

**Office of the Comptroller of the Currency**  
**Supporting Statement**  
**Request for a Medical Exception to the COVID-19 Vaccine Requirement**  
**OMB Control No. 1557-0352**

**A. *Justification.***

**1. *Circumstances that make the collection necessary:***

The President, by Executive order 13991 (January 20, 2021) established the Safer Federal Workforce Task Force. The Taskforce was established to give the heads of federal agencies ongoing guidance to keep their employees safe and their agencies operating during the COVID-19 pandemic. The Taskforce issued guidance, in accordance with the President's Executive Order 14043 (September 9, 2021), requiring federal employees to be vaccinated against COVID-19 by November 22, 2021 absent a legally required exception. To determine whether employees who request a medical exception qualify for the exception and a reasonable accommodation, or, alternatively, was required to comply with the November 22 deadline, the OCC developed the Request for Medical Exception to the COVID-19 Vaccination Requirement form (Request form).

The Request form was developed, consistent with guidance issued by the Taskforce and the U.S. Department of Treasury's Office of Civil Rights and Diversity, to gather information from employees who have requested medical exceptions and medical professionals treating those employees, to determine whether such employees qualify for legal exceptions to the vaccine requirement. The Request form was used to collect information from job applicants who may request a legal exception and reasonable accommodation after receiving an offer of employment from the OCC.

To ensure compliance with an applicable preliminary nationwide injunction, which may be supplemented, modified, or vacated, depending on the course of ongoing litigation, Office of the Comptroller of the Currency will take no action to implement or enforce the COVID-19 vaccination requirement pursuant to Executive Order 14043 on Requiring Coronavirus Disease 2019 Vaccination for Federal Employees while the injunction is in effect.

**2. *Use of the information:***

The OCC used the information on the form to determine whether employees or prospective employees who have requested a medical exception to the vaccination mandate are eligible for an exception and appropriate reasonable accommodations.

**3. *Consideration of the use of improved information technology:***

Not applicable.

**4. *Efforts to identify duplication:***

There is no duplication.

**5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

The questions and requests for information have been drafted as narrowly as possible to require only the information necessary for the agency to make a determination as to an employee's qualification for exception and an appropriate accommodation(s).

**6. Consequences to the federal program if the collection were conducted less frequently:**

Not applicable.

**7. Special circumstances that would cause an information collection to be conducted in a manner inconsistent with 12 CFR part 1320:**

Not applicable.

**8. Efforts to consult with persons outside the agency:**

The OCC issued a notice for 60 days of comment on January 18, 2022 to renew this emergency clearance, 87 FR 87 FR 2669. No comments were received.

**9. Payment or gift to respondents:**

None.

**10. Any assurance of confidentiality:**

The information is subject to the protections of the Privacy Act of 1974; is covered by system of record notice Treasury 0.16 Reasonable Accommodation Records, 86 FR 59271 (October 26, 2021); and, the Rehabilitation Act, and it will be kept private to the extent permitted by law.

**11. Justification for questions of a sensitive nature:**

Pursuant to and consistent with the Rehabilitation Act and EEOC regulations, the OCC is authorized to and must ask questions regarding the medical condition of employees requesting an exception to determine whether the employee qualifies for an exception and reasonable accommodation.

**12. Burden estimate:**

Estimated Number of Respondents: 2 Job Applicants; 66 Medical Professionals.

Estimated Burden per Respondent: 0.25 Hours for Job Applicants; 0.50 Hours for Medical Professionals.

Total Burden: 33.5 Hours.

$33.5 \times \$114.17 = \$ 3,824.70$

To estimate wages, the OCC reviewed May 2020 data for wages (by industry and occupation) from the U.S. Bureau of Labor Statistics (BLS) for credit intermediation and related activities (NAICS 5220A1). To estimate compensation costs associated with the rule, the OCC uses \$114.17 per hour, which is based on the average of the 90th percentile for six occupations adjusted for inflation (2 percent as of Q1 2021), plus an additional 33.4 percent for benefits (based on the percent of total compensation allocated to benefits as of Q4 2020 for NAICS 522: credit intermediation and related activities).

**13. Estimate of total annual cost to respondents (excluding cost of hour burden in Item #12):**

Not applicable.

**14. Estimates of annualized costs to the federal government:**

Not applicable.

**15. Change in burden:**

There is no change in burden.

**16. Information regarding collections whose results are to be published for statistical use:**

Not applicable.

**17. Reasons for not displaying OMB expiration date:**

Not applicable.

**18. Exceptions to the certification statement:**

Not applicable.

**B. Collections of Information Employing Statistical Methods.**

Not applicable.