



www.few.org



455 Massachusetts Ave. NW, P.O. Box 306  
Washington, DC 20001  
Phone: 202/898-0994  
Fax: 202/898-1535

***This information may be provided to  
FEW membership via government email***

## **FEW Washington Legislative Update September 1-15, 2021**

### **In Congress**

President Joe Biden's massive economic agenda, the full faith and credit of the United States, government funding and abortion rights are all at stake as Congress returns to Washington after weeks away.

The Senate comes back Monday, September 6, 2021, from its August recess. The House will follow the upper chamber back to the Capitol on September 20, 2021.

Lawmakers will have to rush to meet a range of critical deadlines in the coming weeks. The speed at which Congress works will determine whether the government shuts down, if the U.S. defaults on its debts and whether the largest proposed expansion of the social safety net in decades will take effect.

"We know the American people are facing challenges of monumental proportions, so we must, and we will pass legislation that meets the moment," Senate Majority Leader Chuck Schumer, D-N.Y., said Wednesday, September 15, 2021, in pushing for the torrent of new investments in social programs.

Congress faces a logjam:

**Infrastructure:** House Speaker Nancy Pelosi, D-Calif., has promised centrist Democrats she will hold a vote on the Senate-passed bipartisan infrastructure bill by September 27, 2021. The pledge is not binding, and politics within her caucus could complicate the timeline.

**Democrats' reconciliation bill:** Pelosi hopes to approve an up to \$3.5 trillion plan that invests in social programs and climate policy in conjunction with the infrastructure bill. But the House, Senate and White House are still writing the plan — and deciding which version could win the support of every Democrat in Congress.

Government funding: Lawmakers need to pass appropriations bills by **September 30, 2021**, to prevent a government shutdown.

Debt ceiling: The United States could default on its obligations in October if Congress fails to raise the debt ceiling. Democrats are deciding how to lift or suspend the limit on their own after Republicans said they would not join in the effort.

Abortion rights: The House plans to vote on a bill that would protect the right to abortions nationwide after the Supreme Court declined to block a restrictive Texas law. If the chamber passes the plan, it faces long odds in the Senate

## **FEW Washington Legislative Update – September 1-15, 2021 Tier I**

### **COVID Vaccine:**

President Joe Biden will sign an executive order requiring federal workers to get fully vaccinated against coronavirus in 75 days or face possible disciplinary action, as the U.S. struggles to bring the highly contagious delta variant under control.

“That gives people more than enough time, in our view, to start and complete their vaccination series,” White House press secretary Jen Psaki told reporters Thursday. “If a federal worker fails to comply, they will go through the standard HR process which includes counseling and face progressive disciplinary action.”

The executive order will also extend to contractors who work with the U.S. An estimated 2.1 million civilians work for the federal government, according to the Office of Personnel Management. The total federal workforce including the military is about 4.2 million people.

Biden will formally announce the vaccination requirement as well as other measures to fight the pandemic during an address. The vaccination requirement does not apply to the legislative and judicial branches of the federal government.

Earlier this year, Biden ordered all federal employees to prove their coronavirus vaccination status or submit to a series of rigorous safety protocols. Thursday’s order will remove the option to get tested instead for most workers, though certain exceptions will apply.

“There will be limited exceptions for legally recognized reasons such as disability or religious objection,” Psaki said.

Biden’s decision comes as his administration searches for ways to make inroads against the mutating virus. His campaign to bring the pandemic under control by summer has failed in the face of resistance to vaccination among a significant segment of the U.S. population. Infections and deaths are spiking among people who have not been immunized.

The U.S. is currently averaging more than 151,000 new Covid cases a day, far above the 36,000 cases at this time last year before vaccines were available, according to a CNBC analysis of data from Johns Hopkins University. Nearly 1,500 people are dying a day on average from Covid.

In total, 62 percent of the U.S. population has received at least one dose of a vaccine – Pfizer, Moderna or Johnson & Johnson – while 53 percent are fully vaccinated.

“Our overarching objective here is to reduce the number of unvaccinated Americans — there are of course 80 million unvaccinated Americans at this point in time,” Psaki said. “We want to reduce that number, decrease hospitalizations and deaths and allow our children to go to school safely.”

“Obviously, the federal workforce is one of the largest in the country and we would like to be a model to what we think other businesses and organizations should do around the country,” Psaki said.

A more comprehensive federal mandate could influence state governments to follow suit, according to Jen Kates, director of global health and HIV policy at the Kaiser Family Foundation. Currently, about 20 states have some kind of vaccine mandate in place for government or health-care workers, though many have opted out for people who want to submit to regular testing instead.

In July, the Department of Veterans Affairs announced it would order its health-care workers to get inoculated, making it the first federal agency to impose such a mandate. Veteran Affairs Secretary Denis McDonough described the new measure as “the best way to keep Veterans safe.”

A month later, the Food and Drug Administration fully approved Pfizer and BioNTech’s COVID-19 vaccine, the first in the U.S. to win the coveted designation. The mRNA vaccine, which will be marketed as Comirnaty, was on the U.S. market under an Emergency Use Authorization that was granted by the FDA in December.

The FDA’s approval was expected to give even more businesses, schools, and universities across the country greater confidence to adopt vaccine mandates.

