Human Resource Policy Manual (HRPM) Policy Bulletin #124

Time Used for Obtaining a COVID-19 Vaccination

This policy bulletin applies to: (1) non-bargaining unit employees/positions (2) bargaining unit employees/positions, except where the applicable collective bargaining agreement contains conflicting provisions or the subject has not been negotiated.

Policy bulletin effective date: 09/01/2022. This policy bulletin will remain in effect until canceled by the Office of Human Resource Management.

Background information: This version replaces Policy Bulletin #124, Time Used for Obtaining a COVID-19 Vaccination, dated January 21, 2022. Revisions made were to align with directives issued by the Safer Federal Workforce Task Force (SFWTF) on August 31, 2022, based on the recent Centers for Disease Control and Prevention (CDC) updated guidance:

- (1) Updated definition of "Fully Vaccinated" to "Up to Date with COVID-19 Vaccinations" in subparagraph 3b;
- (2) Removed reference to vaccination attestation in subparagraph 4b;
- (3) Clarified and revised paragraph 7 to remove number of booster doses; and
- (4) Updated paragraph 8 to allow for managers to consider staffing and workload.

Use this policy bulletin in conjunction with: <u>LWS-8.8, Excused Absence</u>

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1. Purpose. This policy bulletin provides guidance on the time used by employees to obtain COVID-19 vaccination(s), to include post-vaccination recovery, and to accompany family members who are receiving the vaccination(s), as prescribed in <u>LWS-8.8</u>, <u>Excused Absence</u>, <u>paragraph 6c(2) – FAA Sanctioned Wellness/Fitness</u> <u>Program Participation</u>.

2. Scope. This policy bulletin applies to all FAA employees.

3. Definitions.

a. Family Member. Spouse and parents thereof; children, including adopted children, and spouses thereof; parents, brothers, sisters, and spouses thereof; and any individual who is related by blood or affinity whose close association with an employee is the equivalent of a family relationship.

b. Up to Date with COVID-19 Vaccinations. A person is considered <u>up to date with</u> COVID-19 vaccines when they have received all doses in the primary series and all boosters recommended by the vaccine manufacturer and the Centers for Disease Control and Prevention (CDC), when eligible.

4. Excused Absence for Vaccination. Managers may grant an employee excused absence for a COVID-19 vaccination appointment scheduled during the employee's regularly scheduled tour of duty.

a. Amount of Hours Authorized. An employee may receive up to four (4) hours of excused absence for each dose, if applicable, of the COVID-19 vaccine, to include travel time to and from the vaccination site, to receive the vaccination, and the required wait time. A maximum of up to eight (8) hours total of excused absence is allowable when receiving multiple doses of the vaccine. If an employee spends less time getting the vaccine, they will receive only the amount of excused absence needed for the appointment.

b. Proof of Vaccination. To be eligible for excused absence, the employee must present proof of vaccination for each dose. Employees may provide a copy of the record of immunization from a health care provider or pharmacy, a copy of the COVID-19 Vaccination Record Card, a copy of medical records documenting the vaccination, a copy of immunization records from a public health or state immunization information system, or a copy of any other official documentation. The proof of vaccination documentation **must** contain the following required data points:

- (1) Type of vaccine administered;
- (2) Date(s) of administration; and
- (3) Name of the health care professional(s) or clinic site(s) administering the vaccine(s).

The employee must present documentation to support the time for the COVID-19 vaccination with their initial request for absence, but not later than five (5) business days following the date of vaccination.

Note: The manager must **not** retain a copy of the employee's proof of vaccination, but should document verification of the proof of vaccination.

c. Recording time used as excused absence: The employee must record the time used as excused absence (up to four (4) hours for each appointment, if applicable) in the time and attendance system, using the following codes:

- (1) Time Not Worked Code 061 Administrative Leave Weather and Safety, including the appropriate start and stop times; and
- (2) Labor Distribution Reporting (LDR) codes for Administrative Leave, Project Code 12XXFALEAVE, and Task Code LEA001 Use of Other Time Not Worked.

5. Employee Booster Shots. Managers may grant an employee excused absence to receive a COVID-19 booster shot. An employee may receive up to four (4) hours of excused absence per booster. In most circumstances, employees may take up to four (4) hours to travel to the vaccination site, obtain the COVID-19 booster, and return to work. If an employee spends less time receiving the COVID-19 booster, managers will only grant the needed amount of excused absence. The employee must present proof of the COVID-19 booster as outlined in paragraph 4b. The employee must record the time used as excused absence as outlined in paragraph 4c. This provision applies to covered vaccinations received on or after July 29, 2021.

