United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

DIRECTOR'S ORDER NO. 122

Subject: Fitness Center Membership Fees

Sec. 1 What is the purpose of this Order? This Order establishes Fish and Wildlife Service policy and procedures for reimbursement of membership costs at commercial, non-federally sponsored, fitness centers. We believe this program will help employees achieve a healthy lifestyle, while allowing flexibility to meet individual needs.

Sec. 2 What is the authority for this action? 5 U.S.C., Section 7901, Health Services Programs, authorizes the use of appropriated funds to provide employees access to exercise facilities at private fitness centers.

Sec. 3 To whom does this Order apply? This policy applies to all permanent Service employees.

Sec. 4 What is Service policy on reimbursement of fitness center membership fees? In an effort to promote and maintain the physical and mental fitness of our employees through a health services program, we will, after the end of each calendar year, reimburse 50 percent of an individual membership fee for a commercial, non-federally sponsored, fitness center, up to $275.00 per year for all permanent Service employees. To be eligible for reimbursement of these fees, you must participate in fitness activities an average of two times per week at your fitness center during the period for which you request reimbursement.

Sec 5 Will the Service reimburse initiation fees? No. Our policy only covers membership costs.

Sec. 6 What is a commercial fitness center? A commercial fitness center must contain a full complement of exercise equipment and programs for cardiovascular and body strengthening. In addition, your participation in the facility is obtained through payment of membership fees.

Sec. 7 Can the fitness center restrict membership? In order for you to be eligible for reimbursement of membership fees, the fitness center must not restrict membership and access to facilities based on sex, race, national origin, color, religion, age, disability, or sexual orientation.

Sec. 8 Can I use official time to participate in fitness activities? Only law enforcement officers (Director's Order 100) and firefighters can use official time for fitness activities due to the physical requirements and rigorous duties of those positions. All other employees may use fitness centers during their own time, such as lunch breaks and before and after their normal work hours.

Sec. 9 What if I currently have a family membership? We will only reimburse individual membership fees. If you have a family membership, you must provide documentation of the cost for an individual membership, and we will base your 50 percent reimbursement on that amount. You will still need to provide proof of payment for your membership fees for reimbursement.

Sec. 10 How do I become eligible for reimbursement? To be eligible for reimbursement, you must complete Form 3-2178 (Fitness Membership Fee Reimbursement Program Application Form) and submit it to your supervisor when you originally enroll in the program. We advise you to get a medical examination prior to engaging in the fitness program. You are financially responsible for the medical examination.

Sec. 11 How do I obtain reimbursement? We will reimburse membership fees (up to 50 percent or $275.00, whichever is less) annually after the end of the calendar year for which the membership fees were paid. To obtain reimbursement for the previous year's membership fees, you must provide the following documents to your supervisor between January 1 and January 31:

a. Completed Form 3-2178a (Report of Taxable Fringe Benefit (Fitness Center Reimbursement Fees)).

b. Your paid invoice(s) or other proof of payment (such as bank statement for centers that require automatic withdrawal) for individual membership fees for the entire calendar year.

c. Completed Form 3-2178b (Fitness Membership Fee Reimbursement Program Self-Certification of Usage).

Sec. 12 What will my supervisor do with these documents? Your supervisor will maintain a copy of Forms 3-2178a and 3-2178b and the original proof of payment in his/her files. He/she must forward the original Form 3-2178a and a copy of the invoice to the National Business Center at the address on the form.

Sec. 13 How will I receive reimbursement? Payment will be made through the Federal Personnel and Payroll System, and we will include the entitlement in your salary payment. The amount reimbursed to you is a taxable benefit, and we will report it as taxable income

to the Internal Revenue Service. In addition, we will compute associated assessments for Federal, FICA, Medicare, State, and local taxes.

Sec. 14 How can participation be terminated?

a. You may terminate your participation at any time by informing your supervisor in writing of your desire to do so. You are still required to submit the above documentation for reimbursement between January 1 and January 31 of the year following the year for which you are seeking reimbursement. You will be reimbursed only for the number of months you actually participated in fitness activities at the fitness facilities for which you are seeking reimbursement an average of two times per week, on a pro-rated basis. For example, if you paid your membership fee in advance for a 1-year period and you terminate your participation in this program after 1 month, you will receive appropriate reimbursement based on only 1/12 of the annual fee paid.

b. If you provide false information on Form 3-2178b, we will immediately terminate your participation in the program, without reimbursement for any expenses that you have already incurred. In addition, you could be subject to appropriate disciplinary action.

Sec. 15 When is this Order effective? This Order is effective immediately. It will expire on June 30, 2001, unless amended, superseded, or revoked. We will incorporate its contents into Part 304 of the Fish and Wildlife Service Manual.

DIRECTOR

Date: May 1, 2000