

**Full-Time Personnel Management**

**The California Air National Guard Active Guard Reserve (AGR) Program**

---

**Summary of Changes.** This regulation replaces the CA ANG Supplement 1 to ANGI 36-101, dated 26 August 2003. This regulation also replaces any Technician AGR Administrative Instruction (TAAI) concerning this subject published before 15 October 2007.

**Applicability.** California National Guard Personnel Regulation (CNGFPR) applies to all California Air National Guard Active Guard Reserve (AGR) members and positions. It also applies to commanders, managers and supervisors (military or civilian) with authority or responsibility over the management of Air Active Guard Reserve personnel and positions.

**Proponent and Exception Authority.** The proponent of this regulation is the Joint Force Headquarters, J-1, Directorate for Human Resources. The proponent has authority to approve exceptions to this regulation when they are consistent with controlling laws and regulation.

**Supplementation.** Supplementation of this regulation is prohibited.

**Suggested Improvements.** Users of this regulation are invited to send comments and suggested improvements to Joint Force Headquarters, Directorate for Human Resources, 9800 Goethe Road, Sacramento, CA 95826-9101.

**Distribution.** Distribution of this regulation is Air Force - F.

---

**Content** (listed by paragraph number)

	Paragraph
Purpose . . . . .	1
Scope . . . . .	2
Definitions . . . . .	3
References . . . . .	4
Responsibilities . . . . .	5
Equal Opportunity . . . . .	6
Entitlement/Benefits for AGR Personnel . . . . .	7
Substance Abuse . . . . .	8
Exception to Policy . . . . .	9
Regulatory Conflicts Disclaimer . . . . .	10
Position Management . . . . .	11
Utilization and Assignment . . . . .	12
Merit Placement/Promotion . . . . .	13
Career Management . . . . .	14
Control Grade Management . . . . .	15
Tour Length, Renewals, and Extensions . . . . .	16
Temporary AGR Tours . . . . .	17
Recruiting and Retention Program Personnel . . . . .	18
Compatibility Waivers . . . . .	19
Medical . . . . .	20
USERRA . . . . .	21
Workforce Realignment and Reduction in Force . . . . .	22
Separation and Retention . . . . .	23
Retirement . . . . .	24

## 1. Purpose.

This instruction prescribes policy and procedures for administering and managing Active Guard/Reserve (AGR) personnel serving in the full-time National Guard duty program under Title 32 USC 502(f) for the purpose of organizing, administering, recruiting, instructing or training the ANG. It specifically prescribes policies and procedures regarding the accession, use, professional development, retention, separation, and retirement of AGR personnel. For the purpose of this instruction, the term AGR refers solely to AGR personnel serving under Title 32 USC 502(f).

## 2. Scope.

Information herein provides The Adjutant General (TAG) sufficient personnel and manpower management policy for developing a career management program for AGR personnel. For the purpose of this instruction, a career management program is defined as a program that will afford individuals the opportunity to achieve upward mobility consistent with manpower constraints and the needs of the unit. Per DoDD 1205.18, *Full-Time Support (FTS) to the Reserve Components*, the AGR program shall be administered as a career program that may lead to a military retirement after attaining the required years of active Federal service.

## 3. Definitions.

For the purpose of this regulation

**Active Guard/Reserve (AGR).** Air Reserve Component (ARC) members on military duty who are paid from the Reserve Personnel Appropriations under Section 502(f) of Title 32 USC in order to organize, administer, recruit, instruct or train members.

**Active Guard Reserve Resource Allocation (RA).** Formerly known as Employment Authorization (EA, the annual allocation of unit resources to support the positions on the Unit Manpower Document Active (UMDA). AGR RAs represent the maximum AGR hiring authority for use by entire the state.

**Family/Extended Family Member.** A family relationship to an AGR member which includes father, mother, son, daughter, brother, sister, aunt, uncle, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

**Full-Time National Guard Duty.** Tours of duty performed by AGR members under Title 32 USC 502(f).

**Control Grade Ceiling.** Limit established by law for the number of members by grade that may serve on active duty in support of the Reserve components of the Air Force.

