



DEPARTMENT OF THE NAVY
U.S. NAVAL SUPPORT ACTIVITY NAPLES ITALY
PSC 817 BOX 1
FPO AE 09622-0001

NAVSUPPACTNAPLESINST 4065.1

N00E
15 APR 2020

NAVSUPPACT NAPLES INSTRUCTION 4065.1

From: Commanding Officer, U.S. Naval Support Activity, Naples, Italy

Subj: NAPLES DEFENSE COMMISSARY AGENCY BAGGERS

Ref: (a) DoD Instruction 1330.17 of 18 June 2014
(b) DeCAM 40-6.1

Encl: (1) Bagger Understanding
(2) Revocation of Permission to Enter Defense Commissary Agency

1. Purpose. To establish responsibilities and administrative procedures governing services of non-government, non-commissary employee bagger and carryout persons at the U.S. Naval Support Activity (NAVSUPPACT), Naples, Italy, Defense Commissary Agency (DeCA).

2. Scope. This instruction applies to all persons who provide grocery bagging/carryout service (hereinafter referred to as "baggers") at Naples DeCA (hereinafter will be referred to as the "commissary"). Baggers in commissaries are self-employed persons who have obtained the permission (license) of the installation commander to enter the installation for the purpose of soliciting commissary customers to bag and carry out their groceries in return for the expectation of a tip.

3. Responsibilities

a. Command Master Chief (CMC). The NAVSUPPACT Naples CMC is the Program Manager for the NAVSUPPACT Naples commissary bagger program. The CMC has delegated authority grant, deny, or revoke permission for an individual to enter the installation to provide bagger and carryout services as is determined to be in the best interests of the command. The CMC shall select or approve a Head Bagger and coordinate with the commissary store director on any bagger related issues.

b. Commissary Store Director. The commissary store director may grant and revoke permission to licensed individuals to enter the commissary store to provide bagging and carryout services. In addition to the installation's license to operate, the store director must independently grant approval for a bagger to enter the commissary to provide bagging services. The store director should coordinate with the CMC and the head bagger to resolve any bagger related issues.

c. Head Bagger. Head baggers are generally elected annually by baggers, but must be approved by the commissary store director and NAVSUPPACT Naples CMC. The head bagger must ensure bagger compliance with this instruction and develop internal procedures for the scheduling of bagger services. On the first Monday of the month, the head bagger shall provide a current list of active baggers and the waiting list to the NAVSUPPACT Naples CMC and the commissary store director. The list must include the names of the baggers and their dependency/base access status (e.g. Active Duty Dependent, NATO Dependent, Department of Defense (DoD) Civilian Dependent, Retiree Dependent). The head bagger must also provide up to date information on current bagger SOPs and scheduling practices.

15 APR 2020

d. Baggers. All baggers at the Naples commissary must comply with this Instruction and its enclosures. Individual base access will not be granted for the purpose of bagging, except for those reasons stated below.

4. Eligibility. To be eligible for consideration to serve as a bagger, applicants must have proper installation access. Individuals who do not hold a valid military ID card should not ordinarily be issued a license and be granted access to the installation to provide bagging and carryout service. Exceptions may be permitted when there are insufficient military members, family members, or retirees available interested in providing such services in the local area. Exceptions may only be for 90 days and require authorization in writing from the NAVSUPPACT Naples CMC.

a. Applicants will be at least 14 years of age and, if less than 18 years of age, will have their parent/guardian sign the agreement.

b. Applicants must be neat in appearance, courteous, and physically capable to effectively perform the required duties and functions of a bagger and possess a working knowledge of the English language.

c. Active Duty Dependents and DoD Civilian Dependents will have preferred hiring privileges over others applying to be a bagger.

d. All baggers will be required to read, comply, and sign enclosure (1) upon release of this instruction. Baggers must be accepted by the Store Director/Manager before said person can begin bagger services.

e. Failure to comply and sign enclosure (1) will result in revocation of permission to bag at the Commissary.

5. Bagger Services

a. Baggers of commissaries are self-employed persons who have obtained the permission (license) of the Installation Commanding Officer to enter the installation for the purpose of soliciting commissary customers to bag and carry out their groceries in return for the expectation of a tip.

b. Baggers have been given permission to enter the store for this purpose by the store director. Baggers must comply with all local requirements and procedures as established by the head bagger, commissary store direction, or NAVSUPPACT Naples CMC. Additionally, baggers must sign a "Bagger Understanding" agreement, per enclosure (1), which must be maintained on file by the elected head bagger.

c. Baggers in commissaries are neither employees nor contractors of the installation, DeCA, the Military Services, DoD, or the Federal Government. In no instance will commissary personnel treat baggers as employees. Store directors will not expect, require, or allow baggers to perform services or functions that are not reasonably within the scope of bagging and carry out services. The 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.

