manner as indicated above.

For delivery services in a large building (such as the South Building in DC), where a delivery driver may spend more than 30 minutes delivering packages to various offices, the non-employee contractor/visitor vaccine certification form should be completed. For one off short drop-offs in small buildings (approximately 30 minutes or less), the vaccine certification form is not required but these individuals do need to follow the masking requirements.

- **Vaccination Status for Visitors and Customers**

A visitor is defined as anyone who is not a USDA employee or a contractor and includes categories such as: volunteers, retirees, people with appointments with the agency, and

stakeholders. Visitors should complete the Certification of Vaccination [form](#) in advance or complete in paper copy upon arrival. USDA facilities are be instructed to make paper copies of the blank certification of vaccination form available at building entrances, as appropriate.

Visitors are expected to show the completed form upon entry into a Federal building or Federally controlled indoor worksite and then keep the form on their person while they are inside a Federal building or Federal worksite. It is the responsibility of the host agency (including in multi-tenant buildings) to ensure that a visitor has completed the vaccine certification form and is following the appropriate COVID safety protocols. Agencies should do this in a way that makes the most sense for them. In co-located facilities, agencies are required to harmonize on how they are checking the information and ensure compliance with appropriate COVID safety protocols. Agencies should not collect or maintain visitors' certification of vaccination forms at this time.

Visitors 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.

Of note, members of the public entering a USDA building or USDA land to obtain a public service or benefit are not required to provide their vaccination status or proof of a recent negative COVID-19 test. USDA defines a public benefit or service as applying to all visitors at services centers or field offices, recreation areas, food and nutrition direct service centers, and grain offices. If they are not fully vaccinated, these visitors must comply with all relevant CDC guidance, including wearing a mask and physically distancing from other people.

If a customer refuses to comply with USDA's safety protocols, USDA employees can considerately make customers aware of the masking requirement. Customers who do not honor USDA's requirement should be asked, politely, to do so. If the customer refuses, that is the individual's right, but they must be directed to conduct business off-site (over the phone or online) and to please depart the premises. USDA employees should remain respectful yet safe and call for assistance from local authorities if the situation cannot be resolved.

Testing

At this time, USDA is not establishing a Department-wide COVID screening testing program. In limited situations, agencies may establish a screening programing as part of their agency tailored plans. Should an employee with an exception to the vaccination requirement have an accommodation that includes regular testing, USDA will provide more information to the employee on those testing requirements consistent with forthcoming Safer Federal Task Force guidance.

USDA is establishing a process for employee diagnostic testing after a workplace exposure. As of right now, diagnostic testing is available at the Health Unit in the South building which is located at Headquarters. More information on that process is forthcoming. Federal employees who have been exposed to persons with COVID-19 at work will receive diagnostic testing at no cost to the employee.

Contact Tracing

USDA's COVID-19 Coordination Team collaborates with and supports the contact tracing programs of mission areas to assist local health departments to identify, track, and manage contacts of COVID-19 cases. Facility pandemic coordinators implement infection control and workplace safety efforts once informed of a known or suspected case of COVID-19 (either due to specific symptoms or positive test

Facility pandemic coordinators have 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. Within the National Capital Region (NCR), the Director of the Office of Safety, Security and Protection is USDA's NCR pandemic coordinator and has responsibility for notification. Employees who have returned to the office must report if they subsequently receive a positive COVID-19 result. Employees who remain on maximized telework and have not come into a USDA workspace may report a COVID-19 positive result. All positive COVID-19 cases reported (for employees and contractors) must be entered into the Department's COVID Positive Test Dashboard which is accessible by the Pandemic Coordinators. In the Nation Capital Region, employees can access the SharePoint Tracker tool (which feeds the dashboard) to see test positive cases in the buildings.

If 3 or more COVID-19 cases occur in a month within a specific building or work setting, it is the responsibility of USDA's COVID-19 Coordination Team (or a field office/USDA component designee) to determine—in consultation with local public health officials—appropriate next steps. This may include potential redesign of safety practices in the building/work setting and/or reevaluation of work scheduling. USDA is transparent in communicating related information to the workforce, as relevant and appropriate, consistent with local and Federal privacy and confidentiality regulations and laws.

