



ADMINISTRATIVE COMMUNICATIONS SYSTEM U.S. DEPARTMENT OF EDUCATION

DEPARTMENTAL DIRECTIVE

OM: 2-106

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Distribution:
All Department of Education
Employees

Signed by Andrew Jackson
Assistant Secretary for Management

Health and Wellness Program

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For technical information regarding this directive, please contact Management Services at (202) 401-2905 or via email at OMMSSupportServices@ed.gov.

This directive supersedes OM: 2-106 "Employee Participation in Fitness Activities" dated 06/02/2010 and renames the directive Health and Wellness Program.

I. Purpose

This Directive establishes the policy, procedures, and guidelines on the use of the Department of Education (ED)-sponsored health and wellness programs, health facilities, and participation in fitness activities, and responsibilities for participating in the ED Health and Wellness program. This program is intended to help employees develop and maintain a healthy lifestyle and productive workforce through increasing awareness of and encouraging participation in health and wellness activities offered by ED.

II. Policy

It is ED's policy to carry out, within the resources available, a comprehensive health and wellness program to promote and maintain the physical and mental fitness of its employees in an equitable manner. ED encourages employees to participate in the Health and Wellness programs including physical fitness activities during non-duty hours, and to make use of the ED-contracted fitness facilities to help employees meet their fitness goals to improve their health and wellness to perform activities for accomplishing the mission of the agency. In consideration of the work requirements of the office, employees should work with their supervisors to consider schedule options for fitness activities. This includes the use of leave, credit hours and alternate work schedules as defined in the Collective Bargaining Agreement and applicable agency policy. All employees participating in fitness activities are required to adhere to their authorized work schedules.

The Office of Management (OM), Management Services (MS), partners with Human Capital and Client Services (HCCS) and Facilities Services (FS) to administer ED's health and wellness program. Changes to this Directive are subject to the agency's contractual and statutory bargaining obligations to the Union, as applied to bargaining unit employees. This program encompasses three major service areas: Employee Assistance Program, Health, and Physical Fitness.

A. **Employee Assistance Program (EAP):** The EAP is a non-disciplinary program offered and administered by the Federal Occupational Health (FOH) centers to help employees manage issues of a personal nature, health concerns, and professional challenges through difficult times and remain productive on the job. EAP professionals located in FOH centers offer information, expert advice, and coaching to employees, supervisors, and managers to help them respond effectively to employee and organizational concerns, such as workplace conflict, conduct issues, and performance concerns.

Managers and Supervisors will adhere to the statutory requirements under the provisions of the Privacy Act. All employee rights, including, but not

limited to anonymity under the Privacy Act, will be protected. Employees who do not have onsite access to an FOH center will be provided information for receiving health and wellness services for their assigned workplace location, and the Employer will ensure that the information is advertised on physical bulletin boards, on electronic posting sites, and on any authorized posting place for establishing employee knowledge and awareness of available health and wellness services.

- B. Health:** Services are offered through an Interagency Agreement with the Department of Health and Human Services, Federal Occupational Health centers (and ED-designated locations in regions where FOH centers are not available). Under this agreement, employees are able to receive health and wellness services that include immunization shots, health awareness education, health risk appraisals (HRAs), lactation support, onsite first aid and emergency response, periodic health evaluations (PHE), screenings, and automated external defibrillator equipment and training.
- C. Physical Fitness (Commercial Fitness Center Agreements):** Subject to the availability of appropriated funds, services are offered to employees through corporate agreements with offsite commercial fitness centers. Corporate agreements enable employees to afford access to fitness facilities and fitness programs designed to help meet their individual goals and expectations. Any commercial membership fees will be paid directly to the Fitness Center, per the agency's agreement with the chosen vendor.

III. Authorization

Title 5 U.S.C. § 7901, authorizes Executive Branch agencies to establish, within the limits of appropriations available, health programs that promote and maintain the physical and mental fitness of Federal employees. As indicated above, changes to this Directive and to agency health programs are subject to the language of the Collective Bargaining Agreement, as applicable to bargaining unit employees.

