

**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 procedures under the FAA-wide Hearing Conservation Program (HCP), 29 CFR 1910.95 and FAA Order 3900.19X.

Employees in the 2152 job series do not fall under Hearing Conservation Program (HCP), 29 CFR 1910.95 and FAA Order 3900.19X. Therefore they are not subject to the terms of this agreement.

Section 1. The Agency will only enroll employees in the HCP when their work environments include areas of potentially high noise at or above OSHA’s action level described in 29 CFR 1910.95. The Agency will conduct worksite-specific, task-based noise evaluations to determine which employees are exposed to noise that reaches the threshold level.

Section 2. The Agency will enroll such employees using the attached NATCA HCP 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 Service Area/Alaska District Hearing Conservation Program Administrator.

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

Section 4. Within 15 days of being identified for inclusion in the HCP, each employee will perform a one-time demonstration of their ability to utilize the appropriate PPE. Identified employees will complete eLMS Hearing Conservation training as required. The Agency will provide employees with up to one hour of 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 records containing employee medical information from this date forward, including the attached FOH Form 6, FOH Form 16, and FOH Form 17A. The Agency will not seek, receive or maintain these forms or any forms containing employee personal identifiable information (PII) as part of the HCP, except as necessary to comply with relevant OSHA regulations. 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 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 Agency HCP related audiograms, including baseline, annual, follow-up, and exiting audiograms.

Section 9. After an audiogram, the FAA will receive the FOH Form 33. The employee will receive a copy of FOH Form 33 via email.

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.

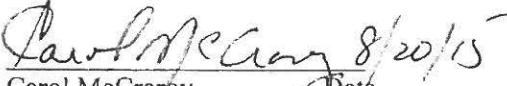
For the Union:

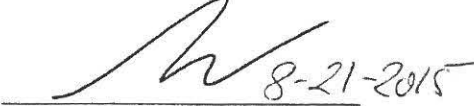
For the Agency:


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Nicole Vitale Date 8/24/15


Carol McCrahey Date 8/20/15
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