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FTC COVID-19 Safety Plan

Introduction
The safety and security of the Federal Trade Commission (FTC) Community is the agency’s top priority. The FTC Safety Plan was developed in coordination with the FTC’s Pandemic Response Team (PRT), and is organized to address the unique circumstances of the following groups:

- FTC federal employees
- FTC contractors, unpaid interns, and volunteers
- Visitors to FTC offices

This Plan is a living document that will be updated to incorporate guidance from the Centers for Disease Control and Prevention (CDC) and the Office of Management and Budget (OMB). Where a locality has imposed additional pandemic-related requirements more protective than those set forth in this Plan, those requirements should be followed in Federal buildings and on Federal land in that locality.

The FTC has a headquarters and satellite offices in Washington, D.C., as well as eight regional offices located in Atlanta, Georgia; Cleveland, Ohio; Chicago, Illinois; Dallas, Texas; Los Angeles, California; New York, New York; San Francisco, California; and Seattle, Washington.

In March 2020, the FTC established mandatory telework for most of its approximate 1,200 employees, and consequently lifted mandatory telework on February 1, 2022, and began a six-month transition period before fully returning to work. The FTC’s information technology solutions support secure remote work for most roles, except for a small number of staff assigned to activities that must be done in the office, such as managing mail, security, benefits and retirement processing, information technology hardware, and other mission essential work.

The Executive Director and other agency leaders have regularly communicated the FTC’s COVID-19 policies and practices to staff during the pandemic, which has included direction and guidance on telework, health and safety policies, and building access. The agency has made all communications, guidance, policies, and other resources available to staff on SharePoint and its intranet. The FTC also prominently posts signs throughout the buildings to communicate policy for staff and visitors and to reinforce safety protocols.

COVID-19 Coordination Team
The FTC established the PRT to oversee and guide the agency’s response to the COVID-19 Pandemic, which continues to meet at least weekly. This team includes representatives from across the agency including the Executive Director, Bureau and Office leadership, the Chief Human Capital Officer, Occupational Safety & Health Management, the General Counsel’s office, and the Chief of Acquisitions. The PRT uses OMB memo M-21-15 and CDC guidance, along with current public health data in each of the agency’s operating localities, to guide FTC operational decisions and regularly briefs the union on agency matters, including guidance around COVID-19 and related issues. Also, the FTC regularly communicates with Facility Security Committees in its tenant spaces to stay abreast of developments.
The PRT, in consultation with the Commission Chair, makes decisions on the agency's operational changes (phase/telework status/office capacity limits) based on a variety of factors. Decisions to move to a different phase are based on the FTC's COVID-19 Return to Normal Operations Decision-Making Framework and Action Plan, a living document that serves as a strategic framework to guide the agency through all steps of returning to work safely at FTC offices. The FTC determines the operating status for each of the FTC locations based on the specifics of the local area and the safety requirements issued by that area's local government. Given the complexity of the public health emergency and the constantly evolving facts on the ground, the FTC will continue to make operating status decisions in reasonably foreseeable time periods.

Authority & Executive Orders


Privacy & IT Security

In requesting vaccination information from employees, onsite contractor employees, and visitors, the FTC: (1) complies with any applicable Federal laws, including requirements under the Privacy Act and the Paperwork Reduction Act, and any applicable collective bargaining obligations; (2) takes steps to promote privacy and IT security, while also providing the relevant information to those who need to know in order to implement the safety protocols; (3) consults with its Agency Records Officer, Chief Information Officer, and Senior Agency Official for Privacy to determine the best means to maintain this information to meet the agency's needs; and (4) only disseminates this vaccination information to the appropriate agency officials who have a need to know to ensure effective implementation of the safety protocols, which, in many cases, includes the supervisor level.

Definition of Fully and “up to date” Vaccinated

For safety purposes, the FTC considers employees, onsite contractor employees, and visitors fully vaccinated for COVID-19 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 (FDA) or that has been listed for emergency use by the World Health Organization.

CDC defines “up to date” on vaccines as receiving all doses in the primary series and one booster when eligible. Getting a second booster is not necessary to considered up to date at this time. Booster shots are not required or considered for purposes of determining whether someone is fully vaccinated, but employees are strongly urged to stay up to date with all medically recommended vaccine doses, including booster shots.

Levels of Community Transmission

Masking requirements will be determined based on county transmission rates reported by the
The PRT evaluates county transmission rates and the status of FTC office locations on a weekly basis to determine adjusts face mask and COVID-19 screening testing requirements. The FTC communicates changes in face mask requirements through weekly emails and posts status on the FTC’s return to work SharePoint site.

FTC staff are required to complete an FTC Facilities COVID-19 Screening form before entering the building regardless of the current community level. Masks, while not required in low and medium levels, may be worn voluntarily by staff.