**Overgrade Status.** An assignment condition where an AGR member's grade exceeds the maximum military grade authorized for the Unit Manning Document Active (UMDA) and/or Unit Manning Document Guard (UMDG) position, regardless of the cause.

## 4. References.

Title 10 USC

Title 32 USC 502(f)

Title 38 USC

DoD Directive 1344.1, Political Activities by Members of the Armed Forces

DoD Directive 5500.7, Joint Ethics Regulation

DoD Financial Management Regulation

AFI 36-2406, Officer and Enlisted Evaluation Systems

AFI 36-3003, Military Leave

AFI 36-3203, Service Retirements

AFI 36-3207, Separating Commissioned Officers

AFI 36-3209, Separation and Retirement Procedures for Air National Guard and Air Force Reserve Members

AFI 41-115, Authorized Health Care and Health Care Benefits in the Military Health System (MHS)

AFI 48-123, Medical Examination and Standards Volume 2- Accession, Retention, and Administration

AFI 36-2131, Administration of Sanctuary in the Air Reserve Components

AFI 51-902, Political Activities by Members of the US Air Force

ANGI 36-3, National Guard Discrimination Complaint System

ANGI 36-101, The Active Guard Reserve Program

## 5. Responsibilities.

a. The Adjutant General (TAG). The Adjutant General is responsible for managing the employment of ANG members in an AGR status and ensuring the administration and oversight of the AGR program.

b. Human Resource Office/AGR Manager:

(1) The HRO is responsible for developing AGR management programs, policies and procedures as well as oversight for these programs. The HRO is the primary point of contact for communications with ANG/DP concerning the AGR program.

(2) The HRO receives, reviews, and updates the UMDA and AGR resource allocations. The HRO coordinates with appropriate state headquarters personnel to identify State needs for mission accomplishment, and allocates RA to units.

(3) Processes all requests for AGR tour announcements to ensure compliance with directives or instructions. Develops and distributes job announcements. Reviews applications to ensure eligibility of candidates.

(4) Receives and reviews selection package to ensure that compatibility and compliance with established guidance have been followed for appointment.

(5) Monitors unit manning to preclude excess and/or overgrade assignments of AGR personnel and to preclude over execution of allocated RA.

(6) Inputs all AGR accessions, separations and personnel changes into the Defense Civilian Personnel Data System (DCPDS).

(7) Publishes AGR tour orders, in accordance with (IAW) AFI 37-128, *Administrative Orders*, and procedures established by TAG or designated representative.

(8) Manages Priority Placement Program (PPP) and Reductions in Force (RIF).

(9) Conducts periodic staff assistance visits to units.

(10) Advises AGR members of changes in AGR policies and instructions.

(11) Monitors all disability actions to ensure prompt resolution of applications.

(12) Compiles and submits state AGR controlled grade requirements. Monitors the State execution of allocated AGR Controlled Grades.

(13) Ensures that individuals selected for AGR tours that cannot attain 20 years of active federal service prior to reaching mandatory separation, complete the CNG Form 690-29, Statement of Understanding.

(14) Maintains the completed CNG 690-29, Statement of Understanding, for those members selected for AGR tours that cannot attain 20 years of active Federal service prior to reaching mandatory separation.

c. Air/Detachment/Mission Commander:

(1) Air/Detachment/Mission Commander (or equivalent) is responsible for the day-to-day management of the AGR personnel in their unit.

(2) Establishes appropriate duty hours as necessary to meet mission requirements.

(3) Establishes written policy, if required, IAW AFI 36-3003, *Military Leave Program*, to include guidance on partial absences during the duty day and medical related absences. Prior to implementation such supplements require HQ AFPC/DPS coordination.

d. Military Personnel Flight (MPF) and Remote Designee:

(1) The Remote Designee is an integral member of the MPF and performs full-time support duties in collaboration with the HRO.

(2) Processes all personnel actions normally associated with a military assignment and will serve as the local point of contact between the AGR member and the HRO. Manages an in-processing schedule in coordination with the HRO and other applicable base agencies for newly assigned AGR members. Conducts an orientation program to outline military requirements, benefits and entitlements.