More than 214 million doses of the Pfizer vaccine have been administered, according to data compiled by the Centers for Disease Control and Prevention. Approximately 96 million people in the U.S. are fully inoculated with Pfizer’s two-dose vaccine.

Following the FDA’s approval of Pfizer, the Pentagon updated its health guidance to require all U.S. service members and defense contractors to receive a coronavirus vaccine.

The Moderna and Johnson & Johnson vaccines are still administered under emergency use authorizations.

*Sourced from [CNBC](#).*

## **FEW Washington Legislative Update – September 1-15, 2021 Tier II**

### **Office of Personnel Management:**

The Office of Personnel Management (OPM) announced that it had established a leave transfer program for federal workers impacted by Hurricane Ida across four states.

Emergency leave transfer programs allow federal employees to donate unused annual leave to a leave bank from which other federal workers may draw to take paid time off to recover from an emergency or natural disaster.

Hurricane Ida made landfall along the Louisiana and Mississippi coast August 29, 2021, damaging homes, knocking out the New Orleans electrical grid and causing widespread flooding. As the storm continued north, it produced multiple tornadoes and significant flooding, particularly in New Jersey and New York.

OPM Director Kiran Ahuja announced that her agency would establish a leave transfer program related to the storm in a memo to agencies published September 3, 2021. Employees seeking access to emergency leave should reach out to their agencies to apply.

“Employees who are adversely affected and seek to become emergency leave recipients must apply in writing to their agencies,” Ahuja wrote. “An employee who is unable to do so on their own may apply through a personal representative. The [leave transfer program] will be in place to assist approved leave recipients as the need for donated annual leave becomes known.”

Individual agencies are responsible for setting up leave banks for federal employees to donate unused leave to their colleagues in need, assessing the need for donated leave, and for approving the use of donated leave by feds impacted by the storm. Crucially, donated leave can only be used retroactively in some circumstances.

“[Agencies must] educate affected employees that, dependent on agency policy, they may request advanced annual or sick leave, as appropriate or leave without pay, so that they are not forced to use accrued leave before donated annual leave becomes available,” Ahuja wrote. “This is necessary since donated annual leave may only be substituted retroactively for any period of leave without pay or advanced annual or sick leave used because of the emergency; it may not be retroactively substituted for accrued annual or sick leave used because of the emergency.”

Thus far, the emergency leave transfer program applies to federal employees in Louisiana, Mississippi, New Jersey, and New York. Although the tornadoes that touched down in Maryland and Pennsylvania also caused significant damage, President Biden has not approved emergency declarations in those states.

OPM has offered additional guidance highlighting how agencies may approve weather and safety leave for federal workers unable to work due to the storm, as evacuations

and widespread power, internet and cellular outages can inhibit employees' ability to telework.

Sourced from [GovExec](#).

## **FEW Washington Legislative Update – September 1-15, 2021 Tier III**

### **Childcare and Working Women:**

Rochelle Wilcox, the owner of three childcare centers in New Orleans, receives 10 to 15 phone calls nearly every day for each school from parents asking if there is space for their children.

But Wilcox has to turn them away. While her enrollment is not yet back to pre-pandemic levels, she does not have the staff to take on more students.

"I have to say that we're full," said Wilcox, who capped the wait list for the three schools at 140 children, compared to the more typical range of 45 to 60. She estimates the schools could accept 40 more children if she could hire 10 more staffers.

Childcare centers across the country are struggling to find enough qualified educators to be fully staffed for back-to-school season, an obstacle that has some schools reducing planned enrollment and cutting back hours. Owners of childcare centers say more workers are quitting and fewer people than usual are applying for open positions.

The staffing crunch is further limiting childcare options for parents eager to get back to work. It also creates more hurdles for working mothers, who were disproportionately pushed out of the labor market when schools went virtual and childcare centers closed because of the pandemic.

Without reliable childcare, it will become more difficult for those parents to return to steady work schedules, economists say, potentially slowing a labor market recovery that many had hoped would get a jolt as schools reopened this fall and which becomes even more critical as enhanced jobless benefits expire in September.

Research released on Wednesday by the Federal Reserve Bank of Atlanta found that women with children under age 6 made up 10 percent of the workforce before the pandemic but accounted for 22 percent of the jobs lost during the crisis. The ability to find quality childcare is "likely to be a determining factor for employment" for women with young children, Atlanta Fed researcher M. Melinda Pitts wrote in the report.

Four out of five early childhood educators working at childcare centers said they were understaffed in late June and early July, according to a survey by the National Association for the Education of Young Children. More than one in three respondents said they were thinking about leaving or shutting down their centers this year.

Recruiting childcare workers has always been difficult because wages are typically low - workers earn a median of \$12 an hour according to the Labor Department - and the work is demanding. But those challenges were exacerbated by the pandemic, which put workers' health at risk and, with many quitting, created greater responsibilities for those who remained on the job.

The renewed focus on the workforce is leading to a national conversation about early childhood educators and what needs to change to provide them with more opportunities and reduce turnover.

"I think what we're going through right now is a revaluing of care work and understanding that care work is the work that makes all other work possible," said Mara Bolis, associate director of women's economic rights for Oxfam America.

Sourced from [Reuters](#).

*FEW receives information from the following sources and contacts: Federal News Network, Reuters, GovernmentExecutive, Forbes, The New York Times, The Washington Post, CNN, FedWeek, and CNBC.*