



FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

COVID-19

WORKPLACE SAFETY PLAN

(May 28, 2021)

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INTRODUCTION

The Federal Mine Safety and Health Review Commission (FMSHRC) is committed to a high standard for protecting the health and safety of its workforce during the Coronavirus 2019 (COVID-19) pandemic while continuing the agency's mission. The guidance and information in this work safety plan supersedes the information in previously published FMSHRC guidance on COVID-19, specifically Opening Up America Again, OMB memo M-20-23, Aligning Federal Agency Operations with the National Guidelines for Opening Up America Again and the July 28, 2020 Covid-19 Return to the Federal Workplace Agency Plan. Additional and supplemental implementation guidance will be provided and considered as necessary. This plan reflects new information and guidance about social or physical distancing, handwashing, face coverings, cleaning, disinfecting, and several other ways to maintain a safe and healthy work environment in all federal workplaces. It will remain in effect throughout the agency's transition to a return to post-pandemic operations. It will be periodically reviewed and may be updated as necessary to remain current with changing public health conditions and additional guidance from the President's Safer Federal Workforce Task Force Office, including the Office of Management and Budget (OMB) and the Centers for Disease Control (CDC).

The FMSHRC Team, described more fully below in Section IV, will direct implementation of this policy in order to monitor and report on possible or confirmed COVID-19 cases, protect the privacy of all personnel, and take all necessary actions to maintain the health and safety of the FMSHRC workforce.

Any person entering a FMSHRC office must first comply with the Procedure for Authorized Entry described in Section V.B. This includes a requirement to obtain specific authorization from a supervisor and electronic submission of a COVID Screening Tool Form.

All employees and contractors are required to comply with this policy to the extent feasible. This policy also applies to any authorized visitors who must enter agency offices (e.g., mail delivery personnel, building maintenance). To minimize the risk of potential exposure, other individuals (e.g., family members, friends) should not be present in a FMSHRC workplace until a return to post-pandemic operations.

I. AUTHORITIES

The federal government is committed to addressing essential work requirements consistent with best public health practices. Federal guidance issued to date includes:

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

- On January 20, 2021, the President issued [Executive Order 13991: Protecting the Federal Workforce and Requiring Mask Wearing](#) instructing agencies to immediately require masks and physical distancing measures in all federal buildings consistent with current CDC guidance. CDC guidance continues to be updated in accordance with vaccination roll-outs and fluctuations in positive COVID-19 tests, and the FMSHRC Team will conform implementation of this policy to the CDC's most up to date guidelines.
- On January 24, 2021, OMB issued guidance, [M-21-15 COVID-19 Safe Federal Workplace: Agency Model Safety Principles](#), to assist federal agencies in developing tailored COVID-19 workplace safety plans.

II. PURPOSE AND SCOPE

The purpose of this policy is to provide minimum mandatory safety guidance for FMSHRC personnel, and its primary focus is the implementation of CDC guidelines at all FMSHRC facilities to mitigate the spread of COVID-19 for employees, contractors and guests who periodically visit the federal workplace. This guidance applies to GSA-leased buildings at headquarters and satellite offices.

FMSHRC's highest priority remains the health and safety of all its employees, onsite contractors, and individuals interacting with its workforce. Since March 2020, FMSHRC workforce in its headquarters and satellite locations has been operating in full situational telework mode.

President Biden created the inter-agency [Safer Federal Workforce Task Force](#) to give the heads of federal agencies ongoing guidance to keep their employees safe and their agencies operating during the COVID-19 pandemic. This task force is composed of the White House COVID-19 Response Team, the General Services Administration (GSA), and the Office of Personnel Management (OPM). Task Force members include: the CDC, the Department of Veterans Affairs, the Federal Emergency Management Agency, the Federal Protective Service, the OMB, and the United States Secret Service. FMSHRC leadership will consult with this task force, to discuss, among other subjects, any special circumstances applicable to higher-risk work environments.

III. COVID-19 COORDINATION TEAM

The FMSHRC COVID-19 Coordination Team ("FMSHRC Team") consists of Senior Management at FMSHRC:

- Arthur Traynor III, Chair
- Michael Chirico, Policy Advisor and Government Liaison
- Glynn Voisin, Chief Administrative Law Judge
- Mike McCord, General Counsel
- Lisa Boyd, Executive Director

- Rory Smith, Counsel to the Chair
- Michelle Williams, EEO Director

The CDC has assigned personnel with technical expertise to consult with the FMSHRC Team:

- Cristina Bressler, Health Scientist, Occupational Health and Safety Office, Office of Safety, Security, and Asset Management (OSSAM).

