



United States Department of Agriculture

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Departmental  
Administration

March 24, 2022

Office of the  
Assistant Secretary  
for Administration

Randy L. Erwin, National President  
National Federation of Federal Employees (NFFE)  
1225 New York Ave, NW, Suite 450  
Washington, DC 20005

Office of  
Human Resources  
Management

1400 Independence  
Avenue, SW  
Washington, DC  
20250-9600

SUBJECT: Draft USDA COVID-19 Testing Guidance

Mr. Erwin:

The United States Department of Agriculture (USDA) is preparing to issue COVID-19 Testing Guidance for its employees. Pursuant to 5 U.S.C. §7113(b), a copy of the proposed guidance is enclosed for your review and comment.

The Department intends to issue this guidance as soon as possible. Therefore, we would appreciate receiving your comments within 14 calendar days from your receipt of this notice. If you wish to submit comments, please send them by email to me at [debbie.a.clark@usda.gov](mailto:debbie.a.clark@usda.gov) and Janet Robinson Card, Senior Labor Relations Specialist, at [janet.card@usda.gov](mailto:janet.card@usda.gov).

Your cooperation in this matter is greatly appreciated.

Sincerely,

Debbie Clark, Acting Director  
Labor Relations and Litigation Division

Enclosure

cc: Jefferson Friday, NFFE  
Yvette Piacsek, NFFE  
Mary Pletcher Rice, OSEC, USDA  
Anita Adkins, OHRM, USDA

## CERTIFICATE OF SERVICE

I hereby certify that a copy of USDA COVID-19 Testing Guidance was served on this day, March 24, 2022, to the following parties:

Randy L. Erwin, National President, NFFE  
[rerwin@nffe.org](mailto:rerwin@nffe.org)

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# DRAFT COVID-19 TESTING GUIDANCE FOR USDA EMPLOYEES

## March XX, 2022

### BACKGROUND

The Safer Federal Workforce Task Force was created to provide federal agencies ongoing guidance to keep their employees safe and their agencies operating during the COVID-19 pandemic. The Department of Agriculture (USDA) is basing this testing guidance on the requirements outlined in the Safer Federal Workforce Taskforce [FAQs](#). This guidance is subject to change based on Task Force guidance and federal health authority guidelines.

COVID-19 testing has benefits for early identification and controlling outbreaks, and it is an integrated component of USDA's Workplace Safety Plan. However, testing is not a substitute for staying up to date on COVID-19 vaccinations, self-monitoring for symptoms, physical distancing, mask wearing, observance of proper hand hygiene, proper ventilation of facilities, and cleaning and disinfection.

### PURPOSE

The purpose of this document is to outline the requirements and Department-wide procedures for COVID-19 testing for USDA employees.

### SCOPE

This guidance applies to all USDA Employees, including new employees, who meet the criteria for testing.

USDA will enroll all not fully vaccinated employees in the COVID-19 screening testing program.

Not Fully Vaccinated employees include:

- All employees who have not provided proof of vaccination status via the vaccine status survey, to include new employees.
- Employees who reported that they are not vaccinated.
- Employees who requested an accommodation from the vaccine mandate before or after the nationwide injunction on the vaccine mandate went into effect.
- Employees who received a single dose of a two-dose regimen.

Before enrollment in screening testing, employees who meet the criteria for testing will receive a notification of the requirement to participate in the screening testing program. These employees will have an opportunity to voluntarily upload proof of vaccination before, during, or after the testing is to begin. New employees will be asked to voluntarily provide documentation on proof of vaccination at time of onboarding or be enrolled in the screening testing program.

#### Routine Screening Testing:

The CDC has set recommendations related to [COVID-19 Community Levels](#), which measure the impact of COVID-19 illness on health and healthcare systems. USDA uses COVID-19 Community Levels, as determined by the CDC, in determining the appropriate prevention

strategies to utilize at a given time, including as it relates to routine screening testing.

