



DEPARTMENT OF THE NAVY
JOINT BASE PEARL HARBOR-HICKAM
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JBP HHINST 4065.1A
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26 Feb 13

JOINT BASE PEARL HARBOR-HICKAM INSTRUCTION 4065.1A

From: Commander, Joint Base Pearl Harbor-Hickam

Subj: BAGGER/CARRYOUT PROCEDURES FOR THE PEARL HARBOR AND HICKAM
COMMISSARIES

Ref: (a) Defense Commissary Agency (DeCA) Directive 40-6
(b) DeCA Bagger Program Executive Summary
(c) DOD Instruction 1344.07

Encl: (1) License Application for Bagging Groceries at Pearl Harbor
and Hickam Commissaries
(2) Bagger Understanding

1. Purpose. To ensure efficient bagger/carryout services and to maintain an acceptable standard of dress, conduct, and equitable treatment for personnel engaged in bagger activities.

2. Cancellation. JBP HHINST 4065.1.

3. Scope. This instruction applies to all persons who independently provide grocery bagging/carryout service at the Pearl Harbor and Hickam Commissaries. A bagger is not an employee of the federal government and is considered to be an independent contractor. Baggers are individuals who have been granted permission by the Installation Commander to engage in the private business for profit of soliciting commissary patrons to bag and carry out their purchases in the expectation of receiving a tip. Baggers have also been given permission to enter the store for that purpose by the store director. Baggers are not employees of the commissary or of the installation. In no instance will customer service department personnel treat baggers as employees. The bagger program is structured for part time hours. Store directors will not expect, require, or allow baggers to perform services or functions that are not reasonably within the scope of bagging and carryout services. This restriction notwithstanding, however, all baggers must follow the reasonable requirements placed on them by the store director in the exercise of his or her inherent responsibilities for safety, security, good order, discipline, and customer service in the store.

4. Responsibilities. All persons bagging and/or carrying groceries at the Pearl Harbor or Hickam Commissary must comply with this instruction and any additional guidance provided by the Store Director.

5. Procedure

a. Organization and Operation of Baggers:

(1) Baggers operate as independent contractors (between themselves and commissary patrons) under a license granted by the Installation Commander. The Installation Commander may revoke a bagger license at any time.

(2) Baggers are required to serve the commissary patrons for whom they are working and may accept any tips offered. Even though patron tipping is encouraged, it is not mandatory and will not be solicited by the bagger.

(3) Baggers will elect the head bagger annually in the month of February; day will be determined by baggers. Any bagger may nominate a candidate for head bagger. Nominees for head bagger elections will be approved prior to election by the Store Director. Secret written ballots will be counted by the Store Director.

(4) Baggers will vote on the uniform to wear while at the commissary. The uniform will be approved by the Store Director. Baggers not wearing appropriate attire will be sent home. Appropriate attire means a bagger must wear shoes, socks, pants or skirt (if female), and a shirt with collar and sleeves.

(5) Baggers who fail to report to work at scheduled times or dates will be subject to discipline.

(6) Baggers may be required to pay a fee to the head bagger. Any fee will be based on the number of baggers needed and as agreed to by the majority of baggers. The amount of any fee will be determined by the majority vote at each election and approved by the Installation Commander. The Installation Commander will be fully briefed on the money exchange process by the head bagger for approval, to ensure the fairness of distribution and prevent questionable acts of conduct. Practices such as money banking, paluwagan, or any form of centralizing funds are not authorized due to the high potential for criminal acts to occur.

(7) Selection of baggers to be "cart pushers" and for other non-tipping tasks will be filled first with volunteers and then appointed on a rotating basis. No baggers will be "exempt" from these duties.

(8) Items left at the register by any patron or bagger will be given to the head bagger who will take those items to the customer service supervisor. Any item returned by a customer deemed as wrong or damaged items are taken to the courtesy desk. Each bagger is responsible for damage they cause to a patron's groceries.

(9) Bagger problems or complaints from baggers must be handled through the head bagger. Problems that cannot be resolved by the head bagger will be brought to the attention of the Store Director.

(10) Assignments to checkout lanes will be equitable. All baggers will have an equal opportunity to work any and all checkout lanes. The head bagger will determine the system to be used by date of license issue.

b. The Head Bagger will:

(1) Maintain the following files:

(a) Pending Bagger License Applications: This file will be maintained in chronological order by date of application and will be made available for periodic review as required by the Store Director and/or an installation representative. At minimum this file will be audited quarterly by the Store Director and a formal report will be submitted to the Installation Commander no later than (NLT) seven days upon completion of the audit. An installation representative will also be appointed to make quarterly reviews as determined by the Installation Commander. All discrepancies will be reported to the Store Director and Installation Commander NLT seven days upon completion of the audit. Applications will be kept "on file" for one year only. When an application has been on file for more than a year and the applicant has not been offered a position as bagger, the application will be considered "dead" and transferred to the "dead file". The purpose of "purging" the file of "old" applications is to minimize the amount of work attempting to contact persons who are no longer interested in becoming a bagger.