**Vaccinations Status - Federal Employees**

On January 21, 2022, a federal court issued a nationwide order enjoining the vaccine requirement. Although on April 7, 2022, the Fifth Circuit overruled the district court’s ruling, the injunction remains in place at this time. Accordingly, the FTC will take no action implementing or enforcing the COVID-19 Vaccination Requirement until advised by OMB to do so.

When enforceable, Executive Order 14043 on Requiring Coronavirus Disease 2019 Vaccination for Federal Employees requires federal employees (subject to limited exceptions for disabilities or religious objections) to be fully vaccinated, unless they qualify for a limited exception. When enforceable, this requirement applies equally to employees who are working remotely.

The FTC will comply with all relevant court orders, Executive Orders, and CDC guidance in implementing its vaccination requirements. Employees will be alerted if updates or changes occur.

When Executive Order 14043 is enforceable, and consistent with the Office of Personnel Management’s (OPM’s) October 1, 2021, Memorandum, the FTC will require that new employees be fully vaccinated prior to their start date, except in limited circumstances where an exception is legally required, or a short-term extension is granted.

As long as implementation of Executive Order 14043 is enjoined, and vaccination is not required; however, employees may take up to four hours of administrative for primary series COVID-19 vaccination doses as well as booster shots. Employees who experience side-effects from the vaccine should use sick leave.

**Collection of Vaccination Information**

Even with the implementation of vaccination mandate being enjoined, FTC employees’ vaccination status is essential to enforcing worksite safety protocols. Therefore, the FTC will collect information necessary to verify that personnel are fully vaccinated and up to date (boosters). The data that must be on any official documentation are the type of vaccine administered, the number of doses received, date(s) of administration of each dose, and the name of the health care professional(s) or clinic(s) administering the vaccine(s). When providing this information, employees must certify under penalty of perjury that the information they are submitting is true and correct. Documentation is mandatory, even if an employee has previously attested to their vaccination status. The following types of documents are acceptable:

1. Record of immunization from a health care provider or pharmacy;
2. A copy of the COVID-19 Vaccination Record Card;
3. A copy of medical records documenting the vaccination;
4. A copy of immunization records from a public health or state immunization information system; and

5. A copy of any other official documentation containing required data points.

Employees will provide a digital copy of such records including, for example, a digital photograph, scanned image, or PDF of such a record that clearly and legibly displays the information outlined above. A recent antibody test cannot be used to prove vaccination status.

Only persons with a need to know have access to an employee’s vaccine verification or accommodation request information. The documentation is held in accordance with all applicable laws, including the Privacy Act and Rehabilitation Act of 1973. Any vaccination or medical information provided will be kept confidential and stored separately from the employee’s personnel files.

Vaccination Attestation - Contractor Employees, Volunteers, and Unpaid Interns

The FTC must ask about the vaccination status of contractor employees, volunteers, and unpaid interns who need to be onsite. The FTC will provide the Certification of Vaccination form at the entrances of FTC offices. The FTC will not request any further documentation to verify vaccination status or maintain Certification of Vaccination forms for onsite contractor employees, volunteers, or unpaid interns.

If unvaccinated (or if they decline to answer), contractors, volunteers, and unpaid interns should be prepared to wear a mask, physically distance, and present the dated negative results of an FDA-authorized COVID-19 test that was taken 3 days prior to accessing FTC offices depending on the CDC Community Level assigned to the county of the FTC building location. If they fail to do so, they will be denied entry.

If a contractor, volunteer, or unpaid intern chooses not to provide a response, they will be treated as not fully vaccinated for the purpose of agency safety protocols. Contracting Officer’s Representatives (COR) or Administrative Officers responsible for the contractor, volunteer, or unpaid intern will be required to work with the individual’s point of contact for COVID-19 Attestation and COVID-19 testing results.

Vaccination Attestation – Visitors

Visitors include any person who does not have an FTC-issued badge. Per the Safer Federal Workforce Taskforce, federal employees are treated as visitors during their visit to another agency. Visitor designation will therefore include other federal employees, contractors, and volunteers. The escort of the visitor will provide to the visitor, via email, the safety protocols that must be followed while in FTC offices. These protocols include:

- Completing an FTC COVID-19 Screening Form.
- Following masking guidance per instructions on signage at FTC entrances.
- Providing attestation to Certification of Vaccination Status.
- Providing proof of a dated negative FDA-authorized COVID-19 test if unvaccinated or not fully vaccinated.

