

Memorandum of Agreement (MOA)
On
Requiring Coronavirus Disease 2019 Vaccination for
DLA Bargaining Unit Employees (BUEs)

1. The American Federation of Government Employees (AFGE) Council 169 (Union) and Defense Logistics Agency (DLA, Agency, or Management) (collectively the Parties) hereby enter into this Memorandum of Agreement regarding Executive Order 14043, dated September 9, 2021, as it applies to bargaining unit employees covered by the terms of the 2016 Master Labor Agreement (MLA).
2. Bargaining Unit Employees (BUEs) must comply with the November 22, 2021 COVID-19 vaccination mandate, unless excepted for medical or religious reasons.
3. The Agency will inform the BUEs that they may request an exception to the COVID-19 vaccination mandate based on medical or religious reasons. The information will include specifics on how to request such exceptions and a time frame.
4. BUEs who may be out on extended leave (e.g. military deployment) will be given the notice of mandated vaccine.
5. In accordance with the government-wide guidance, the Agency should grant up to 2 workdays of administrative leave if an employee has an adverse reaction to a COVID-19 vaccination dose that prevents the employee from working (i.e., no more than 2 workdays for reactions associated with a single dose). Employees will also be allowed up to four (4) hours of duty time (regardless of the source) to travel to the vaccination site, complete a vaccination dose, and return to work.
6. In exercising any rights granted under law, OSHA, Department of Labor and any other relevant Agency exercising regulatory authority, including Agencies producing internal policies and procedures applicable to the vaccination of employees with the COVID-19

vaccine, employees and their representatives will be free from restraint, harassment, interference, dissuasion, coercion, discrimination, or reprisal.

7. Individuals who have applied for a reasonable accommodation(s) from the Agency in connection with the vaccine mandate, either for medical or religious reasons, will have their reasonable accommodation request processed in accordance with the Agency's reasonable accommodation process. While the reasonable accommodation is pending, employees will continue to telework if currently in a telework status or report to work if currently reporting. Employees reporting to work will have to follow safety protocols such as wearing a mask, physical distancing, etc. Employees may take personal leave such as annual or sick leave per normal procedures.
8. The Agency will ensure that all employees are informed of their right to request a reasonable accommodation regarding the COVID-19 vaccination. Reasonable accommodation requests will be processed in a timely manner. Employees who have applied for a medical reasonable accommodation shall have that medical evidence reviewed in accordance with the Agency's reasonable accommodation process.
9. Should an employee be denied a request for religious or medical exception to support declination of a vaccination, the employee may appeal that denial through the statutory process or negotiated grievance procedure set forth in the terms of the 2016 MLA.
10. In addition to employees who are granted medical or religious exceptions, employees who have recovered from having COVID-19 or have any other condition causing them to be temporarily unable to comply with the COVID-19 vaccination mandate will be given a reasonable period of time to comply with the COVID-19 vaccination mandate.
11. Where there is a designation of representative, and upon request, the Agency will provide copies of the requested reasonable accommodation and exception determination to the Union in accordance with law.

12. Upon request, the Agency and the Union agree to meet 90 days following the date this agreement is signed regarding COVID-19 vaccinations, to discuss and review the progress of the COVID-19 vaccination mandate.
13. The employee(s) may file a Workers' Compensation claim with the Office of Workers' Compensation Programs IAW all current Federal Employee Compensation Act regulations.
14. If, after November 22, 2021, and prior to the issuance of a decision during the disciplinary process, such as suspension or removal, an employee provides the Agency with appropriate documentation that the employee is now fully vaccinated, the disciplinary process may be terminated. If an employee provides the Agency with appropriate documentation after November 22, 2021, that the employee has received 1 dose in a 1-dose series or the first dose in a 2-dose series vaccine, the Agency may hold any disciplinary action in abeyance pending receipt of appropriate documentation that the employee has received the second dose within the designated 3 or 4-week interval depending on the vaccine received by the employee, even if this means the employee will not be fully vaccinated until after November 22, 2021. In these instances, the employee will be required to follow all appropriate safety protocols if reporting to an Agency worksite. The employee should be provided a deadline for receiving the final dose of the vaccine and providing appropriate documentation.
15. If, during the time period a suspension is being served by an employee, the employee provides the Agency with appropriate documentation that the employee is now fully vaccinated, the Agency may end the suspension. If, during the time period a suspension is being served by an employee, the employee provides the Agency with appropriate documentation that the employee has received 1 dose in a 1-dose series or the first dose in a 2-dose series vaccine, the Agency may hold the balance of the suspension in abeyance. The employee should be provided a deadline of no more than 3-4 weeks, depending on the vaccine received, from the date of receiving the first dose for receiving the final dose of the vaccine and providing appropriate documentation. Additionally, the

Agency should advise employees that the suspension will continue, and they may be subject to removal or termination if they fail to receive the final dose of the vaccine or fail to provide appropriate documentation by the new deadline.

For the Union:

Terry A. Day

Digitally signed by Terry
A. Day
Date: 2021.11.12
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Terry A. Day Date
President, AFGE Council 169

For the Agency:

Darryl E. Roberts Date
DLA Human Resources,
Staff Director, Labor and Empl.
Policy