(3) Implements AGR policy and provides technical guidance regarding AGR policies and programs to AGR personnel and supervisors at the Wing level. Provides overall expert knowledge of regulatory requirements. Advises, counsels, and or refers AGR personnel and family members to other appropriate support or benefit programs, i.e., Veterans Administration or TRICARE. Explains TRICARE program, how to file for reimbursable claims, and location of servicing Health Benefits Advisor (HBA).

(4) Schedules retirement counseling for AGR personnel. Coordinates retirement actions with the HRO. Utilizes retirement information contained in the ANG/DP web page <https://www.my.af.mil/gcss-af5/FAF/fafHome.jsp>

(5) Coordinates with Unit Senior Health Technician on matters relating to physical examinations for current and potential AGR personnel. Ensures that physicals are accomplished within the established time frame.

(6) If no Remote Designee is assigned, the MPF Chief will designate another section of the MPF to assume the full-time support duties and responsibilities.

(7) Analyzes, interprets, and clarifies policies, directives, and other issues on behalf of the National Guard Bureau and the HRO on military personnel matters.

(8) Enrolls AGR members and family members into DEERS, issues appropriate ID cards and, if desired, enrolls family members in the TRICARE Active Duty Family Member Dental Plan. (MPF Only)

(9) Ensures proper processing of personnel actions, i.e., annual performance reports, etc. Prepares and issues DD Form 214, Armed Forces of the United States Report of Transfer or Discharge, upon termination of active duty status. Reviews separation and retirement procedures to ensure compliance with appropriate laws and instructions. (MPF Only)

(10) Administers the retirement program for AGR personnel qualifying under the military retirement system by assisting eligible personnel to complete the application for retirement and related documents. This also includes assisting with application and counseling for the Reserve Component Survivor Benefit Plan (RCSBP) or the Survivor Benefit Plan (SBP).

e. Financial Management Office (FMO):

(1) Ensures that appropriate documentation is completed to assess member to the Defense Joint Military Pay System – Active Component.

(2) Ensures that AGR members understand leave procedures (accrual, amount carried forward each fiscal year, and request procedures). Maintain unit's leave log.

(3) Processes documentation required ensuring that members receive separation pay, if entitled.

f. Clinic Health System Technician/Specialist:

(1) Coordinates with the State Air Surgeon and forwards physical exams and, if necessary, medical waivers to ANG/SGP for approval. Monitors periodic physical examination requirements and takes appropriate action to ensure that requirements are met within the established time frame.

(2) Briefs newly accessed AGR members on proper procedures to follow to obtain routine and/or emergency medical care, the location of the servicing active duty installation Medical Treatment Facilities (MTF), Veterans Administration Hospitals, or Public Health Service (PHS) facilities. Briefs members on sick call procedures.

(3) Monitors personnel being processed through Air Force medical channels for possible Medical or Physical Evaluation Boards (MEB/PEB) and possible placement on Temporary Disability Retired List (TDRL). Coordinates with MPF on all actions required.

g. Full-Time National Guard Duty (AGR) Members. AGR members are responsible for reading and understanding the contents of this regulation.

## 6. Equal Opportunity.

a. The management of AGR personnel will be free of discrimination based on race, color, religion, sex, national origin, or on non-disqualifying age or disability. The objective of the equal opportunity program is to ensure fair, equitable, and nondiscriminatory treatment of all, based on merit, fitness, capability, and potential; and, to provide opportunity for upward mobility to leadership and management positions within the National Guard.

b. The ANG goal is a full-time military force that reflects the racial, ethnic, and gender diversity of the ANG military force in each respective state.

c. Discrimination complaints, arising over matters pertaining to AGR members, will be processed under the National Guard military discrimination complaint system. The governing regulation is NGR 600-22/ANGI 36-3, *National Guard Military Discrimination Complaint System*.

d. In addition to the complaint processing regulation, personnel administering the AGR program must also be familiar with ANGR 30-2, *Social Actions NGB-Program* and ANGR 30-12, *Nondiscrimination in Federally Assisted Programs*.

