

COVID-19 Policy FAQs

FAQs 2.3.22

1. Do I call the LANL Hotline when I determine that I am sick when doing my daily self-check, following the New Attachment 4, Rev. 22 guidelines?

- The LANL Hotline is no longer to be contacted.
- Contact N3B Occupational Medicine **ONLY** for positive cases confirmed by a PCR test result (Call 505-551-2267). Occupational Medicine will no longer need to be contacted for potential COVID-19 cases. Occupational Medicine will facilitate contact tracing to reports of positive COVID-19 cases if you test positive and were onsite before getting sick.
- Treat feeling sick as any other illness, unless you test positive. Stay at home, and contact your manager.
- If you are unsure or have questions, contact your manager or N3B OccMed to assist you.
- Isolation requirements have been modified, see Attachment 4.
- COVID-19 related travel restrictions are lifted.

2. What is the new N3B policy for Face Coverings in Rev. 22?

- Cloth face coverings and gaiters will no longer be used.
- N95, KN95 or surgical masks must be used. N3B has a supply for use and is ensuring an ongoing supply is available. Note that masks with valves are not allowed. Contact your manager to obtain. Occupational Medicine will no longer need to be contacted for potential COVID-19 cases. Occupational Medicine will facilitate contact tracing to reports of positive COVID-19 cases if you test positive and were onsite before getting sick.

3. Are face coverings required in the workplace, per Rev. 22?

- Face coverings ARE required for ALL workers, regardless of vaccination status in all indoor spaces, when in a government vehicle, and close proximity work tasks, unless in an office space with a closed door. They are not required for specific work control conditions, a single person in a vehicle or heavy equipment, and not required with controls, if fogging occurs during authorized operations. Unvaccinated workers will also wear face coverings in all outdoor areas. Vaccinated workers may remove face coverings in outdoor areas.

4. Am I required to do the daily checklist even if I am not working on site or if I am working remotely?

- All workers, including those working remotely, must do the revised daily self-check checklist, and follow the guidelines. Managers must not allow an employee on site without verifying that they have completed their at-home self-check, including temperature check.

Unvaccinated employees must provide positive confirmation of self-check completion. Note that a copy of the self-check checklist must be signed and dated and provided to the supervisor for those without computer access. Those with computer access can email the completion confirmation.

5. Are there limitations to the number of passengers in a vehicle?

- No, per Rev. 22, there is no specified limit due to COVID-19 on the number of passengers in a vehicle, but minimize vehicle occupancy loading when possible. Note that face coverings must be worn at all times in a vehicle with other passengers. Face coverings are required for all workers, when in a government vehicle, and close proximity work tasks. Unvaccinated workers will also wear face coverings in all outdoor areas. Fully vaccinated workers may remove face coverings outdoors.

Required Vaccination FAQs

FAQs 12.13.21

1. How will N3B be affected by the nationwide preliminary injunction halting enforcement of the federal contractor and subcontractor vaccine mandate

UPDATED 12/13/21

A federal court has blocked enforcement (by issuing a preliminary injunction) of the COVID-19 vaccine mandate for federal contractor employees. This notice provides information on how N3B's vaccination program will move forward in the face of the preliminary injunction.

The preliminary injunction is not a final decision on the legality of the mandate and, if appealed, it could be lifted or modified. In that case, there is a possibility that the federal government could be allowed to resume enforcement. In other words, the mandatory vaccination requirement could come back – with either the same or a different deadline.

Therefore, N3B will continue to process requests for religious and medical exemptions from the mandate and provide reasonable accommodations for approved requests where possible. However, N3B will take no actions to enforce the mandate after January 18, 2022 unless the preliminary injunction is lifted and the mandate is reinstated.

N3B continues to strongly encourage you to become fully vaccinated and obtain a booster shot. However, if you intend to submit a request for exemption, please do so promptly.

