

14 January 2021

MEMORANDUM FOR ALL NATIONAL GUARD HUMAN RESOURCE OFFICERS

Subject: National Guard Employee Medical Testing and Vaccinations in Pandemic Situations (TCP-2021-001)

- References: (a) Title 5 United States Code § 7901, Health Service Programs
 - (b) The United States Office of Personnel Management Worklife Website, <https://www.opm.gov/policy-dataoversight/worklife /reference-materials/employee-health-services-handbook/>, accessed 21 May 2020
 - (c) 5 CFR 339.205, Medical Evaluation Programs
 - (d) DoD Memorandum "Coronavirus Disease 2019 Vaccine Guidance", dated 7 Dec 2020

1. This memorandum provides guidance for Human Resource Officers concerning testing and vaccinations for conditions related to a World Health Organization declared pandemic for NG Employees in accordance with (IAW) the references.

2. States, Territories, and the District of Columbia, hereafter referred to as States, may offer testing or vaccinations for conditions related to a declared pandemic as part of their Employee Assistance Program or Health Services Program.

3. As a general rule, NG employees cannot be required to submit to testing or vaccination, but may be offered either preventative service during the workday on a voluntary basis. Human Resource Officers should consult their State Surgeon prior to offering testing for NG employees. Health Force Protection guidelines should be considered when offering voluntary testing. Only Department of Labor makes eligibility determinations for coverage under the Office of Workers Compensation Program regarding voluntary vaccination.

4. Employees who were notified in writing of the vaccination requirements of their position as outlined in the State's medical evaluation program in reference c may use the voluntary vaccination to meet the mandatory requirements of their position.

5. IAW ref d, the Defesense Health Agency is the lead on this initiative for all Department of Defense employees (military and civilian), as such, they will be providing additional guidance to your medical personnel.

6. The point of contact is Mrs. Angela M. Mullins, NGB-J1-TCP, 703-607-5423.

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