

WEFIT PROGRAM IMPLEMENTATION AGREEMENT

Between

Orange County Professional Firefighter Association-IAFF, Local 3631 (OCPFA)

And

Orange County Fire Authority (OCFA)

On September 25, 2003, the OCFA Board of Directors approved the Fire Service Joint Labor and Management Wellness-Fitness Initiative (WEFIT) for a two-year pilot-program period. This program is a joint funding partnership between the Orange County Fire Authority (OCFA) and the Orange County Professional Firefighters Association-IAFF, Local 3631 (OCPFA). In an effort to establish an effective WEFIT program that will improve the well-being and quality of health for OCFA employees, the OCFA and the OCPFA have met and discussed the various elements of the program. These efforts have resulted in developing and clarifying the program's intent and scope of application. This agreement serves as a record of these discussions and understandings as follows:

1. Both parties agree that the WEFIT Program is mandatory/non-punitive. The OCFA shall provide all five (5) of the following aspects of the WEFIT Program:
 - Medical
 - Fitness
 - Medical /Fitness/Injury Rehabilitation
 - Behavioral Health
 - Data Collection and Reporting

No disciplinary action will be imposed on an employee solely based on his/her participation or non-participation in any portion of the WEFIT Program.

2. It is agreed that the employee retains the option of having any portion of the physical examination provided by the OCFA's medical provider, or by a physician of the employee's choice at the employee's expense. Such results can be provided by the employee's physician directly to the OCFA's medical provider. Both parties agree to take positive steps to promote the WEFIT program and encourage employee participation in the physical examination and fitness testing process. However, the employee retains the option to not participate.
3. Employees will be scheduled for the physical examinations and fitness tests during work time, for which they will be compensated. Should circumstances arise which require the employee to be scheduled or rescheduled during off work time, employees will be compensated for the time spent participating in the physical examination and fitness testing process.
4. Medical information collected during the physical examination and fitness testing process will be confidential. Medical records will be retained by OCFA's medical provider and the specific details of the examination results will only be shared with the employee by the examining physician. Aggregate physical examination and fitness testing data will be provided to the OCFA and OCPFA in accordance with the WEFIT initiative.
5. The fitness for duty standards applied to employees, will remain unchanged from the fitness for duty standards applied at the time this agreement is signed by the parties. The OCFA may require medical and fitness for duty evaluations when there is sufficient cause for said evaluations. (e.g. returning to duty after medical or injury absence.)
6. The WEFIT program includes an on-duty exercise program. Participation in the on-duty exercise program is encouraged. Both parties agree to take positive steps to promote the fitness program and encourage employee participation. However, the employee retains

the option to not participate. No discipline will be initiated against an employee for not participating in the program.

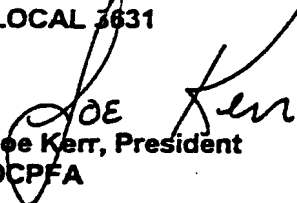
- 7. An eight (8) member WEFIT Oversight Committee, co-chaired by the OCFA and the OCPFA, will be created to oversee the WEFIT program. Each co-chair shall choose two (2) voting members and one (1) alternate. The additional members of the committee will be nonvoting-members, and will consist of one (1) representative from each of the following groups: Chief Officers Association (COA), and the Orange County Employees Association (OCEA).

The respective chairpersons shall have veto power over any issue that comes before the committee. Issues that are vetoed by a chairperson shall then be moved to the traditional arena of labor / management relations.

ORANGE COUNTY FIRE AUTHORITY

ORANGE COUNTY PROFESSIONAL
FIREFIGHTERS ASSOCIATION, IAFF
LOCAL 3631


Chip Prather, Fire Chief
OCFA


Joe Kerr, President
OCPFA

12/15/03
Date

Dec. 1, 2003
Date