The agency is transparent in communicating related information to the workforce, as relevant and appropriate. Disclosures by the agency regarding COVID-19 cases are consistent with Federal, State, and local privacy and confidentiality laws and regulations.

Travel for Official Business

To protect employee health and safety, all employees, regardless of vaccination status, should continue to limit official travel to mission critical activities, through January 3, 2022 when most USDA employees will begin their phased return to the physical workplace. Until January 3, 2022, any work-related travel must be assessed by managers to determine whether it meets the mission critical requirements and managers should consider transmission rates in the community to which the employee travels. Mission critical refers to activities necessary for the ongoing operation of the Department and its programs which cannot be performed remotely. Until January 3, 2022, employees should continue to limit official travel to mission critical activities, as determined by each Agency, and follow CDC guidance, as appropriate. This decision to limit official travel to mission critical activities is made with the health and safety of our employees in mind. In limited circumstances where official travel is involved, agencies may assign work based on an employee's vaccination status where the quarantine requirements for unvaccinated individuals in the destination locale would negatively impact the unvaccinated employee's ability to perform the assignment.

Official international travel should be limited to mission critical (e.g., military deployments, COVID-19 response deployments/activities, diplomats traveling, high-level international negotiations that cannot occur remotely), through January 3, 2022. Private transportation for official travel is preferred to use in lieu of public or other communal transportation, in combination with other safety/security guidance. USDA follows guidance from the Department of State with regard to USDA employees at overseas duty stations.

All travelers, including fully vaccinated Federal employees, should continue to take health and safety precautions. CDC COVID-19 [prevention measures](#) continue to apply to all travelers, including those who are vaccinated. All travelers are required to [wear a mask](#) over nose and mouth on all 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 and stations.

USDA employees traveling for official business should adhere to [CDC guidelines on travel](#). Supervisors must comply with any tailored agency plan before approving official travel and employees must follow any tailored agency plan before, during, and after official travel. At this time, CDC guidance includes the following precautions: carefully assessing travel risk prior to travel, wearing a mask during all portions of a trip, maintaining physical distance from non-household members, maintaining good hand hygiene by regularly washing hands with soap and water, or using alcohol-based hand sanitizer if soap and water are not available, and getting tested and staying home after higher-risk travel (as defined by the CDC) before returning to the workplace. The CDC has extensive guidelines for both domestic and international travel, and federal workers should consult these resources carefully before deciding to travel.

Federal employees who are fully vaccinated do not need to get tested before or after domestic travel or self-quarantine after travel, unless required by their destination.

However, all air passengers coming to the United States from abroad, including Federal employees who are fully vaccinated, are [required](#) to have a negative SARS-CoV-2 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 5-7 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.

The cost of testing for current infection with SARS-CoV-2, 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 agency travel policies.

For employees who need to quarantine after work-related travel, administrative leave or weather/safety leave may be provided.

Off Duty Activities

If an employee needs to quarantine based on CDC guidance due to exposure that is not related to their employment at USDA, they should telework during that period if possible. If the employee is not eligible for telework, they should follow CDC guidance on getting a COVID test and

quarantine until they either receive negative test results or CDC guidance indicates that the quarantine period is sufficient.

If quarantine is required because of personal travel, and the employee is otherwise expected to be present onsite, the employee may take annual or sick leave while quarantining. If an employee refuses to quarantine or refuses to take annual or sick leave while under mandatory quarantine after personal travel, the agency may elect to bar the employee from the workplace for the safety of others. If the agency bars the employee from the workplace, the employee must be placed on administrative leave until the agency determines what status the employee should be placed in while on quarantine. The agency, however, should avoid placing an employee on extended administrative leave in this situation and should act quickly to determine the appropriate status for the employee.

