Subject:	HAF/A1C Message #2020-011 - Guidance and FAQs on Testing of US Civilian Employees for COVID-19
Attachments:	FAQs Civilian Testing 25 Jun 20.pdf

From: 86 FSS/CPO-FSC <86fss.fse@us.af.mil>
Sent: Wednesday, July 1, 2020 5:03 PM
Subject: HAF/A1C Message #2020-011 - Guidance and FAQs on Testing of US Civilian Employees for COVID-19

Commanders/Directors:

HAF/A1C Message #2020-011, included below, provides guidance on the testing of **US civilian employees** for COVID-19.

BLUF: US civilian employees may be directed to undergo non-intrusive screening measures such as no-contact temperature readings and questions about health-related matters, but may not be directed to undergo diagnostic medical testing as a general access control measure. Employees may be *offered* testing, if the supervisor has determined the employee's presence is urgently required in the DoD workplace, and is in accordance with published guidance. If employees are offered testing, and decline, no adverse personnel action may be taken against the employee. Employees *may* be denied access, in accordance with published guidance; however, commanders should first consult with their servicing CPS (Employee Relations) and Legal offices.

Additional FAQs regarding civilian testing may be found in the attached document.

Guidance on this issue for Local National (LN) employees is forthcoming.

Questions may be directed to US APF Employee Relations at <u>86fss.fsec.us-emr@us.af.mil</u>, or to the NAF HRO at <u>86FSS.FSCN.NAF-HR@us.af.mil</u>.

V/r,

MICHAEL RICHARDSON Acting Civilian Personnel Officer 86 FSS/FSC, Ramstein Civilian Personnel Flight DSN: 314-478-7144

From: USAF Pentagon AF-A1 Mailbox AF-A1C Workflow <<u>usaf.pentagon.af-a1.mbx.af-a1c-workflow@mail.mil</u>> Sent: Thursday, June 25, 2020 6:44 PM

**Subject:** HAF/A1C Message # 2020-011 - Guidance on Testing of Civilian Employees for COVID-19 and FAQs

MESSAGE FROM THE CIVILIAN FORCE MANAGEMENT DIRECTORATE (A1C)

HAF/A1C Message # 2020-011

#### SUBJECT: Guidance on Testing of Civilian Employees for COVID-19 and FAQs

#### SUSPENSE: N/A

1. PURPOSE: This guidance provides information for commanders, civilian employees, supervisors, and managers to support informed installation, facility, and location decisions concerning the testing of civilian employees for COVID-19.

2. REFERENCES:

(a) Secretary of Defense Memorandum, *Guidance for Commanders on Risk-Based Changing of Health Protection Condition Levels During Coronavirus Disease 2019 Pandemic*, May 19 2020

(b) Office of the Under Secretary of Defense, Personnel and Readiness OUSD(P&R)), Force Health

Protection Guidance Supplement 10, "Department of Defense Guidance for Coronavirus Disease 2019

Clinical Laboratory Diagnostic Testing Services," June 11, 2020

(c) OUSD(P&R), Force Health Protection Guidance Supplement 11, Department of Defense Guidance for Coronavirus Disease 2019 Surveillance and Screening with Testing," June 11, 2020

(d) EEOC "What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws", updated May 5, 2020

(e) Department of the Air Force Memorandum (A1), *Telework Flexibilities in Response to COVID-19*, 20 March 2020

(f) Department of the Air Force Memorandum (A1), Weather and Safety Leave Fact Sheet, 6 April 2020

(g) HAF/A1C Message #2020-007 – Supplemental Guidance for Supervisors and Managers of Civilians Implementing Opening Up America Again Guidelines (including Tabs 1 and 2, and FAQs)

3. BACKGROUND: Since the beginning of the coronavirus disease 2019 (COVID-19), the Secretary of Defense set protecting the workforce as a top priority, while safeguarding our national security capabilities, and supporting the whole-of-nation response to the pandemic. As the Federal government, DoD, and the Air Force now plan to transition to optimized civilian workforce operations, much of the civilian workforce will begin to return to traditional worksites. As civilian employees are transitioned to the traditional worksite, Commanders must continue to take appropriate measures to protect the workforce while following DoD and DAF guidance, in conjunction with guidance from the Centers for Disease Control and Prevention (CDC), state and local health officials, and their servicing health and safety professionals, and in consultation with their servicing Civilian Personnel Section (CPS) and legal office.

4. STATUS: Commanders retain broad authority to take reasonably necessary and lawful measures to protect installation personnel and to dictate appropriate health measures in response to health protection conditions, to include implementing access control measures. However, both the Supplement 10 and Supplement 11 do not provide authority to order testing of civilian employees. Supplement 10 states that DoD civilian employees "may be offered testing...if their supervisor has determined that their presence is urgently required in the DoD workplace." However, the testing is not mandatory. Civilian employee may be directed to undergo non-intrusive screening measures such as no-contact temperature readings and questions about health-related matters, but they may not be directed to undergo diagnostic medical testing as a general access control measure. Civilian employees may be *offered* testing, if their supervisor has determined that their presence is urgently

required in the DoD workplace, and in accordance with published guidance. If DoD civilians are offered testing, and decline, no adverse personnel action may be taken against them. They *may* be denied access, in accordance with published guidance, however Commanders should review references e - g above, and consult with their servicing CPS (Employee Relations) and Legal offices, to determine resultant impact, such as duty/leave status, etc. If a civilian employee is identified as a "close contact" of a confirmed COVID-19 case, they should follow CDC guidance (e.g. stay at home or other comparable setting for 14 days, self-monitor for symptoms, and seek testing or other care through their primary care providers, as needed). They may also be restricted from workplace access at DoD facilities, in accordance with previous Force Health Protection guidance.