Employees who have not submitted proof that they are fully vaccinated against COVID-19 are required to undergo COVID-19 testing in any week they are working in a facility or worksite where the COVID-19 Community Level is MEDIUM or HIGH. This testing should generally be conducted on the first day of an employee's work week at a MEDIUM or HIGH COVID-19 Community level worksite. Such employees who are on leave on their assigned testing date will be required to take a COVID-19 test prior to returning to work in a facility or worksite where the COVID-19 Community Level is MEDIUM or HIGH.

Remote employees who never report to a facility or worksite will not be required to take routine screening tests. However, remote employees may be required to take screening tests if traveling or reporting to a facility or worksite on an ad hoc or non-routine basis.

Mission Areas and Agencies may also implement a screening testing program for certain roles, functions, or work environment based on operational or administrative considerations associated with conducting screening testing, regardless of the employee's vaccination status, in accordance with applicable laws and regulations, including relevant regulations under 5 C.F.R. pt. 339. Mission Areas and Agencies are required to outline where screening testing program will be required in their implementing instructions.

Employees who are subject to routine screening and work in a facility or worksite where the COVID-19 Community Level is MEDIUM or HIGH are not limited in their ability to work onsite or to interact in person with members of the public as part of their job duties between tests, provided they have met all applicable testing requirements and have not tested positive for COVID-19. These employees must also comply with all relevant safety protocols for individuals who are unvaccinated while onsite or interacting in person with members of the public.

#### Ad Hoc Screening Testing:

USDA employees who are returning from overseas travel, and in certain other work specific situations, may be required by their agency to undergo non-recurring COVID-19 testing before returning to the worksite, in addition to any COVID-19 testing requirements imposed by the United States or the county from which the employee is returning.

#### Diagnostic Testing:

USDA will offer COVID-19 testing to USDA employees who become symptomatic while at the worksite or have had close contact with someone with COVID-19 in the workplace or while performing official duties.

## **DEFINITIONS**

- a. Close contact is defined as being within 6 feet from an infected person (laboratory confirmed or clinical diagnosis) for a cumulative total of 15 minutes or more over a 24-hour period.
- b. Diagnostic is a form of testing for symptomatic employees or asymptomatic employees who have an increased likelihood of having contracted COVID-19 because they are routinely exposed to members of the public at their worksite or have

had close contact at work with someone who has probable or confirmed COVID-19. Diagnostic testing helps to identify unknown cases so measures can be taken to prevent further transmission.

- c. Fully vaccinated is defined as at least two weeks after they have received the requisite number of doses of a COVID-19 vaccine approved or authorized for emergency use by the U.S. Food and Drug Administration or that has been listed for emergency use by the World Health Organization. For Pfizer-BioNTech, Moderna or AstraZeneca/Oxford, that is two weeks after an employee has received the second dose in a two-dose series. For Johnson and Johnson(J&J)/Janssen, that is two weeks after an employee has received a single dose.
- d. Screening testing is a form of periodic testing for asymptomatic, unexposed employees. Screening testing helps to identify unknown cases so measures can be taken to prevent further transmission.
- e. Test or testing is defined as the use of any COVID-19 test approved or [authorized by the Food and Drug Administration](#) (FDA) to detect current infection. There are two types of [viral tests: antigen tests](#) and [nucleic acid application tests \(NAATs\)](#). Reverse transcriptase polymerase chain reaction (RT-PCR) tests are a type of NAAT. Generally (but not always), a negative test result in an asymptomatic individual means that individual is unlikely to have active COVID-19 infection at the time of testing; a positive test result means an individual is likely to have active COVID-19 infection at the time of testing.
- f. Not fully vaccinated is defined as an individual who has not met the criteria to be considered fully vaccinated.
- g. Up to date is defined as having received all [CDC recommended](#) doses of COVID-19 vaccines, which includes [additional doses](#) for individuals who are immunocompromised or [booster doses](#), when eligible. Consistent with CDC guidance, whether an individual is up to date with COVID-19 vaccines is relevant to determining whether that individual may safely be present in a USDA worksite after close-contact with a person infected with COVID-19.

