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## **JOB CORPS ACQUISITION SERVICES CONTRACTOR GUIDANCE**

### **SUBJECT: DOL CONTRACTOR VACCINATION STATUS**

#### **PURPOSE**

The purpose of this document is to provide guidance to Job Corps contractors regarding contractor personnel performing work onsite at Department of Labor facilities, specifically, Job Corps Centers.

#### **APPLICABILITY**

This guidance is applicable to all Job Corps center operations contracts, all National Training contracts, and all Job Corps construction contracts, wherein contract performance occurs at a Job Corps Center.

#### **EFFECTIVE DATE**

The guidance outlined herein shall be effective September 1, 2021 and shall be followed until revised or canceled.

#### **GUIDANCE**

##### ***Center Staff***

Consistent with guidance from the Centers for Disease Control and Prevention (CDC) and the Safer Federal Workforce Task Force, the Department of Labor (DOL or Department) is establishing specific health and safety protocols for individuals who are fully vaccinated (at least two weeks past the final vaccine dose) and those who are not fully vaccinated. The Department's health and safety protocols can be found in the [DOL COVID-19 Workplace Safety Plan](#).

At the start of the contractor employee's shift that begins on September 1, 2021, the employee entering the Job Corps center will be asked to provide information about their vaccination status.

Contractor staff who disclose that they are fully vaccinated will comply with Departmental guidance for fully vaccinated individuals, as defined in DOL's COVID-19 Workplace Safety Plan.

Contractor staff that choose "not yet fully vaccinated," "not been vaccinated," or "decline to respond" on the form must comply with CDC and DOL guidance, including the following safety protocols while in DOL facilities:

- Review the appropriate protocols with their on-site supervisor;
- Wear a mask regardless of the level of community transmission
- Distance at least six feet from others
- Provide proof of having received a negative COVID-19 test from within the previous 3 days (this is a recurring requirement); and
- Adhere to applicable travel restrictions, as defined in DOL's COVID-19 Workplace Safety Plan.

If contractor staff fail to comply with CDC and DOL guidance, including the safety protocols, the contractor staff will be unable to perform work onsite.

As a reminder, in PIN 20-08, everyone, including individuals who are fully vaccinated, must wear a mask inside DOL facilities consistent with Federal requirements.

Pursuant to this DOL policy, attached is the Certification of Vaccination form to be completed by contractor staff performing onsite work at a DOL facility. Completion of the form is required one-time, prior to or upon entry at a DOL facility; however, if the form is lost, misplaced or is otherwise illegible, contractor staff will be required to complete the form again. Additionally, if a contractor staff has a change in vaccination status, a new form must be completed.

Contractor staff shall be asked by center security to present a Certification of Vaccination form upon entry and are required to retain the completed form in their possession while onsite at a DOL facility. Contractor staff that decline to provide vaccination status on the form or are not fully vaccinated will also be required, when onsite at a DOL facility, to carry proof of having received a negative COVID-19 test from within the previous 3 days. Center Security shall review the completed form and/or testing documentation. At this time, DOL is not authorized to collect the completed certification forms from contracting staff.

**Please see the attached addendum, which addresses the application of the three-day rule, guidance regarding visitors, as well as Frequently Asked Questions.**

The above requirements are steps to prevent the spread of COVID-19 to protect the health and safety of our workforce, as well as students living and learning at Job Corps centers. Thank you

for all you are doing to keep yourself and others safe. Please visit [here](#) for additional guidance on the Department's vaccination policy.

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Head of Contracting Activity

Job Corps Acquisition Services

## Addendum

A. This table illustrates the three day rule, with the days in green representing the days that would count as acceptable for the day in red. Please keep in mind that the days in green must represent the day the test was taken.

Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Thursday	Friday	Saturday	Sunday						
	Friday	Saturday	Sunday	Monday					
		Saturday	Sunday	Monday	Tuesday				
			Sunday	Monday	Tuesday	Wednesday			
				Monday	Tuesday	Wednesday	Thursday		
					Tuesday	Wednesday	Thursday	Friday	
						Wednesday	Thursday	Friday	Saturday

## B. Visitors

Until provided additional guidance, contractors shall adhere to the following:

### *Vaccination Status Certification for Visitors*

Consistent with the guidance from Safer Federal Workforce Task Force, **beginning Wednesday, September 1, 2021, visitors entering a Job Corps center will be asked to disclose their vaccination status.** Center staff coordinating with visitors will notify visitors to the center to complete the [Certification of Vaccination form](#) and keep it with them during their time on center premises—they will be asked to show the form to the security who is screening them.

Center staff may share the form with visitors in advance of their time onsite to enable them to easily complete it, but they must not collect or maintain completed Certification of Vaccination forms from visitors at this time.

