

CIVILIAN WELLNESS AND FITNESS PROGRAM

SECTION 1. AUTHORITY: Under 5 USC Section 7901 and Executive Order 13266, the Agency is authorized to offer employee health services. Employees will be allowed to voluntarily participate in physical fitness and wellness programs. Fitness activities suitable for excused absence should address cardiovascular/aerobic endurance, muscular strength, endurance, flexibility and body composition. Wellness program activities include, but are not limited to, classes in the following areas: health education, nutrition, stress management, weight management, tobacco cessation and exercise.

SECTION 2. ELIGIBILITY AND PARTICIPATION: The Civilian Wellness and Fitness Program (CWFP), contingent upon supervisory approval and mission requirements, applies to any full-time, temporary, and term civilian employee who is performing at the fully successful level. Employees on a Performance Improvement Plan (PIP) who are subject to leave restriction, or who have been formally disciplined for any misconduct (e.g., absent without leave (AWOL), insubordination, threatening, hitting, use of illegal drugs, gambling, etc.) related to dishonesty or lack of candor within the past year are ineligible to participate in the program. Exceptions may be granted by management for wellness activities if and when appropriate.

A. Administrative Absence: Periods used per week includes time for changing clothes, showering and travel to and from the fitness and wellness program location.

1. **Full-Time Employees:** Full-time employees will be excused with no charge to leave, for up to 3 hours (recommend 1 hour minimum to 1 ½ maximum per session) per week, for these activities. However, the supervisor may make the ultimate determination as far as the minimum and maximum per session.
2. **Part-Time Employees:** Use of time for fitness/wellness activities by part-time employees should be pro-rated to correspond with the number of hours worked per pay period, applying the following formula:
 - a. Number of hours worked bi-weekly (part-time schedule) divided by 80 hours (full-time schedule) = % of (maximum 3 hours per week) time allowed for part-time employees.
 - b. *Example 1:* part-time employee working 32 hours per week/64 hours per pay period $64 / 80 = 80\%$. 80% of 3 hours per week = 2.4 hours per week. Rounded to the nearest timekeeping increment (15 minutes/.25 hrs) = up to 2.5 hrs/week.
 - c. *Example 2:* part-time employee working 24 hours per week/48 hours per pay period $48 / 80 = 60\%$. 60% of 3 hours per week = 1.8 hours per week. Rounded to the nearest timekeeping increment (15 minutes/.25 hrs) = 1.75 hrs/week.

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B. Use in Conjunction with Breaks: CWFP periods can be combined with the regularly scheduled lunch period or at the end of the day subject to mission requirements and supervisory approval.

C. Late Arrival or Early Departure: CWFP periods may be used before an employee reports for duty or to allow for an employee's early departure, if solely for the purpose of participating in a fitness activity at an onsite location, subject to mission requirements and supervisory approval. If the employee is suspected of misusing this administrative leave for CWFP, they may be required to report to work prior to beginning or at the completion of their fitness activity.

D. Delayed Return: If the employee is unexpectedly away from the place of duty for a longer than approved CWFP period, he or she may request the use of annual leave, credit hours, or compensatory time subject to supervisor approval. If otherwise in a duty status for a portion of the day, before or after the excusal, an employee may use his or her annual leave to participate in fitness activities. Annual leave shall be approved IAW with Annual Leave Article of this CBA.

E. Unused Time: Unused CWFP periods cannot be banked and carried over to the next week.

SECTION 3. USE OF FACILITIES:

A. On-Base Facilities: On-base facilities, such as the base gym and on-base running/walking tracks should be utilized for employees engaged in CWFP. However, alternate arrangements may be approved for employees not co-located to onsite facilities. Use of Agency controlled on-base facilities shall be made available to employees at no cost.

B. Off-Base Facilities: The Agency will not pay any expenses related to gym membership fees or travel cost to and from alternate fitness sites for employees to engage in CWFP.

SECTION 4. EQUIPMENT, MACHINERY, AND FURNITURE: Employees are encouraged to report equipment, machinery, or furniture that may be potentially unsafe to use or cause injury. For Agency controlled facilities, the Agency agrees to investigate such reports expeditiously and to implement appropriate corrective action. This does not preclude the normal or necessary adjustments to be made to machinery or equipment while in operation.

SECTION 5. REQUEST FOR PARTICIPATION:

A. Written Request: Prior to beginning a CWFP, the employee must initiate a written request, using the "NCR-MD Civilian Fitness and Wellness Program Agreement" form (see Appendix), to the first line supervisor including the employee's projected times, location, and nature of the fitness activity. Specific times for participation will be dictated by mission requirements and approval in advance.

B. Self-Certification: 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 participation in the fitness program.

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SECTION 6. SUPERVISOR RESPONSIBILITIES: Supervisors are encouraged to approve requests to participate in this program to the fullest extent possible. Supervisors and employees should work towards mutually agreeable times for program participation during the work week.

A. Approval: Within seven (7) days of receipt of the employee's submitted request, the supervisor shall provide the employee a response of approval or denial. Permanent denial of participation is not allowed.

B. Modification: A supervisor may cancel an employee's CFWP scheduled period when required to accomplish the mission. This includes the right to cancel an employee's use of administrative leave on a day where the employee has been approved the use of administrative, sick, annual leave, or leave without pay (unrelated to the CFWP), and the supervisor believes the combined time away from work would negatively impact the mission. However, whenever possible a supervisor should try to reschedule the administrative leave for another time.

C. Reconsideration of Denial: If an employee's request for administrative leave for the CFWP is denied or revoked, the employee may request reconsideration by his or her next level supervisor.

D. Revocation: Management may revoke participation privileges if abuse is identified.

E. Grievance: The Employee shall have no additional right to file a grievance of a denial or revocation of participation by the reviewing official, but the Union may grieve matters related to aspects of the CFWP other than denial or revocation.

F. Records: Copies of all agreements will be kept by supervisors.

SECTION 7. EMPLOYEE RESPONSIBILITIES:

A. Time Keeping: Employees must ensure that administrative leave used is accounted for in the Automated Time Attendance and Production System (ATAAPS). The code to use for Administrative Leave is currently "LN".

B. Report of Injury: If injury occurs while participating in the CFWP, the employee must immediately notify his or her supervisor in accordance with the Workers' Compensation Article of this CBA.

SECTION 8. UNION NOTIFICATION: Prior to the termination or modification of any program under this article, the Agency will provide the Union with notice and an opportunity to bargain in accordance with the CBA.

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