Visitors to FTC offices will be asked to present information about their vaccination status by filling out the government-wide Certification of Vaccination form prior to or upon entering the
building. Visitors must complete the form and keep it with them while occupying FTC offices. FTC staff can obtain the Certification of Vaccination form from their FTC escorts as part of the approval process. Providing this information on the form is voluntary. However, if visitors do not provide the information, they will be treated as not fully vaccinated for purposes of implementing safety measures.

Visitors who are not fully vaccinated or who decline to supply information about their vaccination status may be required to provide proof of a dated negative FDA-authorized COVID-19 test no later than the previous 3 days prior to entering FTC buildings depending on the CDC Community Level of the county in which the FTC building is located. If they fail to do so, they will be denied entry.

“Transient visitors,” meaning visitors accessing a facility for less than 15 minutes and interacting with very few people, are not required to present a completed Certification of Vaccination Form as a condition of entry when required based on the Community Level of the county in which the FTC building is located.

**COVID-19 Symptom Monitoring, Quarantine, Isolation, and Exposure Notification**

**COVID-19 Symptom Monitoring**

FTC staff are required to self-screen for COVID-19 prior to working in an FTC building. If any staff or visitor have symptoms consistent with COVID-19, they should not enter FTC buildings. Any individual, regardless of vaccination status or CDC Community Level, who develops symptoms consistent with COVID-19 during the workday must immediately isolate, notify their supervisor, COR, or escort, and promptly leave the building.

**Isolation and Quarantine Guidance**

The FTC will follow the CDC guidance for isolation (in the case of a positive case) and quarantine (in the case of exposure). Please note that isolation and quarantine guidance is subject to change and that the FTC will request that employees and supervisors consult CDC guidance when determining isolation and quarantine times.

**Screening Testing Plan for Unvaccinated Staff**

In accordance with Task Force guidance, the FTC established a screening testing plan for unvaccinated Federal employees in February 2022 and made the plan available to the FTC community on the FTC’s return to work SharePoint site.

**COVID-19 Diagnostic Testing Requirements**

FTC developed a diagnostic testing plan intended to provide guidance to supervisors and employees on when testing is required. The plan is available on the FTC’s return to work SharePoint site.

**Leave and COVID-19 Testing, Isolation, and Quarantine**

Employees may use up to one hour of administrative leave for testing; however, supervisors have discretion to grant more leave based on the employee’s circumstances. Any testing required by the FTC for workplace exposure may be done during regular duty time. *An employee who needs to quarantine or isolate and is unable to telework or does not feel well enough to telework may use...*
sick leave, accrued annual leave or other forms of earned paid time off, or use unpaid leave if approved and as appropriate.

COVID-19 Test Reimbursement
The FTC will reimburse employees for any required COVID-19 testing through its local travel voucher process. Guidance and instructions are available on the FTC’s intranet site.

COVID-19 Exposure Notification
All FTC employees, contractors, volunteers, unpaid interns, and visitors should report any suspected or confirmed cases of COVID-19 to their supervisor, COR, or agency point of contact. Based on when they were last in an FTC office, the FTC performs contact evaluation for anyone who notifies us of a COVID-19 diagnosis or possible exposure to COVID-19. FTC requires staff with COVID-19 cases to adhere to its COVID-19 Diagnostic Testing Plan. Disclosure of possible or confirmed COVID-19 cases are anonymized to protect the notifying individual consistent with Federal, state, and local privacy and confidentiality laws and regulations.

Contact Tracing Process
The FTC conducts contact evaluation to determine:

- Areas within the office where the individual may have been in the last 48 hours before their COVID-19 symptoms began; and
- Other personnel in the FTC’s workspace who may have had “close contact” with the individual based on the CDC’s definition.

Based on the information provided, the FTC will provide guidance on quarantine, isolation, the need for testing, and other guidance following notification of potential exposure to an individual with suspected or confirmed COVID-19 following CDC Guidance. The FTC communicates the current isolation and quarantine requirements in close contact notifications to FTC staff.

Cleaning Procedures for Reported COVID-19 Cases
Per cleaning protocols published by GSA, the FTC will implement the following cleaning procedures for reported COVID-19 cases:

1. If fewer than 24 hours have passed since a person who is sick or diagnosed with COVID-19 has been in the space, the FTC will sanitize and disinfect the area.

2. If more than 24 hours have passed since the person who is sick or diagnosed with COVID-19 has been in the space, cleaning is enough.

3. If more than 3 days have passed since the person who is sick or diagnosed with COVID-19 has been in the space, no additional cleaning (beyond regular cleaning practices) is needed.
Workspace Closure Process

The FTC will determine the appropriate scope of workplace closures needed—in some cases, it may be a suite or individual offices or part of a floor. In other cases, it may include an entire building.

