

**SCOPING DOCUMENT:  
AIR OSH PROGRAM DEVELOPMENT AND IMPLEMENTATION**

**PURPOSE:** To provide a collaborative approach for the Federal Aviation Administration (“FAA” or the “Agency”) and the National Air Traffic Controllers Association (“NATCA” or the “Union”) (hereafter the “Parties”) to address the issues listed below concerning the Agency’s requirement to comply with Occupational Safety and Health Association (“OSHA”) regulations, policies, and procedures for a Hearing Conservation Program (“HCP”) in the Aircraft Certification Service (“AIR”).

**SCOPE:** The Parties agree that the purpose of any AIR HCP is to appropriately protect all AIR employees, while carrying out their official duties, in accordance with applicable Department of Labor regulations, including but not limited to 29 CFR 1910.95; the Parties’ Collective Bargaining Agreement (“CBA”), the HCP MOU dated 8/24/15 and all applicable FAA policies and guidance.

The Parties further agree that AIR employees may face potential hazards at “multi-employer worksites,” sometimes referred to as “third-party worksites,” where they perform their assigned duties, such as test witnessing and manufacturing inspections. All applicable Department of Labor regulations, including but not limited to 29 CFR 1910.95; the Parties’ Collective Bargaining Agreement (“CBA”); and all applicable FAA policies and guidance continue to apply to employees while they carry out their official duties at “multi-employer worksites.”

A determination worksheet must be developed that is specific to AIR. In addition to developing a determination worksheet, site visits must be conducted to gather “noise” samples.

**PROCESS:** The Parties recognize that having a consistent approach to engagement will facilitate information sharing, working together, and allow the overall process to move forward more effectively and efficiently while addressing the interests of all concerned. The Parties agree that:

1. The Hearing Conservation Workgroup is tasked with overseeing the collection of noise samples by Anderson Consulting and developing a determination worksheet to identify those employees who must be included in the program due to their exposure to noise levels for prolonged periods as identified in 29 CFR 1910.95.
2. Each Party shall have the right to appoint one (1) member to the Workgroup for site visits. Each Party will appoint two members to the workgroup to develop the determination worksheet. Additional members to the Workgroup may be appointed by the mutual agreement of the Parties.
3. Any SMEs contacted for advice, guidance or expertise by the Workgroup will not be considered members of the Workgroup or have a vote in any Workgroup decisions outlined in this document.

4. The Workgroup shall make every effort to reach a consensus agreement through discussion and collaboration. If the group members are unable to reach a consensus agreement on any portion of the project, that matter will be elevated to the signatories to this document for a collaborative resolution.
5. Bargaining unit representatives on the Workgroup shall be in a duty status for all Workgroup activities. Additionally, they shall be afforded a reasonable amount of duty time to communicate with the Union regarding the status of any HCP initiatives.
6. Bargaining unit representatives will be afforded as much notice as possible regarding potential dates and locations of any travel necessary to provide oversight of the noise collection samples. Any conflicts regarding travel dates will be resolved collaboratively.
7. NATCA designated Workgroup members will be provided access to the same information as any other Workgroup member.

This Agreement will terminate upon the expiration of the Parties' 2011 Collective Bargaining Agreement, unless specifically extended by mutual agreement of the Parties.

FOR THE UNION

FOR THE AGENCY

Michael MacDonal 2/26/16  
 Michael MacDonald Date  
 Region X RVP

James P. Hansen 3-15-16  
 James P. Hansen, AIR-510 Date

Nicole Vitale 2/26/16  
 Nicole Vitale Date  
 Labor Relations Attorney

Carol McCrerey 3-15-16  
 Carol McCrerey, AHL-300 Date