## **NOTIFICATION OF ENROLLMENT IN THE TESTING PROGRAM**

Mission Areas and Staff Offices are responsible for compiling a list of employees enrolled in a testing program by leveraging vaccination survey data and new employee onboarding data. Mission Areas and Staff Offices will update the lists of employees every two weeks. Mission Areas and Staff Offices are also responsible for notifying employees and their supervisors of enrollment in the screening testing program. Notifications will be provided to current and new employees and templates are included with this policy for use by agencies.

## **OBTAINING TEST KITS**

To facilitate testing, test kits for Mission Areas and Staff Offices have been procured and will be shipped to the Office of Operations Beltsville, MD location. Mission Areas and Staff Offices will work directly with the Office of Operations on shipping instructions to include the number and

location of test kits that must be shipped to Mission Area and Staff Office locations. Mission Areas and Staff Offices will be responsible for ensuring enrolled employees are provided with test kits for use in the screening testing program. Mission Areas and Staff Offices may procure additional test kits as needed.

## **SCREENING TESTING PROCEDURES**

Every Friday, USDA will issue an all-employee email that lists the COVID-19 Community Level of every county in the United States and US territories, as determined by the CDC. USDA employees who have not submitted proof that they are fully vaccinated are required to be tested once during each week in which they are working onsite in a facility or worksite that is located in a county with a MEDIUM or HIGH COVID-19 Community Level.

Routine screening tests for employees who are not fully vaccinated and required ad hoc screening tests will be self-conducted via Antigen Rapid Self-Tests and must be observed by a supervisor or designated agency official during basic tour of duty hours. Supervisors or designated agency officials must observe the test (e.g., the employee swabbing their nose) but are not required to wait for the test results. Supervisors or designated agency officials must observe the self-test in person or by videoconference (e.g., Microsoft Teams, Facetime, Skype or Zoom). Employees are responsible for providing the test results to their supervisor within 30 minutes of the test.

If Antigen Rapid Self-Tests are unavailable, employees will be provided with nucleic acid amplification tests (NAAT) polymerase chain reaction (PCR) test kits which the employee must ship to a laboratory for processing, with results provided to the employee.

## **VOLUNTARY TESTING**

Agencies and Staff Offices may offer voluntary testing to fully vaccinated employees who are exposed to the public at their worksite or have had a close contact in the workplace or while performing official duties by providing an Antigen Rapid Self-Test at-home kit to be self-administered by the employee without observation by a supervisor. If an Antigen Rapid Self-Test is unavailable, such employees will be provided with a kit for PCR At-Home Self-Administered Testing, which the employee must ship to a laboratory for processing, with results provided to the employee.

## **TIME AND ATTENDANCE TO PARTICIPATE IN TESTING**

USDA authorizes not fully vaccinated employees to spend duty time obtaining a required test during the employee's basic tour of duty hours for the amount of time necessary to obtain the test. Employees should schedule testing to ensure mission continuity and supervisors may require employees to seek approval before scheduling.

If, due to unforeseen circumstances, testing cannot be completed during basic tour of duty hours, the normal rules for requesting and approval of overtime and compensatory apply.

Reasonable travel costs that are incurred as a result of obtaining the test from a site preapproved by USDA should be handled the same way as local travel or temporary duty (TDY) cost reimbursement is handled based on USDA policy.

Supervisors will be informed which of their employees are required to undergo screening testing

for COVID-19. An employee's refusal to take a test or to provide the results of the test may result in disciplinary measures.