The FMSHRC Team will meet regularly to review compliance with agency COVID-19 workplace safety plans and protocols, consider potential revisions to agency COVID-19 workplace safety plans and protocols, and address any other operational needs. As all FMSHRC offices are in General Services Administration (GSA)-leased space, the Executive Director or another member of the FMSHRC Team coordinates with GSA and building management's security and safety personnel at all locations.

IV. PANDEMIC OPERATIONS

A. Telework

FMSHRC will continue to require maximum telework for agency personnel during the pandemic until further notice. As a general principle, FMSHRC will maximize the use of telework during widespread community transmission and until further guidance from the Safer Federal Workforce Task Force.

FMSHRC and contractor personnel who are eligible for telework are expected to telework, unless they are directed otherwise by their supervisor for an essential and limited purpose. **No personnel may perform work at a FMSHRC facility without prior supervisor approval. Supervisors may only approve onsite work they have determined as essential in coordination with the Executive Director, or in cases of absence, the Executive Director's designee.**

The FMSHRC Team is aware that many agency personnel are members of populations the CDC has identified as being at higher risk for serious complications from COVID-19 and other special populations, including older adults and individuals who have chronic health conditions, such as high blood pressure, heart disease, diabetes, lung disease, or compromised immune systems. Such personnel will receive special consideration in any decision involving their return to the federal workplace.

Once return efforts are underway, telework and special accommodations will be considered for personnel who are members of a vulnerable population, who are caring for dependents who are members of a vulnerable population, and/or have childcare or transportation needs disrupted due to COVID-19. Telework will be encouraged for employees whose children's schools are closed and/or who lack dependent care due to COVID-19 disruptions. Telework will also be encouraged for employees whose transit or parking options are disrupted due to COVID-19. Supervisors are responsible for ensuring personnel under their supervision remain productive while teleworking. The FMSHRC telework policy will be assessed continually, and personnel will be given

advance notice of any significant changes that are made in anticipation of a return to the workplace.

B. Office Locations Occupancy and Safety

Occupancy in FMSHRC facilities should be no more than 25% of normal capacity during periods of significant or high community transmission. Levels of community transmission can be established by consulting CDC's [COVID Data Tracker County View](#). If an exception to the 25% occupancy needs to be made, it must be pre-approved by the FMSHRC Team, which will consult with OMB and the Safer Federal Workforce Task Force on the specific inquiry.

Employees and contractors performing duties in a FMSHRC office must do all they can to keep themselves and their coworkers safe when they are present in the workplace. This includes adhering to the General Safety Precautions in Section D and Use of Personal Protective Equipment (PPE) and Cleaning Supplies in Section F.

No person – no employee, contractor or visitor – may enter an FMSHRC office without following the Symptom Monitoring and Procedures for Authorized Entry outlined in Chapter VI, Section G. Every person is required to complete the [FMSHRC COVID-19 Screening Tool](#) referenced in Appendix A and submit that form by e-mail to officesafety@fmshrc.gov for **each day** that a person is scheduled to be present in the workplace. **No person may enter the workplace without completing and submitting this form.**

The only persons excluded from the Screening Tool requirement are non-government employees or contractors of the respective building management whose work is coordinated with GSA. The Executive Director or another member of the FMSHRC Team will continue to coordinate with GSA regarding facilities and the safety of building management personnel, as provided in Section VI, below.

The Executive Director will monitor the submissions to officesafety@fmshrc.gov to ensure compliance with the Symptom Monitoring and Procedures for Authorized Entry and have the continued ability to ensure contact tracing in the event of a positive COVID case report affecting any FMSHRC location.

The Executive Director will refer for discipline any personnel who fail or refuse to comply with these Procedures for Authorized Entry.

C. Hearings

In view of the risks presented by COVID-19, the FMSHRC Team has suspended all in-person hearings, settlement judge conferences, and mediations until August 31, 2021.

At the discretion of the presiding administrative law judge and in coordination with the parties, hearings may proceed by videoconference or by telephone. Similarly, settlement judge conferences and mediations may be held by videoconference or by telephone. If the parties agree that an evidentiary hearing is not needed, cases may also be presented for a decision on the record. The parties will be notified if a hearing needs to be rescheduled.

