

2023 Legislative Priority: End Restrictions on Federal Employees Based on Vaccination Status

Background: The U.S. Army Corps of Engineers (USACE) is still implementing certain restrictions on federal workers (and contractors) who are not vaccinated against Covid. These restrictions include a near-total ban on official travel, and a testing requirement based on community CDC transmission level. While the vaccination requirement to remain employed was stayed by Federal courts, this issue is also not completely resolved.

Current Status: The Department of Defense (DoD) released updated Coronavirus guidance on January 30, 2023 that removed these restrictions. We have been told that the Department of the Army and USACE will be issuing guidance soon to implement the DoD guidance. While Local 777 applauds this action, we have been disappointed with how long it has taken. Local 777 members have also filed requests for religious and/or medical exemptions from the vaccine requirement, which were actually requests for reasonable accommodation under the Civil Rights Act and/or Rehabilitation Act. Since the stay of the requirement, USACE stopped processing these forms, leaving workers uncertain of their status; both in terms of their employment, but also with respect to these other restrictions.

Impacts: Local 777 members have been prohibited from deploying to serve at disaster recovery missions, and have been denied leadership and career training opportunities, solely because of lingering vaccination requirements. These employees have important skill sets that were excluded from these important missions.

Requested Action:

- Congress should legislatively bar agencies from enforcing policies against federal workers on the basis of Covid vaccination status.
- Congress should conduct investigations and/or require a report from the Government Accountability Office, on the Government's use of the Civil Rights Act and/or Rehabilitation Act to determine the restrictions on employees who have medical and/or religious reasons for not getting a vaccination.

Local 777, IFPTE, AFL-CIO represents over 200 employees of the U.S. Army Corps of Engineers, Chicago District. We work in Illinois, Indiana, and Wisconsin and plan, design, build, operate, and maintain Federal water resources infrastructure and environmental restorations, and protect our nation's aquatic resources and commercial navigation.

Our members work in offices, on construction sites, at locks and dams, on government vessels, at flood control reservoirs, and at dredged material management and electric barrier facilities.

The views expressed are those of Local 777 only, and not of the Department of Defense or Department of the Army.