## **REPORTING OF TEST RESULTS OBSERVED**

For supervisor-observed antigen rapid routine screening tests, the employee will report and certify the results of the tests within 30 minutes of observed test completion. Supervisors shall direct employees who test positive for COVID-19 to immediately leave the facility or worksite if onsite, and refer them to the protocols in the USDA COVID-19 Workplace Safety Plan regarding the required isolation period.

Observed PCR tests will be overnight shipped to a laboratory for processing, with results provided to the employee within 72 hours of shipping by the employee. If the test result is positive, the employee is required to immediately notify their supervisor and follow protocols in the USDA COVID-19 Workplace Safety Plan regarding the required isolation period.

Regardless of the type of test, or how or where it is administered, employees who meet the criteria for testing are required to notify their supervisor if they receive a positive test result. All positive COVID-19 cases reported must be entered into the Department's COVID Positive Test Dashboard which is accessible by the Pandemic Coordinators or follow Agency/Mission Area protocol for positive test reporting

Any employee enrolled in USDA's screening testing program who fails to report a positive result to their supervisor or agency designee will be referred for potential disciplinary action.

USDA will comply with legal requirements for notifications to appropriate public health authorities of COVID-19 test results. Results will also be reported in accordance with CDC guidelines to the appropriate state, tribal, local, or territorial public health department based on the employee's residence.

Under OSHA's recordkeeping requirements, in case of a workplace exposure where (1) there is a confirmed case of COVID-19, (2) the case is work-related (as defined by 29 CFR 1904.5), and (3) the case involves one or more relevant recording criteria (set forth in 29 CFR 1904.7) (e.g., medical treatment beyond first aid, days away from work), the case must be recorded in the Safety Management Information System for official recording of it on the OSHA Illness and Injury Log.

## **EMPLOYEE RESPONSIBILITIES**

Employees enrolled in USDA's screening testing program are responsible for checking each week the COVID-19 Community Level of the county or counties in which they will work onsite at any time during the following week. Enrolled employees must work with their supervisor to schedule a COVID-19 test during each week in which they will be working onsite in a facility or worksite located in a county with a MEDIUM or HIGH COVID-19 Community Level.

Employees who do not undertake the required testing and cannot demonstrate a negative COVID-19 test, are not permitted entry into a USDA facility or worksite located in a county with a MEDIUM or HIGH COVID-19 Community Level. Such employees must request leave or request LWOP or will be considered AWOL, which may lead to disciplinary action.


## POSITIVE TEST RESULTS

USDA employees who test positive for COVID-19 may not physically report to a USDA worksite until they complete CDC recommended isolation, even if they are asymptomatic, and regardless of vaccination status, and regardless of whether they perform mission critical duties.

If an employee has received a USDA provided COVID-19 test and receives a positive result, they must immediately notify their supervisor or appropriate USDA-designated supervisory point of contact, and the supervisor is expected to follow the USDA COVID-19 Workplace Safety Plan.

An individual who has had a positive test confirmed COVID-19 case can still test positive up to 90 days after their diagnosis, despite having fully recovered. They are exempt from testing during that time as long as they have not developed new symptoms. These individuals should provide documentation from their healthcare provider, or if the positive test occurred at work no further documentation is needed. If they have a close contact exposure during that 90 days and develop symptoms, they should isolate and consult with a healthcare provider for testing recommendations.

## CONTACT TRACING

Employees who have been working onsite **must** report if they receive a positive COVID-19 result via this  [form](#) or follow Mission Area/Agency specific reporting procedures. Employees who have not come into a USDA workspace are encouraged but are not required to report a positive COVID-19 result.

All positive COVID-19 cases reported must be entered into the Department's COVID Positive Test Dashboard which is accessible by the Pandemic Coordinators or follow Agency/Mission Area protocol for positive test reporting.

