

14 January 2025

## **MEMORANDUM OF AGREEMENT (MOA)**

**On**

**DAFI 36-147, dated 11 January 2023 and AFMCI 36-147 and, *Civilian Conduct and Responsibility*, dated 17 October 2024**

*This MOA supersedes and replaces AFI 36-703 "Civilian Conduct and Responsibility"*  
Memorandum of Agreement (MOA), dated 29 April 2016

1. American Federation of Government Employees (AFGE) Council 214 and Air Force Materiel Command (AFMC), hereafter referred to as the Union and Management, hereby enter this MOA regarding subject instruction as it applies to bargaining unit employees (BUEs) covered by the *Master Labor Agreement* (MLA) between the Parties.
2. DAFI 36-147, dated 11 Jan 23 and AFMCI 36-147, dated 17 Oct 24 provides standards of conduct and individual responsibility for civilian employees. The instruction has been updated to establish proactive roles and responsibilities for supervisors and employees in preventing and responding to harassment in the workplace. AFMCI 36-147 outlines the AFMC Anti-Harassment Program designating Anti-Harassment Program Managers as the command designee for hearing reports of harassment and outlines the processes and procedures for supervisors to respond to allegations of harassment. Other updates modify guidance on employee rights and responsibilities, furnishing testimony, civilian dress, workplace relationships, nepotism, limited personal use of government computers, and fraud, waste, and abuse.
3. Management will ensure that new employees are briefed on the civilian conduct and the Air Force Core Values.
4. Conduct outside duty hours shall be governed by applicable federal/state/local laws. However, if an employee's participation in such activities interferes with/adversely affects the mission of the armed forces or interferes with the duty performance of the employee, other employees or military members, the employee may be subject to disciplinary action.
5. An employee is entitled to a reasonable amount of duty time to confer with members of the Equal Employment Opportunity Office, the Inspector General, the Civilian Personnel Office, and/or the Local Union on matters relating to their employment. Employees must comply with official/time release procedures to leave the workplace to confer with these offices. In accordance with (IAW) law and/ or AFI, Management will honor an employee's request to not disclose information that would compromise the privacy and integrity of such a discussion.
6. An employee may invoke his/her Fifth Amendment rights and refuse to answer any question that might lead to self-incrimination unless a guarantee is provided that the testimony cannot and will not be used in a criminal prosecution. An employee may not be disciplined for refusing to answer questions not shielded from criminal prosecution under this provision. If known at the time of the interview that criminal prosecution is a possible outcome of an investigatory interview, the employee will be informed of this fact before being questioned.

7. Management agrees to respect the rights of employees to participate in social/civic activities of a political nature while not in a duty status as long as that participation does not result in a violation of the Hatch Act, 5 U.S.C. § 7321-7326. However, employees may also be subject to disciplinary action, up to and including removal, if convicted of inciting or taking part in a riot, civil disorder, or any group activity that results in damage to property or injury to people. Refer to AFI 36-704, *Discipline and Adverse Actions*, for guidance.

8. The Parties agree that valid debts should be paid, but it is not the role of the employer to adjudicate or enforce financial agreements made outside the workplace. For this reason, the Parties agree discipline shall be a "last resort" dealing with allegations of indebtedness. Generally, issues of private debt shall be adjudicated through the appropriate state and local authorities. Should the validity of a private debt as established by court order or admitted, a failure to satisfy an obligation can result in disciplinary action. Refer to AFI 36-704, *Disciplinary and Adverse Action*.

9. First line supervisors shall honor their obligations to discuss employee concerns, provide information, and address problems in the workplace. If an employee believes he or she may be subject to harassment, disciplinary or adverse actions, he or she may request a representative to be present during the investigation interview or inquiry process.

10. To the extent practicable, civilian employees should be familiar with provisions of regulations. Employees with questions or concerns regarding a subject matter should seek guidance from an appropriate resource, e.g., supervisors, CPO, EEO or union representative.

11. Canvassing, soliciting, or peddling among employees during working hours or in federal facilities is not allowed except for official approval events, e.g., Combined Federal Campaign. This restriction does not apply to conducting labor organization membership drives during lunch periods or after duty hours.

12. Employees shall disclose outside employment to supervisors IAW the law and AFMCI 51- 201, Off-duty Employment. Employees may not engage in outside employment that:

- Is prohibited by statute or regulation;
- Interferes with or is not compatible with performing their government duties;
- May reasonably be expected to bring discredit upon the government or the Department of Defense;
- May tend to create a conflict of interest; or
- Will detract from readiness or pose a security risk.

13. Employees are expected to comply with reasonable dress and grooming standards based on comfort, productivity, health, safety, and type of position occupied. Due to the variety of work functions and locations, appropriate dress standards may vary significantly. Employee attire will be in good repair, and should not be considered offensive, disruptive, or unsafe. Commanders or civilian equivalents may establish and publish civilian dress standards. Local/standards will be bargained locally.

14. Government equipment and networks are intended for official use and limited authorized personal use only. Limited personal use must be of reasonable duration and frequency IAW the MLA, and will not adversely affect performance of official duties, overburden systems or reflect adversely on the Department of the Air Force. All personal use must be consistent with the requirements of DOD 5500.7R, *Joint Ethics Regulation* and appropriate Air Force policy for which bargaining obligations have been met. Misuse of Air Force resources is misconduct, which may result in corrective disciplinary action IAW AFI 36-704. Limited personal use will be authorized in accordance with AFMAN 33-152, as implemented under the MOA dated 13 March 2014.

15. All remedies available under the MLA or 5 U.S.C. Chapter 71 are available to the Parties if either Party believes the other has failed to comply with any of the requirements of this MOA. No rights of the employees, the Union or Management are waived by this MOA.

MANAGEMENT

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