5. All A1C Numbered Messages are maintained on A1C's Sharepoint located

at: <u>https://org2.eis.af.mil/sites/11547/numberedmessages/\_layouts/15/start.aspx#/#InplviewHashf32f12df-40df-4b2c-b047-b506fbab242b=ShowInGrid%3DTrue</u>

6. A1C POC for this message: Ms. Chris Rowzee, AF/A1CP, <u>christy.a.rowzee.civ@mail.mil</u>, (703) 571-1732.

Thank you,

John Carbone

Acting Director Civilian Force Management HQ USAF/A1C 1040 Air Force Pentagon 443-752-6755

**FLY. FIGHT. WIN!** 



### DOD CIVILIAN EMPLOYEE COVID-19 TESTING

### FAQs

#### FREQUENTLY ASKED QUESTIONS AND ANSWERS

### Q1. Are supervisors or commanders authorized to *order* civilian employees to be tested?

**A1.** No. DoD civilian employees may NOT be ordered or mandated to undergo medical testing for COVID-19, except under rare circumstances and only after appropriate legal due process. If a supervisor or Commander believes they have special facts or circumstances that necessitate such an order, they must immediately consult with their servicing legal and CPS Employee Relations offices.

# Q2. Are supervisors or commanders authorized to *offer* civilian employees testing?

**A2.** Yes. Commanders may offer testing to civilian employees, if it is determined the employees are urgently needed at the traditional worksite, and provided the servicing medical treatment facility (MTF) indicates it has the capacity and ability to test civilian employees. Commanders should consult with their servicing MTF before making such an offer. Employees are free to decline such an offer, and will not be subject to adverse personnel action or management responses for doing so.

# Q3. Are supervisors or commanders authorized to suggest civilian employees might want to get tested on their own?

**A3.** Yes. Commanders may suggest or recommend to civilian employees that they get tested, so long as such a suggestion/recommendation is not made in such a way that it appears to be anything other than at the employee's discretion. An employee is free to decline such a suggestion/recommendation, and will not be subject to adverse personnel action or management responses for doing so.

#### Q4. If a Commander determines that access to the workplace will be contingent on undergoing testing, and a civilian employee declines the offer of being tested, what are our options?

**A4.** Commander should review Department of the Air Force Memorandum (A1), *Telework Flexibilities in Response to COVID-19,* 20 March 2020, the Department of the Air Force Memorandum (A1), *Weather and Safety Leave Fact Sheet,* 6 April 2020, and the HAF/A1C Message #2020-007 – Supplemental Guidance for Supervisors and Managers of Civilians Implementing Opening Up America Again Guidelines (including Tabs 1 and 2, and FAQs), and consult with their servicing legal and CPS offices.

#### Q5. Does the CDC's guidance on testing apply?

**A5.** Current CDC information on COVID-19 testing is available at: <u>https://www.cdc.gov/coronavirus/2019-ncov/testing/index.html</u>. In order to make an informed decision about testing for civilian employees, supervisors and commanders should review the most current CDC information on testing, even if they've reviewed the CDC information in the past. Best practices regarding COVID-19 are evolving quickly as additional data is gathered and analyzed, so yesterday's best practices might not hold true for today.

#### **Q6.** Are their different categories of tests?

**A6.** Yes. The CDC website explains there are two kinds of COVID-19 tests: "diagnostic" testing, to determine if someone may be currently infected (also called a "viral" test); and "antibody" testing, to determine if someone may have been infected in the past. For purposes of this guidance, "testing" refers to either type, as neither one can be mandated for civilian employees.

### Q7. By itself, does a favorable test result ("negative" on a diagnostic test or "positive" on an antibody test) mean a person is safe to be in the workplace?

**A7.** Not necessarily. The CDC's website details the circumstances under which a person who is negative on a diagnostic test or positive on an antibody test still needs to self-isolate and maintain social distance. A favorable test result does not equate to a definitive determination that a person is not infectious. Additionally, a positive on an antibody test does not mean a person is immune to COVID-19 re-infection.

### Q8. What do I do if I have an asymptomatic employee who's been exposed to COVID-19 or had close contact with someone confirmed as having COVID-19?

**A8.** Supervisors should immediately consult with their servicing SG, legal and CPS offices to determine appropriate courses of action. Commanders may want to consider refusing access to the workplace as one course of action. Weather & safety (W&S) leave would generally be appropriate for employees who are barred from workplace

access and who cannot perform their duties by telework. Commanders are encouraged to review previous guidance issued referenced above.

### Q9. If civilian employees agree to be tested, can I feel certain they are then safe to report to work?

**A9.** Diagnostic testing is extremely useful for someone is who symptomatic because a positive test result helps determine that the cause of the symptoms is COVID-19. However, diagnostic testing of someone who is asymptomatic has little to no value for ruling out COVID-19, except when an asymptomatic person is tested after a 14-day Restriction Of Movement (ROM) period. Diagnostic testing after a 14-day ROM provides the necessary time for a potentially exposed person to develop enough virus to be detectable. A negative diagnostic test at the end of a 14-day ROM is additional evidence that the person is actually disease free. Whereas a negative diagnostic test during random testing, or testing without a 14-day ROM, doesn't mean the person is COVID-19 free, since he or she could have a level of virus that is not yet detectable.<sup>1</sup>

### Q10. Where do supervisors or commanders go if they have additional questions about testing civilian employees?

**A10.** Commanders or supervisors should consult their servicing Legal and CPS Employee Relations offices if they have additional questions.

<sup>&</sup>lt;sup>1</sup> 9 May 20 HAF/SG "Air Force Testing Strategy" document.