The FMSHRC Team will reassess the risks presented by in-person hearings prior to August 31, 2021 and inform the public as to whether and for approximately how long the suspension of in-person hearings will continue.

D. Oral Arguments and Public Meetings

In view of the risks presented by COVID-19, the FMSHRC Team has suspended oral arguments and public meetings until August 31, 2021.

At the discretion of the Office of the General Counsel and in coordination with the FMSHRC Team, oral arguments and public meetings will continue to proceed by videoconference or by telephone.

E. General Safety Precautions and Hygiene

The CDC has established guidelines to prevent the spread of COVID-19 and other respiratory diseases. To the extent possible, employees should follow these guidelines to protect themselves from exposure both outside the workplace and whenever they are present in the workplace.

- If you are experiencing COVID-19 [symptoms](#) described by the CDC, do not report to work. Seek medical attention. Stay home if you are feeling sick.
- If you have traveled or are contemplating travel, please see the CDC [Travel Guidance](#).
- Cover your cough or sneeze with a tissue or mask, or use the inside of your elbow, and then throw the tissue away in the trash and immediately wash your hands, and avoid touching your eyes, nose, and mouth.
- Wash your hands often with soap and water for at least 20 seconds especially if you have been in a public space, or after blowing your nose, coughing, or sneezing. If soap and water are not readily available, use a hand sanitizer that contains at least 60% alcohol. Cover all surfaces of your hands and rub them together until they feel dry. For information about handwashing, see the CDC's [Handwashing Guidelines](#).

- Clean and disinfect frequently touched surfaces daily. Hand sanitizer stations will be available at the building entrance and throughout workspaces, and should contain FDA-approved hand sanitizer, with at least 60% alcohol. FMSHRC will ensure that adequate supplies are provided or installed in the satellite offices.
- Practice social distancing: limit face-to-face meetings, in-person events and interaction with large crowds. Put distance between yourself and others — stay at least six feet apart from colleagues.
- Wear a facemask that covers your nose and mouth and meets [CDC Guidelines](#) in public settings where other social distancing measures are impossible or difficult to maintain.
- Continue to conduct meetings, gatherings, and training sessions online, using Zoom or Teams, or telephonically as much as possible.
- Limit the number of personnel present in common areas to make social distancing feasible. For instance, no more than two people should be present in the kitchen or break areas at one time.

F. Quarantine

Personnel with a suspected or confirmed COVID-19 infection will be advised to isolate, pursuant to CDC guidelines, their healthcare provider’s instructions, and in compliance with local laws/regulations. Personnel who have had a close contact with someone who has tested positive for COVID-19 should follow CDC and local guidance for quarantine. Employees and contractors who are in isolation or quarantine should not return to the workplace until their supervisor approves, based on recommended CDC guidelines and the individual’s physician or local public health authority. Personnel are permitted to self-certify that they have completed all conditions of isolation or quarantine and will be permitted to return to work accordingly. A self-certification form will be released per CDC guidance and distributed to employees prior to a return to work.

G. Use of PPE & Cleaning Supplies

Supplies of hand sanitizer, disinfectant spray, wipes, paper towels, facemasks, and disposable gloves will be made available for your use in central locations throughout the workplace to enhance safety and cleaning efforts. Employees and contractors are encouraged to regularly clean and disinfect frequently touched objects and surfaces using a disinfectant spray or wipe, except for electronic equipment which could be damaged by the application of chemicals.

Personnel may not remove any agency-provided supplies from workspaces and common areas. Employees should be courteous and responsible—and not use more supplies and PPE than needed to perform their duties safely. Employees must remember that the use of PPE is most effective when used in combination with social distancing measures. All used PPE must be discarded in a standard trash receptacle.

H. Travel

Federal employees should adhere strictly to CDC guidelines before, during, and after travel, regardless of whether the travel is personal or for official business. Currently, these include 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 before returning to the workplace.

The CDC has [extensive guidelines](#) for both domestic and international travel, and federal workers, fully vaccinated and not vaccinated, should consult these resources carefully before deciding to travel. Additional resources for official travel can be found on the [GSA COVID-19 Information Site](#). Employees should be aware that they may be required to stay at home for a period of time after official or personal travel (typically allowing the employee to request personal leave or telework accommodations when it results from personal travel, if an employee is otherwise expected to be present onsite) before they are allowed to return to the workplace, as well as following any testing guidance once issued. Given current levels of transmission in the United States, official domestic travel should be limited to only mission critical trips. International travel should also be avoided if possible.

