

MEMORANDUM OF AGREEMENT
BETWEEN
THE INTERNATIONAL ASSOCIATION OF MACHINIST AND AEROSPACE WORKERS
(IAM&AW) LOCAL LODGE 2297
AND
THE DEFENSE LOGISTICS AGENCY AVIATION/DISTRIBUTION AT CHERRY POINT, NC

The Defense Logistics Agency at Cherry Point (hereinafter referred to as DLA Aviation or DLA Distribution Cherry Point N.C.) and the International Association of Machinist and Aerospace Workers, (IAM&AW) Local Lodge 2297 (hereinafter referred to as the Union) hereby agree to the following in regards to the DLA Cherry Point's Wellness and Fitness program. *Reference is Directive-Type Memorandum (DTM) 13-002, Fitness Program, dated December 13, 2012.*

Purpose. The purpose of this Agreement is to establish a civilian wellness/fitness program which enhances the well-being of DLA Aviation or DLA Distribution (as applicable) employees and contributes to a healthy and productive workforce. Full and part-time civilian employees may voluntarily participate in civilian wellness/fitness activities during the workday for a maximum of one (1) hour per day three (3) times per week, not to exceed a combined total of 80 hours of administrative leave per calendar year under 5 U.S.C. 6329a(b)(1).

The goal is to encourage and motivate employees to develop a healthy lifestyle and enhance the quality of work life. Participation in the civilian wellness/fitness program is not an employee entitlement; however, supervisors are encouraged to allow employee participation to the maximum extent practicable. The civilian wellness/fitness program is subject to annual budgetary review.

Applicability. This Agreement establishes and implements policies, processes and procedures necessary for the effective, efficient, and economical administration of a DLA Aviation or DLA Distribution civilian wellness/fitness program at Cherry Point, NC. Employees or positions covered by an existing duty- time-for-fitness policy or provision (i.e. emergency essential employees, police officers, and firefighters), are not covered under this Agreement.

Definitions.

- a. Activity = A DLA Major Subordinate Command (MSC)
- b. Agency = Defense Logistics Agency
- c. Approving Official = DLA first-line supervisors

d. Eligibility. Permanent (career-conditional/career) full- and part-time Federal civilian employees performing at the fully successful level are eligible to participate, provided the following criteria is met:

1. The employee has served a 90-day waiting period upon entering DLA
2. The employee has no current leave restriction letter that was generated as a result of leave abuse or written reprimand.

NOTE: Receipt of a suspension or demotion for misconduct, or poor performance, will restrict an employee from participating for a 15-month period from the effective date of the action. Light-duty employees are not eligible to participate until medically cleared for full duty and are capable of participating in vigorous physical activities

Policy.

- a. Participation in the wellness/fitness program applies to eligible permanent full and part-time Federal civilian employees and is contingent upon supervisory approval and mission requirements. Administrative leave for part-time civilian employee participation will be prorated.

Example for Calculating Part-time Hours of Fitness: A part-time employee working 32 hours per week/64 hours per pay period = 80% of 3 hours per week; or 2.4 hours per week/rounded to the nearest timekeeping increment (15 mins/.25 hrs) = 2.5 hours per week.

- b. Participation in the wellness/fitness program is not an employee entitlement; however, supervisors are encouraged to allow employee participation to the maximum extent practicable. The civilian wellness/fitness program is subject to annual budgetary review.
- c. Full-time DLA civilian employees may be granted a maximum of 1 hour per day, three times per week, of administrative leave during duty time for civilian wellness/fitness activities in accordance with the eighty (80) hour limitation placed by law on such grants of administrative leave under 5 U.S.C. 6329a(b)(1). Only one block of time per day is authorized under this program. Fitness activities suitable for administrative leave should address cardiovascular/aerobic endurance, muscular strength, endurance, flexibility and body conditioning. Wellness activities include but are not limit to, onsite or Agency-

sponsored classes on health education, weight management, stress management, tobacco cessation, and onsite health screenings.

- d. Any unused periods cannot be banked and carried over to the next week. The 3 hours per week includes time for changing clothes, showering, and travelling to/from the exercise location for employees engaged in civilian fitness program. Any periods of time over the 1 hour per day, 3-hour per week limit will be charged as annual leave, credit hours, or compensatory time and are subject to applicable leave and absence regulations (refer to DLAI 7208, Leave). If the employee is unexpectedly away from the office for longer than the approved period of Administrative (Wellness/Fitness) Leave, he/she may request the use of annual leave, credit hours, or compensatory time subject to supervisory approval. Should the employee fail to properly request the necessary added time via leave, or if the supervisor denies the employees' request for the use of leave, the employee may be charged with Absence Without Leave.
- e. On-base facilities, such as the base gym and on-base running/walking tracks should be utilized for employees engaged in a civilian wellness/fitness program. However, alternate arrangements may be approved for employees not co-located to onsite facilities. Civilian fitness/wellness periods can be combined with the regularly scheduled lunch period or before or at the end of the day, subject to mission requirements and supervisory approval.
- f. DLA Aviation or DLA Distribution Cherry Point (as applicable) will not pay any expenses related to gym membership fees or travel costs to/from alternate fitness sites, etc., for employees engaged in a civilian wellness/fitness program.
- g. Supervisors retain authority to schedule and assign work to fulfill mission requirements and must carefully balance workload needs and availability of personnel when scheduling employee's use of duty time for civilian wellness/fitness activities. Supervisors may temporarily suspend employee civilian wellness/fitness participation in the program when time-critical work must be completed (supervisors will describe the specific mission reason for cancelling the wellness/fitness leave). Supervisors should try, whenever possible, to allow employees to reschedule the exercise time period (up to 1 hour per day, 3 days per week) for another time or day in the week.

