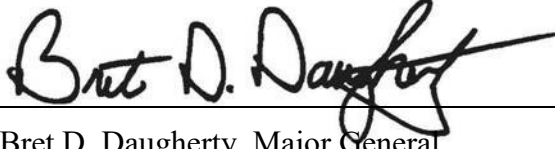




Department Policy No. SAF-608-17

Title:	Wellness Program
Former Number:	New
Authorizing Source:	Governor's Executive Order 13-06 RCW 41.04.362 , State Employee Wellness Program WAC 292-110-010 , Use of State Resources Section 7, Fair Labor Standards Act
Information Contact:	Wellness Coordinator – State HRO Building 33 (253) 512-7940
Effective Date:	September 8, 2017
Mandatory Review Date:	September 8, 2021
Revised:	New
Approved By:	 Bret D. Daugherty, Major General The Adjutant General Washington Military Department Director

Purpose

This policy affirms the Washington Military Department's (WMD's) belief that a healthy work environment is of the utmost importance. Employee wellness programs help improve morale, reduce absenteeism, and enhance productivity and performance. Additionally, WMD supports employees who are breastfeeding as they return to work.

Scope

This policy applies to all state employees, represented and non-represented, of the WMD. This policy does not apply to guard members on state active duty or to federal employees, Active Guard Reserves (AGRs), traditional guard members in a federal military status or military technicians. This policy is not intended to supersede any collective bargaining agreement.

Definitions

For purposes of this policy, the following definitions apply:

Wellness Coordinator: A position assigned to the state Human Resources Office to organize and maintain the Health and Wellness Program for the agency with the assistance of employees assigned from Divisions within the Agency.

Physical activities/exercise: Wellness-related activities involving physical exertion, such as running, cross-fit, weight lifting or similar activities.

Wellness participant: Refers to a state employee who is participating in wellness activities occurring within an agency facility or an activity sponsored by the agency.

Wellness Event: Is an organized period of time on a specific date that provides employees with education, knowledge, or an opportunity to participate in a designated event such as a health fair, fun run, Healthy Recipe exchange, etc.

Policy

1. Guidelines:

- a. Official Duties Come First.** Wellness-related events may not interfere with the ability of the individual or agency to carry out official duties.
- b. Scheduling Restrictions and Authorizations.** The agency's preference is to schedule wellness related events during lunches, designated breaks, or outside normal working hours.
- c. Use of State Resources.** Any use of state resources in support of wellness programs and activities shall be in accordance with WMD Policy HR-207-03, Ethics.
- d. Participant Responsibility and Reduction of Risk and Liability.** The WMD does not assume liability for injuries that may occur from wellness-related events. Wellness participants and sponsors of WMD wellness events will comply with the following:
 - 1) Confidentiality:** "Individual employees' participation in the wellness program and all individually identifiable information gathered in the process of conducting the program shall be held in strict confidence to the fullest extent permitted by law and shall not in any way jeopardize any employee's job security, promotional opportunities, or other employment rights." RCW 41.04.364.

For Employees who are Breastfeeding

The passage of the Patient Protection and Affordable Care Act of 2010 requires employers to protect breastfeeding in the workplace.

Section 7 of the Fair Labor Standards Act requires employers to provide reasonable break time for an employee to express breast milk for her nursing child.

Employers are also required to provide the following:

- **Private Room.** WMD will provide a private room to be used for expressing breast milk in each department facility. Breakout rooms and private offices with sufficient privacy controls may be used for pumping breast milk. Restrooms are not considered appropriate for pumping breast milk.
- **Storage.** Storing human milk is allowed in department refrigerators intended for employee food storage.
- **Bringing Infants to Work.** A nursing child may be brought to the workplace so an employee can breastfeed during break time; however, the child may not remain at the workplace when not nursing. Security policies apply as they relate to visitors.

2. Funding, Expenditures and Procurement:

Wellness Funding Sources. Funding for wellness activities may come from grants, agency budget (administrative or divisional), and Industrial Insurance Retrospective Rating Program, if the responsible manager of these funds approves.

- a. **Authorized Wellness Expenditures.** A non-exclusive list of authorized expenditures for the WMD Wellness Committee or WMD divisions include:
 - 1) Awards to wellness activity participants to promote participation. Each award or gift certificate purchased with state funds will cost no more than \$50.00. The criteria for selecting winners must be published when activities are being promoted.
 - 2) Wellness products and services from the Department of Enterprise Services via State HR.
 - 3) Contractor fees such as fees for education, training, consultation, exercise instruction, and exercise facility management.
 - 4) Educational materials such as instructional videotapes, wellness-related games, books, pamphlets, and brochures.
- b. **Procurement of Goods or Services.** Activities occurring within WMD facilities must be consistent with state laws, regulations, and ethics rules for the acquisition of goods and services. Staff procuring goods or services for wellness activities

shall consult with the Finance Office to ensure compliance with state contracting requirements.

3. Responsibilities:

For Wellness Committee

The Wellness Committee shall regularly meet and conduct business to promote wellness to all individuals within the WMD in a manner that is consistent with this policy, the Governor's Executive Order, and applicable rules and regulations in line with the agency's primary functions.

The Adjutant General (TAG) shall consider and make decisions regarding positions on wellness issues and seek input, where appropriate, from his Management Team and agency employees.

Each Division Director shall ensure that a Wellness Committee Member is identified for his or her division. Wellness Committee Members must obtain Division Director approval to serve. Committee members shall serve for a minimum of one year and have the option of continuing with the approval of their Division Director.

Sponsors of wellness events or activities occurring during normal working hours shall obtain prior management approval. Specifically, Wellness Coordinator and Division Director approval is required for division specific events or activities and TAG's approval is required for multi divisional events or activities.

Sponsors of wellness services, such as the Wellness Committee or other individuals in the WMD, shall ensure compliance with state contracting guidelines. Sponsors shall inform the Wellness Committee, via e-mail, of all wellness events or activities that they promote in WMD facilities.

Sponsors of wellness services, such as the Wellness Committee or other individuals in the WMD shall ensure that participants in wellness activities involving strenuous physical activity sign a waiver of liability, including an acknowledgement of risk.

The Wellness Committee and event sponsors shall ensure that funding sources are consistent with this policy and relevant laws, and that special privileges are not sought or acquired.