

**Memorandum of Understanding
Between
National Air Traffic Controllers Association
and
Federal Aviation Administration**

This Agreement is entered into between the National Air Traffic Controllers Association, AFL-CIO (“NATCA” or “the Union”) and Federal Aviation Administration (“FAA” or “the Agency”), herein collectively referred to as “the Parties.” This Agreement represents the complete understanding of the Parties concerning the use of face coverings and the FAA Workplace Toolkit.

Section 1. The Agency’s Frequently Asked Questions (FAQ) which states that “*FAA employees will wear cloth face coverings, surgical masks, dust masks, or N95 respirators (if medically qualified) in common areas such as elevators, hallways, and any workspaces or other locations where social distancing cannot be maintained*” and “*Face coverings with an unfiltered exhalation valve are not suitable for COVID-19 community spread protection. The unfiltered exhalation valve allows unfiltered air to escape the face covering. Unfiltered exhalation valves on any type of face coverings are not permitted.*” applies to all FAA employees, including NATCA bargaining unit employees.

- a. Upon request, the Agency will make cloth face coverings available to NATCA bargaining unit employees. The type of face covering shall be at the election of the employee.
- b. The social distancing requirement is as defined by the Centers for Disease Control and Prevention (CDC).
- c. The CDC has provided information on [cloth face coverings](#) and on [respirators and face masks](#). Cloth face coverings, surgical masks, dust masks, N95 respirators and/or face shields will be worn in accordance with this guidance. This guidance does not supersede any position-specific guidance on Personal Protection Equipment (PPE).
- d. Employees who have a medical condition that prevents them from wearing a face covering should contact their operational supervisor/manager to address a workplace flexibility/modification that can accommodate the employee’s limitation. For employees that maintain a medical certificate, the operational supervisor/manager will advise the appropriate Regional Flight Surgeon (RFS) for validation and follow-up as necessary.

Section 2. Issues arising from an employee’s non-compliance with Section 1 above, will be addressed using Article 8 and/or Article 52, as applicable, of NATCA/FAA collective bargaining agreements prior to initiating other compliance measures.

Section 3. The Parties at the local level will work collaboratively to ensure the Workplace Toolkit and related social distancing measures are developed and implemented at each office or facility accordance with the Administrative Facility Preparedness Guide or approved Operational Readiness Workgroup recommendations.

Section 4. The Agency has determined that during Phase One, the Agency will maximize telework and flexible work schedules to achieve a limited staggered return not to exceed twenty-five (25) percent of the workforce at administrative facilities. To achieve a limited staggered return, the Agency will consider the physical locations of employees within the worksite, including individual floors, departments on the floor, and spacing between employees, to ensure that social distancing is maintained.

Section 5. Either Party may request to reopen this Agreement to address concerns regarding the application or interpretation of the language contained in this Agreement.

Section 6. This Agreement does not constitute a waiver of any right guaranteed by law, rule, regulation, or Collective Bargaining Agreement on behalf of either Party.


Signed this 23rd day of July 2020

For the Union:



Dean Iacopelli
Chief of Staff


For the Agency:



Michael Doss
Director, Collective Bargaining



Karena Marinas
NATCA OSHA Committee Chair



Deborah Sepulveda
Human Resources Specialist, AHL-300