City of Monterey

Fitness Activity Plan Waiver

This form must be completed if you are electing to participate in the Fitness Activity Plan described in the attached Fitness Activity Plan Description.

This will confirm your understanding that participation in the Fitness Activity Plan (the “Plan”) is voluntary, and your participation in the Plan must be conducted during off duty time. Any time spent participating in the Plan is not compensable as time worked. Any injury or illness that arises from participation in the Plan is non-industrial for the purposes of Workers Compensation as noted in Labor Code section 3600(a)(9).

The Fitness Activity Plan does not include extreme sports as part of the program. Any participation in an extreme sport does not qualify as a workout under the plan. Examples of extreme sports include scuba-diving at depths more than 10 meters, sky-diving, hang-gliding, down-hill skiing, snowboarding, rock climbing, private flying, parasailing, motorbike or racecar driving, etc.

Examples of fitness activities that do qualify as a workout under the plan are cardiovascular or strength-training activities such as walking, jogging, hiking, biking, swimming, baseball, soccer, tennis, exercising at a gym including the Monterey Sports Center, golfing (walking the course), etc. If you have questions regarding whether an activity qualifies or is considered an extreme sport, please call Human Resources at 646-3765.

By signing below, you are confirming that you have read and understand all of the above information, including the attached Fitness Activity Plan description, and agree to the statements as set forth in this Plan Waiver.

By: _____________________________
Signature

_____________________________
Print Name

_____________________________
Date

Please read and return signed Waiver to Human Resources prior to beginning this program.

Fitness Activity Plan: Rev October 1, 2013
FITNESS ACTIVITY PLAN

Effective July 1, 2013 to June 30, 2014, all GEM and MEA-represented members will be eligible to participate in a Fitness Activity Plan where they work out off-duty (not considered work time for purposes of Workers’ Compensation injury or illness) in exchange for leave time accrued in a Fitness Leave bank. In March 2014 the City and the bargaining units will meet to review the success of the pilot program and consider extending the program if both parties agree. In the event the program is discontinued the time accrued by employees will remain available for use until it is used or the employee separates from the City.

Conditions for Qualifying

- Employees are required to work out a minimum of 26 45-minute sessions or 39 30-minute sessions, or any combination of 30-minute and 45-minute sessions to reach a minimum of 1,170 minutes per quarter in order to accrue 10 hours of leave.  
  As of October 1, 2013, in addition to the 30-minute and 45-minute exercise sessions, employees may now record 60-minute sessions toward the minimum 1,170 minutes of exercise each quarter.

- A session is considered to be any moderate or higher intensity physical activity lasting a minimum of 30 minutes or 45 minutes. Any session lasting longer than 45 minutes will be recorded as a 45 minute session.  
  As of October 1, 2013, a session is considered to be any moderate or higher intensity physical activity lasting a minimum of 30 minutes, 45 minutes, or 60 minutes. Any session lasting longer than 60 minutes will be recorded as a 60 minute session.

- Only one workout per calendar day will be counted as a session.

- Participants will complete a Fitness Activity Log demonstrating completion of each workout, which is based on the honor system. At the end of each quarter participants will send the Fitness Activity Log to the Human Resources Department for verification of qualifying activities. The 10 hours of leave will then be credited to the exercise incentive time bank as soon as practical and will be available for immediate use by the employee.

- Each calendar year a maximum of 40 hours can be accrued in a separate exercise incentive time bank, with a maximum of 80 hours allowed in the bank. The exercise incentive time bank has no cash value and the time accrued in this bank has no expiration date.

- Leave time must be coordinated and approved by the employee’s supervisor.

- Participation is voluntary and for those electing to participate, an annual physical fitness assessment at the Monterey Sports Center, which can be used as a 30 minute workout session, will be required prior to accruing time. Individual results of the physical fitness assessment will be confidential between the Monterey Sports Center and the employee. Contact Fitness Manager Bill Rothschild at 646-3492 at the Monterey Sports Center to schedule your appointment.

- Submitting a Fitness Plan Waiver form to Human Resources is required to participate in this program.