Until further notice, any mission critical travel must be approved in advance by the Office of Executive Director and the FMSHRC Team. The FMSHRC Team will review existing guidance and consider the need for developing supplemental protocols for evaluating the risks from travel associated with mission critical work.

I. Commuting

Employees and contractors using public transportation to commute to and from the workplace must follow all federal, state, and local COVID-19 guidance governing these services. If a mass transit agency has limited the services it provides such that it will impact a person's ability to travel to and from the office in a timely manner, that person should notify their supervisor and an adjustment to their work schedule may be approved at the supervisor's discretion. Additional guidance will be forthcoming as it relates to public transportation.

J. Reasonable Accommodation

A "reasonable accommodation" under the Rehabilitation Act and Americans with Disabilities Act includes modification to a workplace policy due to a disability-related need of a FMSHRC employee. Reasonable accommodations may be required and provided to employees working from home. Accommodations may relate to COVID-19 itself if employees acquire the illness and need modifications in order to perform the essential functions of their positions. Additionally, accommodations may relate to other medical conditions, unrelated to COVID-19, but which impact an employee's ability to perform the essential functions of their position. Employees should contact

their supervisors and the Disability Program Coordinator, Michael Chirico (mchirico@fmshrc.gov) to determine whether, and what, accommodations may be provided.

K. Confidentiality and Medical Privacy

All medical information collected from personnel, including test results and any other information obtained as a result of testing and symptom monitoring, will be 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 and manage COVID-19 protocols. The point of contact for all questions relating to personal medical data at FMSHRC is Lisa Boyd at lboyd@fmshrc.gov and Michael Chirico at mchirico@fmshrc.gov. Medical information requested and provided pursuant to a request for reasonable accommodation will be handled consistent with FMSHRC policy on Reasonable Accommodation.

V. FACILITIES

A. Building Management Initiatives

- i. Headquarters Office** – National Place Building Management will continue to work diligently to ensure the safety of all building tenants and visitors. Below is a summary of the key elements of their approach.

General Building Health and Safety Plan –

- Signage is posted throughout the building reminding tenants and visitors about the CDC’s recommendations, including facemasks, six feet distancing, hygiene, and the symptoms of COVID-19.
- There are enhanced tenant and visitor management guidelines, and security desks are retrofitted with screen shields to protect tenants, visitors, and staff.
- There are updated elevator protocols that limit the number of individuals per elevator.
- Hand sanitizers are available throughout common areas and at points of access, including elevators.
- At this time, employees not fully vaccinated are required to wear masks. All employees should defer to building management guidelines for wearing facemasks and social distancing in lobbies, elevators, and all other common areas.

- ii. **Denver Satellite Office** – This facility is managed by GSA. Building management staff will continue to clean the facility according to CDC guidelines. All cleaning products are EPA approved. Employees should defer to building management guidelines for wearing facemasks and social distancing in lobbies, stairwells, and all other common areas.

At this time, GSA staff will continue to take the following safety measures:

- Employees not fully vaccinated are required to wear masks.
- Consistently sanitize common areas (elevators, doors, handrails, etc.); and
- Require social distancing.

Building security personnel will continue to screen all visitors by asking a series of questions such as if they have traveled internationally or domestically within the last 14 days; if they have a fever of 100.4° F (38° C), cough, or have been sick within the previous three days; and if they have been tested for COVID-19.

- iii. **Pittsburgh Satellite Office** – MSREP Building Management will continue to work diligently to ensure the safety of all building tenants and visitors by adhering to CDC guidelines. All cleaning products are EPA approved. Below is a summary of the key elements of their approach:

General Building Health and Safety –

- Signage is posted throughout the building reminding tenants and visitors about the CDC’s recommendations, including facemasks, six feet distancing, hygiene, and the symptoms of COVID-19.
- There are updated elevator protocols that limit the number of individuals per elevator.
- Hand sanitizers are available throughout common areas and at points of access, including elevators.
- At this time, employees not fully vaccinated are required to wear masks. All employees should defer to building management guidelines for wearing facemasks and social distancing in lobbies, elevators, and all other common areas.

B. Ventilation and Air Filtration

To the extent feasible, FMSHRC management will work with GSA-leased building management offices for all locations to ensure that heating, ventilation and air conditioning systems optimize indoor ventilation. These include:

- a. ongoing inspections and maintenance of all building systems to confirm that they remain in good working order and are operating properly;
- b. programming bathroom exhaust fans to operate continuously; and
- c. completing a total air-flushing of the building and confirming that the heating, ventilation and air conditioning system will continue to operate with high-efficiency filters 24/7 during the week, with additional external air brought into the building on a continuous basis.

