



# DoDEA ADMINISTRATIVE INSTRUCTION 1438.01

## DoDEA PHYSICAL FITNESS AND WELLNESS PROGRAM

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**Originating Division:** Human Resources

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**Incorporates and Cancel:** DoDEA Acting Director Memorandum, "Announcement of the DoDEA Physical Fitness Pilot Program," January 27, 2014  
"DoDEA Physical Fitness Pilot Program", February 20, 2014

**Approved by:** Thomas M. Brady, Director

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**Purpose:** This Issuance implements the Office of Secretary of Defense (OSD) Civilian Fitness Wellness Program for DoDEA through the DoDEA Physical Fitness and Wellness Program.

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## SECTION 1: GENERAL ISSUANCE INFORMATION

### 1.1. APPLICABILITY.

a. This Issuance applies to the DoDEA Headquarters Organization, the DoDEA Americas Region, the DoDEA Europe Region, the DoDEA Pacific Region, and to include all schools under the DoDEA authority, and when applicable, volunteers, students, support personnel, student teachers, contractors, and sponsors/parents.

b. Participation in the DoDEA Physical Fitness and Wellness Program is limited to full-time non-bargaining or above school level employees who have satisfactory performance and no current substantiated performance or conduct problems, or other disciplinary actions.

c. This Issuance does not apply to non-US citizens, local national employees, and school level employees.

### 1.2. POLICY.

a. DoDEA promotes employee work-life balance. A key strategy for leading a healthy life is an awareness of the value of a physically fit lifestyle that can be attained by making simple, everyday choices. It is DoDEA policy to:

(1) Recognize the importance of maintaining a healthy and physically fit workforce. As such, eligible DoDEA employees may be authorized up to three (3) hours of excused absence per week, with first-level supervisory approval, to participate in physical fitness and wellness activities.

(2) Recognize that the DoDEA Physical Fitness and Wellness Program is strictly voluntary and all eligible employees are encouraged to enroll.

(3) Ensure the program will not take precedence over the DoDEA employee's work responsibilities. The first-level supervisor is responsible to balance support for a DoDEA employee's participation with efficient and effective operations.

(4) Not create a right or benefit, substantive or procedural, enforceable by law by a party litigation with the United States.

b. The DoDEA Physical Fitness and Wellness Program is in accordance with:

(1) Office of Personnel and Management (OPM) Work life Reference Materials, "Employee Health Services Handbook" located on OPM's policy webpage.

(2) DoD Instruction 1010.10.

**1.3. INFORMATION COLLECTION.** This Issuance may result in the collection of information due to its policy and procedures. Any collection of information must follow all applicable Federal, DoD, and DoDEA regulations, policies, and guidance.

## SECTION 2: RESPONSIBILITIES

**2.1. DODEA DIRECTOR.** Under the authority of DoD Instruction 1010.10, the DoDEA Director is responsible for implementing and maintaining, through this Issuance and within the limits of appropriations available, a health service program to support and promote the physical and mental well-being of employees.

**2.2. DODEA HUMAN RESOURCES DIVISION CHIEF.** The DoDEA Human Resources Division (HR) Chief is responsible for monitoring employee participation and the impact to productivity.

**2.3. DODEA FIRST-LEVEL SUPERVISORS.** DoDEA First-level supervisors are responsible for:

a. Approving or disapproving each request to enroll in the DoDEA Physical Fitness and Wellness Program before an eligible DoDEA employee may participate.

b. Ensuring the program is not abused. The DoDEA First-Level Supervisor have the authority to revoke privileges based on the finding of an employee's failure to adhere to the requirements of the program. If after approval in the program the DoDEA employee's conduct doesn't meet the requirements of the program, the supervisor may revoke the DoDEA employee's privilege to participate in the program.

c. Ensuring a DoDEA employee has satisfactory performance appraisals and no current substantiated performance or conduct problems, or other disciplinary actions.

d. Providing a written justification stating the reason(s) for denying a DoDEA employee participation in the program.

e. Discussing the benefits or any issues encountered by the DoDEA employee participating in the program periodically.

f. Ensuring the time participated in the program is properly coded on the employees timecard in Defense Agencies Initiative (DAI).

**2.4. DODEA EMPLOYEES.** DoDEA employees are responsible for:

a. Completing all necessary paperwork to enroll in the DoDEA Physical Fitness and Wellness Program.

b. Submitting the request to enroll to the DoDEA First-Level Supervisor.

c. Ensuring full compliance with all requirements of the DoDEA Physical Fitness and Wellness Program.