(b) Active Baggers Licenses and License Applications: A list of active baggers will be made available for review and/or audit periodically as required by the Store Director and/or an installation representative. At minimum this file will be audited quarterly by the Store Director and a formal report will be submitted to the Installation Commander NLT seven days upon completion of the audit. An installation representative will also be appointed to make quarterly reviews as determined by the Installation Commander. All discrepancies will be reported to the Store Director and Installation Commander NLT seven days upon completion of the audit.

(c) "Dead File": This will be a file of applicants which are older than one year or applicants which the head bagger had been unable to contact. This file will be subject to an annual audit by the Store Director and/or an installation representative after which applications that have been on file for one year may be purged. At minimum this file will be audited quarterly by the Store Director and a formal report will be submitted to the Installation Commander NLT seven days upon completion of the audit.

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(2) Supervise, organize and perform quality assurance for all baggers.

(3) When notified by the Store Director of the number of checkout lanes to be operated each day, the head bagger will make lane assignments to current and approved baggers on an equitable basis. It is the responsibility of the head bagger to ensure an equitable assignment of hours and lanes. Baggers will be rotated through all lanes.

(4) Discipline baggers as deemed appropriate by this Standard Operating Procedures (SOP) and the Store Director. The head bagger will have the authority to recommend to the Installation Commander the revocation or suspension of the permission to bag, the revocation of the bagger's installation license, or both.

(5) Act as liaison between bagger/carryout personnel and all other outside agencies/personnel including but not limited to commissary store manager and patrons.

(6) Ensure that fair treatment to all is provided.

(7) Comply with installation policies for licensing all baggers.

(8) Ensure that only licensed baggers are working for tips. Ensure that all working baggers prominently display a "bagger I.D. badge".

(9) Acquire and supply an approved application form to each prospective bagger. Advise each bagger of the proper steps necessary to obtain a Pearl Harbor or Hickam Commissary license. Refer each prospective bagger to the appropriate agency for processing/approval of the required license.

(10) Acknowledge receipt of the application in writing and give the acknowledgement to the applicant. This will be accomplished by completing the "receipt" attached to the License Application.

(11) The head bagger will follow the policies set forth in the DeCA Bagger Understanding, Pearl Harbor or Hickam Commissary Bagger SOP, Navy Regulations, and other DeCA directives.

(12) The head bagger may be relieved of duties by the Installation Commander, Store Director or voted out of office by the baggers.

(13) Notify the Store Director or Assistant Store Director when additional baggers need to be licensed.

(14) Contact bagger applicants to notify them when the License Application is approved.

(a) The head bagger will contact the first applicant on the list. If that applicant cannot be contacted, the head bagger will mark the application form as "cannot contact" and note the date/time the attempt was made to contact applicant.

(b) Only one attempt will be made to contact the applicant before going to the next application. The head bagger has the responsibility to make an "honest and reasonable attempt" to contact the applicant. A single telephone call that renders a "busy signal" or "no answer on the first try" should not be considered an "attempt to contact". However, there is no requirement for the head bagger to send out a "certified, return receipt requested" letter to contact the applicant.

(c) The head bagger will continue down the list until the requirement for baggers is met.

(d) An application marked as "cannot contact" will be placed in the "dead file" for one year and then destroyed. The applicant's name will be removed from the list of bagger applicants.

(15) Ensure that all baggers conform to the appropriate dress code as voted upon by majority of the baggers.

(16) Comply with 5 USC § 3110 and 5 CFR 2635 to prevent perception of nepotism.

(17) Hold an all bagger meeting at least quarterly, in which the Installation Commander and Store Director will be invited. These meetings will serve to review policies as well as give the baggers an opportunity to initiate the election process for either head bagger, changes to money exchange policy or uniform policy. At least 60 percent of the baggers must vote for the election process to be considered credible.

c. Individual baggers will:

(1) Be licensed by the Installation Commander or designated representative. Applications will include a social security number and involve a background check. All prospective baggers must possess a valid Military ID unless approved by the Installation Commander in writing. The preference for hiring will be students, retirees, and active duty members. An installation does not guarantee bagging hours. Falsification of information on any application will be grounds for revocation of the license and denial to operate on post. Prospective baggers will be at least 16 years of age.