The Federal Employee Substance Abuse Education and Treatment Act, 5 CFR Part 792, requires Federal agencies to establish appropriate prevention, treatment, and rehabilitative programs and services for alcohol and drug abuse problems for Federal civilian employees. Executive Order 12564, Drug-free Federal workplace, requires agencies to establish drug-free federal workplace programs, including an Employee Assistance Program (EAP) as an essential element in achieving a drug-free workforce.

IV. Applicability

This Directive applies to all ED employees.

V. Definitions

For the purpose of this Directive, the terms below are defined as follows:

- A. **Commercial Fitness Centers:** Offsite fitness centers that partner with ED to offer membership packages to employees through a corporate rate.
- B. **Education Fitness Center (EFC):** Memberships are offered by the Department of Education Fitness Association (DEFA) for an employee-run fitness facility located in the main headquarters building. Memberships are offered to all Federal employees and contractors. Through the use of a professional fitness company, the EFC is able to offer a variety of fitness programs and classes.
- C. **Health and Wellness Services:** Any services, support, or resources provided to help employees become cognizant and knowledgeable about improving and sustaining good overall physical and mental health.
- D. **Health Centers:** Onsite health units, which provide an array of free services to Federal employees that includes, but is not limited to, first aid and emergency medical care, health screenings, immunizations, health assessments, and health awareness programs.

VI. Responsibilities

- A. **Assistant Secretary for Management (ASM):** or his/her designee is responsible for establishing overall policy for ED's health and wellness program.
- B. **Director of Management Services (MS):** is responsible for providing oversight to the Support Services Division in administering, coordinating, and implementing policies, procedures, and requirements for the health and wellness program.
- C. **Director of Human Capital and Client Services (HCCS):** is responsible for establishing and promoting personnel policies governing excused absences or administrative dismissals for employees' participation in health and wellness activities. HCCS also provides oversight in administering, coordinating, and implementing policies, procedures, and requirements for the EAP.
- D. **Director of Facilities Services (FS):** is responsible for providing oversight to the Automated External Defibrillator (AED) program and providing space for health and fitness services in ED buildings and in ED-contracted space, including private space for lactation support.

- E. **Health and Wellness Liaison (HWL):** is responsible for managing all aspects of the Health and Wellness program and serves as the liaison between ED, FOH, and fitness center staff to establish health and wellness agreements. The HWL responds to inquiries, requests, and issues concerning the Health and Wellness program.

The HWL coordinates ED's physical fitness program and serves as the liaison between ED management, ED-contracted fitness center employee members, and the ED-contracted fitness center staff. The HWL also educates and updates employees on regional fitness center availability, associated costs, participation provisions, and explains provisions of the ED-contracted agreements. The HWL would also be responsible for all nationwide internal fitness media communications, announcement of health fairs, and advertise in connectED and ED Notebook (or their equivalent) any ED-sponsored fitness center changes or promotions.

The HWL would participate on the Health and Safety Committees in collaboration with union members to discuss health and wellness concerns and share relevant information concerning health and wellness changes, and regional fitness participation. The HWL will also monitor the processes for ensuring equitable access for employee participation in receiving fitness and wellness benefits. The HWL can be contacted at OMMSSupportServices@ed.gov.

- F. **Employee Assistance Program Point of Contact:** is responsible for working with FOH to establish and oversee the EAP interagency agreement.
- G. **Education Fitness Center Management Contractor:** is responsible for managing or contracting with another entity to manage the day-to-day operations of the Education Fitness Center. The Contractor works with the HWL on administrative requests and issues related to parking, security, IT equipment, facilities, and to purchase fitness equipment, subject to availability of funds.
- H. **Employees:** are responsible for complying with the rules, regulations, requirements and policies established by ED management and the staff of any ED-sponsored fitness facility they utilize, complying with the medical examination requirements of the fitness facility, and being responsible for any fees related to their portion of the fitness activities.
- I. **Managers and Supervisors:** are responsible for approving and/or disapproving work schedules and/or credit hours for employees who wish to participate in health and wellness activities, which are not covered by authorized excused absences or administrative dismissals.
- J. **Safety and Occupational Health Specialist (SOH):** is responsible for determining and managing equipment, training, and oversight requirements

for AED equipment placed throughout ED headquarters and regional locations. The SOH can be contacted at HELPDESK-OfficeofManagement@ed.gov

- K. **Security Services:** is responsible for providing security access to employees approved by the HWL to utilize independent lactation space and for providing access to employees that join the fitness center once confirmation is received from the HWL.