## SECTION 3: DoDEA PHYSICAL FITNESS AND WELLNESS PROGRAM

**3.1. GENERAL PROGRAM.** This Issuance establishes the DoDEA Physical Fitness and Wellness Program. DoDEA First-level Supervisors are reminded of their responsibility to ensure the requirements established in this Issuance are properly adhered to and enforced.

**a. Authority.** The authority for DoDEA to administer this program is in accordance with:

- (1) Sections 6122 and 7901 of Title 5, United States Code.
- (2) Sections 8101 *et seq.* of Title 5, United States Code, (also known and referred to in this Issuance as, “The Federal Employees Compensation Act, as amended”), that gives Federal Agencies the authority to establish and operate physical fitness programs to promote and maintain employee health.
- (3) The 2010 U.S. Department of Health and Human Services U.S. Surgeon General’s Call to Action, “The Surgeon General’s Vision for a Healthy and Fit Nation.”
- (4) The July 1996 U.S. Department of Health and Human Services U.S. Surgeon General Report, “Physical Activity and Health: A Report of the Surgeon General.”
- (5) OPM Work life Reference Materials, “Employee Health Services Handbook” located on OPM’s policy webpage.
- (6) DoD Instruction 1010.10.
- (7) *Public Law 104-191.*

**b. Participation.** Participation in the DoDEA Physical Fitness and Wellness Program is completely voluntary and must be approved by the first-level supervisor of the DoDEA employee.

**c. Duration.** DoDEA employees may be excused from duty without charge to annual leave while participating in the DoDEA Physical Fitness and Wellness Program activities.

(1) DoDEA supervisors may approve excused absences of sixty (60) minutes, not to exceed three (3) times per week, to each DoDEA employee approved to participate. Unused time from a previous workweek cannot be carried over and used later.

(2) DoDEA employees will be considered in a duty status during DoDEA Physical Fitness and Wellness Program activities.

**d. Restrictions.**

(1) The use of onsite fitness facilities is encouraged, if available. However, DoDEA supervisors may approve the use of an offsite fitness facility if the DoDEA employee can return to work within the time parameters.

(2) Time of participation should require DoDEA employee to have reported to work before and after their physical fitness time.

(3) Timing of physical fitness and wellness should not interfere with work-related activities.

(4) Timing of physical fitness and wellness may be in conjunction with the DoDEA employee's lunch period.

(5) DoDEA employees will not perform work in exercise attire before or after any exercise period when working in an office environment.

**3.2. AUTHORIZED PROGRAM ACTIVITIES.** The following are categories of approved activities:

**a. Physical Fitness.** Authorized activities will directly relate to the four (4) physical fitness components identified by the President's Council on Fitness, Sports and Nutrition (prior to June 2010 referred to as President's Council on Physical Fitness and Sports) listed below:

(1) Cardio-Respiratory Endurance. Authorized activities related to this component would include, but not be limited to, aerobic activities such as brisk walking, jogging, running, cycling, rope jumping, rowing, swimming, step and other aerobic classes, and some continuous action games like racquetball and handball.

(2) Muscular Strength. Authorized activities related to this component would include, but not be limited to, weightlifting.

(3) Muscular Endurance. Authorized activities related to this component would include, but not be limited to, calisthenics, push-ups, sit-ups, pull-ups, and weight training for all major muscle groups.

(4) Flexibility. Authorized activities related to this component would include, but not be limited to, yoga and stretching classes.

**b. Other Wellness Programs.** Additional activities that may be approved by the first-level supervisor include health education, intervention (e.g., smoking cessation), and preventive health (e.g., nutrition, occupational safety) activities that are offered on-site or at the Pentagon (or worksite).

**3.3. MEDICAL REQUIREMENTS.**

**a. President's Council on Physical Fitness, Sports, and Nutrition.**

(1) The President's Council on Physical Fitness and Sports recommends for personnel over thirty-five (35) years of age, who have been inactive for several years, to consult a physician before beginning an exercise program.



(2) The President's Council on Physical Fitness and Sports also recommends for employees to seek medical clearance if they experience high blood pressure; heart trouble; a family history of early stroke or heart attack deaths; frequent dizzy spells; extreme breathlessness after mild exertion; arthritis or other bone problems; severe muscular, ligament, or tendon problems; or other known or suspected disease.

**b. Health Screening.** DoDEA employees are encouraged to avail themselves of the health screening services provided by their medical provider or other health unit. DoDEA is not responsible for funding medical examinations or tests related to a DoDEA employee's participation in the DoDEA Physical Fitness and Wellness Program.

**c. Physical Examination.** DoDEA encourages all DoDEA employees planning to participate in the DoDEA Physical Fitness and Wellness Program to undergo a physical examination by their physician before beginning participation.

