# SUBCHAPTER 792.4

## WORK/LIFE PROGRAM

**References:** (a) President's Memorandum, "Work and Family", of 24 May 99
(b) OPM Director's Memorandum, "Work and Family", of 10 Jun 99
(c) DODDIR 1035.1 of 9 Sep 02, "Telework Policy for Department of Defense"
(d) Department of Defense Telework Policy and Guide of 22 Oct 01
(e) DODDIR 1010.10 of 22 Aug 03, "Health Promotion"
(f) President's Memorandum, "Preventive Health Services at the Federal Workplace", of 4 Jan 01
(g) BUPERSINST 1710.11C, CH-1 of 31 Mar 03

**Cancellation:** OCPMINST 12792.4, "Employee Health Promotion and Wellness Program" of 14 Feb 92.

**1. Purpose.** This subchapter establishes policy and assigns responsibility for the Department of the Navy (DON) civilian Work/Life (W/L) Program, consistent with the provisions of references (a) through (g).

**2. Policy**

a. The DON strives to provide a safe and comfortable work environment for employees to excel at their chosen occupations, unimpeded by factors that divert their attention from the mission.

b. The DON encourages employees to live healthy lives and maintain balance in their family and work life. To this end, the DON is promoting the DON W/L Program. See Appendix A.

c. The success of DON's W/L Program depends on management's commitment to keep employees informed of program availability and benefits. Ensuring maximum participation in the DON W/L Program benefits the DON and its workforce.

**3. Applicability.** This program applies to DON appropriated fund civilian employees.

**4. Responsibilities**

a. The Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN(M&RA)) has overall responsibility for policies associated with the DON W/L Program.

b. The Deputy Assistant Secretary of the Navy (Civilian Human Resources) (DASN(CHR)) will serve as the principal advisor to the ASN(M&RA) on W/L issues. DASN(CHR) will develop and issue DON-wide procedures, guidance, and directives associated with the DON W/L policy.

c. The Director, Office of Civilian Human Resources (OCHR) will:

(1) Appoint a DON W/L Program Coordinator to administer the DON W/L Program and serve as a central point of contact for DON W/L Program issues. See Appendix A for a current list of DON W/L programs.

(2) Evaluate the DON W/L Program as a part of the Human Resources Assessment Program.

d. The DON W/L Program Coordinator will:

(1) Assume the lead role in the promotion, administration and evaluation of the DON W/L Program. Provide status or program information to the DASN(CHR) as appropriate.

(2) Provide guidance and assistance to the Echelon I and II Commands and their designated Command DON W/L Coordinators on program administration and assessment.

(3) Serve as the primary DON liaison with the DON Echelon I and II Commands, Department of Defense, Office of Personnel Management, and other external agencies in matters related to DON W/L policy and guidance.

(4) Coordinate and submit reports as required.

(5) Will work with appropriate counterparts for DON military W/L Program to coordinate the program and to leverage resources to the extent practicable.

e. The Chief of Naval Operations (CNO), the Commandant of the Marine Corps, the Assistant for Administration/Under Secretary of the Navy, and the heads of Echelon II Commands will:

(1) Appoint a W/L Coordinator to work with the DON W/L Program Coordinator, activities and Marine Corps commands under their cognizance.

(2) Provide guidance and assistance to Heads of Navy activities and Marine Corps Commanders to ensure effective execution and promotion of the DON W/L Program.

f. Directors of Human Resources Offices and Directors of Civilian Personnel Programs (DCPP)s will advise and support heads of commands/activities in implementing and promoting the DON W/L programs.

g. Regional Commanders, Commanders, Commanding Officers, Heads of Activities, Officers in Charge, Managers and Supervisors:

(1) Will ensure that programs are established in compliance with this subchapter and with guidance and/or directions from higher-level authorities.

(2) Will ensure sufficient allocation of resources to encourage the fulfillment of the DON W/L policy and goals and employee participation.

(3) Will support employees' use of the leave flexibilities available to them, including use of annual, or leave without pay, credit hours, previously earned compensatory time off, sick leave (when appropriate regulatory conditions are met) or other work schedule flexibilities for attendance at activity-sponsored health promotion and wellness programs.

(4) May grant a limited amount of excused absence to employees who participate in command/activity sponsored health, wellness and fitness programs. See Appendix A.

5. **Reports.** Regional Commanders, Commanders, Commanding Officers, Heads of Activities, and Officers in Charge, will report via the chain of command to their Echelon I and II commanders on the status of their W/L programs on an annual basis. Echelon I and II Cmmanders will provide consolidated reports to the DON W/L Coordinator. The DON W/L Coordinator will provide the format for reporting.

6. **Action.** Regional Commanders, Commanders, Commanding Officers, Heads of Activities, Officers in Charge, Managers and Supervisors will promote and support the DON/WL Program outlined in this subchapter. Echelon I and II Commands will appoint a W/L Program Coordinator, and provide the DON W/L Program Coordinator the name, telephone number and E-mail address of his/her appointment and provide required reports.

**APPENDIX A**
**WORK/LIFE PROGRAMS**

1. **Child, Elder and Dependent Care Programs**. Provide employees with information about availability and referral services.

2. **Family Advocacy Programs**. Provide counseling and seminars for employees on substance (alcohol and drugs) abuse, financial matters, parenting, stress and anger management, domestic violence and life balancing. These programs can be coordinated with your Civilian Employee Assistance Program (CEAP) Administrator.

