

Memorandum of Agreement
Between all units of the Professional Association of Aeronautical Center
Employees (PAACE) and the Federal Aviation Administration, Concerning
Smoking

This Memorandum of Agreement (MOA) is made by and between the Professional Association of Aeronautical Center Employees ("PAACE" or "the Union") and the FAA Academy; and the ATC Training and Development Group-AJL-11 ("the Employer"), collectively known as the Parties. On April 29, 2009 the Department of Transportation (DOT) issued a policy regarding smoking of tobacco products in federal facilities, Subject: Smoke Free Environment for the Department of Transportation (DOT), (DOT DPM 792-4). This MOA represents the complete agreement between the Parties concerning smoking on federal property occupied by PAACE employees as identified below.

1. Any matters not expressly covered by this MOA or any other agreement between the Parties shall be addressed in accordance with applicable provisions of the Parties' collective bargaining agreement ("CBA").
2. This MOA supersedes all previous MOA's regarding smoking issues.
3. Smoking of any product, including cigarettes, cigars and pipes of any kind, will be strictly prohibited in all interior space that is owned, rented, or leased by or on behalf of the Employer, as well as in all courtyards or within twenty-five (25) feet of doorways and air intake ducts on outdoor space to buildings and facilities.
4. The parties agree that the designated smoking areas referenced in paragraph 10 below will have at least one receptacle for smoking materials and one for trash which shall be emptied on a regular basis. Employees using the smoking areas are responsible for placing smoking materials in the receptacle.
5. Upon implementation, existing receptacles for smoking materials will not be removed, but will be relocated, whenever possible, not less than 25 feet from doorways and air intake ducts. These receptacles will be emptied on a regular basis.
6. Prior to implementation of the policy, agency officials will notify employees of the policy and of the following: the availability of smoking cessation programs, instructions of how employees should report violations of the policy, the employee's obligation to dispose of smoking materials properly.
7. Within 60 days of this agreement, management will ensure that course curriculum and employee orientation will be updated to include notice of the "designated smoking areas", reporting of violators and to encourage people to utilize the refuse containers.
8. Agency management shall communicate to frontline managers of their responsibility to enforce the DOT Smoking Policy.

9. When the Employer determines corrective action is necessary to enforce this agreement, consideration may be given to non-disciplinary measures to correct the behavior. However, the agency will retain the right to take progressive discipline.

10. When employees raise concerns to their manager regarding additional burdens placed on them by the smoking policy, consideration will be given to alternatives to minimize the impact.

11. Signage reflecting smoking policy restrictions will be conspicuously posted.

12. The Parties agree that the following locations shall be "designated smoking areas" as discussed in paragraph 4 above and that these areas provide shelter from the elements. These smoking areas may be modified by mutual agreement provided the same degree of shelter is provided.

- ANF-1, Existing covered smoking area on the north side.
- ANF-1, Northwest corner under overhang.
- Flight Standards Building, West side of building under overhang.
- Academy Headquarters/RTF west side, Buildings join providing a sheltered corner, the Agency will provide a walkway into the area of suitable material.
- Academy Headquarters-North side under overhang.
- Thomas P. Stafford Building-Northeast corner.
- Area to the north of the SW doors in the Systems Training Building

For the Union:

Tamera Joy 2/23/10
Tamera Joy Date
PAACE President

Agency Head Review:

Diana D. Pearson 2/24/2010
Human Resources Director Date

For the Agency:

April Bond 2/19/2010
FAA Academy Date
Superintendent

Marc Corto 2/22/2010
NAS Technical Date
Services

[Signature] 2/19/10
Technical Training Date
Directorate