

March 12, 2021

DIRECTIVE: JOB CORPS DATA CENTER NOTICE NO. 20-158
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FROM: Job Corps Data Center

SUBJECT: COVID-19 Vaccine Information Collection

To support centers' continued efforts for returning active students and enrolling new students, the National Office of Job Corps would like to understand the degree to which Job Corps center staff have been vaccinated against COVID-19 through FDA Emergency Use Authorizations for Pfizer, Moderna, and Johnson and Johnson. This information may help Job Corps as it continues to assess COVID-19 risks associated with centers resuming on-campus operations and returning currently enrolled and potentially new students to Job Corps.

Please indicate the number of staff who are currently employed at the center, including subcontracted employees and national training contractors. Indicate the total number of staff who have reported to have received full vaccination. For example, for staff who have received the Moderna vaccine, which requires a first and second dose, indicate the number of staff who have received the second dose.

Please complete this data collection via the Google Forms provided by JCDC **by COB, Monday, March 22, 2021** and weekly thereafter.

<https://docs.google.com/forms/d/1NJtLXox6DTGrDTdfNpq6FdkQTgrjNXhPsILsM05-oA/edit?usp=sharing>

As a reminder, centers must follow EEOC [guidance](#) when requesting vaccine information from staff. Relevant portions of the EEOC vaccine guidance concerning the American with Disabilities Act (ADA) and the Genetic Information Nondiscrimination Act (GINA) are excerpted below. If you have questions about the EEOC guidance, please reach out to your corporate human resources staff.

K.3. Is asking or requiring an employee to show proof of receipt of a COVID-19 vaccination a disability-related inquiry? (12/16/20)

No. There are many reasons that may explain why an employee has not been vaccinated, which may or may not be disability-related. **Simply requesting proof of receipt of a COVID-19 vaccination is not likely to elicit information about a disability and, therefore, is not a disability-related inquiry.** However, subsequent employer questions, such as asking why an individual did not receive a vaccination, may elicit information about a disability and would be subject to the pertinent ADA standard that they be “job-related and consistent with business necessity.” **If an employer requires employees to provide proof that they have received a COVID-19 vaccination from a pharmacy or their own health care provider, the employer may want to warn the employee not to provide any medical information as part of the proof in order to avoid implicating the ADA.**

K.9. Does asking an employee the pre-vaccination screening questions before administering a COVID-19 vaccine implicate Title II of GINA? (12/16/20)

If an employer requires employees to provide proof that they have received a COVID-19 vaccination from their own health care provider, **the employer may want to warn the employee not to provide genetic information as part of the proof. As long as this warning is provided, any genetic information the employer receives in response to its request for proof of vaccination will be considered inadvertent and therefore not unlawful under GINA. See 29 CFR 1635.8(b)(1)(i) for model language that can be used for this warning.**