## SECTION 4: ENROLLING IN DoDEA PHYSICAL FITNESS AND WELLNESS PROGRAM

**4.1. ENROLLMENT REQUESTS.** Enrollment in the DoDEA Physical Fitness and Wellness Program is completely voluntary and initiated by a DoDEA employee desiring to participate.

- a. The DoDEA employee will read this Issuance and agree to comply with all requirements.
- b. The DoDEA employee will complete the following:

- (1) A Secretary of Defense (SD) Form 824, “OSD/JCS/WHS Civilian Fitness Wellness Program (CFWP) Wellness Agreement” which can be found on the Executive Services Directorate website. <http://www.esd.whs.mil/Portals/54/Documents/DD/forms/sd/sd0824.pdf>.

- (2) The SD Form 824, “OSD/JCS/WHS CFWP Wellness Agreement” will:

- (a) Provide the set time that the DoDEA employee will use as Administrative fitness leave for DoDEA Physical Fitness and Wellness program participation. Refer to Section 5.1. of this Issuance for coding instructions for timecards in DAI.

- (b) The DoDEA employee must self-certify that to the best of their knowledge that they have no medical conditions or limitations that would put them at risk of injury or risk of harm to his or her health if they participate.

- c. The DoDEA employee will submit the completed paperwork to their DoDEA First-Level Supervisor for approval.

- (1) DoDEA First-level Supervisors may approve or disapprove each request to enroll in the DoDEA Physical Fitness and Wellness Program before the eligible DoDEA employee may begin participating. Approval or disapproval will be done on SD Form 824, “OSD/JCS/WHS CFWP Wellness Agreement.”

- (2) Disapproval to participate in, or removal from the DoDEA Physical Fitness and Wellness Program, will be justified in writing based on mission requirements, employee misconduct, performance deficiencies, and/or leave restrictions. If the DoDEA employee’s request is denied or revoked, the DoDEA employee may request reconsideration by the next level supervisor. There is no additional right to file an administrative grievance.

**4.2. PARTICIPATION.** DoDEA employee participation in the DoDEA Physical Fitness and Wellness Program activities is dictated by mission needs.

- a. **General Information.** DoDEA employee participation is a privilege, not an employee right.

(1) DoDEA First-level Supervisors have the authority to stop participation for temporary periods, change the times a DoDEA employee participates, or remove a DoDEA employee from the DoDEA Physical Fitness and Wellness Program due to mission requirements.

(2) DoDEA First-level Supervisors may cancel approval of this privilege if any abuse is identified.

**b. Exercise Period.** All DoDEA employees approved to participate in the DoDEA Physical Fitness and Wellness Program are authorized to request sixty (60) minutes a day for up to three (3) hours of excused absence per week. A DoDEA employee may request to use their half hour (30 minute) lunch time in conjunction with the approved exercise period. Time spent changing clothes, traveling to the gym or physical fitness and wellness activity site, and returning to work, showering, stretching, etc., is included in the allotted time for the physical fitness and wellness activity.

**c. Physical Fitness Schedule.** DoDEA employees must schedule physical fitness and wellness time to occur during the hours of their normal work day, and report to their work site before and after completion of physical fitness and wellness activities.

**d. Telework.** DoDEA employees are authorized an excused absence for physical fitness and wellness activities on days they are in a telework status however, the employee should report before and after the use of Administrative Leave if required by their DoDEA First-line Supervisor.

**e. Location.** Physical fitness and wellness activities should be done at areas conveniently located to the DoDEA employee's work site such as, but not be limited to, physical fitness facilities, walking areas and paths, running trails, or bike trails within the allocated approved time.

**f. Expenses.** DoDEA is not responsible for providing funding for gym memberships or any other costs related to physical fitness and wellness activities. Expenses incurred traveling to and from the physical fitness and wellness activities are not reimbursable.

## **SECTION 5: REPORTING AND DOCUMENTING PARTICIPATION IN THE PROGRAM**

### **5.1. DOCUMENTING AND REPORTING PHYSICAL FITNESS TIME.**

a. Each DoDEA employee's physical fitness and wellness activity plan must be submitted to the DoDEA First-Level Supervisor for approval, and indicate where and when the DoDEA employee is participating in the DoDEA Fitness and Wellness Program.

b. All physical fitness time will be entered into the DAI timecard, using the Hour Code as Administrative Leave "LN" with the EHO Code "PF" for Physical Fitness.

c. The excused time for physical fitness and wellness activities includes travel and personal hygiene time.

d. DoDEA First-Level Supervisors should not excuse a DoDEA employee's absence for exercise on days when a DoDEA employee is scheduled to work overtime or in cases when overtime, credit hours, or compensatory time hours would result from the DoDEA employee using exercise time.