C. Environmental Cleaning

Best-practice protocols described below are in place for cleaning and disinfection to help minimize any contamination of surfaces (fomites), particularly common area high touchpoints (i.e., doorknobs, handrails, elevator cabs, turnstiles, kiosks, and parking pay stations).

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

In the event of a suspected or confirmed case of COVID-19 in the workplace (if the individual had been in the building up to seven days prior), enhanced environmental cleaning will be performed in accordance with CDC and GSA guidance. Cleaning will be coordinated with the respective building management in the GSA-leased buildings that the agency occupies at headquarters and satellite locations. If such enhanced cleaning and disinfecting is required, it will be done within 24 hours. Personnel and visitors may be asked to vacate the affected space until cleaning or disinfection is completed.

All cleaning solutions and disinfectants are Environmental Protection Agency approved.

D. Elevators

Regardless of vaccination status, Individuals must wear masks in elevators and in elevator lobbies if required by building management. Where possible, signage will be posted to explain current procedures at all locations. At headquarters, National Place building management has also provided signage at the two elevator bays that enable access to our office suites. As informed by National Place building management, implementation of social distance protocols at elevators have been programmed in a manner to prevent overcrowding. Similar

restrictions will be implemented by building management at the satellite offices and personnel will be informed accordingly.

E. Visitors

By leveraging technology and modifying work processes, FMSHRC has been able to ensure continuity of the agency's mission virtually and without requiring members of vulnerable populations to come onsite. The agency has suspended all in-person hearings, oral arguments, public meetings, settlement judge conferences, and mediations until further notice. Visitation is also suspended indefinitely until further notice when the FMSHRC Team and the Safer Federal Workforce Task Force decide it is appropriate to resume normal occupancy and operations. An exception exists for OED vendors who are assisting with technology support and maintenance. The FMSHRC Team may evaluate the need for additional guidance as the COVID situation evolves.

F. Shared Spaces

FMSHRC will plan for controls that help prevent the spread of COVID-19 infection through shared spaces and equipment. Shared tools and equipment must be disinfected by users anytime the equipment is used by or transferred to a new person, and disinfectant wipes will be provided. This includes phones, computers and other communication devices, kitchen appliances, 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 will be installed to promote physical distancing within common spaces, and furniture may be removed or disabled. Steps may be taken to limit the number of people who can use common spaces at any one time, and signage outlining these limits will be prominently displayed. Areas such as the workout room and showers will be off-limits to personnel until further notice.

VI. PROTOCOLS

A. Masks

If you are fully vaccinated (at least 2 weeks past your final dose), you are no longer required to wear a face mask in a federal workplace per CDC guidance. All personnel not fully vaccinated will be required to wear face masks that cover the mouth and nose and adhere to CDC recommendations when present at FMSHRC facilities. In addition, while in lobbies, elevators and other common areas of the buildings in which FMSHRC facilities are located, all employees are required to adhere to any face mask requirement implemented by building management. If needed, the agency will provide washable and reusable masks and/or disposable masks to employees, contractors, and visitors, in accordance with OSHA and CDC guidelines, to the extent permitted by law and subject to the availability of appropriations and resources.

Masks must fit properly (snugly around the nose and chin with no large gaps around the sides of the face). Masks should be non-medical disposable masks, masks made of 2 or more layers of breathable fabric (such as cotton) that is tightly woven (i.e., fabrics that do not let light pass through when held up to a light source). Novelty/non-protective masks, including neck gaiters and bandanas, masks with ventilation valves, or face shields as a substitute for masks will not be permitted in the federal workplace.

Masks should be worn consistently in any common areas or shared workspaces (including open floorplan office space, cubicle embankments, and conference rooms, as well as in high traffic areas where social distancing cannot be achieved (e.g., busy hallways, lobby, and elevators). Personnel will be required to use face masks when interacting with others, for instance, in conference room meetings and in offices where social distancing cannot be achieved.

Following are exceptions that may be provided consistent with CDC guidelines when masks may not need to be worn:

- 1) If you are fully vaccinated (at least 2 weeks past your final dose);
- 2) 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; and
- 3) Individuals with sensory, cognitive, or behavior issues that are unable to wear a mask properly or cannot tolerate a mask will receive a special accommodation. A special accommodation will be made for individuals with required documentation from their doctor, which is in accordance with existing Equal Opportunity Employment Commission guidance.