3. **Flexible Family Friendly Work Arrangements**. Use of the following beneficial options are encouraged: Job sharing, part-time employment, schedule flexibility, (e.g., alternative work schedules and compressed work schedules when they would not have an adverse agency impact under 5 U.S.C. 6131).

4. **Telework**. References (c) and (d) establish the policy governing Telework. Public Law No. 106-346 § 359 requires executive agencies to establish Telework Programs that maximize eligible employee use without diminishing employee performance. Telework is not an employee right, but a tool that employees, managers and supervisors may use to balance their work lives, their private lives and family responsibilities. Efforts will be made to actively promote teleworking within the commands/ activities. More information can be obtained from the Department of Defense Telework Policy and Guide, reference (d).

5. **Health and Wellness Programs**. Provide counseling, information, education, motivational programs and agency sponsored preventive health programs designed to improve the employee's health. Implementation of these programs must be consistent with the activities/command's mission requirements and funding restraints. See reference (e). Commands/activities are encouraged to provide semi-annual fitness events for employees.

a. Programs and activities may include counseling, information and workshops on a wide range of safety and health issues. Sample programs include: flu shots, CPR and defibrillator trainings, smoking cessation, stress management, weight/nutrition management, back injury prevention, alcohol and drug abuse, physical fitness facilities and individual exercise programs, screenings for prostate, cervical, colorectal, and

breast cancer as well as screening for sickle cell anemia, blood lead level, blood cholesterol level, immune system disorders such as HIV, and blood sugar level testing for diabetes.

b. Educational programs may be designed to increase the knowledge and motivation of individuals to seek and maintain healthy life style behaviors and practice disease prevention activities.

c. The President's Executive Memorandum, "Preventive Health Services at the Federal Workplace", of January 4, 2001, reference (f), authorizes that employees may use any of the leave flexibilities available to them including use of sick, annual, or leave without pay, credit hours, previously earned compensatory time off, or other work schedule flexibilities for attendance at activity sponsored preventive health activities.

d. Commands/Activities have the authority to utilize appropriated funds to pay the costs incurred by employees participating in agency-authorized smoking cessation programs (Comp. Gen. No. B-231543, February 3, 1989). Smoking cessation programs should include educational materials, classroom training, individual and/or group counseling and/or pharmacological therapy (such as nicotine replacement therapy).

e. The DON supports participation in individual exercise programs. Individual exercise programs are those where the program is not command/activity sponsored and is a personal decision of the employee. The DON generally places responsibility on employees to use non-duty time, including lunch periods, when participating in individual exercise programs. To the extent practical, employee requests for flexible work schedules and leave should be accommodated in order to allow the employee to participate in an individual exercise program. An excused absence should not be granted to allow an employee to participate in an individual exercise program. Some positions (i.e. firefighters) require employees to meet fitness requirements. These employees must participate in physical activities in order to help them meet job-related medical standards or physical requirements. Rather than excused absences, official time should be authorized. See Comp. Gen. No. B-218840, September 6, 1985.

f. Commands/activities may officially sponsor fitness programs. The purpose of a command/activity fitness program is to encourage employees to adopt a healthy lifestyle. A command/activity fitness program must adhere to the following guidelines:

1) The command/activity fitness program is officially sponsored by the activity head or commanding officer. The decision to sponsor a fitness program is at the command/activity level and is based on mission requirements. Purpose and duration of the physical fitness program must be documented in writing.

2) A command/activity sponsored fitness program should normally be limited (e.g. not to exceed 3 months) in duration.

3) An officially sponsored fitness program may include specific activities such as walking, use of base gym, stretching classes, sports day, education on safe participation in fitness events and other general recreational events.

4) Employee participation is voluntary and open to all employees.

5) Supervisors of employees participating in a fitness program will determine and control employee participation and must account for the employee's time in the fitness program's activity. Supervisors may revoke participation if any abuses are not corrected immediately. Excused time may be granted in increments of 59 minutes or less per absence and may not exceed 3 hours per week. Excused absences for this purpose cannot interfere with or impede the progress of the command/activity's mission.

6) Continued employee participation in an exercise program upon completion of the command/activity's officially sponsored program will be through flexible work scheduling and leave usage.

g. Reference (g) grants commanding officers of installations discretion to determine civilian use of Morale, Welfare, and Recreation (MWR) activities to civilian employees on a space available basis. Commanding Officers are encouraged to open fitness facilities and activities to civilian employees to promote a healthier workforce whenever possible.

h. Appropriated funds may be used to purchase access for its employees to a private fitness center's exercise facilities as part of a command/activity's fitness program authorized by 5 U.S.C. 7901. Command/activity's purchase of fitness club memberships for the use of employees on a continuing basis should be undertaken only when all other resources have been considered and rejected; employee use will be carefully monitored as part of a bona fide prevention program relating to health (Comp. Gen. No. B-240371, January 18, 1991). Comp. Gen. No. B-256194, June 1, 1994, provides further guidance on fees for external competitive opportunities, such as registration fees for fitness events. These fees are viewed as personal, rather than official and must be paid by employees.

i. All Federal Employees' Compensation Act (FECA) claims filed as a result of participation in a health and wellness program are subject to final adjudication regarding coverage and benefit amounts by the Office Workers' Compensation Programs (OWCP), the U.S. Department of Labor.