- h. Premium type hours, including overtime, compensatory time, and credit hours, should not be approved to allow for participation in the civilian wellness/fitness program. However, if a supervisor identifies a need for an employee to work "overtime" to complete unanticipated, time-critical work that same day, then the supervisor should approve the premium hours, as appropriate, in accordance with applicable laws, rules and regulations.
- i. As conditions of their participation in the DLA Civilian Wellness/Fitness program, employees must adhere to the following:
 - (1) Employees scheduled for Temporary Duty (TDY) or training must suspend their civilian wellness/fitness program arrangements during applicable days. No type of compensatory pay will be granted for wellness/fitness while on TDY.
 - (2) Employees work performance must be at the fully successful level.
 - (3) Employees must not have a current leave restriction letter or written reprimand.
 - (4) Employees who receive a suspension or demotion for misconduct or poor performance will be restricted from participation for a 15-month period from the effective date of the action.
 - (5) New employees must wait 90 days from their entry on duty date in DLA to begin participation in the civilian wellness/fitness program for the purpose of orientation.
 - (6) Employees on light duty or just returning to work from a medical condition are not eligible to participate in a civilian fitness program until medically cleared for full duty and are capable of participating in vigorous physical activities.
- j. All DLA employees participating in the civilian wellness/fitness program are protected under the Privacy Act of 1974, Health Insurance Portability and Accountability Act of 1996 and other applicable laws and implementing regulations.

Responsibilities.

- a. Supervisors are to ensure the program is not compromised or abused and have the authority to revoke privileges if abuse is suspected or mission requirements do not supported continued participation.

Procedures.

Procedures for participation in the Fitness aspect of the Civilian Wellness/Fitness Program are detailed as follows:


- a. Prior to beginning a civilian fitness program, individuals must initiate a written request to the first level supervisor, Attachment 1, including the employee's projected times, location, and nature of the fitness activity. Specific times for participation will be dictated by mission requirements and approved in advance.
- b. Employees must self-certify to the best of their knowledge that they have no medical conditions or limitations that would put them at risk of injury or harm to their health while participating in the fitness program (Attachment 1).
- c. Within 3 work days of receipt of the employee's submitted request, the supervisors shall provide the employee a response, unless the supervisor is on leave or TDY.
- d. With the approval of their supervisor, employees may establish civilian fitness periods at a set time within the workday. Administrative leave can be combined with regularly scheduled lunch periods with supervisory approval.
- e. Employees will self-certify their medical condition on the fitness agreement. If an employee is returning from a medical situation or on light-duty with medical restrictions, they must provide supporting medical documentation from their health care provider verifying that it is permissible for the employee to participate in the fitness program.
- f. The first-level supervisor maintains approved requests to participate.
- g. Copies of all agreements will be kept by supervisors, and organizations are to provide a copy upon request to satisfy any reporting requirements.

- h. A supervisor for a newly assigned employee already participating in the civilian fitness program should review the employee's schedule to determine if there are any conflicts with the mission of the organization. Employees selected for new positions must initiate a new request.
- i. If an employee request for administrative leave for the fitness program is denied or revoked, the employee may request reconsideration by his/her next level supervisor.
- j. Participants are encouraged to maintain a diary of all activities, goals and progress.

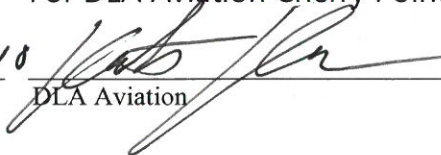
Information Requirement. DLA must maintain appropriate accountability of time and attendance and will use information to report participation and evaluate the Agency Civilian Fitness/Wellness Program. Accordingly, organizations must ensure employees and timekeepers enter the fitness/wellness code of "LN" in EAGLE for the dates and times employees participate in the program, selecting Reason Code (PF).

Internal Controls. DS-Q with the support of J1 will assess the civilian wellness/fitness program on an annual basis to determine impact on productivity and whether the program is meeting the stated objectives.

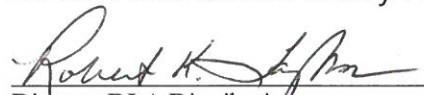
For the Union:


 Directing Business Representative Date
 District Lodge 110 Havelock, N.C. 4 OCT 2018

For DLA Aviation Cherry Point:


 DLA Aviation Date
 4 OCT 2018

For DLA Distribution Cherry Point:


 Director DLA Distribution Date
 4 OCT 18