(a) Complete a bagger application available from the Store Director or head bagger to be dated and placed in a suspense file. The head bagger will acknowledge receipt of the application in writing and give the acknowledgment to the applicant.

(b) Upon the availability of a bagger position, the head bagger will notify the applicant and submit the application to the Store Director. The Store Director will submit application to Base Security for a background check.

(c) Applicant will be notified by the head bagger when the background review is complete and whether the license has been approved.

(d) Applicant will pick up a copy of the approved license from the Store Director or Head Bagger where an I.D badge will be issued.

(2) Sign a DeCA Baggers Understanding which will be maintained by the Store Director.

(3) Be at work on time and prepared to work.

(4) Use proper grooming, sanitation, personal hygiene and demonstrate proper manners.

(5) Wear appropriate attire. Baggers inappropriate attire includes but is not limited to the following:

(a) Wearing exposed hair curlers.

(b) Any item of clothing embossed with profanity or items indicating disrespect for the United States, the flag of the United States, or the military.

(c) Baggers must wear shoes, socks, pants/skirt, and shirt with collar and sleeves (short or long).

(d) Other adjustments to standards of dress will be approved by the head bagger on a seasonal basis, and may be adjusted as deemed necessary depending upon weather conditions.

(e) Baggers reporting to work who have not complied with the established dress code will not be permitted to work and will be replaced.

(6) Wear Bagger I.D. badge to identify the bagger's I.D. number. Baggers will not be allowed to work without wearing the I.D. badge/bagger button. Baggers that are non-military card holders who have been granted permission to perform duties as commissary baggers will display a red I.D. badge, and military card holders will display a blue badge.

(7) Be accountable for any damages to customer's purchases, loss of items or bags of merchandise. Loss or damage of grocery

purchases is to be reported to the head bagger who will be responsible for replacing customer's items at the bagger's expense.

(8) It should be noted that tips may be reportable income subject to local, state and federal income tax. Each bagger must insure compliance with applicable federal, state and local laws.

d. Bagger conduct:

(1) Baggers will not wave or summon patrons to their particular checkout counter.

(2) Baggers will not leave their bagging assignment without the approval of the head bagger.

(3) Ethnic jokes, sexual harassment, or other demeaning remarks will not be permitted.

(4) Loud talking or use of profane or abusive language will not be tolerated. Baggers who engage in any fighting/excessive horseplay will be subject to revocation of their license.

(5) Baggers will use authorized bathroom facilities. Baggers will not use commissary patron bathroom facilities.

(6) Baggers will park in assigned areas while bagging at the commissary.

(7) Baggers will maintain a clean working area behind the register and on the sidewalk and be responsible for all trash generated.

(8) Baggers will eat, drink, and smoke in authorized areas and not at their work stations.

(9) Bagger will not sit on carryout carts or on the checkout counters.

(10) Baggers will not engage in long conversations with the cashier.

(11) Baggers will not utilize cell phones or other audible devices while conducting bagger duties.

e. Revocation of Bagger Licenses: Approval authority for revocation of bagger privileges rests with Store Director and Installation Commander. The revocation of a license may be made for the following reasons. Note that this list is not all inclusive. Both the Store Director and Installation Commander may exercise this authority for reasonable cause. Head bagger may not alter bagger's schedules to circumvent revocation process.

authority for reasonable cause. Head bagger may not alter bagger's schedules to circumvent revocation process.

(1) Violating the terms of the Pearl Harbor or Hickam Commissary License or Commissary Baggers agreement. A bagger will lose the license to bag on the installation when reprimanded twice for SOP violations.

(2) Exposing another bagger or patron to injury or harm.

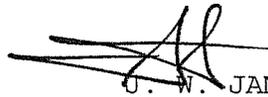
(3) Damage of another's property.

(4) Any act that would expose the commissary or installation to liability.

(5) Revocation of installation license for any reason.

(6) Violation of law, commissary, or installation rules and regulations.

(7) Other reasonable causes.


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Distribution:

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**License Application for Bagging Groceries at Pearl Harbor or Hickam Commissary
(Applicant Completes Items 1-3)**

1. Identification:

Last Name: _____ First Name: _____ Initial: _____

Address: _____ City: _____ State: _____ Zip: _____

Home Phone: _____ Social Security Number ____ - ____ - _____

Date of Birth: _____ Place of Birth: _____

2. General Information:

Military ID card holder: Yes ___ NO ___ Expiration Date _____

If yes circle one of the following: **Active Duty** **Reserves** **Family Member** **Retired**

Have you ever been convicted for any offense other than a traffic violation?

