

**FEDERAL MINE SAFETY AND HEALTH  
REVIEW COMMISSION  
COVID-19  
WORKPLACE SAFETY PLAN**

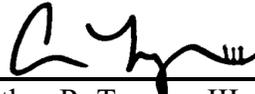


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2021 Covid-19 Workplace Safety Plan

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## INTRODUCTION

The Federal Mine Safety and Health Review Commission (FMSHRC) is committed to 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 replaces any prior guidance and information, 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](#).

President Biden created the 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 Centers for Disease Control and Prevention (CDC), the Department of Veterans Affairs, the Federal Emergency Management Agency, the Federal Protective Service, the Office of Management and Budget (OMB), and the United States Secret Service. The FMSHRC Team, described more fully below in Section IV, will direct implementation of Safer Federal Workforce Task Force guidance so as to maintain the health and safety of the FMSHRC workforce while protecting the privacy of all personnel.

### I. AUTHORITIES

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.
- 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.
- On April 7, 2021, The CDC issued the [Federal Testing Plan for Federal Workforce](#). This guidance provides federal agencies with strategies for incorporating SARS-CoV-2 testing into their COVID-19 workplace safety plan.

- On June 10, 2021, OMB issued guidance, M-21-25: [Integrating Planning for A Safe Increased Return of Federal Employees and Contractors to Physical Workplaces with Post-Reentry Personnel Policies and Work Environment](#) to provide agencies with guidance for agency planning processes for post-reentry personnel policies and work environment.
- On September 9, 2021 The President issued an [Executive Order on Requiring Coronavirus Disease 2019 Vaccination for Federal Employees](#) This order requires COVID-19 vaccination for federal executive branch employees.
- On September 9, 2021 The President issued an [Executive Order on Ensuring Adequate COVID Safety Protocols for Federal Contractors](#) It ensures that the parties that contract with the Federal Government provide adequate COVID-19 safeguards to their workers performing on or in connection with a Federal Government contract or contract-like instrument.
- On September 13, 2021 the [COVID-19 Workplace Safety: Agency Model Safety Principles](#) was issued outlines model safety principles for executive departments and agencies to revise their existing COVID-19 workplace safety plans.
- On November 10, 2021 The [COVID-19 Workplace Safety: Guidance for Federal Contractors and Subcontractors](#) It sets forth workplace safety protocols for Federal contractors and subcontractors pursuant to Executive Order 14042.
- On December 27, 2021 The [Updated CDC Guidance on Quarantine and Isolation](#).

## II. PURPOSE AND SCOPE

The primary purpose of this policy is to provide minimum mandatory safety guidance for FMSHRC personnel through the implementation of CDC guidelines at all FMSHRC facilities. The goal is 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.

## III. COVID-19 COORDINATION TEAM

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

- Arthur Traynor III, Chair
- Leslie Bayless, Chief Operating Officer
- 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) Chair

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 GSA-leased space, the FMSHRC Team coordinates with GSA and building management’s security and safety personnel at all locations.

## IV. PANDEMIC OPERATIONS

### CDC Levels of Community Transmission

This safety plan provides for different protective measures to be taken depending on the level of community transmission of the COVID virus, which is constantly changing. For purposes of this guidance, levels of community transmission in a given area should be determined using the [CDC COVID Data Tracker County View](#), which rates levels of transmission at the county level from low to moderate to substantial to high. Personnel may determine the level of community transmission at a particular worksite by examining transmission levels in the county in which an agency facility

is located as well as the transmission levels of surrounding local counties from which employees commute to the facility.

#### **A. Telework**

As a general principle, FMSHRC will maximize the use of telework during widespread community transmission.

FMSHRC offices have been officially open since December 17, 2021, and employees are permitted to return to their offices for in-person work once they have attended a Reentry Committee orientation and executed a Telework Agreement. However, due to elevated rates of community transmission at each of the agency's three office locations, during the Winter of 2022, employees are permitted and encouraged to continue full-time emergency telework until rates of transmission subside and at least through March 31, 2022.

Supervisors are responsible for ensuring personnel under their supervision remain productive while teleworking. The FMSHRC Telework Program policy has been updated effective January 3, 2022 and distributed to all employees.

#### **B. Office Occupancy and Safety**

Occupancy in FMSHRC facilities should be no more than 25% of normal capacity during periods of substantial or high community transmission.