B. Physical Distancing

Physical distancing is required for all individuals who are not fully vaccinated (at least 2 weeks past the final dose). For those individuals, to the extent practicable, individuals will maintain a distance of at least six feet from others, consistent with CDC guidelines, including in offices, conference rooms, and all other communal and workspaces. Reconfiguration of workspaces or office assignments, and other mitigation strategies will be implemented to minimize in-person interactions.

Physical distancing will be imposed on common areas in a number of ways by the FMSHRC Team and building management – through signage that notes appropriate distance where lines may form, by placing markers in elevators to note where occupants can stand while maintaining appropriate distance as well as the maximum number of people who can ride in an elevator car at a time, and designating one-way stairwells, hallways, walkways, etc.

Virtual meetings must be employed wherever possible, even for employees in the same worksite. If a face-to-face meeting is required, furniture should be removed from conference spaces in order to prevent exceeding appropriate limits. These limits include 25% of the maximum room capacity, allowing for occupants to

maintain appropriate physical distance based on the length of the meeting and environmental factors, local public health orders that limit the size of gatherings, and other relevant considerations (whichever is lower).

All office workspaces will enforce physical distancing and occupancy limits as stated in Chapter IV, Section B. Office Locations Occupancy and Safety, by employing staggered work times, cohort-based scheduling, etc. Employees may not be seated within six feet of one another.

When proper physical distancing is impossible, alternate methods of mitigation will be considered. Physical barriers such as plexiglass shields may be installed where appropriate (e.g. fixed locations such as hearing rooms, conference rooms, etc.).

Physical distancing is not a substitute for wearing masks. Individuals who are not fully vaccinated should maintain distance and properly wear masks.

C. Testing

As required in Executive Order 13991, the CDC is developing and submitting a testing plan for the federal workforce to the National COVID-19 Response Coordinator. Once that plan is available, the inter-agency Safer Federal Workforce Task Force will follow up with government agencies to provide additional guidance. FMSHRC's Team will work closely with the Task Force to implement the plan and will provide timely and transparent communication about testing to the FMSHRC workforce.

D. Contact Tracing

The FMSHRC 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 agency's Executive Director will coordinate with building managements for the agency's GSA-leased spaces to implement infection control and workplace safety efforts once informed of a case of COVID-19 (either due to specific symptoms or positive test).

The agency's Executive Director in coordination with building management for the agency's GSA-leased spaces 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 three COVID-19 cases occur within a specific building or work setting, it will be the responsibility of the agency's Executive Director, or a satellite designee, to determine—in consultation with local public health officials—appropriate next steps. FMSHRC, in coordination with building management for the agency's GSA-leased spaces, is transparent in communicating related information to the

workforce, as relevant and appropriate, consistent with local and federal privacy and confidentiality regulations and laws.

E. Vaccinations

Executive Order 13991 tasks the Safer Federal Workforce Task Force with providing guidance on vaccine prioritization, distribution, and administration. Once the Task Force has developed the appropriate policies and procedures, the FMSHRC Team will coordinate with the Task Force regarding vaccine availability for federal employees should they wish to obtain it.

F. Exposure Notification

If the Executive Director or FMSHRC Team discovers or is notified that a person who has been present in the workplace has tested positive for COVID-19 or has been diagnosed as having symptoms consistent with COVID-19, employees and contractors who were also present in the workplace and in close contact with that person will be notified by the agency of any potential exposure. [CDC guidance](#) defines close contact as being within six feet of an infected person for a cumulative total of 15 minutes or more over a 24-hour period starting from 48 hours before illness onset until the time the infected person is isolated.

If you receive a notification of potential exposure, you will be required to telework, maintain social distancing, and self-monitor until 14 days from the last date of exposure before returning to the workplace. Following any notification that a person who has been present in agency office space has tested positive for COVID-19 or has been diagnosed with symptoms consistent with COVID-19, the FMSHRC Team will have the office space cleaned and disinfected.

Employee confidentiality will be maintained at all times in accordance with [Equal Employment Opportunity Commission guidance](#). This means that FMSHRC management will not share the name of the person who has tested positive for the coronavirus or has been diagnosed as having symptoms consistent with COVID-19. Any FMSHRC employee or contractor with a suspected or confirmed COVID-19 will be advised to isolate, pursuant to CDC guidelines, and in compliance with local laws/regulations.