Notification of COVID-19 Close Contact

Individuals who have a risk of exposure are notified and directed to seek medical evaluation from their personal physician, including quarantine requirements, if they are diagnosed with or have a suspected contact with COVID-19. The FTC notifies GSA and building management of the impacted space when exposure has occurred. Any FTC federal employee required to quarantine because of possible exposure should telework, if able, and if sick, request to use sick or annual leave.

The FTC will record and report if an employee tests positive for COVID-19, if determined to be work-related (as defined by 29 CFR 1904.5); and 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 agency follows state and county reporting requirements and complies with state and county contact tracing efforts.

COVID-19 Safety Protocols

Telework

FTC employees, contractors, volunteers, and unpaid interns using maximum telework or relaxed core hours will be given at least 30 days’ notice and guidance before being expected to return to the physical workplace.

Face Masks

When the PRT notifies the FTC that offices are in a “Low” Community Transmission Location, masks, and screening testing are not required. However, masks will be required when using the FTC Shuttle and when there are multiple occupants in other FTC fleet vehicles. FTC employees, onsite contractor employees, and visitors may continue to wear face coverings and practice physical distancing even if they have been vaccinated, regardless of the Community Level.

Individuals—including employees, onsite contractor employees, and visitors to any FTC office—who are not fully vaccinated, or who have declined to provide their vaccination information when requested, must maintain a distance of at least six feet from others at all times, and/or must adhere to elevator capacity signage, consistent with CDC guidelines, including in offices, conference rooms, and all other communal and workspaces. In addition, these individuals must properly wear a mask regardless of community transmission level and consistent with CDC guidelines. The only exception is for a limited time when eating or drinking and maintaining distancing in accordance with CDC guidelines.

Consistent with CDC guidance, those who are not fully vaccinated are also advised by the agency to wear a mask in crowded outdoor settings or during outdoor activities that involve sustained close contact with other people who are not fully vaccinated.

Physical Distancing
During community level of high, all individuals are encouraged to keep physical distance of at least six feet from one another, if practicable, especially in circumstances where they have prolonged contact with multiple individuals in a closed environment, such as during meetings, and employees should limit gatherings in breakrooms and other common areas.

**Hygiene & Face Mask Supplies**

Face masks and hand sanitizer (60% ethanol) are located at designated stations on each floor of FTC DC offices and in designated areas of each FTC regional office. Guidance on the face masks per current CDC guidance is available to FTC staff on the FTC’s return to work SharePoint site. In addition, the FTC posts signs in all offices to encourage hand washing, the use of hand sanitizer, and social distancing to aid with combatting the spread of COVID-19.

The FTC has posted hand washing guidance in all bathrooms and installed contactless fixtures in our HQ building restrooms to combat the spread of COVID-19. The FTC has installed physical plexiglass shields at the guard posts at the two main entrances of the HQ building.

**Meetings, Events, and Conferences**

FTC recommends limiting meeting room occupancy to allow sufficient room to physically distance. In-person attendees at any meetings, conferences, and events hosted by the FTC, regardless of size, must provide a completed vaccination attestation, FTC health screening, and if necessary, a dated negative FDA-authorized COVID-19 test completed during the previous 3 days. All conference attendees must comply with posted masking and, if unvaccinated, physical distancing requirements.

Any meeting, event, or conference occurring while the Community Level of the location is HIGH and where in-person attendance will be more than 50 participants will require consultation with the PRT and written approval from the FTC Chair.

**Ventilation and Air Filtration**

FTC offices under General Services Administration (GSA) commercial leases have distinct space configurations and building operational procedures that differ. However, the FTC has assessed the HVAC systems for each building and has ensured implementation of upgraded air filters in conjunction with 24/7 air circulation in accordance with GSA COVID-19 guidelines.

**Occupancy**

Occupancy in FTC offices are not restricted at this time.

**Signage**

The agency posts signage regarding mask-wearing and physical distancing requirements. Established processes and signage are in place for employees, onsite contractor employees, and visitors regarding mask-wearing and physical distancing requirements. Information about these requirements at specific offices is also publicly available on the FTC’s return to work SharePoint site and is regularly communicated to employees and onsite contractor employees.

**Office Cleaning**

The FTC will continue to maintain office cleanliness levels, including regularly cleaning common use, high-touch, and high-density spaces at CDC-recommended intervals throughout the pandemic and through all phases of Returning to Normal Operations.
For regional offices, the FTC will work with Building Management to ensure proper cleanliness in FTC spaces. The FTC will continue to routinely clean and disinfect hard surfaces in common areas as part of the regular custodial services for the offices using appropriate Environmental Protection Agency-registered disinfectants.

**Travel**

Federal employees should follow the most recent CDC guidance on travel. Additional guidance has been placed on the FTC’s intranet travel site. For those employees not fully vaccinated, official travel should be avoided and only undertaken for mission-essential reasons.