FMSHRC will meet this requirement by maintaining emergency telework authorization during periods of high or substantial community transmission. If an exception to the 25% occupancy needs to be made, it must be pre-approved by the FMSHRC Team.

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

On November 29, 2021, an industrial hygienist completed an inspection of the Pittsburgh office. On November 30, 2021, an industrial hygienist completed an inspection of the Denver office. The assessment centered around building safety per OSHA regulations in preparation for re-occupation. A similar inspection of the Headquarters office in Washington, D.C. is scheduled for early January 2022. The agency is committed to implementing the recommendations in the hygienist reports to ensure the health and safety of agency employees.

#### **C. Hearings**

All in-person hearings, settlement judge conferences, and mediations were suspended from March of 2020 through January 2, 2022. Effective January 3, 2022, FMSHRC Judges are authorized to schedule in-person hearings (or partial hearings) consistent

with the safety guidelines and other provisions of the Chief Judge's December 3, 2021 Order. Judges are discouraged from setting in-person hearings in areas where the CDC reports via its [COVID Data Tracker County View](#) substantial or high levels of community transmission in the county in which the hearing is to be held or where any necessary in-person participant resides.

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 continue to assess risks presented by in-person hearings and the effectiveness of video or telephone hearings and will continue to consult with the Office of the Chief Administrative Law Judge (OCALJ) to review policies as appropriate.

#### **D. Oral Arguments and Public Meetings**

In view of the risks presented by COVID-19, the FMSHRC Team suspended oral arguments and public meetings from March 2020 through January 2, 2022.

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. In-person oral arguments and public meetings at agency headquarters will not resume until the CDC no longer reports substantial or high levels of community transmission for Washington, DC via its [COVID Data Tracker County View](#).

#### **E. Travel and Post-Travel Quarantine**

For FMSHRC employees who are fully vaccinated, there are no prohibitions on travel. For the limited number of FMSHRC employees who are not fully vaccinated, official travel is limited to only strictly necessary mission-critical trips.

Employees who travel in, to or from an area of substantial or high transmission are required to stay at home for a period of three days after official or personal travel before they are allowed to return to a workplace in an area of low or moderate transmission. Employees should work with their supervisors to rearrange their telework schedule to accommodate a quarantined employee otherwise expected to be present onsite.

FMSHRC 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 should consult these resources carefully before deciding to travel. Additional resources for official travel can be found on the [GSA COVID-19 Information Site](#).

#### **F. Commuting**

Personnel 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.

#### **G. 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, Michelle Williams ([mwilliams@fmshrc.gov](mailto:mwilliams@fmshrc.gov)) to determine whether, and what, accommodations may be provided.

#### **H. 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 are Senior Agency Officer of Privacy Leslie Bayless at [lbayless@fmshrc.gov](mailto:lbayless@fmshrc.gov) and Executive Director Lisa Boyd [lboyd@fmshrc.gov](mailto:lboyd@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.
- ii. **Denver Satellite Office** – This facility is managed by GSA. Building management staff will continue to clean the facility according to CDC guidelines. Employees should comply with any building management guidelines requiring the wearing of facemasks and social distancing in lobbies, stairwells, and all other common areas. GSA staff will continue to take the following safety measures:
    - Require use of facemasks while in common areas of the building.
    - Consistently sanitize common areas (elevators, doors, handrails, etc.)
    - Require social distancing.
  - 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, including steps to ensure that:
    - 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.

## **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, environmental cleaning will be performed in accordance with CDC and GSA guidance, 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, cleaning personnel will 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. Cleaning personnel may choose to also disinfect.
- 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.

Cleaning will be coordinated with the respective building management in the GSA-leased buildings that the agency occupies at headquarters and satellite locations. Personnel and visitors may be asked to vacate the affected space until cleaning or disinfection is completed.

#### **D. Elevators**

While rates of community transmission are substantial or high and while required by building management, everyone must wear masks in elevators and in elevator lobbies. Where possible, signage will be posted to explain current procedures at all locations. At headquarters, National Place building management has 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.

#### **E. Admitting Visitors, Parties, Witnesses and Attorneys**

Visitors (excluding non-government witnesses, parties to a case and their representatives) must be vaccinated and must attest to their vaccination status in order to enter a FMSHRC office or hearing room.