FAQs 11.15.21

1. N3B COVID Deadline to Achieve Full Vaccination Extended = **UPDATED 11/15/21** =

The Safer Federal Workforce Taskforce has extended the deadline for federal contractor and subcontractor employees to achieve full vaccination status. The new date is **January 18, 2022** which means the last dose in your regimen must be received **no later than January 4, 2022.**

FAQs 11.8.21

1. N3B COVID Deadline Not Affected by OSHA Rule

N3B's deadline for employees to **be fully vaccinated or receive an exemption and reasonable accommodation** (December 8, 2021) **has not changed.** You may have heard that OSHA published its Emergency Temporary Standard (ETS) last Friday that places vaccination or testing requirements on all employers who have at least 100 employees. The OSHA ETS does not apply to N3B since we are already subject to the mandate for federal contractors. The ETS specifically states: "(b) Scope and application. (2) The requirements of this section **do not apply to: (i) Workplaces covered under the Safer Federal Workforce Task Force COVID-19 Workplace Safety: Guidance for Federal Contractors and Subcontractors.**

FAQs 10.21.21

1. What about booster shots? Do I get up to four hours paid time off to get one? = **UPDATED 11/8/21** =

You may now charge the actual time it takes for you to receive a COVID booster vaccine **up to a maximum of 8 hours.** And, as noted previously, time taken to recover from the vaccine or any adverse effects will be charged to the employee's sick time, if required.

2. If I took sick time or vacation to get my vaccines in order to be fully vaccinated, can I recode the hours to get paid for that time?

If you used sick time or vacation time to get your vaccines in order to achieve full vaccination status (not boosters), you may retroactively change that charge code to the COVID-19 code. You may claim actual time **up to 4 hours** per dose for doses received prior to 9/19/21. For doses received on or after 9/19/21, you may claim actual time **up to 8 hours** per dose. Work with your

supervisor to make the necessary change. Note: The change is only for actual hours used to receive your vaccine if less than the maximum amount of hours allotted.

FAQs 10.20.21

1. Do I get paid to go get the vaccination? = REVISED =

Pursuant to N3B-AP-0003, R21, *Resumption of Operations*, N3B provides up to ~~four~~ **eight** hours of paid time per dose to receive the vaccine. Workers must coordinate this time with their managers and charge the COVID-19 time charging code. Time taken to recover from the vaccine or any adverse effects will be charged to the employee's sick time, if required.

2. What vaccinations meet the requirements of the COVID vaccination mandate?

According to the latest information, Safer Federal Workforce Task Force COVID-19 Workplace Safety: Guidance for Federal Contractors and Subcontractors Issued September 24, 2021 (by which N3B is bound):

People are considered *fully vaccinated* for COVID-19 two weeks after they have received the second dose in a two-dose series, or two weeks after they have received a single-dose vaccine. "For purposes of this Guidance, people are considered fully vaccinated if they have received COVID-19 vaccines currently approved or authorized for emergency use by the U.S. Food and Drug Administration (Pfizer-BioNTech, Moderna, and Johnson & Johnson [J&J]/Janssen COVID-19 vaccines) or COVID-19 vaccines that have been listed for emergency use by the World Health Organization (e.g., AstraZeneca/Oxford). Clinical trial participants from a U.S. site who are documented to have received the full series of an "active" (not placebo) COVID-19 vaccine candidate, for which vaccine efficacy has been independently confirmed (e.g., by a data and safety monitoring board), can be considered fully vaccinated two weeks after they have completed the vaccine series. Currently, the Novavax COVID-19 vaccine meets these criteria." If/when the Task Force issues guidance specific to the Comirnaty vaccine, we will post an update.

FAQs 10.19.21

1. Can I mix vaccine types and still be considered fully vaccinated? Example: What if I got a Moderna vaccine first and my second dose was a Pfizer shot? = REVISED =

Yes. Individuals can be considered fully vaccinated ≥ 2 weeks after receipt of the last dose if they have received any combination of two doses of an FDA approved or authorized or WHO

emergency use listed COVID-19 two-dose series. For these purposes, the second dose in a two dose heterologous (that is, different type) series must have been received no earlier than 17 days (21 days with a 4-day grace period) after the first dose.

2. Who specifically will be making decisions on medical exemption requests? Is it an individual or panel?

The Occupational Medicine Department in consultation with third party medical experts, as necessary, will provide a panel with OM's preliminary determination regarding granting an exemption. The panel, nominally comprising senior management individuals from HR, ES&H, QAT, and the Law Department, will meet to ensure fair and consistent treatment of requests and reach a final decision.

3. Please confirm that N3B will take responsibility for any adverse events employees may incur as a result of mandated vaccines. Please confirm that workplace injury coverage applies to adverse events from each of the following; Pfizer (Emergency Use Authorized-EUA), Moderna (EUA), J&J (EUA) and Comirnaty (FDA Approved) vaccines.

As previously stated, if an employee receives a vaccine because of an employer mandate to be vaccinated, and the employee has some sort of severe reaction to the vaccine, causing serious illness or injury, the employee may file a workers compensation claim.