VII. Procedures and Requirements

A. Health

ED's Interagency Agreement (IA) with FOH offers health centers available for use by ED staff nationwide. Employees are encouraged to receive free health services from the health center designated for their actual Headquarters or Regional work location. Under special circumstances or during medical emergency situations, employees may use a health center at any location to receive services. The specific services included under the IA include the following:

1. **Automated External Defibrillators (AED):** Equipment acquired, installed, and monitored throughout ED Headquarters and Regional buildings for use by trained ED staff in the event an employee experiences a cardiac arrest.
2. **Health Awareness Education:** Workshops, seminars, or materials on health topics such as cancer, diabetes, and nutrition that help empower employees to make lifestyle changes that improve their health and well being.
3. **Health Risk Appraisals:** Evaluations to help employees identify and receive a written assessment of their health status and potential risks. This assessment also provides information on how employees can reduce and assess health risks over time.
4. **Health Screenings:** Tests such as blood pressure, cholesterol/lipid, and vision to help employees identify health risks in the primitive stages, including employees who may be at high risk for specific illnesses based on family history, tobacco use, or other life-style behaviors.
5. **Immunizations:** Vaccinations that provide protection against illnesses or diseases associated with influenza, tetanus, or pneumonia.
6. **Lactation Facilities:** Employees will have access to the use of quiet, private clinic rooms or private space in health care centers or other designated ED locations for mothers who are lactating during work hours.

These facilities will comply with Office of Personnel Management (OPM) requirements for establishing a federal nursing mother's program and are subject to the agency's statutory and contractual bargaining obligations, with respect to bargaining unit employees.

7. **Periodic Health Evaluations:** Physical exams coordinated and scheduled by onsite health center nurses with qualified medical physicians to administer periodic examinations to evaluate an employee's health status.

B. Off-Site Health Services

Not all regions have on-site FOH centers. A more comprehensive list of free health center services is shown in Appendix A. Employees should consult with their respective health center nurse or the HWL for questions related to the services provided under the Interagency Agreement.

The health centers may also offer expanded medical screenings such as stroke, blood typing, osteoporosis, and mammograms. These screenings are coordinated by the onsite health center nurses and are charged to the respective employees, or to their Federal Employee Health Benefits provider.

C. Leave

Employees seeking to use leave to participate in health and wellness services during normal duty hours should refer to the Personnel Manual Instructions (PMI) 630-7 Excused Absence for using the four hours of Administrative Leave provided annually for healthcare screenings and for using any additional leave.

D. Physical Fitness:

1. **Access to Fitness Facilities.** ED may provide access to fitness facilities through the following options:
 - a. **On-Site Fitness Facility:** Subject to space availability, ED may allot space in Federally owned and leased buildings for fitness programs.
 - b. **Commercial Fitness Centers:** In ED locations where an on-site fitness facility is not available, ED may provide access to fitness facilities through agreements with commercial fitness centers. Group membership discounts can be established with the commercial fitness centers. Under these agreements, ED pays an amount to the commercial fitness centers to be determined annually depending on the number of employees participating in the fitness program and the funds available. ED may not enter into an agreement with a commercial fitness center that denies membership based on race,

color, religion, sex (including gender identity and pregnancy), national origin, age, disability, genetic information, sexual orientation, status as a parent, marital status or political affiliation.