Visitors may attest to their vaccination status by presenting (but not handing over) a completed [Certification of Vaccination](#) form to the FMSHRC employee responsible for hosting them. No FMSHRC employee should take possession of a visitor's attestation form or ask a visitor for documentation to verify their attestation.

Non-government witnesses and parties (e.g., operators and individual miner complainants) and their attorneys are not considered 'visitors' for the purpose of this policy because they are persons seeking a public benefit or service from the agency - e.g., hearing, oral argument, mediation, etc. Such persons do not need to be vaccinated or attest to their vaccination in order to attend a hearing or other FMSHRC proceeding in their case(s), but must adhere to all other applicable safety guidelines and direction.

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 FMSHRC office or hearing room. The cost of such testing is the responsibility of the visitor. Such visitors must also comply with requirements applicable to unvaccinated employees, including social distancing and use of a facemask regardless of levels of community transmission.

Delivery drivers, couriers, U.S. Postal Service, Federal Express and United Parcel Service employees, and other "transient visitors", meaning visitors accessing a facility for less than approximately 15 minutes who interact with very few people, are not required to attest to their vaccination status by presenting a completed Certification of Vaccination Form as a condition of entry. They are required to follow required safety protocols while accessing the facility, such as mask wearing and physical distancing.

Additionally, emergency personnel responding to an emergency in a facility, as determined by GSA, a facility's security officers, or individual occupant agencies within a facility, are not required to present a completed Certification of Vaccination Form as a condition of entry. They are required to follow required safety protocols while accessing the facility.

## **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.

## **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.

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.

## VI. PROTOCOLS

### A. Masks

Personnel who are fully vaccinated (at least 2 weeks past a final dose) are not required to wear a face mask in a federal workplace at any time community transmission is rated low or moderate - less than substantial or high on the CDC's [COVID Data Tracker County View](#). While rates of community transmission are substantial or high, all persons regardless of vaccination status must wear face masks.

All personnel not fully vaccinated will be required to wear face masks that cover the mouth and nose and adhere to CDC recommendations at all times 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.

The following are exceptions – when masks do not need to be worn:

- 1) If an individual is fully vaccinated (at least 2 weeks past your final dose) and the level of community transmission is not substantial or high;
- 2) When an individual is alone in an office or for a limited time when eating or drinking and maintaining distancing in accordance with CDC guidelines; and
- 3) When no more than two individuals are in an office with a closed door and seated with at least 10ft. of social distance between them (provided, however,

that both persons must consent to removing their masks and both persons must be fully vaccinated); and

- 4) Where an individual with sensory, cognitive, or behavior issues that are unable to wear a mask properly or cannot tolerate a mask and have received a special accommodation. A special accommodation will be made for individuals with required documentation from their doctor in accordance with Equal Opportunity Employment Commission guidance.

## **B. Vaccinations and Proof of Vaccination**

FMSHRC employees and onsite contractors must be fully vaccinated, except in limited circumstances involving legal entitlement to reasonable accommodation.

Given different safety protocols for individuals who are fully vaccinated and those who are not fully vaccinated, FMSHRC personnel hosting and responsible for visitors to FMSHRC offices and hearing rooms need to ask about the vaccination status of such visitors. Note, however, that any non-government witness or party to a case and their non-government representatives are not considered visitors and must not be asked about vaccination status. Such persons are considered ‘persons seeking a public service or benefit’ and are not to be asked to attest to their vaccination status. All others – referred to in guidance as ‘visitors’ - must provide their vaccination status and attest to the truthfulness of the response they provide.

When a visitor discloses that they are not fully vaccinated or declines to provide information on their vaccination status, agencies should treat that individual as not fully vaccinated for purposes of implementing safety measures, including with respect to mask wearing and physical distancing. Such visitors should be denied entry to a FMSHRC office or hearing room unless and until they provide proof of a negative COVID-19 test from no later than the previous 3 days prior to entry. Visitors bear their own testing costs. For more information about the admission of visitors and visitor attestation, see Section V.B., above.

When an employee is required to be vaccinated, the time the employee spends obtaining any COVID-19 vaccination (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. Employees may not be credited with administrative leave for time spent getting a vaccination. If, due to unforeseen circumstances, the employee is unable to obtain the vaccine during basic tour of duty hours the normal overtime hours of work rules apply. Employees will receive paid time off to address any side effects. Employees will also receive paid time off to accompany a family member being vaccinated.

