

<b>OREGON MILITARY DEPARTMENT</b>	<b>NUMBER: AGP-99.100.18</b>
<b>ADJUTANT GENERAL PERSONNEL</b>	<b>EFFECTIVE DATE: July 19, 2022</b>
<b>SUBJECT: Physical Fitness in the Workplace</b>	

**APPLICABILITY:** This policy/procedure applies to all Oregon Military Department agency classified unrepresented, management service, unclassified (executive) service, and unclassified unrepresented employees except firefighter and Force Protection positions.

**AUTHORITY/REFERENCE:** DAS State HR Policy 50.010.06, AGP Policy 99.200.09

**ATTACHMENTS:** Physical Fitness Release of Liability and Agreement Form

**PURPOSE:** To assist employees in the maintenance of good health by allowing them to participate in a personal Physical Fitness Program in the workplace.

**BACKGROUND:** The Oregon Military Department (OMD) values the employees who provide support to the Oregon National Guard. OMD is committed to supporting employees who are interested in physical fitness by allowing them to utilize the resources the agency has available in the workplace and to encourage the use of a flexible work schedule.

**DEFINITIONS:**

- a. **Condition of Employment:** A job related qualification that an employee must maintain to retain their position.
- b. **Flexible Work Schedule:** A work schedule which varies either by the number of hours worked or the starting and stopping times of a daily schedule, but not necessarily the same hours each day.
- c. **Non-paid status:** When an employee is performing activities which they are not compensated for by the employer.

**GUIDANCE:**

- a. This Physical Fitness in the Workplace policy applies to all classified unrepresented, management service, unclassified (executive) service, and unclassified unrepresented employees except Firefighter and Force Protection positions.

- b. All employees shall obtain supervisory approval before extending their lunch period to allow participation in a personal Physical Fitness Program. Under no circumstance shall participation in a personal Physical Fitness Program result in overtime.
- c. Business and operational needs take precedence over physical fitness activities. A supervisor may deny, temporarily suspend, or cancel physical fitness activities at any time it is determined operational requirements or service to the public or customers may be compromised.
- d. Only authorized activities that contribute to personal physical fitness shall be performed while in non-paid status. Activities such as walking or jogging near your assigned location are authorized as types of exercises that can contribute to cardiovascular fitness. Weight training, while not aerobic, is authorized as it can increase individual fitness at minimum risk of injury when conducted properly.
- e. Recreational activities such as golf, bowling, and table tennis are not considered aerobic in nature and therefore are not authorized. Basketball, volleyball, football, and soccer can contribute to aerobic fitness, but are activities with an elevated risk factor for personal injury and are not authorized during scheduled work hours.
- f. Employees using agency exercise equipment shall sign a Release of Liability form prior to use. Employees who sustain an injury or damage exercise equipment shall immediately report the incident to their supervisor.
- g. Employees are encouraged to consult their physician prior to starting a personal Physical Fitness Program.

### **RESPONSIBILITIES:**

- a. The Adjutant General Personnel Director: Manages the implementation of this policy and provisions for compliance. Assists managers and supervisors in the development and implementation of physical fitness standards that are required as a condition of employment for specified personnel.
- b. Managers and Supervisors: Develop and enforce physical fitness standards for employees who must maintain a specified physical fitness requirement as a condition of employment.

Consider requests to accommodate an employee's desire or need to participate in a personal Physical Fitness Program in the workplace.

Evaluate an employee's request for a flexible work schedule on a first come first serve basis. In the event two employees submit a request on the same day, give first preference to the employee who has a condition of employment to maintain a specified physical fitness standard, then the employee with the most seniority.

Monitors employees' work schedules to ensure physical fitness activities are not performed while in paid status unless a condition of employment exists that establishes a nexus between the employee's job and a physical fitness requirement. Rescinds approval of an employee's flexible work schedule when evidence exists that operational need or service to the public and/or customers is not being met.

Retains a copy of the Release of Liability form for each employee authorized to perform physical fitness activities in the workplace.

Monitors employees' weekly hours worked to ensure overtime is not a result of an employee's participation in physical fitness activities.

Submits to the State Personnel Office (AGP) an 801 SAIF Claim form within three (3) days for an employee injured while performing physical fitness activities who has a condition of employment to maintain a specific physical fitness standard to retain their job.

- c. Employees: Perform physical fitness activities for personal pleasure in non-paid status only, unless a condition of employment exists that establishes a physical fitness requirement to retain their position.

Submits a request for a flexible work schedule to their immediate supervisor before extending lunch periods or adjusting scheduled starting or quitting times. Prior to using agency exercise equipment, submits a completed Release of Liability form to their immediate supervisor.

Exercises care while using fitness equipment to prevent personal injury or damage to the equipment.

Employees who may suffer an injury while performing job-related physical conditioning requirements shall report the injury immediately to their supervisor.

#### **TRAINING AND EDUCATION:**

1. Oregon Health Authority, Healthy Worksites  
<https://www.oregon.gov/oha/PH/PREVENTIONWELLNESS/HEALTHYCOMMUNITIES/HEALTHYWORKSITES/Pages/index.aspx>
2. Department of Administrative Services, Practicing Positivity  
<https://www.oregon.gov/das/HR/pages/positivity.aspx>

**INQUIRIES / QUESTIONS:** Questions pertaining to this guidance may be directed to AGP at (971) 355-3865.



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