

NFFE Guidance on Executive Order Requiring COVID-19 Vaccination

On Wednesday, September 9, 2021 President Biden signed an Executive Order (EO) requiring all federal workers to be fully vaccinated against COVID-19 as a condition of employment.

The intended goals of the EO are to:

- Increase the overall number of people in the U.S. who are vaccinated
- Decrease deaths and hospitalizations due to COVID-19
- Keep schools and the economy open

NFFE is continuing to gather details regarding the implementation of this EO. Here is what we know right now:

- All federal employees must be fully vaccinated by November 22, 2021. This means that all employees must receive their single dose vaccine (Johnson & Johnson/Janssen), or second dose (Moderna/Pfizer-BioNTech) by November 8, 2021.
- All federal employees will be required to show proof of vaccination in the form of an official vaccination card
- There will be exemptions due to specific medical or religious reasons subject to the Reasonable Accommodations process at each agency. These are the only exceptions – employees do not have the option to be regularly tested in lieu of vaccination

NFFE continues to consult and inquire on implementation of the EO, including but not limited to:

- Privacy of employees' medical information
- Options for available vaccines (which manufacturer[s] will be available)
- Agencies providing on-site vaccination at workplaces
- Administrative time to get vaccinated and to recover from any potential side effects
- Exemptions for religious/medical reasons
- Verification process for employees to show proof of vaccination
- Mask mandates after full vaccination
- Due Process protections and consistency of penalties in disciplinary actions

NFFE understands and respects the differing perspectives of its individual members on matters regarding vaccines, mask mandates, and social distancing. NFFE believes no employee should be fired in connection with this mandate. We have considered the likelihood of success on a legal challenge to the mandates contained within the EO. More than 100 years of legal precedent exists confirming the authority of employer-required mandates and vaccines, and the courts at all levels have consistently rejected challenges to this type of mandate. Therefore, NFFE has determined it will not legally challenge the Executive Order requiring federal employees to be vaccinated against COVID-19.

NFFE's greatest concern is for the health and safety of our members and the federal workers we represent. All available vaccines for COVID-19 have been proven to significantly reduce the

likeliness of death or permanent injury after a COVID-19 infection, and NFFE encourages everyone who is able to get the vaccination. The CDC has found that unvaccinated individuals are 11 times more likely to die of COVID-19.

If you have any questions regarding the EO requiring federal employees to be vaccinated against COVID-19, please contact Jeff Friday (jfriday@nffe.org) or Yvette Piacsek (ypiacek@nffe.org).