

Frequently Asked Questions COVID-19 Protocols

Is GSA still cleaning my space and the spaces around me?

Yes. Although GSA is not routinely disinfecting high touch areas, they continue to perform routine cleaning of high touch areas once per day.

As noted on the Safer Federal Workplace webpage regarding cleaning and building management, available to view [here](#), GSA has modified the existing cleaning contracts for federally owned buildings based on the Centers for Disease Control and Prevention's (CDC) recommendations where buildings are cleaned using products containing soap or detergent for high-touch surfaces in common and high traffic areas as part of routine cleaning.

Cleaning with a soap or detergent is effective at destroying all virus variants on surfaces, without the use of disinfectants. The CDC has confirmed that this cleaning, combined with other risk-mitigation actions (hand-washing, distancing, etc.) are effective at helping reduce the spread of COVID-19.

Cleaning staff must wipe down all solid, high-touch surfaces in building common areas (defined as those areas used or accessed by the government's employees and visitors) at least daily. Cleaning staff must use all cleaning products according to the manufacturer's directions. Cleaning staff must wear disposable gloves (e.g., latex, nitrile, etc.), facemasks, and any additional personal protective equipment (PPE) that the cleaning and disinfectant product manufacturers recommend and choose disinfection applications and products that won't damage interior finishes or furnishings.

Examples of solid, high-touch surfaces in building common and high traffic areas include, but are not limited to, handrails, door knobs, key card scan pads, light switches, countertops, table tops, water faucets and handles, elevator buttons, sinks, toilets and control handles, restroom stall handles, toilet paper and other paper dispensers, door handles and push plates, water cooler and drinking fountain controls.

It does not include agency-owned equipment such as desks, telephones, computers, keyboards, docking stations, computer power supplies, and computer mouse, personal fans and heaters, desk lighting, etc.

How does GSA determine whether cleaning beyond the routine services is required?

Based on the CDC scientific reporting, cleaning determinations are made based on the expected life of the coronavirus on non-porous surfaces. GSA has implemented the following cleaning procedures once a COVID-19 incident has been reported:

- If the immediate work area(s) (e.g., cubicles, breakrooms, office spaces) **cannot** be closed off for 72 hours without affecting court operations (e.g., file window, courtroom with hearings scheduled), GSA will perform the following actions following a confirmed COVID-19 diagnosis or symptomatic individual who was physically present in the workspace:

- Clean and disinfect if less than 24 hours elapsed since the individual was in the affected area(s); or
- Only clean if more than 24 but less than 72 hours elapsed since the individual was in the affected area(s).
- If the immediate work area(s) **can** be closed off for 72 hours without affecting court operations, GSA will not conduct additional cleaning of the area(s) following a confirmed COVID-19 diagnosis or symptomatic individual's physical presence in the workspace.
- If there is a confirmed COVID-19 diagnosis or symptomatic individual who was last in the immediate work area(s) 72 hours ago, regular cleaning will occur.

How is EOIR treating the travel path of a symptomatic individual or an individual with a COVID-19 confirmed diagnosis?

GSA is following the CDC guidelines related to travel path and is no longer executing a cleaning specifically for that purposes. Of course, routine daily cleaning will cover the travel path's high touch surfaces.

When will GSA disinfect the workspaces?

If the immediate work area(s) cannot be closed off without affecting operations, the immigration court or immediate area (e.g., a floor of the headquarters building) may need to close based on the timing of GSA's cleaning and/or disinfection, if applicable.

What if closure of an immediate work area identifies which individual had a COVID-19 confirmed diagnosis?

While COVID-19 positive individuals may remain anonymous, it is appropriate and not a violation of privacy to close the space where such COVID-19 positive individual worked.

When does the immigration court close for a reason related to COVID-19?

Following a report of a COVID-19 confirmed diagnosis, work areas are closed for a period of time based on the amount of time elapsed since the diagnosed individual was in the space. Please note that all hours (i.e., including evening, weekend, and holiday hours) are considered when determining whether and for how long to close. GSA's cleaning and disinfection of spaces will continue to occur based on CDC guidance and the timing of such GSA efforts will impact closing and reopening determinations.

When do employees/contractors quarantine or isolate?

EOIR continues to apply CDC guidance when evaluating reports of individuals who are symptomatic or diagnosed with COVID-19. Based on such public health guidance and any applicable administration and Department policies, EOIR will require individuals to quarantine or isolate with consideration of vaccination status, active symptoms, any COVID-19 testing results, and knowledge of close contact with others who are or may be ill.