Yes ___ No ___ If yes, Please explain on a separate sheet.

3. Statement of Applicant:

- a. I understand that I am applying for a license to bag groceries at the _____ Commissary. I understand that this license is permission to enter the Pearl Harbor and Hickam Commissary only and in no way implies or guarantees that I will bag groceries.
- b. I understand that any violation or non-compliance with the installation SOP, Bagger SOP, or Bagger Agreement may result in the withdrawal of the privilege of bagging.
- c. I understand I am not an employee of any federal agency or activity and that my sole source of compensation will be from tips received from customers for bagging groceries.
- d. The above information is true and complete to the best of my knowledge. I understand that refusal to answer a question or the submission of incorrect or misleading information may be the basis of denying, suspending, or revoking my solicitation privilege.

Date

Signature of Applicant

(Applicant signs application. Take Application to Head Bagger to be placed on File)

Head Bagger will contact applicant when additional Baggers are needed.

Date Contact Attempted: _____

Signature: _____
Head Bagger Date

(Applicant Takes Application to Store Director for processing)

4. Base Security Office (Bldg 278):

Local Background Check: ____ Cleared / ____ Derogatory information Present

Bar to installation Check: ____ Not Barred ____ Barred

Date Verifying Official (Name, Grade, Title) Signature

5. Addition to Active list: (Installation notifies Head Bagger when approved/disapproved)

The above named individual has been granted a _____
Commissary baggers license for the purpose of providing grocery bagging/carryout service for
patrons of the _____ Pearl Harbor and Hickam Commissary.

Date Installation Official (Name, Grade, Title) Signature

Applicant MUST return a copy of this Completed form to Head Bagger

**Receipt for Application for License
To be completed by Head bagger and given to Applicant**

Date Received: _____ Signature: _____

(Head bagger signs receipt. Tear off receipt and give to applicant)
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This installation license will be kept on file with the Assistant Store Director

Data Required by the Privacy Act of 1974

Authority: 10 U.S.C. 3012

Principle Use: Used by the installation to collect information necessary for the grant of a license to carry on personal commercial solicitation on Joint Base Pearl Harbor-Hickam.

Routine Uses: Background checks and information directory

Voluntary Disclosure and Effect on Individual Not Providing Information: Not providing information will result in denial of bagger license.

Bagger Understanding

I understand that if the commissary in which I wish to bag groceries is located on a military installation, I must **first** obtain the permission of installation authorities to enter the post in order to solicit commissary customers to bag and carry out their groceries in the commissary.

Second, I must also obtain permission of the _____ Commissary Store Director to carry on my private business for profit as a bagger/carry out person in his or her store. I understand that if I lose the permission of the Store Director, I can no longer enter the store to be a bagger/carry out person in the _____ Commissary, even though installation authorities have taken no action regarding my overall permission to carry on commercial solicitation on the base. I know and accept that the Store Director may take away my permission to be in the store as a bagger/carry out person when it is no longer in the commissary store's best interests.

Third, I understand that the Store Director's permission to enter the store gives me no specific rights other than to carry on my private business as a bagger/carry out person. Finally, I clearly understand that I work for myself and I am not an employee of the installation, the commissary, or of the Federal Government. The commissary allows my presence in the store and my interaction with store customers, solely because of the service I provide to customers by soliciting them to carry out their groceries.

Fourth, I understand that the baggers, including me, periodically elect a head bagger. Through that election, the baggers give him/her the authority to schedule me and other baggers to work, and to maintain order in the store among the baggers. I understand that I must follow the directions of the head bagger. I also understand that if a majority of the baggers in the store so desire, with the concurrence of the Store Director, an election can be held to select a new head bagger. Otherwise, elections occur annually, at the option of the Store Director.

Finally, I understand that ordinarily, commissary employees cannot tell me what to do; nonetheless, commissary managers, having the inherent responsibility to maintain safety, security, good order, discipline, and customer service in the store, can exercise authority over my presence and actions in the store when it is likely that those actions may be or become inconsistent with the above inherent management responsibilities. A commissary manager's authority includes revoking my permission to enter the store for the purpose of bagging.

More specific details of what I can expect as a self-employed bagger carrying on my business of soliciting commissary customers in the commissary can be found in local installation guidance, Defense Commissary Agency memoranda, regulations, and other guidance, such as head bagger issuances, addressing my presence on the installation and in the store. The head bagger may also have a Standard Operating Procedure that I agree to follow for the common benefit of all baggers in this store.

Name:

Date:

Bagger Understanding