Employees working onsite must notify supervisors if they have received notice, through official State, Local, Tribal, or Territorial contact tracing efforts, that they may have had a close contact in the workplace. If a USDA supervisor is made aware of a work-related close contact outside of official State, Local, Tribal, or Territorial contact tracing efforts, they should notify all employees who have been exposed at close contact at the workplace and proceed based on the exposed employees' vaccination status:

- i. Employees who are [up to date](#) on their COVID-19 vaccines and have had a close contact may remain at the worksite as long as they remain asymptomatic and wear a mask indoors at all times and outdoors when around other people. These employees should be tested at least 5 calendar days after exposure in order to continue being physically present at the worksite, even if they do not have symptoms.
- ii. Exposed employees who are fully vaccinated but are not up to date on their vaccines (e.g., have not received recommended booster doses), may not be physically present at the worksite for at least 5 days and should get tested at least 5 calendar days after their last close contact exposure.
- iii. Not fully vaccinated employees may not be physically present at the worksite for at least 5 days and should get tested at least 5 calendar days after their last close contact exposure.



## **TESTING FOR OFFICIAL VISITORS/CONTRACTORS/VOLUNTEERS**

At this time, USDA will only provide testing for USDA employees. USDA will not provide testing for non-USDA employees, including contractors, volunteers, customers or official visitors. Any of these individuals who are not fully vaccinated or who refuse to disclose their vaccination status must provide proof of a negative COVID-19 test result from a test administered within the three days immediately prior to the date of entry into a USDA facility in order to be permitted to enter the facility in MEDIUM and HIGH COVID Community Levels.

## **ACCOMMODATION REQUESTS**

USDA employees may seek a medical or religious accommodation with respect to COVID-19 testing requirements. The accommodation request will be handled by the Agency or Staff Office Reasonable Accommodation Coordinator or Religious Accommodation Coordinator, as applicable.

## **ENFORCEMENT AND DISCIPLINE**

If an employee refuses to take a required COVID-19 test or refuses to provide the results of a test, management should first ask the employee if they wish to use accrued leave, LWOP, or be put in AWOL status. Employees who are AWOL may be subject to progressive discipline, up to and including removal from Federal service.

Unless an employee's position is subject to medical testing, disciplinary action should not be taken for failure to take a COVID-19 test but rather for the consequences of failing to do so, such as being AWOL.

## **COMPLIANCE WITH COLLECTIVE BARGAINING AGREEMENTS**

Mission Areas and Staff Offices must meet collective bargaining obligations prior to implementation of this policy.

## **MISSION AREA AND STAFF OFFICE IMPLEMENTING INSTRUCTIONS**

All Mission Areas and Staff Offices are required to develop implementing instructions for their testing programs for supervisors and employees. Implementing instructions must be developed and submitted to the [Mission Area and Staff Offices Implementation Instructions folder](#) by **March 28, 2022, by [clicking here](#)**. If implementing instructions change as a result of collective bargaining obligations or as the Mission Areas and Staff Offices execute their respective screening testing programs, the revised instructions must also be submitted.

Mission Areas and Staff Offices will also provide the initial numbers of enrolled employees by count and submitted to the [Mission Area and Staff Offices Enrollment Numbers folder](#) by **March 28, 2022, by [clicking here](#)** and be prepared to provide the list of enrolled employees if requested. Thereafter, the Mission Areas and Offices will be required to provide this information on a bi-weekly basis after payroll updates. Please use template provided [here](#) and rename the file as Agency County Level Testing Program Enrollment.

DRAFT

## TEMPLATE NOTIFICATION FOR NEW/ONBOARDING EMPLOYEES

Dear [insert new employee name],

Welcome to USDA! The USDA follows the [Safer Federal Workforce Task Force](#) and the USDA's [Safety Plan](#) to implement public health best practices as determined by the Centers for Disease Control (CDC). The Safer Federal Workforce Task Force currently recommends agencies perform COVID-19 screening testing for employees who are not fully vaccinated.

According to our records, your COVID-19 vaccination status is currently unknown. If you would like to submit proof of vaccination, please contact [insert pandemic coordinator POC information] immediately.