When should fully vaccinated employees be tested for COVID-19 after a close contact with an individual with a suspected or confirmed COVID-19 positive diagnosis?

Employees who are fully vaccinated and have had close contact with someone with suspected or confirmed COVID-19 positive diagnosis should get tested for COVID-19 5 to 7 days after

exposure, even if employees do not have symptoms. If their result is positive, the employees should isolate for 10 days.

Will EOIR notify me if I have been in close contact with a symptomatic individual or an individual who has received a COVID-19 confirmed diagnosis?

Upon notification of the physical presence of an ill individual in EOIR space, EOIR works to coordinate with that person to determine with whom they had close contact while in EOIR space. All named individuals will then be notified of their close contact with a symptomatic/infected person. EOIR will not be able to disclose the identity of the individual or provide specifics related to when or where the reported close contact occurred.

When should employees/contractors/visitors stay home?

- If the individual has symptoms consistent with COVID-19, the individual should not enter the workspace.
- If the individual has a temperature of 100.4 degrees or higher, the individual should not enter the workspace.
- If the individual says he or she does not feel well but voluntarily attributes their symptoms to a medical condition (i.e. allergies, diabetes, migraines, etc.) the individual may be allowed in the workspace. Supervisors may use their discretion, however, do not ask the individual for proof of medical documentation concerning their medical diagnosis.

What should I do if I think I have COVID-19 symptoms?

Follow current CDC guidance immediately and inform your supervisor, who will complete the incident intake form (link will be available on the intranet in the near future).

For more information on current CDC guidance on what to do if you experience COVID-19 symptoms, please visit: <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/index.html>.

Can I take leave to accompany a family member who is receiving a COVID-19 vaccination?

Yes. EOIR will grant administrative leave to employees who accompany any family member who is receiving a COVID-19 vaccination. For this purpose, a “family member” is an individual who meets the definition of that term in OPM’s leave regulations. *See* 5 C.F.R. 630.201. EOIR will grant up to four hours of administrative leave per dose for each family member the employee accompanies. (Employees may use duty hours to receive their own first or second doses of vaccines, but not to accompany family members.)

This guidance now applies to employees with children ages 5 through 11, since those children are now vaccine eligible.

I have other questions not addressed here, where can I look?

We recommend that you review the information available on the Safer Federal Workforce website, available at: <https://www.saferfederalworkforce.gov/faq/>. This resource will have the most up-to-date and relevant information.

Frequently Asked Questions COVID-19 Testing Requirements for Unvaccinated Employees

When must unvaccinated employees be vaccinated?

All federal employees must be fully vaccinated prior to November 22, 2021. “Fully vaccinated” means having received the FDA-recommended number of doses of an approved vaccination for COVID-19. Employees must receive their final dose of the COVID-19 vaccination by November 8, 2021, to meet the deadline.

Are there any exceptions to the COVID-19 vaccination requirement?

Yes, there are limited exceptions to the COVID-19 vaccination requirement for reasons of medical need and sincerely held religious beliefs. Please contact the Office of the General Counsel’s Reasonable Accommodations Unit for information or to seek an exception.

Can unvaccinated employees come into the office once they attest to their vaccination status on the online portal?

Yes. However, such individuals must bring with them proof of a negative COVID-19 test for entry.

If an employee is not comfortable uploading his or her vaccination record to the online portal but shows his or her supervisor proof of vaccination, is that acceptable?

No. All employees must upload their vaccination record to the online portal. Failure to upload is regarded as a failure to follow a directive.

What if an employee lost or does not have a copy of his or her vaccine documentation?

If an employee has lost their vaccination documentation or does not have a copy of it, the employee can contact the vaccination provider site where they received the vaccine. If the location is no longer operating, the employee should contact their health care provider, who may be able to access a State or local health department’s immunization information system for the employee’s record. If the employee has previously provided vaccine documentation to their healthcare provider, such that the employee’s overall vaccine record now includes reference to the COVID vaccine, the employee may submit a copy of the vaccine record instead of the COVID vaccine card.

When does the COVID-19 test need to be taken before entering a federal facility?

After November 9, 2021, EOIR employees who are working in the office (by requirement or by choice) may not enter without proof of a negative test result taken within the past three days before entry.

- Testing frequency will then be determined by the employee’s frequency in the office. For example, if an employee is in the office 5 days a week, they must undergo COVID-19 testing 2 times per week.
- Any employee who has not attested to having been fully vaccinated or has submitted a request for reasonable accommodation is subject to the testing requirement.