Visitors that choose “not yet fully vaccinated,” “not been vaccinated,” or “decline to respond” on the form must comply with CDC and DOL guidance for individuals who are not fully vaccinated, including the following safety protocols while on the center:

- Wear a mask regardless of the level of community transmission;
- Distance at least six feet from others; and

- **Provide proof of having received a negative COVID-19 test from within the previous 3 days.**

Visitors that choose fully vaccinated must still wear a mask regardless of the level of community transmission and distance at least six feet from others.

**Delivery drivers and vendors** do not need to complete the form or show documentation of a negative COVID-19 test result. However, if these visitors are not fully vaccinated, they must comply with all relevant CDC guidance and safety protocols, including mask-wearing and physical distancing requirements.

### C. Questions and Answers

1. Does the guidance impact staff who work off site (OA/CTS for example)?

This guidance only affects staff who work on a federal facility, not off site. Accordingly, OACTS staff who work in contractor leased space and not on a Job Corps center would not be required to comply with the policy unless they are visiting a federal facility.

2. Are there certain tests that are not valid COVID Test? (Example over the counter type, at home type)

The test must be FDA approved/authorized. Instant/over-the-counter test results are allowable at this time, provided that they are FDA authorized/approved. Tests that have emergency FDA approval are also permitted.

3. Are staff allowed to test on center?

Staff are not permitted to test on center or to use Job Corps equipment or supplies for testing.

4. Do centers go by the date the staff took the test, or the date the staff received the test results?

Centers must go by the date that the test was taken, not the date that the test result was received.

5. Can we provide some examples of the acceptable date range of the 3 days prior? Do the days count like quarantine where the first day is day 0 or is it day 1?

Please see the table above.

6. Do the requirements impact staff and students?

Contractor staff only. At this time, students must follow existing Job Corps policies on testing, masking, and quarantining.

7. If fully vaccinated, are staff not required to social distance regardless of the community levels?

At this time, staff shall continue to follow existing Job Corps policy that requires staff to socially distance regardless of vaccination status.

8. If an unvaccinated staff tests positive and goes into isolation for 10 days, when they return, are they required to test? Their tests could come back positive. If not, would this be for the next 90 days?

JCAS is continuing to research the answer to this question. In the interim, documentation from a medical provider confirming that the individual is cleared to return to work can take the place of a negative test result.

9. Are there concerns with security staff being aware of the vaccination status of staff?

No. Security staff are not retaining evidence of vaccination status nor keeping any logs/data. Security staff must not collect, and must not accept, copies or records of Certification of Vaccination forms or test results.

10. Do Job Corps staff not have to quarantine after exposure if they are fully vaccinated? Is this effective 9/1/21.

Staff shall continue to follow Job Corps program policy, wherein staff are required to quarantine after exposure.

11. Is the intent we conduct any COVID-19 staff tests on center with our Wellness staff?

Testing shall not be done on center with wellness staff.

12. Do deliveries, vendors, or short term contractors (1 day) have to complete this form and provide the same vaccination or negative testing documents?

Please see guidance above in section B.

13. There are three blank spaces on page 2, 3 and 4 that need clarification:

Page 2 under Directions and notice to Federal employees there is a blank space to be filled out. This may not apply to us as contractors, but it isn't entirely clear.

This space does not apply to contractors.

Page 3 under Consequence of Failure to Provide Information there are two blank spaces about whom to contact and who to turn the form into. This may also not apply to us as contractors, but it isn't clear and if it does? If we turn the forms in, how do we maintain possession of them while on site?

This space does not apply to contractors. The employee shall retain possession of the form.

Page 4 under Public burden information there is a blank space to enter an organization's name, but I'm not sure what organization that should be. It also indicates that we are not to collect this information unless "this" number is displayed. I don't know what that means at all or how it impacts us.

Please leave this section blank.

14. Guidance 2021-05 states we have the Verification form and if needed the COVID-19 Results in our possession while "onsite". How do we define possession? Can I leave it be left in employee's office while on center? What if an employee is doing landscaping or preparing food in the kitchen?

The form can be left in an employee's office, in their locker, etc. so long as it can be produced if needed.

15. Since the requirement to show test results goes into effect 09/01 will those unvaccinated or partially vaccinated need to be tested on Sunday 08/29 and bring these results to work on 09/01? If the community has limited resources on a Sunday for testing, should staff be told not to come to work until after the test (likely on 9/2)? Also, is the expectation that staff is tested every 3-4 days or once a week? Please clarify more on this testing requirement.

Please see the table above, which illustrates the 3 day rule. It is the responsibility of the staff to ensure that they are in compliance with the policy. Operators shall work with staff to address any instances where staff cannot work on site because of the policy, which may require the operator to hire substitute staff.

16. Are we allowed to use our testing equipment to perform these tests on Center, or are staff required to get their own test?