Symptom Monitoring

If USDA employees, onsite contractors, or visitors who have symptoms consistent with COVID-19, they should not enter the USDA workplace. Federal employees and contractors working on site are regularly asked to complete virtual or in-person health checks (such as a symptom questionnaire). This information is used to assess the individual's risk level and to determine whether they should be allowed entry to the workplace. Visitors are also asked to complete symptom screening before entering a USDA facility. USDA will consider using mobile/web application tools to help facilitate this process. Any individual who develops any [symptoms consistent with COVID-19](#) during the workday must immediately isolate, wear a mask, notify their supervisor, and promptly leave the workplace. USDA has processes in place to provide advice and support to supervisors on any related reporting or HR requirements.

Quarantine and Isolation

Any individual (employees or contractors) with a suspected or confirmed case of COVID-19 is advised to isolate by their supervisor, pursuant to CDC guidelines, and in compliance with local laws/regulations and Tribal guidance. Personnel who have had a close contact ([as defined by the CDC](#)) with someone who has COVID-19 should follow CDC and local and Tribal guidance for quarantine. As mentioned above, employees who have physically returned to their duty station must report a subsequent positive test result to their supervisor or agency point of contact. All positive COVID-19 cases reported must be entered into the Department's Test Positive Tracking Tool, which is accessible by the Pandemic Coordinators. No personal identifiable information (PII) is collected in this tool.

Unvaccinated individuals should quarantine for 14 days following exposure if they have been in [close contact](#) (within 6 feet of someone for a cumulative total of 15 minutes or more over a 24-hour period) with someone who has COVID-19.

Fully vaccinated employees, who have come into [close contact](#) with someone with suspected or confirmed COVID-19, need to be tested 5-7 days after exposure, and to wear a mask in public

indoor settings for 14 days or until they receive a negative test result. If their test result is positive, they should isolate for 10 days assuming they have no symptoms.

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

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 2020-05, March 7, 2020)

Confidentiality

All medical information collected from personnel, including vaccine status, test results and any other information obtained as a result of testing and symptom monitoring, is treated confidentially in accordance with applicable law, and accessible only by those with a need to know in order to protect the health and safety of personnel. The point of contact for all questions relating to personal medical data is the agency Reasonable Accommodation Coordinators since they are experienced in managing personal medical data. [Here](#) is a link to the Reasonable Accommodation Coordinators. Employees are asked to refer questions related to reasonable accommodation to the coordinators in their mission area, who are familiar with protecting medical data.

USDA takes steps to promote privacy and IT security, while also providing the relevant information to agency officials who need to know in order to implement the safety protocols. USDA consults, as appropriate, with its Agency Records Officer, Chief Information Officer, Chief Medical Officer, Senior Agency Official for Privacy, and agency legal counsel to determine appropriate information management protocols.

Workplace Operations

USDA expects all employees, onsite contractors, and all persons in USDA buildings or on USDA lands who have not received a vaccine to properly wear face masks, maintain physical distance, and take other public health measures as appropriate, which may also include wearing a face shield or other personal protective equipment (PPE).

Occupancy

After January 3, 2022, the 25% occupancy limit will no longer be in effect. However, implementation of agency reentry plans is at the discretion of each agency to manage, and USDA considers the level of community transmission in implementing each phase of its phased reentry plan.

Meeting, Conference, and Events

Any meeting, conference or event that is attended by more than 50 in-person participants requires approval by the agency head, in consultation with USDA's public health experts, Drs. Bleich and Parham. This approval process only applies for agency hosted events and includes both indoor and outdoor events.

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

Physical Distancing

To the extent practicable, individuals who have not been vaccinated are asked to maintain distance of at least six feet from others at all times, consistent with CDC guidelines, including in offices, conference rooms, and all other communal areas and workspaces. Distance and testing are not substitutes for wearing masks. Individuals must maintain distance AND properly wear masks (see guidance above). Reconfiguration of workspaces or office assignments, and other mitigation strategies have been implemented to minimize interactions. As noted above, masks should also be worn in outdoor shared spaces when physical distancing cannot be maintained. Please see communications section below detailing how information is shared with various USDA stakeholders.

