

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
NATIONAL AIR TRAFFIC CONTROLLERS ASSOCIATION  
AND THE  
FEDERAL AVIATION ADMINISTRATION**

This Agreement is made between the National Air Traffic Controllers Association (“NATCA” or “the Union”) and the Federal Aviation Administration (“FAA” or “the Agency”), collectively known as “the Parties.” This Agreement represents the complete understanding between the Parties at the national level concerning the implementation of the Aircraft Certification Service (AIR) Hearing Conservation Program (HCP) FAA Order 3900.XX.

The August 24, 2015 memorandum between the Parties regarding the FAA-wide HCP remains in full force and effect with respect to NATCA bargaining unit employees who are not in AIR.

**Section 1.** The Agency will only enroll employees in the HCP when their work environments include areas of potentially high noise at or above the levels described in FAA Order 3900.XX, AIR HCP. NATCA will be included in any future worksite-specific, task-based noise evaluations to determine whether noise at a particular location reaches the threshold level. These noise evaluations will be conducted according to the procedures in the HCP AIR OSH Program Development and Implementation Scoping Document dated March 15, 2016.

**Section 2.** The Agency will enroll such employees using the attached AIR Hearing Conservation Program Determination Form. The Agency will provide the blank form to the employee’s first-line supervisor, and the supervisor will complete the form with the employee. The employee and supervisor will sign the form and forward the form to the AIR Occupational Safety and Health Program Manager who will then forward the form to the Organizational Occupational Medical (Occ Med) Program Administrator.

**Section 3.** The Agency will provide enrolled employees with functional personal protective equipment (PPE) appropriate for the type and level of noise exposure.

**Section 4.** Each employee will perform a one-time demonstration of his/her ability to utilize the appropriate PPE during the initial instructor-led training. Identified employees will complete the eLMS Hearing Conservation Training as required. The Agency will provide employees with the necessary duty time to complete this training.

**Section 5.** Federal Occupational Health (FOH) will perform all employee audiograms under the Agency’s HCP. Any change in audiogram provider or process will be negotiated with the Union as appropriate.

**Section 6.** FOH will maintain all clinical records containing employee medical information including FOH Form 6 – Authorization for Disclosure of Information, FOH Form 16 – Employee Audio Letter, and FOH Form 17 – Audiogram History Report. Any changes with the file retention provider or process will be negotiated with the Union as appropriate. All

occupational medical records maintained by the Agency shall comply with OSHA, OPM, and Privacy Act requirements.

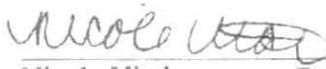
**Section 7.** The Parties recognize that employees who have worked for the Agency prior to their enrollment in the Agency's HCP may have already sustained hearing loss as a result of their noise exposure. Thus, some baseline audiograms obtained through the HCP may not accurately document whether the employee has sustained occupational hearing loss over his or her FAA career.

**Section 8.** The Agency will release employees from the facility on duty time to obtain all AIR HCP-related audiograms, including baseline, annual, follow-up, and exiting audiograms.

**Section 9.** After audiogram, the FAA will receive the FOH Form 33 – Employer Audio letter. The employee will receive a copy of FOH Form 16 – Employee Audio letter to the employee's official FAA email address.

**Section 10.** The Agency will not use the results of any audiogram or further clinical evaluation performed under the HCP to evaluate an employee's fitness for duty. Employees who do not have medical qualification standards will not be subjected to any administrative action due to a known or suspected hearing loss, except for providing a reasonable accommodation.

For the Union:

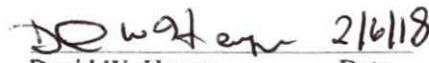
 1/29/18  
Nicole Vitale Date  
Assistant Director of Labor Relations

 1/26/2018  
Scott Odle Date  
AIR National Representative

 1/29/2018  
Mike Odryna Date  
National OSHA Representative

For the Agency:

 1/30/18  
Carol McCrerey Date  
AHL-300

 2/6/18  
David W. Hempe Date  
Deputy Executive Director  
Regulatory Operations  
(AIR-002)