G. Symptom Monitoring and Procedures for Authorized Entry

Employees and contractors are required to monitor themselves for any [symptoms](#) related to COVID-19, such as fever of 100.4° F (38° C) or cough, before departing for and/or arriving at the workplace.

As part of this self-screening process, all personnel performing duties in the

workplace, regardless of vaccination status, must follow the procedures for authorized entry outlined below by completing the FMSHRC COVID-19 Screening Tool referenced in Appendix A **before** entering the workplace on any given day. A completed form is required for **each day** that employees and contractors are scheduled to be present in the workplace. **Personnel cannot enter the workplace without completing and submitting this form.**

i. Employees and contractors – procedure for authorized entry

For each day personnel plan to enter a FMSHRC office, they **must** complete the FMSHRC COVID-19 Screening Tool Form (provided separately). Completing the tool requires **three** steps:

- 1) **Step 1. Name.** At the top of the form, employees and contractors insert their name.
- 2) In **Step 2. Access Request Details**, employees need to
 - a. select the office location,
 - b. enter the authorizer's name who has given specific written permission (email) for employees to be in the office that specific day, and
 - c. insert the dates for which access has been granted by the authorizer.
- 3) On the day of the visit, and before leaving their home, employees must complete **Step 3. Daily Questionnaire and Signature** by
 - a. reviewing and answering all the COVID Screening Questions.
 - b. digitally signing the document indicating all the information they have provided is true and complete, and
 - c. selecting the **Email Completed Form** button, which will automatically attach the form to an email message and include officesafety@fmshrc.gov as the recipient.

- Please note that the form can be fully completed and signed electronically. However, employees may print the form, complete it on paper, scan it, and e-mail it to officesafety@fmshrc.gov. If employees do not have access to a scanner, they may take a clear and legible digital photo of the completed form and submit it by e-mail as well.

ii. Supervisors and managers – responsibilities on procedures for authorized entry

- 1) It is the supervisors' responsibility to ensure that any employee or contractor under their supervision does not enter a FMSHRC office without their specific authorization, provided in writing via e-mail or text message. It is also supervisors' responsibility to ensure that any personnel member is aware of the requirement that for each day they enter an FMSHRC office, they submit a completed and signed Screening Tool Form to officesafety@fmshrc.gov.
- 2) Prior to giving any employee or contractor authorization to enter a

FMSHRC office, supervisors must obtain the written authorization (e-mail or text) of the Executive Director or in cases of absence, her designee, who will grant requests for such authorization in consultation with the FMSHRC Team, if needed.

- 3) For any day on which supervisors enter a FMSHRC office themselves, they must obtain prior authorization from their department head and follow the three steps to submit a completed Screening Tool Form to officesafety@fmshrc.gov. Supervisors and managers who report to the head of a Department should list the Department head as the authorizer. The Executive Director will serve the role of authorizer for Department Heads.
- Please note that Supervisors and Managers can submit a form that has been completed and signed electronically, or they may print the form, complete it on paper and then scan and e-mail it. If they do not have access to a scanner, they may take a clear and legible digital photo of the completed form and submit the photo by e-mail.

Screening Tool records will be maintained by the Executive Director only as long as necessary to ensure safety and controlled access during the pandemic. Employee confidentiality will always be maintained in accordance with Equal Employment Opportunity Commission guidance.

All personnel are responsible to keep themselves and their coworkers safe. They should stay home if they have a fever of 100.4° F (38° C) or any of the symptoms related to COVID-19 as defined above.

THIS POLICY IS EFFECTIVE ON MAY 28, 2021



ARTHUR R. TRAYNOR, III, CHAIR
FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