- c. Fitness Facilities Supported by Interagency Agreements: Through an interagency agreement with other Federal agencies, ED may share, on a reimbursable basis, the use and cost of fitness facilities.
- d. Location of fitness facilities: The Department agrees to continue to look for suitable locations that maximize participation, so that all employees will have adequate access to a fitness facility. For ED facilities that do not have an on-site fitness facility, ED will seek to enter into agreements with fitness centers that are located close enough to the ED facility (whenever possible) to enable employees to use the facility during, before, and after the work day. A facility located within ½ mile of the ED facility will be presumed to be located close enough to be readily usable by employees. For ED facilities that do not have a readily usable fitness center, ED will consider, on a yearly basis or upon receiving information from the Union or employees that a closer fitness center has recently opened, ED will seek to enter into an agreement with the newly-opened center.

2. Funding

- a. Subject to the availability of funds, ED may enter into agreements with commercial fitness centers to offer discounted membership pricing for employees. The HWL solicits interest from employees to participate in ED's corporate membership program, and interested employees should notify the HWL. Participating employees are required to confirm their continued interest by the due date specified in the notice they receive from OMMSSupportServices@ed.gov one month in advance of the expiration date of the current agreements. Employees who miss the deadline may join the program at any time, subject to availability of funds.
- b. Contractors who provide and/or manage fitness programs may collect employee fees directly or make arrangements with an employee organization to collect fees from employees. If a contractor is used to provide fitness programs, subject to availability of funds, ED may pay a predetermined portion of the cost, as determined by Education Fitness Center Management and the contractor, subject to the Federal Acquisition Rules. The contractor is responsible for collecting fees from ED employees to cover the remaining cost.
- c. If the fitness program is managed by an employee organization, the employee organization charges ED employees a membership fee to cover operating costs. Under this arrangement, ED may collect

employee fees through payroll deduction on behalf of an employee organization.

- d. Employees are responsible for any medical expenses incurred in meeting a fitness center's medical requirements.
3. Time and Attendance. Physical fitness activities must be conducted during non-duty hours. In conjunction with the work requirements of their Principal Office, employees should work with their supervisor to consider schedule options to participate in physical fitness activities, including the use of credit hours. All employees participating in fitness activities are required to adhere to their authorized work schedule. The PMI [610-3 Alternative Work Schedules For Non-Bargaining Unit Employees](#) and the [Collective Bargaining Agreement](#) Article 40 state that "employees cannot extend their lunch periods and make the additional break time up at the end of the assigned work-day."

E. Employee Assistance Program (EAP)

ED's Interagency Agreement with FOH also offers comprehensive Employee Assistance Programs that can provide employees with the support, tools, and resources they need to deal with personal problems, health concerns, and professional challenges that can impact staff performance.

The [FOH EAP](http://www.foh4you.com) (<http://www.foh4you.com>) is committed to the highest professional and ethical standards in maintaining the privacy and confidentiality of client information. EAP staff adheres to the laws, policies, and regulations that provide for the protection of personal information. All individuals who utilize EAP services will be informed about the policies and procedures for maintaining confidentiality. In addition, organizations that partner with the EAP are required to adhere to these policies and procedures.

An employee may privately access EAP 24 hours a day at (1-800-222-0364), 7 days a week through the toll free EAP service Center. Expert staff will answer the phone and establish eligibility for services. Face-to-face counseling services are available through an extensive national and international network of EAP counselors. There is a counselor on site, however, an employee can see a counselor at an office in proximity to where he or she works or lives.

1. Specific EAP services for individuals include the following:
 - a. **Assessments:** Counseling sessions to identify the nature and extent of an employee's concerns.
 - b. **Emergency Information and Referrals:** Information, resources and referrals that are given during an emergency situation.