Without proof of fully vaccinated status, you will be required to submit to the following screening testing:

[insert Agency testing protocol]

Failure to follow this instruction may lead to placement in Absent Without Leave (AWOL), which may result in disciplinary action.

[if applicable, insert bargaining unit notification/information]

## TEMPLATE NOTIFICATION FOR CURRENT UNVACCINATED EMPLOYEES

Dear [insert EMPLOYEE name],

USDA follows the [Safer Federal Workforce Task Force](#) and the USDA's [Safety Plan](#) to implement public health best practices as determined by the Centers for Disease Control (CDC). The Safer Federal Workforce Task Force currently recommends agencies perform COVID-19 screening testing for employees who are not fully vaccinated.

Our records indicate that you are employee who is not fully vaccinated. If you would like to submit proof of vaccination, please contact [insert POC information] immediately.

Due to your vaccination status, you must submit to the following screening testing:  
[INSERT AGENCY TESTING PROTOCOL]

Failure to follow this instruction may lead to placement in Absent Without Leave (AWOL), which may result in disciplinary action.  
[if applicable, insert bargaining unit employee notification/information]

DRAFT

# BinaxNOW™ COVID-19 Antigen Self-Test Resource Sheet

Company: Abbott Diagnostics Scarborough, Inc.

## Product Details:

- Non Prescription
- Lateral flow immunoassay intended for the qualitative detection of nucleocapsid protein antigen from SARS-CoV
- Test Type: Rapid Antigen Serial Self. Test results are available in 15 minutes
- Antigen: detect specific proteins on the surface of virus
- Self-test: performed at the physical worksite
  - Employee will collect their own sample

## BinaxNow What you need to know

- [BinaxNOW COVID-19 Antigen Self Test - Individual Fact Sheet \(fda.gov\)](#)
- [BinaxNOW: What You Need to Know | Abbott Newsroom](#)

## How to perform the test:

- [BinaxNOW COVID-19 Antigen Self Test - Instructions for Use Home Test \(fda.gov\)](#) (PDF)
- [BinaxNOW COVID-19 Antigen Self Test Instructional Video](#)
- [BinaxNOW COVID-19 Antigen Self Test Instructional Video - Spanish \(wistia.net\)](#) (Spanish video)

## Emergency Use Authorization Letter:

- [BinaxNOW COVID-19 Antigen Self Test - Letter of Authorization \(fda.gov\)](#)

# On/Go™ COVID-19 Antigen Self-Test Resource Sheet

**Company:** Access Bio, Inc.

## **Product Details:**

- Non-Prescription
- Lateral flow immunoassay intended for the qualitative detection of nucleocapsid protein antigen from SARS-CoV
- Test Type: Rapid Antigen Serial Self. Test results are available in 10 minutes
- Antigen: detect specific proteins on the surface of virus
- Self-test: performed at the physical worksite
  - Employee will collect their own sample

## **On/Go: What you need to know**

- [COVID-19 Antigen Self-Test | On/Go \(letsongo.com\)](https://letsongo.com)
- [Cue COVID-19 Test for Home and Over The Counter \(OTC\) Use - Fact Sheet for Individuals \(website-files.com\)](https://website-files.com)
- Before testing- download the app [On/Go | Together is Better \(letsongo.com\)](https://letsongo.com)

## **How to perform the test:**

- [Fact Sheet for Individuals \(On/Go\) 2021-11-22F.pdf \(website-files.com\)](https://website-files.com) (PDF)
- [On/Go COVID19 Self Test Instructional Video](https://letsongo.com)

## **Emergency Use Authorization Letter:**

- [CareStart COVID-19 Antigen Home Test - Letter of Authorization \(website-files.com\)](https://website-files.com)

## **FAQs**

[Frequently Asked Questions | On/Go \(letsongo.com\)](https://letsongo.com)