APPENDIX A

FMSHRC COVID-19 SCREENING TOOL	
STEP 1. EMPLOYEE'S NAME	
YOUR FULL NAME: _____	
STEP 2. ACCESS REQUEST DETAILS	
OFFICE LOCATION: _____ AUTHORIZER'S NAME: _____	
DATES: 1. _____ 2. _____ 3. _____ 4. _____ 5. _____ 6. _____	
STEP 3. DAILY QUESTIONNAIRE & SIGNATURE	
PLEASE READ EACH QUESTION CAREFULLY	PLEASE SELECT THE ANSWER THAT APPLIES TO YOU
Have you experienced any of the following symptoms in the past 48 hours:	
<ol style="list-style-type: none"> 1. fever of 100.4 F (38 C) 2. cough or chills 3. shortness of breath or difficulty breathing 4. fatigue 5. muscle or body aches 6. headache 7. new loss of taste or smell 8. sore throat 9. congestion or runny nose 10. nausea or vomiting 11. diarrhea 	YES <input type="checkbox"/> NO <input type="checkbox"/>
Within the past 14 days, have you been in close physical contact (6 feet or closer for a cumulative total of 15 minutes) with:	
I. Anyone who is known to have laboratory-confirmed COVID-19 OR II. Anyone who has any symptoms consistent with COVID-19?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Are you isolating or quarantining because you may have been exposed to a person with COVID-19 or are worried that you may be sick with COVID-19?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Are you currently waiting on the results of a COVID-19 test?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Did you answer NO to ALL QUESTIONS?	Access to FMSHRC facilities APPROVED . Thank you for helping us protect you and others during this time.
Did you answer YES to ANY QUESTION?	Access to FMSHRC facilities NOT APPROVED . Please see Page 3 for further instructions. Thank you for helping us protect you and others during this time.
EMPLOYEE'S SIGNATURE: _____	TODAY'S DATE: _____
By entering my name and submitting this form, I affirm that I have received my authorizer's permission to enter the workplace on the specific dates listed above, and that I have completed the COVID Screening Questionnaire.	EMAIL COMPLETED FORM

WORKPLACE EXAMPLES

HOW TO USE THIS FORM

On Thursday, an employee has determined he/she has essential business that needs to be conducted in the office Monday and Tuesday of the following week.

The same day, the employee should request permission to access the office on those dates by checking with the appropriate authorizer outlined in the section below.

After authorization has been granted, the employee will need to enter their name in **Step 1**, and fill out the sections in **Step 2. Access Request Details**, by

1. selecting the office location from the drop down menu,
2. entering the authorizer's name, and
3. identifying Monday and Tuesday as the desired dates.

On Monday morning, before officially traveling to the office location, the employee will need to complete **Step 3. Daily Questionnaire and Signature**, by

1. answering all four screening questions,
2. signing the form, and
3. selecting **Email Completed Form**.

The form will be automatically attached to an email message and the email address officesafety@fmshrc.gov will appear as the recipient.

If employee answers YES to any of the questions, he/she should stay home and see additional information on page 2 of this form. If he/she answers NO to all the questions he/she will be allowed to proceed into the office.

On Tuesday, the employee should complete the same steps that needed to be completed on Monday.

WHO ARE THE AUTHORIZERS

The authorizers will be different for regular employees, supervisors, and department heads as follows:

- regular employees should seek written permission* from their supervisor.
- supervisors should seek written permission* from their department head.
- department heads should seek written permission* from to the Executive Director.

*Written permission may be provided by email.

THE SCREENING YOU COMPLETED INDICATES THAT YOU MAY BE AT INCREASED RISK FOR COVID-19

IF YOU ARE NOT FEELING WELL, WE HOPE THAT YOU FEEL BETTER SOON!

Here are instructions for what to do next

1

If you are not already at home, please avoid contact with others and go straight home immediately.

2

Call your primary care provider* for further instructions, including information about COVID-19 testing.

3

Contact your supervisor (if you are an employee) or your contracting company (if you are a contractor) to discuss options for telework and/or leave.

Before going to a healthcare facility, please call and let them know that you may have an increased risk for COVID-19.

In case of a life-threatening medical emergency, dial 911 immediately!

RETURNING TO THE WORKPLACE



If you have had symptoms consistent with COVID-19 or have tested positive for COVID-19, **DO NOT** physically return to work until you get a medical evaluation and are approved to return to a work setting by your primary care provider*. Please call your supervisor to discuss when to return to work. Read more about when it is safe to be around others at <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/end-home-isolation.html>.



If you have a chronic medical condition that causes COVID-19-like symptoms and you need to access a CDC facility within the next few days, please call CDC's Occupational Health Clinic at 404-639-3385 to determine whether you can safely be granted access to a CDC facility.



If you have been in close contact with someone with COVID-19 you should stay home and self-quarantine for 14 days before returning to work. Read more about when you should be in isolation or quarantine at <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/quarantine.html>.



If you are currently isolating or quarantining because of concerns about COVID-19 OR you have a COVID-19 test pending, please contact your primary care provider* for guidance on when you can return to work.