- c. **Follow-up:** The monitoring of an employee's progress during and after receiving assistance.
 - d. **Short-term, Solution-Focused Problem Solving:** EAP counseling to resolve problems that can be best addressed on a short-term basis.
 - e. **Referral:** Identification of community, support, and educational resources for EAP clients.
2. Specific EAP services for Leaders, Managers and Labor Representatives include the following
 - a. **Critical Incident Management:** Working with Federal agencies to help develop crisis preparedness and response plans, and provide supportive services to employees who have experienced a critical incident.
 - b. **Health and Wellness Presentations:** Providing a variety of health and wellness presentations that provide information regarding health, emotional well-being, stress management, and services available through the EAP.
 - c. **Labor Consulting:** Coaching and consultation to assess interpersonal issues that may affect individual or group performance; referring bargaining unit members to the EAP; or issues impacting bargaining unit members.
 - d. **Management Consulting:** Coaching and consultation to assess interpersonal or organizational issues that may affect individual or group performance; facilitate skill building; develop short-term intervention strategies, or refer to other resources as needed (e.g., alternative dispute resolution experts, organizational development specialists).
 - e. **Supervisory Referral Assistance:** Coaching and consultation regarding concerns or issues related to an employee's conduct or performance. EAP professionals provide coaching on how to communicate and refer employees to the program. While abiding by the laws that govern confidentiality, EAP staff also consults with supervisors regarding whether or not an employee has followed the recommendations made by the EAP.
3. EAP client information and records are protected from disclosure under 5 U.S.C. § 552a, the Privacy Act of 1974. Participation in the EAP is voluntary and confidential. Information concerning an employee's status with the EAP may not be divulged without express written consent of the

employee or as otherwise permitted by law. In addition, records of individuals with alcohol and drug issues are subject to extra restrictions, which are provided under 42 CFR, Part 2: "Confidentiality of Alcohol and Drug Abuse Patient Records" regulations. Depending on the location in which EAP services are provided and the professional credentials of the EAP counselor, additional protection of client information may be provided by state and professional association laws, regulations, and procedures. The FOH EAP maintains a Privacy Act System of Records Notice that details the procedures for maintaining the confidentiality of client information and records. (See, PMI 792-1 and 792-2 for more information on the relationship between EAP, Alcoholism & Drugs Abuse programs, and the Drug Free Workplace policy).

4. No employee's job security or promotion opportunity will be jeopardized by a request for counseling or referral to the EAP.
5. There is no cost to employees who receive counseling or other services directly by EAP. There are times when it is appropriate to refer employees to outside resources. Employees who accept these referrals are responsible for the fees charged by the outside facility.
6. Employees are not required to seek permission to meet with an EAP counselor when it is during non-duty hours. Employees may meet with an EAP counselor during their workday by taking approved leave or without a charge to leave, with the permission of their supervisors. Supervisors granting EAP visits during duty hours, at an employee's request, may require confirmation of attendance.
7. The EAP program supplements, but does not replace, existing procedures for dealing with employee disciplinary actions.

VII. Appendix A: Health Center Services

FOH Health Center Services



Allergen Desensitization	Heat Pack Application
Assessments and Evaluations	Height & Weight Measurement
Blood Pressure Monitoring and Screening	Individual Health Counseling
Body Temperature Measurement	Influenza Virus Vaccination (Flu)
Cholesterol/Lipid Screening	Lactation Support**
Cold Pack Application	Other Medications as approved by FOH
Colorectal Cancer Screening	Periodic Bed Rest
Consultation with Recipient	Pulmonary Function**
Diabetes Monitoring and Screening	Pneumococcal Vaccination (Pneumonia) for ages >50
Ear and/or Eye Irrigation	Referral to Personal Medical Doctor
Educational Programs	Removal of Foreign Body
Emergency Medical Response/First Aid/CPR	Tetanus/Diphtheria Vaccination
Glaucoma Screening**	Travelers Health and Immunization Information
Glucose Monitoring and Screening	Tuberculosis Screening*
Heathyfocus4you Referral and Motivation	Vision Screening
Hearing Screening*	Wound Care

The table above provides a listing of services available to employees through health center facilities under the FOH Interagency Agreement. Employees who do not have access to an FOH Center should contact the Health and Wellness Liaison at OMMSSupportServices@ed.gov to confirm which services are available at their respective location.

* Does not include mass screenings or tests for occupational exposure; these services are available through consultation on a fee-for-service basis.

**Available at certain health centers because these services require specialized equipment or adequate private space.

Information on available [fitness centers](#) can be found at <https://connected.ed.gov/Pages/Corporate Fitness Agreement.aspx>. Changes to individual fitness center arrangements are subject to the agency's statutory and contractual bargaining obligations with respect to bargaining unit employees, and, to the extent required, will be negotiated at the local level.