

What should HR staff and supervisors do if an employee is not fully vaccinated and has not submitted the required weekly test result?

First, the supervisor or HR staff should ask the employee if the required weekly testing occurred in the past 7 days.

If the employee responds that weekly testing was timely completed, but that the employee is still waiting on results, the supervisor or HR staff should both:

- Request that the employee upload test results as soon as results are received, and
- Ask the employee to contact HR immediately to determine whether the employee should be allowed at the work site.

If the employee states weekly testing was forgotten, the supervisor or HR staff should:

- Reinforce the importance of weekly testing,
- Direct the employee to be tested immediately (including leaving the work site if necessary to be tested), and
- Ask the employee to contact HR immediately to determine whether the employee should be allowed at the work site.

In either case, agencies have the discretion to have the employee continue working on-site while waiting for the test result. (The employee could also be sent home for telework, if work that can be done remotely is available.) If the employee has not been tested and has symptoms of COVID-19, the employee should be sent home. The employee must provide a copy of the test receipt, including date and location to the supervisor or HR staff.

An FLSA subject employee may receive up to two hours of leave to obtain the test, consistent with policy. An FLSA exempt employee would not receive work time for testing. Employees should not report back to the worksite until the employee has completed testing and is providing their supervisor or HR staff a test receipt. When test results are received, employee should immediately upload them to the agency's IT system.

If the employee has failed to obtain a required test, but is working remotely on the day when the test is overdue, the employee's supervisor or HR staff should:

- Reinforce the importance of weekly testing,
- Make clear that weekly testing is required because the employee may be required to come on-site to the workplace in the future, and
- Direct the employee to obtain a test that work day. The employee should not go to the worksite for any reason until weekly testing is complete and they have received a negative result. The employee should inform supervisor or HR staff when weekly testing is complete, then upload the test results to the agency's IT system.

If this is not the employee's first instance of a forgotten weekly test, or if the employee is repeatedly getting tested so late in the week that results are not processed by the laboratory before the deadline, the supervisor or HR staff should handle consistent with agency policy.