The center's testing equipment, supplies and personnel shall not be used to conduct the test. The employee is required to obtain their own test.

17. If staff are required to go off Center for testing every 3 days/72 hours or weekly, is the cost to be covered by the employer (due to mandate), insurance (still affecting the employer), or the government? If the government will cover the cost, will Modifications to contracts be issued to cover these costs?

The government will not cover the cost of testing to include the cost of the test, travel to get tested, etc.

18. Does this affect individuals (staff, dependents, etc) living **in** center housing? If so, how?

An exception is granted for individuals who live in center housing but do not work or go inside any Job Corps center buildings.

19. Will at home testing kits be allowed? What will count as proof from the staff member?

At home testing kits are permitted, so long as they are FDA approved. Documentation of the result will count as proof from the staff member.

20. Are employees expected to provide the Certification of Vaccination form (OMB Control No 3206-0277) each day as they enter the facility, or does the contractor have the latitude to develop a mechanism for clearance once a fully vaccinated person presents this form the first time.

Employees are expected to show a completed Certification of Vaccination as they enter the facility each day. Employees may keep an electronic copy of their Certification of Vaccination, provided that the employee can easily show the document upon request.

21. Regarding the requirement for unvaccinated, partially vaccinated, or non-compliant employees to carry proof of having received a negative COVID-19 test from within the previous 3 days; does the three days include the day the test was performed? Also, some test sites no longer perform the rapid test, or they restrict rapid testing to certain circumstances. Given the three day window, the PRC (polymerase chain reaction) test results take longer and are sometimes not available within a 3 day period in some locations. How do you suggest that these instances/circumstances are handled?

It is the employee's responsibility to produce a test result showing negative. How an employee meets that requirement is the responsibility of the employee.

22. Some test locations no longer provide testing for employment purposes. In such cases, there may be cost associated with testing through a private provider. Is this an allowable contract cost?

This is not an allowable contract cost.

23. New hires get a rapid test on their first day, so they would not need to show a negative at the gate. Is this correct?

This is correct. However, individuals must still complete the form. The proof of a negative test will be achieved through the rapid test on center.

24. We may call substitutes at the last minute. They may not have time to get a negative test and come in for the shift. Please advise.



It is the contractor's responsibility to ensure that employee's adhere to the guidance.  
How the contractor meets that requirement is the responsibility of the contractor.

25. Is it ok to have a copy on one's phone to show instead of the forms?

Yes. The employee can keep an electronic version (photo) of the form on their phone and show that upon request.

26. Can the contractor compile and keep a databased of those vaccinated?

With regards to this policy, no records/databases shall be kept.

27. Is it possible to get a waiver as to the implementation date given the staff vacancies.

Unfortunately, it is not possible to obtain a waiver due to staff vacancies.

28. Is it the expectation that a copy be maintained by center HR staff?

With regards to this policy, no records/databases shall be kept.

29. Do vaccinated staff have to show their vaccination card or is it entirely self-certifying?

Under this policy, vaccinated staff do not have to show their proof of vaccination. They only need to have a copy of the Certification of Vaccination form attesting that they are vaccinated.

30. This does not change the daily entry health checks, correct?

Correct, the contractor shall follow all other existing Job Corps COVID-19 related requirements.

31. Given that there are some pending answers with more information to come, is it possible that the implementation date may change?

The implementation date will not change.

32. Is it the expectation that a copy be maintained by center HR staff?

With regards to this policy, no records/databases shall be kept.

33. Some staff have been informed by medical professionals that they should not get the vaccine or are not eligible for the vaccination for medical reasons. Is the testing still required for these staff? What are the options for these staff?

Testing is still required for these staff.

34. Some staff do not want to get the vaccination for religious purposes. Will these staff be allowed an exception or accommodation (e.g. ADA, Title VII), similar to how this is handled regarding vaccinations for school-age children?

Testing is still required for these staff.

35. How are we to handle circumstances where COVID testing sites are closed due to an emergency (e.g. wildfires, hurricanes) and staff cannot get a test?

If a contractor encounters a situation such to this, please inform your Contracting Officer and a decision based on the facts of the matter will be made.

36. What if there are no COVID testing sites in reasonable commuting distance?

Test results do not have to be from a particular testing site. Thus, employees can use results from an FDA approved/authorized over-the-counter at-home test (such as that available from a large retailer or pharmacy) or a test from a medical provider (such as a doctor's office, urgent care clinic, etc.).

37. Many staff have been waiting for full FDA approval of a vaccination and/or an employer or DOL vaccination mandate before getting vaccinated. These two things happened within two days of each other last week. Can a grace period of some sort be allowed for these staff who are taking the necessary actions to comply with the vaccine mandate now that it has been issued?

A grace period will not be permitted.