e. DoDEA First-Level Supervisors may not approve participation in an activity on days that the DoDEA employee is on a temporary duty (TDY) assignment.

f. DoDEA First-level Supervisors may excuse a DoDEA employee's absence for exercise if the DoDEA employee already has taken the time to exercise and a situation arises where unscheduled overtime, credit hours, or compensatory time becomes necessary.

g. DoDEA First-level Supervisors may approve a change in the standard time for physical fitness and wellness activity when work-related events cause a change in the normal duty day and activity as long as the DoDEA employee notifies them and receives approval before start of physical fitness and wellness activity.

**5.2. INJURY REPORTING.** Participating DoDEA employees must immediately report to their first-level supervisor any injury suffered while participating in the DoDEA Physical Fitness and Wellness Program.

a. Injuries incurred while participating in an exercise program during the regular hours of an employee's workday may be compensable under "The Federal Employees Compensation Act, as amended."

b. Claims of injury or illness will be handled on a case-by-case basis in accordance with the appropriate laws, rules, and regulations.

**5.3. ALTERATION OR TERMINATION OF PARTICIPATION.**

a. Any termination of DoDEA employee participation must be justified in writing based on mission requirements, employee misconduct and/or performance deficiencies, or leave restriction.

b. A DoDEA First-Level Supervisor may require a DoDEA employee to alter or suspend his or her physical fitness and wellness schedule due to work exigencies, travel, or training.

c. A DoDEA First-Level Supervisor and DoDEA employee should work together to identify and plan for these special circumstances.

## GLOSSARY

### G.1. ACRONYMS.

CFWP	Civilian Fitness Wellness Program
DAI	Defense Agencies Initiative
HR	Human Resources Division
JCS	Joint Chiefs of Staff
LN	Administrative Leave type
OPM OSD	Office of Personnel and Management Office of Secretary of Defense
PF	Physical fitness code
SD	Secretary of Defense
TDY	temporary duty
WHS	Washington Headquarters Services

**G.2. DEFINITIONS.** Unless otherwise noted, these terms and their definitions are for the purpose of this Issuance.

**Defense Agencies Initiative (DAI).** DoDEA uses the time and attendance system of the DAI to record the day and time used for the physical fitness and wellness program.

**fitness leave.** Fitness leave is time approved to address cardiovascular/aerobic endurance, muscular strength, endurance, flexibility, and body composition.

**wellness.** Wellness is defined as a dynamic process of learning new life skills and becoming more aware of and making conscious choices toward a more balanced and healthy lifestyle: Wellness program activities include : health education, nutrition, stress management, weight management, and tobacco cessation and on site health screenings.

## REFERENCES

- DoD Instruction 1010.10, “Health Promotion and Disease Prevention,” April 28, 2014, as amended
- Public Law 104-191*, “Health Insurance Portability and Accountability Act of 1996,” August 21, 1996
- Secretary of Defense Form 824, “OSD/JCS/WHS Civilian Fitness Wellness Program (CFWP) Wellness Agreement.” August 2013 located at [www.esd.whs.mil](http://www.esd.whs.mil)
- United States Code, Title 5
- United States Code, Title 5, Section 8101 (also known and referred to in this Issuance as “The Federal Employees Compensation Act, as amended”)
- U.S. Department of Health and Human Services U.S. Surgeon General’s Call to Action, “The Surgeon General’s Vision for a Healthy and Fit Nation,” 2010
- U.S. Department of Health Services and Human Services U.S. Surgeon General’s Report, “Physical Activity and Health: A Report of the Surgeon General,” July 1996
- U.S. Office of Personnel Management Work Life Reference Materials, “Employee Health Services Handbook” located on the [www.opm.gov](http://www.opm.gov) website under policy (work-life reference materials)

**APPENDIX**

**APPENDIX 1: INTERNAL CONTROLS EVALUATION CHECKLIST**

<b>CHECKLIST ITEM</b>	<b>YES/NO</b>
Is the participating DoDEA employee using fitness/wellness time appropriately?	
Is the participating DoDEA employee entering timecard appropriately to account for fitness/wellness time?	
Does the DoDEA First-level Supervisor have the appropriate documents on file	
Was the SD Form 824, “OSD/JCS/WHs Civilian Fitness Wellness Program (CFWP) Wellness Agreement completed fully and signed by DoDEA employee and their DoDEA First-Level Supervisor?	
Were any injuries that occurred during an activity during the use of the program reported appropriately?	
Was any termination of DoDEA employee participation provided in writing with justification?	