Environmental Cleaning and Disinfection

Enhanced cleaning and disinfection in common use/high touch/high density spaces, such as lobbies, restrooms, elevators, and stairwells are provided. Office space that is in regular use are cleaned and disinfected regularly, and in accordance with CDC guidelines. Wipes, gloves, and EPA-approved disinfectants are made available for individuals to wipe down their workstation and related personal property. Physical barriers such as plexiglass shields will be installed where appropriate as determined by the COVID Coordination Team Signage and cleaning supplies are provided where share tools and equipment are located to ensure that users disinfect and clean before and after usage.

In the event of a suspected or confirmed case of COVID-19 in the workplace (if the individual had been in the building up to seven days prior), enhanced environmental cleaning and disinfection are performed in accordance with CDC and 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. The space may be disinfected depending on certain conditions or everyday practices required by the 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.

A person has suspected COVID-19 if they show symptoms of COVID-19 but either have not been tested via a viral test or are awaiting test results. If such enhanced cleaning is required, we wait 24 hours before cleaning or disinfecting. If 24 hours is not feasible, we wait as long as possible, ideally at least several hours. Personnel and visitors may be asked to vacate the affected space until cleaning and disinfection is completed. As mentioned above, all positive COVID-19 cases reported must be entered into the Department's SharePoint Tracker tool which is accessible by the Pandemic Coordinators and employees in the NCR.

USDA's COVID-19 Coordination Team or local offices, as appropriate, will determine the suitable 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.

Hygiene

Hand sanitizer stations are available at the building entrance and throughout workspaces, and contain FDA-approved hand sanitizer, with at least 60% ethanol. Ingredients should be listed on a "Drug Facts" label. USDA will ensure the hand sanitizer is not on the FDA's [do not use](#) list. Personnel are encouraged to wash their hands with soap and water for at least 20 seconds or use hand sanitizer or alcohol-based hand rubs frequently. They are also encouraged to follow [CDC guidance](#) on hand hygiene before eating, drinking or smoking, and after using the restroom.

Ventilation and Air Filtration

To the maximum extent feasible, indoor ventilation has been optimized to increase the proportion of outdoor ventilation, improve filtration, and reduce or eliminate recirculation. This has been completed and continues to be monitored for space occupied at the Headquarters Complex (Whitten and South Building) and the George Washington Carver Center. GSA and other private landlords handle the other leased facilities in the NCR including the Yates Building, Braddock Road, Riverdale, Thomas Circle, and Patriots Plaza. Agencies with field offices are responsible for these changes. Additional modifications may be considered in accordance with [CDC guidance](#), including as percent occupancy increases.

Visitors

At this time, the number of visitors to the USDA workplaces is minimized, and efforts should be made to conduct visits virtually where possible. Specifically, we restrict visitors to essential, time-sensitive, scheduled visits only, require visitors to be escorted at all times and limit visitor access to non-essential areas of the USDA. Any visitor may be screened, tested if appropriate, and asked to fill out a symptom questionnaire form before entering the workplace. Visitors are expected to

follow [CDC guidance](#) for mask wearing and physical distancing in USDA or USDA leased facilities. Please see the guidance, above.

Staggered Work Times and Cohort-Based Scheduling

Personnel are encouraged to stagger work times to reduce density, minimize traffic volume in elevators, and avoid crowds during commuting. USDA is also able to implement team or cohort-based scheduling, to help reduce exposure. USDA HR teams consult with OPM as needed to understand the pay and leave implications surrounding staggered work schedules and other flexibilities.

Elevators

Occupational health professionals in USDA have assessed elevators to determine safe occupancy. Individuals must wear masks in elevators and in elevator lobbies. The use of stairs by those who are physically able is strongly encouraged. Signage is posted to explain current procedures. Occupational health professionals have assessed shared space occupancy to determine safe occupancy levels. USDA facilities are responsible for developing controls to enforce elevator occupancy limits.

Shared spaces

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

Agency communication plan to inform Federal employees, onsite contractors, and visitors of current and upcoming policy changes

USDA educates and informs employees, contractors, and visitors to USDA facilities and federal lands in a variety of ways.

