

Reconstituting Operations

Planning Considerations for Federal Departments and Agencies during the COVID-19 Pandemic

This fact sheet builds upon White House guidelines to employers for *Opening Up America Again* (www.whitehouse.gov/openingamerica/) and a joint memo from the Office of Management and Budget (OMB) and the Office of Personnel Management (OPM), “Aligning Federal Agency Operations with the National Guidelines for *Opening Up America Again*” (www.whitehouse.gov/wp-content/uploads/2020/04/M-20-23.pdf), by providing additional recommendations to Federal departments and agencies (D/As) for reconstitution planning. This document was prepared with input from members of the Executive Branch Reconstitution Cell (EBR Cell) .

- The use of reconstitution planning tenets is essential to develop the recovery plan for COVID-19.
- Department and agency resumption of normal operations should be considered a reconstitution event.
- Reconstitution planning is part of a comprehensive continuity planning process.
- Reconstitution program requirements can be found in Federal Continuity Directive 1, Annexes I, J, K, and L (www.fema.gov/media-library/assets/documents/86284).
- The EBR Cell will be available to assist Federal departments and agencies on an as-needed basis.
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- An individual department or agency reconstitution plan will be situationally dependent upon the scope of its mission as well as the size of its facilities and personnel staff.
- Current Task Force operations have developed the criteria for resuming operations, which was used to create the White House guidelines, *Opening Up America Again*. In addition, OMB and OPM have published a joint memo, “Aligning Federal Agency Operations with the National Guidelines for *Opening Up America Again*.” These two documents provide the foundation for any Federal department or agency reconstitution plan for the current pandemic. Departments and agencies should utilize them in crafting their plans.
- As with any reconstitution event, the goal is to resume normal operations as safely and prudently as possible.
 - The impacts of COVID-19 may not be fully resolved before limited reconstitution activities commence.
 - Federal Executive Branch reconstitution will be a gradual process through multiple phases.
- Facility Considerations:
 - The facility must be cleaned and rendered safe for personnel.
 - Employees must have confidence the buildings are safe to reenter.
 - Procedures may need to be established for periodic cleaning and disinfecting.



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- GSA has funding available for disinfecting federally occupied facilities under GSA's jurisdiction, custody or control.
- Through the CARES Act, GSA is receiving \$275 million to assist it in preparing for and responding to COVID-19-related activities, including additional cleaning actions and support activities.
- CDC standards and procedures for cleaning facilities can be found at: www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html
- Once cleaned, limited personnel should then enter the facility to confirm that all systems and infrastructure is ready to support operations.
- Once the status of the facility and its operational systems have been confirmed, then the remainder of the personnel can return in a phased approach.
- Health protection measures such as social distancing until and other measures may need to continue until an all clear notice is given.
- Departments and agencies should continue health education and employee monitoring.
- Human Resources personnel should visit the [OPM COVID-19](http://www.opm.gov/coronavirus) website (www.opm.gov/coronavirus) for frequent updates regarding HR flexibilities and authorities related to COVID-19 and communicate HR flexibilities to their employees.
- The joint OMB and OPM memo ([M-20-23](#)), describes the process to return the Federal government to normal operations.
- Agencies must continue to communicate to employee considerations for the orderly return to work, such as when and where to report work, issue resolution, and employee support.
- D/A human resources personnel should prepare to resume normal operational functions, including effective management of backlog of work and retroactive corrections if necessary.
- Appropriate record retention schedules should be followed for records created during COVID-19 event.
- For federal employees who used personal email accounts to communicate during COVID-19 at alternate or telework locations, please note that the Federal Records Act (44 U.S.C. § 2911) requires federal employees who use non-official accounts to copy their electronic messages to an official account or forward a copy to an official account within 20 days of resumption of normal operations.
- Reporting will be twofold with initial status reports to OMB/OPM (see joint memo). Departments and agencies will also report their status to the EBRC using the Reconstitution Status Report (RSR) form.
 - The EBRC can assist departments and agencies with the process for completing and submitting the RSR.
- Department and agency headquarters staff should be prepared to manage the reconstitution of subcomponents outside the National Capital Region.
 - Plans for stand-alone facilities may replicate many elements of the headquarters plan.
 - For shared office space, additional guidance is provided later and can assist with the unique elements of shared facilities.
- Alternate operating facilities, if utilized, must be prepared for use during the next event.
- After-action reviews of the effectiveness of reconstitution plans and procedures should be conducted and documented in a Corrective Action Program.
 - Lessons learned should be updated in continuity of operations and reconstitution plans.

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- Items in the Corrective Action Program should be diligently tracked to completion and validated at the earliest opportunity.

Moving into an Office Space

In these uncertain times, organizations across the Nation are grappling with when and how to resume operations while protecting the well-being and safety of their employees and communities. Many organizations will be returning to a new normal and are asking questions about the processes for re-occupying an office space. Other questions regard safety and security concerns such as workforce and public protection measures and responding to re-infections in the workspace. Although this paper is not all inclusive it addresses several questions that have been asked by leaders in the federal work force. It also aligns the questions with guidance established by the White House's Opening America Again program. The term employee is used throughout this document in reference to federal employees and contractors.