4. Per Liberty Counsel, which has argued several civil liberty cases before the US Supreme Court, the FDA Approved Comirnaty vaccine, and the predecessor Pfizer vaccine which only has Emergency Use Authorization, are legally non interchangeable products. The FDA confirms these products are "legally distinct". Per a Pfizer spokesperson on October 12, there are no doses of the only FDA Approved vaccine, Comirnaty, in the US. If Comirnaty is not available locally in time to meet the deadline, will the N3B vaccine deadline be extended accordingly?

The December 8, 2021 deadline is federally mandated. N3B will not be extending its deadline unless the federal government makes a change and directs N3B to do the same.

Without confirming availability of the Comirnaty vaccine, N3B offers the following information. On August 23, 2021, the U.S. Food and Drug Administration approved the first COVID-19 vaccine. The vaccine has been known as the Pfizer-BioNTech COVID-19 Vaccine, and will now be marketed as Comirnaty (koe-mir'-na-tee), for the prevention of COVID-19 disease in individuals 16 years of age and older.

The FDA states that the licensed vaccine (Comirnaty) has the same formulation as the EUA-authorized vaccine (Pfizer-BioNTech) and the products can be used interchangeably to provide the vaccination series without presenting any safety or effectiveness concerns. The products are legally distinct with certain differences that do not impact safety or effectiveness. <https://www.fda.gov/media/144414/download>

The Moderna & J&J vaccines are still available under EUA.

FAQs 10.18.21

1. Will N3B will be liable for any adverse reactions to the vaccine?

If an employee receives a vaccine because of an employer mandate to be vaccinated and the employee has some sort of severe reaction to the vaccine, causing serious illness or injury, the employee may file a workers compensation claim.

2. I am a subcontractor employee. Am I subject to the mandate?

If your employer's subcontract has been modified to include the direction in its subcontract, then you will be subject to the mandate. Your employer will determine how it will process requests for exemption and reasonable accommodation.

3. I telework. Does the mandate apply to me?

Yes. The Task Force Guidance that N3B has to follow says that an individual working on a covered contract from their residence is a covered contractor employee, and must comply with the vaccination requirement for covered contractor employees, even if the employee never works at either a covered contractor workplace or Federal workplace during the performance of the contract.

4. May I take vacation or sick leave rather than LWOP?

No, only LWOP is authorized.

5. How will I know if subcontractor employees coming onsite are vaccinated?

N3B will coordinate with subcontractors to ensure that their employees are fully vaccinated by December 8, 2021, or have received an exemption/reasonable accommodation. Onsite safety protocols for unvaccinated subcontractor employees will be at least as stringent as those N3B imposes on its own employees.

6. As a manager or supervisor, will I have to agree to reasonable accommodations offered to subcontractor employees?

Not as such, but you will be given an opportunity (working through the Subcontract Technical Representative) to provide your opinion regarding whether the accommodation offered a subcontractor employee will impact N3B's mission work.

7. If I am placed on Leave Without Pay (LWOP), how will my N3B benefits be affected?

An employee's medical, dental and vision insurance and other benefits premiums may be impacted depending on the length of time the employee spends on LWOP. LWOP premiums that cannot be taken from the employee's paycheck requires the employee to pay their premiums directly to N3B. Insurance premium payments depend on the employee's length of time on LWOP, and may be different for each employee. For specific benefits information, please send a question to n3bhr@em-la.doe.gov. **HR Benefits Office**

8. If I've already had COVID, do I still have to be vaccinated?

Yes.

9. What if I've had a recent antibody test, do I still have to be vaccinated?

Yes.

10. What is required for a medical exemption request?

There are two forms needed to request a medical exemption to the COVID-19 vaccine. The employee is to provide the Request for Medical Exemption/Accommodation Related to COVID-19 Vaccination Form (N3B-Form-6390) to Human Resources. The employee also is to furnish the Medical Certification for Vaccination Exemption Form (N3B-Form-6391) to his/her medical provider. The medical provider will complete the medical certification form and the medical provider will return it to Laura Smith at the address included on the certification form. Medical certifications received from employees cannot be accepted.

11. If my exemption is approved, does that mean there will be reasonable accommodations for me?

The determination of exemption approval and the ability to provide reasonable accommodations are two distinct actions. Based on an employee's role and exemption, reasonable accommodations may vary, and may not be a viable option for the nature of the work the employee performs.