## C. Physical Distancing

Physical distancing is always required for all individuals who are not fully vaccinated (at least 2 weeks past the final dose). Fully vaccinated individuals are only required to physically distance when rates of community transmission are substantial or high as reported by the [CDC COVID Data Tracker County View](#).

To the extent practicable, individuals required to physically distance 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 should be implemented to minimize in-person interactions.

While physical distancing is required, 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 must conform with physical distancing guidelines and occupancy limits set forth in Chapter IV, Section C. Supervisors and managers are encouraged to work with employees to arrange for staggered work times, cohort-based scheduling and other tools to facilitate appropriate distancing.

When proper physical distancing is impossible, alternate methods of mitigation should be considered. Physical barriers such as plexiglass shields may be installed where appropriate (e.g. fixed locations such as hearing rooms, conference rooms, etc.). To recommend any such installation, please contact [reentry@fmsihrc.org](mailto:reentry@fmsihrc.org).

**Individuals who are not fully vaccinated must maintain social distance and properly wear masks at all times regardless of the level of community transmission.**

## D. Testing for Unvaccinated Employees

Employees who are not fully vaccinated and have received an accommodation may not enter a FMSHRC office or hearing room unless they are able to provide proof of a negative COVID-19 test from no later than the previous 3 days prior to entering the worksite.

At this time, the federal government has not provided guidance with respect to a testing program. Until further guidance is received, FMSHRC will reimburse any unvaccinated employee the reasonable cost of a COVID-19 test necessary to enter a workplace. Any type of test authorized by the U.S. Food and Drug Administration to detect current infection and produce a dated result is acceptable

for this purpose. If an unvaccinated employee anticipates requiring numerous tests to facilitate the performance of their duties, they should coordinate with their supervisor and the COVID Team to arrange for the most cost-effective means of repeat testing available.

## **E. 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 FMSHRC Team will coordinate with building management 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 FMSHRC Team, in coordination with building management for the agency's GSA-leased spaces, will 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, the FMSHRC Team, or a satellite designee, will 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.

## **F. Exposure Notification**

If the 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, the agency will attempt to inform employees and contractors who were also present in the workplace and in close contact with that person 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.

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.

## **G. Quarantine and Isolation**

If federal employees, onsite contractors, or visitors have symptoms consistent with COVID-19, they should not enter a FMSHRC office, hearing room or other facility.

Any individual, regardless of vaccination status, who develops symptoms consistent with COVID-19 during the workday must immediately isolate, wear a mask (if the individual is not already doing so), notify their supervisor (but not by in person contact), and promptly leave the workplace. Personnel with a suspected or confirmed COVID-19 infection are advised to isolate pursuant to CDC guidelines and follow their healthcare provider's instructions.

Personnel who have had a close contact with someone who has tested positive for COVID-19 should follow CDC and local guidance for quarantine. [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.

Individuals who have been fully vaccinated (including a booster shot) and have had close contact with someone with suspected or confirmed COVID-19 should get tested 5 days after exposure, even if they do not have symptoms. They should also wear a mask indoors in public for 10 days following exposure or until their test result is negative. However, no quarantine is necessary for those fully vaccinated and boosted. If their test result is positive, they should isolate and follow their healthcare provider's instructions.

For people who are unvaccinated or are more than six months out from their second mRNA dose and not yet boosted, CDC recommends quarantine for 5 days followed by strict mask use for an additional 5 days. Such individuals should obtain a COVID test at day 5 after exposure. If symptoms occur, they should immediately quarantine until a negative test.

Following any work-related close contact or suspected close contact with an infected person, FMSHRC will reimburse an employee or on-site contractor for the reasonable cost of an FDA-approved COVID test that detects current infection and produces a dated result. FMSHRC is not responsible for providing testing to an individual as a result of a potential exposure that is not work-related. If an employee or contractor employee has come into close contact with a person with COVID-19 outside of work, they should follow CDC guidelines for testing and quarantine and not enter a worksite.

Employees and contractors who have completed a CDC recommended isolation or quarantine should not return to the workplace until their supervisor approves. 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.

## H. 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.