6. Post-Vaccination Recovery. Employees may receive up to two (2) workdays of excused absence if they have an adverse reaction immediately following a COVID-19 vaccination/booster dose that prevents them from working. This period may be accounted for during an employee's regular day(s) off or excused absence and satisfies the 48-hour Do Not Fly period described in paragraph 8. If an employee requests more than two (2) work days to recover, they may use other appropriate leave (e.g., sick leave).

7. Family Member Vaccination Dose(s). Employees may request and will receive excused absence to accompany a family member who is getting a COVID-19 vaccination. Employees may receive up to four (4) hours

of excused absence per dose, per family member. If an employee spends less time accompanying a family member who is receiving the COVID-19 vaccine, managers will only grant the needed amount of excused absence. This provision applies to covered vaccinations received on or after July 29, 2021. Employees will not receive excused absence for the care of a family member who experiences an adverse reaction, but can use other applicable leave if the absence is required to care for an eligible family member.

a. Proof of Vaccination. Employees must provide an appointment email, text communication, or other documentation as proof for accompanying a family member.

Note: The manager must **not** retain a copy of the family member's proof of vaccination appointment, but should document verification of the appointment.

b. Recording excused absence. The employee must record the time used as excused absence (up to four (4) hours for each appointment, if applicable) in the time and attendance system (refer to paragraph 4c).

c. Employee Requests for Vaccination/Booster Time. An employee must request time in advance of their family member's vaccination/booster appointment, providing as much notice to their manager as practicable. The employee's request must include the date and hours (within the employee's regularly scheduled tour of duty) for the vaccination/booster appointment.

Note: Managers may approve requests based on staffing and workload requirements. Managers should exercise flexibility when granting time for this purpose. Managers should keep in mind that the employee may return for a family member's additional dose/booster depending on the vaccine, as prescribed by the vaccine manufacturer and the CDC.

8. Requirements for Certain Employees with a Medical Certificate or Medical Clearance. To maintain the highest level of safety in the National Airspace System, the FAA requires aviation professionals with medical certifications or medical clearances to observe a 48-hour "Do Not Fly"/do not perform safety-sensitive duties interval (or as otherwise prescribed by the Office of Aerospace Medicine) after each dose of the COVID-19 vaccine. This period may be accounted for during an employee's regular day(s) off or excused absence when scheduled and approved in advance. An employee with a medical certification or medical clearance may resume these duties after observing the 48-hour period, provided they feel well enough to perform the safety-sensitive aviation duties. If not, the employee may request sick leave, and/or any paid leave or paid time off, as applicable.

Note: Managers may approve requests to schedule excused absence to obtain a vaccination or booster based on staffing and workload requirements. Employees must work with their manager to schedule time off related to vaccination.

9. Point of Contact. For more information on this policy bulletin, please contact your assigned <u>Labor</u> and <u>Employee Relations</u>, <u>Headquarters</u>, or <u>Regional</u> office.

Date	Revision
01/21/2022	On January 24, 2022, the Safer Federal Workforce Task Force issued guidance to ensure compliance with the January 21, 2022, Federal court injunction, which imposed a moratorium on Executive Order 14043, Requiring Coronavirus Disease 2019 Vaccination for Federal Employees. To align with the injunction and new guidance, this revision rescinded the use of duty time for COVID-19 vaccination and authorizes the use of excused absence for that purpose. The FAA is committed to addressing essential work requirements consistent with best public health practices; therefore, this policy bulletin provided guidance on the time used for employees to obtain COVID-19 vaccination(s), to include post-vaccination recovery, and to accompany family members who are receiving the vaccination(s).
	In addition, this revision removed the reference to <u>Policy Bulletin #123, Emergency</u> <u>Paid Leave (EPL) under the American Rescue Plan Act (ARPA)</u> . The provision was

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	only available for retroactive use.
09/09/2021	On September 9, 2021, President Biden issued <u>Executive Order 14043, Requiring</u> <u>Coronavirus Disease 2019 Vaccination for Federal Employees</u> , which required Federal employees to be fully vaccinated against the coronavirus by November 22, 2021. The FAA is committed to addressing essential work requirements consistent with best public health practices; therefore, this policy bulletin provided guidance on the time used for employees to obtain COVID-19 vaccination(s), to include post- vaccination recovery, and to accompany family members who are receiving the vaccination(s). This policy bulletin cancels Policy Bulletin #122, Excused Absence for COVID-19 Vaccinations.