

**December 21, 2021**

## **Ensuring Adequate COVID Safety Protocols**

**(Updated)**

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Updates to the previous announcement are highlighted in red text.

Dear Valued Northrop Grumman Supplier,

The purpose of this notice is to provide the Global Supply Chain (GSC) community with guidance related to the [White House Task Force Guidance on COVID-19 Workplace Safety](#), updated on November 10, 2021. The Task Force Guidance sets forth new safety protocols, including vaccination requirements, for all Federal contractor and subcontractor workplace locations pursuant to [Executive Order 14042, Ensuring Adequate COVID Safety Protocols for Federal Contractors](#).

Northrop Grumman is implementing these new requirements for our employees in the United States, in accordance with the Executive Order (“EO”) and Company guidance, including those who are currently working remotely. These requirements are in addition to any site-specific facility access requirements or other established COVID-19 related safety protocols. While we continue to monitor future guidance, we are sharing this with you now so that you can begin to take the necessary steps to meet the deadlines. If the guidance below doesn’t apply, please follow Northrop Grumman supplier visitor protocol applicable to your specific site location.

**Requirements and guidance in this area are evolving and may change. When we reasonably can, we will update you regarding any revisions.**

### **Suppliers Supporting Northrop Grumman on Purchase Orders Under U.S. Government (USG) Contracts:**

The Federal Acquisition Regulatory Council (FAR Council) recently appended FAR Clause 52.223-99, ENSURING ADEQUATE COVID-19 SAFETY PROTOCOLS FOR FEDERAL CONTRACTORS (OCT 2021) (DEVIATION) ([the FAR Council Memo](#)) to its Guidance to federal agencies. The FAR Deviation facilitates incorporation of the clause into USG solicitations and contracts while the FAR Council goes through the formal rulemaking process for the development of a final FAR clause. The FAR Council has asked contracting agencies to “act expeditiously” to put together deviations so USG Contracting Officers can begin incorporating the clause into their solicitations and contracts. Several agencies, including the Department of Defense (DoD) ([the DoD Memo](#)), General Services Administration (GSA) ([the GSA Memo](#)), the National

Aeronautics and Space Administration (NASA) ([the NASA Procurement Class Deviation](#)) and the Department of Veterans Affairs (VA) ([the VA Memo](#)), have published Deviations directing their Contracting Officers to incorporate a COVID clause.

When the requirements of FAR Clause 52.223-99 or any related agency clause are incorporated into any USG solicitation, new award or contract modification, the same requirements will be flowed down, as required by the Federal or Agency Regulation, to Suppliers supporting those contracts.

**Regarding Applicable Court Orders and Injunctions:** Defense Pricing and Contracting (DPC) and NASA have issued guidance on implementing requirements of EO 14042 while ensuring compliance with applicable court orders and injunctions, including those that are preliminary and may be supplemented, modified, or vacated, depending on the course of ongoing litigation.

- **For existing Subcontracts, Purchase Orders or other like instruments (hereinafter “Purchase Orders”) that contain clause FAR 52.223-99 (or another similar Agency clause) implementing requirements of Executive Order 14042,** Northrop Grumman will take no action to enforce the clause implementing requirements of Executive Order 14042, absent further written notice from our Customer, where the place of performance identified in the Purchase Order is in a U.S. state or outlying area subject to a court order prohibiting the application of requirements pursuant to the Executive Order (hereinafter, “Excluded State or Outlying Area”). In all other circumstances, Northrop Grumman will enforce the clause, except for Supplier employees who perform substantial work on or in connection with a covered contract in an Excluded State or Outlying Area, or in a covered Supplier workplace located in an Excluded State or Outlying Area as defined [here](#).
- **NOTE:** Federal agency COVID-19 workplace safety protocols for Federal buildings and Federally controlled facilities still apply in all locations. Supplier employees working onsite in those buildings and facilities must still follow Federal agency workplace safety protocols when working onsite.

**Contingent Workers (i.e., Contract Labor) Working Remotely or on Northrop Grumman Facilities, and Supporting USG and non-USG Work:**

- Supplier is responsible for establishing vaccination requirements, including reviewing proof of vaccination and any applicable disability/medical or religious accommodation processes for its employees.

- All individuals retained as Contingent Workers need to be fully vaccinated by January 18, 2022, unless they qualify for a medical or religious accommodation. The mandate does not provide for a testing option in lieu of a vaccine.
- Fully vaccinated is defined as two weeks since your last required COVID-19 vaccine dose. To meet the deadline, your workers will need to receive the second dose of a two-dose vaccine, or the single dose, no later than January 4, 2022.
- In addition to following their employer's compliance requirements, vaccinated Contingent Workers must also submit proof of fully vaccinated status in Northrop Grumman's Vaccine Record System (VRS). Northrop Grumman will provide instructions on uploading proof of vaccination to the VRS.
- Federal guidance allows for medical and religious accommodations in lieu of vaccination for qualifying workers. Suppliers of Contingent Workers are responsible for processing any accommodation requests for their employees. They must notify Northrop Grumman of any such accommodations when a Contingent Worker is nonetheless proposed to perform work (or to continue performing work) at a Northrop Grumman facility, so that Northrop Grumman can determine whether there are sufficient and reasonable safety protocols that would allow the unvaccinated Contingent Worker to perform on-site work.

**On-Site Facility Support Services Personnel and Consultants Operating in NG Facilities Holding a Long-Term NG Badge:**

- Unvaccinated On-Site Facility Support Services personnel or Consultants who work at a Northrop Grumman facility and hold a long-term Northrop Grumman badge need to be fully vaccinated by January 18, 2022, unless they qualify for a medical or religious accommodation. The mandate does not provide for a testing option in lieu of a vaccine.
- Fully vaccinated is defined as two weeks since your last required COVID-19 vaccine dose. To meet the deadline, your workers will need to receive the second dose of a two-dose vaccine, or the single dose, no later than January 4, 2022.
- On-Site Facility Support Services Suppliers and Consultants are responsible for ensuring vaccination status of their employees and must review vaccine documentation for each employee.
- Federal guidance allows for medical and religious accommodations in lieu of vaccination for qualifying workers. Suppliers of On-Site Facility Support Services workers and Consultants are responsible for processing any accommodation requests for their employees. They must notify Northrop Grumman of any such accommodations when an employee is nonetheless proposed to perform work (or to continue performing work) at a Northrop Grumman facility, so that Northrop Grumman can determine whether there are sufficient and reasonable safety protocols that would allow Supplier's unvaccinated personnel on-site.

**We will continue to follow CDC guidance and federal, state, and local mandates, to help minimize the spread of COVID-19. Your commitment to protecting the health and well-being of your communities, employees, suppliers, and customers is sincerely appreciated. If you have any questions, please contact your Northrop Grumman Buyer or Subcontract Administrator.**