Dear Ms. Bryant:

This is notice of actions that the Social Security Administration (SSA or Agency) is taking in response to the COVID-19 pandemic and, most recently, Executive Order (E.O.) 13991, “Protecting the Federal Workforce and Requiring Mask Wearing,” issued January 21, 2021. E.O. 13991 requires the following at Section 2:

Immediate Action Regarding Federal Employees, Contractors, Buildings, and Lands. (a) The heads of executive departments and agencies (agencies) shall immediately take action, as appropriate and consistent with applicable law, to require compliance with [Centers for Disease Control (CDC)] guidelines with respect to wearing masks, maintaining physical distance, and other public health measures by: on-duty or on-site Federal employees; on-site Federal contractors; and all persons in Federal buildings or on Federal lands.


The safety protocols put in place in July 2020 and outlined in the attached plan address the model safety principles in M-21-15. Employee FAQs concerning COVID-19 provide information about additional measures the agency has taken to keep employees safe while continuing to deliver on the Agency’s mission. Policies and procedures on the topics of cleaning facilities and ventilation are also included in this notice as attachments.
Additionally, the Agency’s safety protocols and pandemic response include the following items.

1. **Prohibiting Personal Fans**
   
   a. The agency’s existing policy on electrical equipment, is found in AIMS, Attachment D (attached). This policy has been temporarily modified in response to COVID-19, as described in (1)(b), below.
   
   b. Person-to-person spread is believed to occur mainly through respiratory droplets produced when an infected person coughs or sneezes, similar to how influenza and other respiratory illnesses are spread. Per CDC guidance, a desk fan is capable of creating an airflow which can still have an effect on smaller droplets. While the droplets might not spread as far via a desk fan, depending on the office configuration and fan direction, they can still spread to nearby individuals. Therefore, employees are restricted from using personal fans.

2. **Breakrooms**
   
   a. Post signage to remind users about the need for social distancing and enforce strict social distancing protocols. The limited occupancy number will depend on the size and configuration of the space. (ensure a minimum of 6 feet distancing).
      
      i. If there is more than one door, consider designating one door to enter and one door to exit; post appropriate signage directing employees (Common Area Enter, Common Area Exit).
      
      ii. If possible and in compliance with fire safety rules, prop interior door(s) open to limit touching door handles/doors.
      
      iii. Remove or cordon off chairs to keep employees from congregating in the breakroom.
      
      iv. Employees should eat at their desk or another location with proper social distancing from other employees.
      
      v. Move tables against the walls or in a formation that will facilitate open areas near the appliances that employees may need to use, and a clear path for entry and egress. Consider Americans with Disabilities Act (ADA) space compliance and consult regional office support, as needed.
      
      vi. Place hand sanitizer and signage requiring its use near appliances (i.e., microwave, refrigerator, coffeemaker, etc).
      
      vii. Place sanitizing wipes or cleaner in the breakroom.

3. **Priority Order for Return**
   
   a. Managers will use the following order when returning Bargaining Unit Employees (BUEs) to support in-office activities.
i. First, employees who are currently on Weather and Safety Leave (WSL) due to non-portable work, lack of equipment/services, repeated failure of equipment/services, and who have been or are expected to be in WSL status for more than two consecutive weeks will return to work onsite. If these employees do not have high-risk conditions or dependent care issues, management will give the employee(s) reasonable notice (10 working days) and then require their return to the worksite. This group of employees who are directed to return to work onsite should continue working five days per week when there is sufficient onsite work, and the office is within the guidelines for onsite staff.

ii. Secondarily, if there are insufficient numbers of current staff in the first category (WSL employees), management will solicit for volunteers. In the event there are more volunteers than needed, management will rotate volunteers as appropriate.

iii. Thirdly, if there are insufficient numbers of staff in the first two categories (current WSL employees and volunteers), management will direct all non-Work at Home for Quarantine (WAHQ) employees to work onsite in rotation. Management will give the employee(s) reasonable notice (10 working days) and then require their return to the worksite.

b. Selection and Employee Schedules: Generally, when recalling employees in the groupings outlined above, managers will recall all employees in the recalled grouping. If unable to recall all employees within the group based on the overall staffing guidelines, consider rotating onsite BUEs in consistent cohorts between telework and in-office work or identify a reasonable method to recall employees, e.g., inverse service comp date, specific skillset needed, etc.

SSA’s response to the pandemic emergency affects all components, agency-wide. The Agency is prepared to engage in bargaining on a post-implementation basis over the procedures and appropriate arrangements for employees affected by the Workplace Safety Plan and related measures described in and included with this notice. Management reserves its rights to make changes to the Workplace Safety Plan and related policies affecting employees as conditions related to the COVID-19 pandemic and the agency’s response change in the future. When such changes are made, SSA will provide notice and an opportunity to bargain to the extent required by 5 USC chapter 71.
Please contact me at Katherine.Hannah@ssa.gov if you would like a briefing or consultation on this topic. If you desire to engage in negotiations over this issue, please identify the union’s team members and provide us with proposed dates for negotiations. I look forward to working with you on this important initiative.

Sincerely,

/s/ Katherine Hannah

Katherine Hannah
Office of Labor-Management and Employee Relations

Attachments
1. Workplace Safety Plan
2. Employee FAQs
3. Cleaning Guidance for Reopening Facilities
4. Ventilation Guidance
5. AIMS Attachment D

CC: Mr. Richard Couture
President, AFGE Council 215

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President, AFGE Council 109

Mr. Ralph De Juliis
President, AFGE Council 220

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Executive Vice President, Local 1923 (Headquarters)

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