What type of COVID-19 test is acceptable / where can employees get tested?

Any FDA approved COVID-19 test is acceptable.

- The preferred method of testing is through an employee's health care provider or other health provider offering COVID-19 tests. There is a strong preference for a test that includes a report of results, rather than simply a visual image.
 - Employees may also use the online tool at:
<https://www.hhs.gov/coronavirus/community-based-testing-sites/index.html> to find testing sites on a state-by-state basis.
- Employees may perform a COVID-19 self-test, with the caveat that the employee perform the test **in the presence of a colleague or "verifying official."** Coordinate with your supervisor on who such "verifying official" will be.

What is the process for submitting COVID-19 test results prior to entering the office?

An employee may provide a copy of a negative test result to their supervisor via email or show the supervisor in person immediately upon entering the building.

If an employee is waiting on COVID-19 test results, may they enter the office in the interim? *(This question and answer applies to an individual who is being tested because they are not vaccinated, not because they are symptomatic. The provided answer does not apply to an individual who was ill or asked to quarantine for some reason – return to the office in those cases is decided on a case-by-case basis.)*

Yes, provided the employee's last COVID-19 test was negative. However, if the employee has come into close contact with an individual who is symptomatic or diagnosed with COVID-19 during this time, the employee should follow CDC guidelines for testing and quarantine and should not enter the workspace.

If any employee is sent home for failing to have a negative COVID-19 test within the last 72 hours, what type of leave is appropriate?

If the employee is not ill and cannot telework, they must use personal leave. Annual leave is the most appropriate.

If an employee requested a Reasonable Accommodation (RA), but the request has not yet been adjudicated, is there an impact on the testing requirement?

No. The only RA that will exempt an employee from routine testing is a RA for testing (as opposed to a RA for the vaccine). If that is the case, then EOIR should not direct the employee to be tested before coming into the workspace pending the resolution of the request

Who pays for the COVID-19 testing associated costs (if any)?

Components (EOIR) must reimburse for all required testing. Employees must first endeavor to have their health insurance cover the cost of testing as EOIR must be the payer of last resort.

Will EOIR provide testing for employees?

At this time, EOIR will not provide COVID-19 diagnostic testing for employees. EOIR will, however, reimburse employees for any direct costs associated with testing. Please contact your supervisor if you need to submit for such reimbursement (i.e., your testing is not covered by insurance).

How does an employee submit a request for reimbursement for COVID-19 related testing?

For employees whose COVID-19 testing was not covered by their medical insurance, they must submit form SF-1164 to the online E-2 travel system. Please reach out to your supervisors if you are unfamiliar with the E-2 travel system.

What responsibilities do supervisors have regarding COVID-19 attestation and testing?

- Supervisors will be responsible for ensuring all employees they supervise have responded to the attestation requirement.
- For the supervisors that manage employees who have not been vaccinated (regardless of RA status), the supervisor must ensure that the employee provides proof of negative COVID-19 test results from a test taken within the past 72 hours when reporting into the office. The results can be provided via email or shown in person.
- If an unvaccinated employee is teleworking, there is no requirement for a negative COVID-19 test within the previous 72 hours.

Is an employee permitted to telework to avoid the testing requirement?

No. Employees should report for duty as expected and notified. While planned telework does not require an unvaccinated employee to be in line with the testing requirement while teleworking, employees may not request telework for the explicit purpose of avoiding testing.

Frequently Asked Questions COVID-19 Booster Shots

Am I required to get a COVID-19 booster vaccine if I am eligible?

No. Currently, federal employees are only required to be “fully vaccinated” against COVID-19, meaning they received either two doses of the Pfizer/Moderna vaccine or one dose of the Johnson & Johnson vaccine.

Must EOIR provide leave in order to get my booster vaccine, if I choose to do so?

Yes. EOIR must grant leave-eligible employees up to four hours of administrative leave to receive any authorized COVID-19 vaccine booster shot, if they are eligible to receive such a booster shot. The administrative leave will cover the time it takes to travel to the vaccination site, receive the vaccination dose, and return to work. Because there is currently no requirement for federal employees to receive a vaccine booster shot or additional dose, granting duty time is not allowable. (Employees may use duty hours to receive first or second doses of vaccines, but not boosters.)

Do I need to upload proof of my COVID-19 booster vaccine to the online portal?

No. At this time, the online portal does not support the capability to upload proof of your booster vaccine. Do not attempt to enter any information onto the online portal concerning your COVID-19 booster vaccine.