A Well Planned and Managed Re-Occupation of the Workspace

Identifying reconstitution considerations assists organizations to identify, develop, and coordinate a plan to resume operations. Ensuring the safety of the employees and public we serve is imperative so moving back into workspaces to resume normal operations must be well planned and managed. As such, planners should consider implanting the following overarching principles:

- Work units should be phased in based upon their functional priorities.
- Re-entry implementation plan should include briefing on enhanced screening at building entry checkpoints. Many federal employees enter their buildings without being screened.
- Health protocols need to be communicated and first line supervisors well briefed on the quality control of those protocols

Facility Security Committees (FSC) and Designated Officials (DO) are charged with making decisions for the health and safety of the facility occupants. They are responsible for the Occupancy Emergency Plans (OEP). Once an incident occurs that triggers the OEP's execution to vacate a building (i.e. smoke, fire, white powder, water supply shut off to the fire suppression system or pungent sewer odor) the FSC issues the order to vacate and when determined safe they issue the "all clear". Although the current departure from the building was caused by the pandemic many of the same departure and reentry authorities and principles apply. Examples of these include:

- The OEP establishes basic procedures for safeguarding lives and property in and around the facility during emergencies. (ISC Guide for OEP – Mar 2013)
- Responsibilities are mandated by 41 CFR102-74
- The FSC is the committee responsible for addressing facility-specific security issues and approving the implementation of protective measures and practices (ISC Guide for Facility Security Plans – Feb 2015)
- The DO is the highest ranking official of the primary tenant agency of a Federal facility; the DO should be the final decision authority on any issues regarding the Facility Security Plan (FSP). (ISC Guide for Facility Security Plans – Feb 2015)
- Facility Security Committee should convene beforehand; revise their OEP to include new health protocols and notification procedures prior to agency employees returning to their facilities.
- Employees must be trained on the new OEP and understand the actions that need to be taken if a COVID-19 positive case is identified.

Organizational leaders need to understand that security and safety is maintained through the following concepts:

- Common areas, lobbies, the grounds under federal control and shared spaces (corridors, elevators, restrooms, cafeterias & joint use meeting space) are maintained by the facility staff and the security organization

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- Agency internal space is their responsibility for maintaining safety & security
- Additional cleaning required due to their own employees' unreported infections may be a cost that the agencies incur

Processes Prior to Issuing the All Clear

The FSC or DO will determine when the facility is ready for re-entry and issue the "all clear" to return after the following has occurred:

- The GSA or Leasing Authority representative has approved the return to the workspace and formally notified the key decision makers.
- Federal Protective Services or the organizations security organization has determined that adequate security measures can be implemented that keep the security professionals, employees and general public safe, and have formally notified the decision makers of this.
 - The Security Organization will need to revise the facility post orders for screening and monitoring both visitors and employees.
 - These revised countermeasures must be briefed to the FSCs/DOs.
 - Safeguarding Controlled but Unclassified Information (CUI) during a time of increased cleaning is their responsibility

Safeguarding CUI during Cleaning Prior to Moving Back In

Many employees were either directed to leave work immediately or not to return to work due to the urgency to protect the workforce and flatten the curve at extreme measures at the early stages of the Pandemic. This expediency has undoubtedly caused CUI to be left unattended and unsecured in many federal workspaces across the country. This has caused a frequently asked question. How do we protect the CUI from being exposed to members of the cleaning crews who will clean and sanitize workspaces prior to reentry? The bottom line is that this is an inadvertent but unauthorized disclosure which is address by having the individual who inadvertently was exposed to the information sign a non-disclosure agreement. The same process can apply here. The following is not a directed but suggested process for mitigating liabilities associated with this issue:

- It remains the responsibility of the agency to identify what is appropriate if CUI was left out and easily disclosed even in their controlled space.
- Prior to entering restricted or controlled areas, the cleaning contractors should be briefed by the agencies and sign non-disclosure agreements as stipulated by individual agency requirements.
- Cleaning contractors may need to provide the names of all contract employees that are accessing the space.
- Agencies should brief the contractor on what they expect the contractor to do while in their space to mitigate disclosure.

Additional Resources on COVID-19

- White House *Opening Up America Again* Guidelines: www.whitehouse.gov/openingamerica/
- Coronavirus.gov (White House/CDC/FEMA): www.coronavirus.gov
- U.S. Department of Health and Human Services: www.hhs.gov/about/news/coronavirus
- U.S. Centers for Disease Control and Prevention (CDC): www.cdc.gov/coronavirus/2019-ncov

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- FEMA COVID-19 Response: www.fema.gov/coronavirus
- U.S. Office of Personnel Management: www.opm.gov/policy-data-oversight/covid-19/
- General Services Administration (GSA): www.gsa.gov/governmentwide-initiatives/emergency-response/covid19-coronavirus
- National Institutes of Health: www.nih.gov
- Department of Labor “Guidelines for Preparing Workplace for Coronavirus”: www.dol.gov/coronavirus