15 APR 2020

d. Baggers are normally not permitted to be in the commissary sales area or in areas off limits to commissary patrons. If an elderly or disabled commissary patron request shopping assistance from a bagger, and a bagger agrees to perform the service, the bagger may then, with the affirmative approval of a commissary manager, enter the sales area for the sole purpose of assisting the patron.

e. DeCA personnel will advise their supervisor of any problems with individual baggers. DeCA supervisors will notify the elected head bagger of such problems and request that the head bagger resolved the issue with the individual bagger. If a bagger's presence in the store becomes inconsistent with the stores or the Agency's best interests and responsibilities the store director, at their discretion, can revoke the permission of the bagger to enter the store for the purposes of pursuing the bagger's business of soliciting commissary patrons to bag and carry out their purchases. A sample letter of revocation is provided in enclosure (2).

f. Baggers who may also be authorized commissary patrons may not shop, nor set aside products to be purchased at a later time, while performing bagger and carry out services. Any purchases made by a bagger who is also an authorized patron must be removed from the commissary at the time of purchase.

6. General Grounds for Dismissal. The NAVSUPPACT Naples CMC has delegated authority to revoke a bagger's license to operate on the installation. This is a separate from the commissary store director's ability to grant and revoke permission to licensed individuals to enter the commissary store to provide bagging and carryout services. Revocation of a baggers license may include, but is not limited to, the following reasons:

a. Violating the terms of the license or commissary baggers agreement.

b. Baggers who fail to report to work as scheduled are subject to disciplinary action without reasonable cause. Baggers who fail to report for ten days or more will be automatically removed from the active bagger list.

c. Exposing another bagger or patron to injury or harm.

d. Damaging property of others.

e. Any act that would expose the commissary or installation to liability.

f. Violation of the commissary or installation rules and regulations.

g. Use of bad or inappropriate language.

h. Theft of any kind.

i. Insubordination toward head bagger or commissary management.

j. Other reasonable causes.

7. Records Management. Records created as a result of this instruction, regardless of media and format, must be managed per SECNAV M-5210.1.

8. Review and Effective Date. Per OPNAVINST 5215.17A, NAVSUPPACT Naples will review this instruction annually on the anniversary of its effective date to ensure applicability, currency, and consistency

15 APR 2020

with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will automatically expire 10 years after effective date unless reissued or canceled prior to the 10-year anniversary date, or an extension has been granted.


T. A. ABRAHAMSON

Releasability and distribution:

NAVSUPPACTNAPLESINST 5216.4CC

Lists: I through IV

Electronic via NAVSUPPACT Naples website:

https://www.cnic.navy.mil/regions/cnreurfacent/installations/nsa_naples/about/departments/administration_n1/administrative_services/instructions.html

15 APR 2020

BAGGER UNDERSTANDING

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

Second, I must also obtain permission of the Naples Commissary store Director to carry on my private business for profit as a bagger/carry out person in his/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 Naples Commissary, even though installation authorities have taken no action regarding my overall permission to carry on commercial solicitation on the installation. 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. 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 the store customers, solely because of the service I provide to the customers by soliciting them to bag and 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 myself 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 or the U.S. Naval Support Activity (NAVSUPPACT), Naples, Italy, Command Master Chief.

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 and carrying out groceries for commissary customers.

More specific details of what I can expect as a self-employed bagger can be found in the Commissary Agency memoranda, local installation instructions and regulations, head bagger issuances, and other guidance. These instructions address 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 the store.

(Signature)

(Print Name)

(Date)

15 APR 2020

REVOCATION OF PERMISSION TO ENTER DEFENSE COMMISSARY AGENCY

Memorandum For Mr./Ms. _____

Subject: REVOCATION OF PERMISSION TO ENTER THE _____ COMMISSARY FOR
THE PURPOSE OF BAGGING GROCERIES

This memorandum notifies you that effective _____, your permission to enter the U.S. Naval Support Activity, Naples, Italy commissary for the purpose of pursuing your personal business of bagging customer groceries has been revoked. The reason for this revocation is: _____

It has been deemed that your continued presence in this store for the purposes of bagging to be no longer in the best interest of the store or the installation, you are hereby instructed to leave and not return for the purpose of bagging groceries. Should you violate this order to cease bagging operations, the military police will be contacted and have you forcibly evicted, if necessary.

Commissary Store Director

Date