

**Memorandum of Understanding  
Between  
National Air Traffic Controllers Association  
and  
Federal Aviation Administration**

This Agreement is entered into between the National Air Traffic Controllers Association, AFL-CIO (“NATCA” or “the Union”) and Federal Aviation Administration (“FAA” or “the Agency”), herein collectively referred to as “the Parties.” This Agreement represents the complete understanding of the Parties concerning the use of face masks and the FAA Workplace Toolkit. This Agreement supercedes the Face Coverings – Workplace Toolkit agreement dated July 23, 2020.

**Section 1.** The Parties agree that employees must wear face masks in common areas (e.g. elevators, hallways, etc.) and any shared workspaces (e.g. open floorplan office space, cubicles, conference rooms, and operational areas). Face masks should also be worn in outdoor shared spaces when physical distancing cannot be maintained. Exceptions may be provided consistent with Center for Disease Control and Prevention (CDC) guidelines, including but not limited to when an individual is alone in an office with floor to ceiling walls and a closed door, or when eating or drinking and maintaining social distancing in accordance with CDC guidance.

**Section 2.** The type of face mask shall be at the election of the employee, but the face mask must cover the nose and mouth and must be in accordance with current CDC and OSHA guidance. The guidance does not supersede any position-specific guidance on Personal Protection Equipment (PPE).

- a. Non-protective masks such as masks with unfiltered exhalation valves, or face shields are not allowed as substitutes for face masks.
- b. Upon request, the Agency will make cloth face masks available to NATCA bargaining unit employees.
- c. The social distancing requirement is as defined by the CDC.
- d. Employees who have a medical condition that prevents them from wearing a face covering should contact their supervisor/manager to address a workplace flexibility/modification that can accommodate the employee’s limitation. For employees that maintain a medical certificate, the operational supervisor/manager will advise the appropriate Regional Flight Surgeon (RFS) for validation and follow-up as necessary.

**Section 3.** Issues arising from an employee’s non-compliance with Section 1 above, will be addressed using Article 8 and/or Article 52, as applicable, of NATCA/FAA collective bargaining agreements prior to initiating other compliance measures.

**Section 4.** The Parties at the local level will work collaboratively to ensure the Workplace Toolkit and related social distancing measures are developed and implemented at each office or facility accordance with the Administrative Facility Preparedness Guide or approved Operational Readiness Workgroup recommendations.

**Section 5.** The Agency has determined that during Phase One, the Agency will maximize telework

and flexible work schedules to achieve a limited staggered return not to exceed twenty-five (25) percent of the workforce at administrative facilities. To achieve a limited staggered return, the Agency will consider the physical locations of employees within the worksite, including individual floors, departments on the floor, and spacing between employees, to ensure that social distancing is maintained.

**Section 6.** Either Party may request to reopen this Agreement to address changes in CDC guidance regarding face masks.

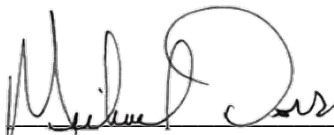
**Section 7.** This Agreement does not constitute a waiver of any right guaranteed by law, rule, regulation, or Collective Bargaining Agreement on behalf of either Party.


Signed on the 23rd day of February 2021:


For NATCA:

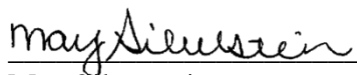
For FAA:

  
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