

**HEADQUARTERS, UNITED STATES ARMY, EUROPE
AS HIGHEST SERVICE AUTHORITY OF THE U.S. ARMY IN GERMANY**

AND THE

**HEAD WORKS COUNCIL
UNITED STATES ARMY, EUROPE IN GERMANY**

CONCLUDE THE FOLLOWING

SHOP AGREEMENT

on the basis of section 73(1) et seq. modified GPRL.

I. Purpose and Scope

- (1) This shop agreement governs the defraying of costs for required medical examinations for the renewal of driver's licenses for motor vehicle operators as applicable to the Local National workforce represented by the USAREUR Head Works Council (HWC).
- (2) This shop agreement shall temporarily suspend the memorandum of the Highest Service Authority regarding the renewal of driver's licenses dated 21 April 2011 (see enclosure) until termination of this shop agreement. In case of termination this memorandum shall become reinstated upon cessation of the shop agreement's validity.

II. Individual Provisions

- (1) In accordance with sections 24(1) and 23(1) German Ordinance on Driver's Licenses, Local National employees who have been hired as motor vehicle operators and who require a driver's license for vehicle classes D1/D1E or D/DE must undergo a medical examination every five years to provide proof that they have no diseases that exclude their suitability or conditional suitability for receiving a driver's license renewal. Once they have completed 50 years of age, motor vehicle operators who are required to have a driver's license for vehicle classes C1/C or C1E/CE for their driving duties must undergo a medical examination every five years to prove that they have no diseases that exclude their suitability or conditional suitability for receiving a driver's license renewal. Employees in maintenance shops whose duties include the inspection of vehicles that require one of the driver's licenses listed above are considered equivalent to motor vehicle operators.
- (2) Medical examinations and driver's license renewals for motor vehicle operators are subject to costs. Possession of a valid driver's license is an absolute prerequisite for employment as motor vehicle operator with the U.S. Forces. It is the responsibility of the Local National employees to ensure that they are in possession of a valid driver's license in accordance with the provisions applicable in Germany (German Ordinance on Driver's Licenses).
- (3) In this context, the employer, as a voluntary benefit, will only bear the costs for those medical examinations required for a driver's license renewal for employees hired as motor vehicle operators for the vehicle classes listed above. However, the employer will only bear those costs if the medical examinations will be performed by the medical contractor of the U.S. Forces.

(4) All other costs incurred in connection with a driver's license renewal must be borne by the employee.

III. Final Provisions and Severability Clause

- (1) This shop agreement shall enter into force on the date it is signed. It shall be concluded for an indefinite period.
- (2) The shop agreement may be terminated with a notice period of three months to the end of the U.S. fiscal year.
- (3) Any legal effect beyond the shop agreement's period of validity shall be ruled out explicitly.
- (4) The invalidity or infeasibility of individual provisions of this shop agreement upon conclusion of the shop agreement or thereafter shall not affect the validity of the other provisions of this shop agreement. Those effective or feasible provisions whose effects come closest to the objectives pursued by the parties to the agreement with the ineffective or infeasible provisions shall replace the ones that are ineffective or infeasible.
- (5) Above provisions shall apply correspondingly in case the shop agreement proves to be incomplete.

/S/ Donald F. Copson

Donald F. Copson
Civilian Personnel Director
United States Army, Europe

Date

/S/ Alexander Brehm

Alexander Brehm
Deputy Chairman
(Representative for the Group
of Salaried Employees)

Date

/S/ Andreas Rogel

Andreas Rogel
Chairman
(Representative of Workers' Group)

Date

/S/ Heidi Staley

Heidi Staley
Head SHE Representative, USAREUR
(proper participation IAW sections 95 et seq.
SSC IX)

Date

Enclosure:



REPLY TO
ATTENTION OF:

AEAGA-CL

DEPARTMENT OF THE ARMY
UNITED STATES ARMY, EUROPE
UNIT 29351
APO AE 09014-9351

21 APR 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Renewal of Driver's Licenses for Local National (LN) Employees

1. References:

- a. German Ordinance Governing Driving Licenses (*Fahrerlaubnisverordnung*).
- b. Memorandum, HQ USAREUR, AEAGA-CL, 24 Apr 09, subject as above.

2. Reference 1b is herewith rescinded.

3. In compliance with reference 1a, motor vehicle operators who are holders of a driver's license class D1, D1E, D or DE, must extend the validity of their license in 5-year increments. Drivers with a driver license class C1 and C1E are required to extend the validity of their license every 5 years, beginning with the age of 50. In both cases, the license holder must pass a medical examination to obtain an extended driver license. Medical examinations and the issuance of an extended driver license are subject to charges.

4. The same legal provisions are applicable to LN employees of the U.S. Forces who are employed as motor vehicle operators with contractual duties that require possession of at least one of the above driver licenses. However, solely the employee is responsible to ensure compliance with those legal requirements and to provide proof of that to the employer. Therefore, any expenses associated with the extension of driver licenses based on German legal requirements will neither be borne by the U.S. Forces nor will LN employees be reimbursed for any such costs. This policy is in line with current German Federal Labor Court jurisdiction.

5. HQ USAREUR POC is Mr. Hilmar W. Kreisler, DSN 379- 6544, FAX 379- 6390, email: hilmar.kreisler@us.army.mil.


DONALD F. COPSON
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(Civilian Personnel)