

Bodman PLC

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### **Safer Federal Workforce Task Force Issues Guidance on Federal Contractor Covid-19 Protocols**

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On September 24, 2021, the Safer Federal Workforce Task Force issued guidance (“Guidance”) to federal contractors and subcontractors regarding required Covid-19 protocols. The Guidance generally applies to all federal prime contractors and subcontractors at any tier who are a party to a government contract (“Covered Contractor”). Contractors who fail or refuse to comply with the Guidance can face debarment from current or future contracts.

#### **Vaccination, Masking, and Physical Distancing Requirements**

All employees who work “on or in connection with a covered government contract” or “at a covered contractor workplace” (“Covered Contractor Employee”) must be fully vaccinated by **December 8, 2021**. This standard includes Covered Contractor Employees who work remotely from their residence. A Covered Contractor Employee must provide documentary proof of vaccination – employee attestation is insufficient. Agencies may approve limited exceptions for no more than 60 days based on urgent work needs.

A Covered Contractor must also ensure that Covered Contractor Employees and third parties working on-site comply with published CDC Guidance for masking and physical distancing. Currently, unvaccinated individuals must wear a mask indoors and at crowded outdoor settings and socially distance at all practicable times and vaccinated individuals must wear a mask indoors in areas of substantial community transmission, as determined by the CDC. Exceptions to masking requirements may be provided where an individual is alone in an enclosed office space, eating or drinking (while physical distancing), or engaged in work activities that make masks infeasible.

#### **Exemptions and Accommodations**

Covered Contractors are required to provide accommodations to the vaccination or masking requirement for individuals who are unable to comply for legally required reasons, such as a disability or a sincerely held religious belief. Covered Contractors are responsible for reviewing and approving accommodation requests.

## Coordinating Safety Protocols

Covered Contractors must designate an individual or individuals to coordinate COVID-19 workplace safety efforts at Covered Contractor workplaces. The designated individual(s) must ensure that information on required COVID-19 workplace safety protocols is provided to Covered Contractor Employees and all other individuals.

Employers with questions about determining whether they are subject to the Task Force's Guidance or need help implementing their vaccination policy should contact any member of Bodman's Workplace Law Group. Bodman cannot respond to your questions or receive information from you without first clearing potential conflicts with other clients. Thank you for your patience and understanding.

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