Employees and Onsite Contractors

The USDA Intranet is a primary tool for communicating internal messages to staff working remotely as well as onsite. All USDA employees have access to the Intranet; guidance documents, memos, and letters from the leadership are posted regularly. Separately, the Office of the Secretary regularly distributes guidance (talking points) to Subcabinet officials, Agency Heads, and senior staff to help communicate directly to their teams; these leaders provide guidance to supervisors and line managers. The Office of the Secretary also uses email marketing techniques to reach staff and contractors with important news and information. Using email, USDA issues Department-wide guidance about evolving [CDC guidance](#) on masking and physical

distancing. Finally, USDA posts signage and key messages at gateways of entry, doors, reception desks, commons areas such as restrooms and hallways, conference rooms, and Ranger District stations that provide information about policies and procedures related to COVID-19 for staff and contractors alike. For example, these messages communicate the current indoor masking requirement.

Visitors and the Public

USDA websites—USDA.gov as well as hundreds of agency, state office, and National Forest websites—are the primary means of communicating with the public. USDA and USDA Agencies also share key messages with the public via social media (Twitter, Facebook, Instagram, YouTube). USDA posts signage and key messages at gateways of entry, doors, reception desks, commons areas such as restrooms and hallways, conference rooms, and Ranger District stations that provide information about policies and procedures related to COVID-19 (e.g., wearing a mask indoors). USDA also utilizes radio via the USDA Radio services to distribute prepackaged radio stories and PSAs to radio stations across the country.

Engagement with USDA Unions

USDA's COVID-19 safety plan is shared with the unions that have National Consultation Rights in draft form for feedback and input on implementation. Similarly, each USDA agency shares the safety plan with their respective union(s). This feedback guides policy development and implementation plans.

There may be collective bargaining obligations over the impact and implementation of the Agency Model Safety Principles and CDC guidelines. Section 2(c) of the EO requires agencies to promptly consult, as appropriate, with employee unions. The agency should promptly notify its unions of the actions it intends to take to require compliance with CDC guidelines to provide a meaningful opportunity for the unions to consult as provided in Section 2(c) of EO 13991.

Implementation of Task Force principles and guidelines is essential to protect the health and safety of all Federal employees, onsite contractor employees, and individuals interacting with the Federal workforce in Federal buildings, in federally controlled worksites, and on Federal lands. They constitute Government-wide policy that is in effect for employees subject to the requirements of Executive Order 13991 and Executive Order 14043.

Since agencies need to act quickly due to the COVID-19 emergency and to protect the health and safety of employees, contractor employees, and visitors, USDA communicates with the appropriate union representatives as soon as possible and otherwise satisfies any applicable collective bargaining obligations under the law at the earliest opportunity, including on a post-implementation basis where appropriate.

The agency should consult with its office of human resources and agency legal counsel to determine appropriate labor relations obligations.

If USDA determines that these matters are already covered by an existing collective bargaining agreement and collective bargaining is not required, USDA will satisfy its consultation obligations, as appropriate, under Section 2(c) of EO 13991. To the extent that collective bargaining

agreements (CBAs) have codified safety plans with more stringent safety standards than provided in CDC guidance, USDA will honor the CBAs. The agency should acknowledge any CBA safety plans in its COVID-19 Workplace Safety Plan.

Timeline for any updates to existing agency policies

As mentioned above, this document is established as the governing Workplace Safety Plan for USDA's COVID-19 Response and Pandemic Preparedness, and supersedes previously issued USDA guidance documents and re-opening playbooks (for the country and for the National Capital Region). By doing so, this brings existing policies into compliance with USDA's overall COVID-19 Workplace Safety Plan. Any subsequent policy updates or building/facility-specific policy updates are done in accordance with changes to CDC guidelines and guidance from the [Safer Federal Workforce Task Force](#).

Appendix: COVID-19 Coordination Team

| Areas of expertise | Title |
|---------------------------------------|--|
| Executive Leadership | Assistant Secretary for Administration |
| Public Health | Senior Advisors, COVID-19, Office of the Secretary |
| Occupational Safety and Health | Safety and Occupational Health Manager |
| Human Resources | Acting Chief Human Capital Officer |
| Office of the General Counsel | Assistant General Counsel |