## 7. Entitlements/Benefits for AGR Personnel.

a. AGR personnel and their family members are entitled to most benefits provided by law to personnel on active duty in Federal service except as specified in section b, below.

b. For the purpose of Title 38 USC, *Veterans' Benefits*, service in AGR status under Title 32 U.S.C. 502(f) may not be considered by the Veteran's Administration (VA) to be qualifying service for a variety of VA benefits. However, a member on AGR duty under Title 32 USC 502(f) who dies or is disabled from a disease or injury incurred or aggravated in the line of duty may be eligible to receive VA medical care and/or Dependent Indemnity Compensation for survivors. The VA determines all questions of entitlement to benefits under Title 38.

**8. Substance Abuse.**

a. Illegal or improper substance abuse by ANG members is a serious breach of discipline and is not compatible with service in the ANG.

b. Drug cases must receive prompt evaluation and disposition. Individuals confirmed to be drug abusers will be processed for separation from the ANG and as a Reserve of the Air Force. The ANG does not have the resources required to implement a drug rehabilitation program.

c. Alcoholism is recognized as a progressive, non-compensable disease that affects the entire family and is both preventable and treatable. It is ANG policy to help prevent alcohol abuse and alcoholism among its personnel and to try to restore members with problems attributable to alcohol abuse to full duty status. ANG policy also seeks to ensure the humane management and administrative separation of those members that cannot be restored to full duty status or rehabilitated.

**9. Exception to Policy.**

Requests for exception to policy to this instruction must be fully documented and must be processed through command channels to include the Air Commander and forwarded to the HRO.

**10. Regulatory Conflicts Disclaimer.**

In situations where provisions of this regulation are found to be in conflict with law, rule, or higher headquarters regulation, the law, rule, or higher headquarters regulation will take precedence.

**11. Position Management.**

a. *Effective, Economical, and Efficient Organization.* Position management of the ANG AGR program will be accomplished in the most effective, economical, and efficient means possible.

b. *Category 1 Position Management.* Permanent Category 1 positions are against fenced accounts and may not be utilized for any other purpose (counter drug, security forces, recruiters, etc.)

c. *Category 2 Position Management.* All permanent Category 2 AGR positions are managed against valid vacant permanent technician (funded/ unfunded) positions. Air/Detachment Commanders may designate any vacant (or projected vacant) technician position to be filled by Category 2 AGR personnel keeping in mind grade comparability and technician compatibility requirements.

d. *Program Element Code (PEC).* Assignment of Category 1 AGR members outside the fenced PEC is strictly prohibited.

e. *Sole Occupant Requirement.* Members of the ANG must be assigned to AGR status against vacant positions on the ANG UMDA. Therefore, a position which has a technician assigned, who is on LWOP status, may not be filled with an AGR member.

f. *Grade Comparability.* The AGR/military technician grade comparability table (from ANGI 36-2101 and listed below) will be used to determine the maximum AGR grade authorized for each position on the UMDA. Chapter 14 describes the competitive requirement to move from one level to another level with higher promotion potential. The only exception to this requirement is when a classification upgrade takes place to a technician position encumbered by a Category 2 AGR.

Max AGR Grade	Mil Tech Grade			
	GS	WS	WL	WG
O-6 Col	14,15			
O-5 Lt Col	*11, 12, 13			
E-9 CMSgt	9, 10, 11	7 - 16	11 -13	14
E-8 SMSgt	8	4 - 6	10	13
E-7 MSgt	Up to 7	1-3	Up to 9	Up to 12
<b>*Note GS-11 is the entry level of officers in the AGR program.</b>				

g. *AFSC Compatibility.* An individual's assignment to the UMDG must be compatible (as defined by compatibility criteria published by ANG/DP) with the UMDA assignment.

h. *Reassignments.* Members may be reassigned by the Commander at anytime to a vacant position without their consent as long as the action does not increase an individual's grade comparability level or promotion potential (basically grade to grade).

(1) With Directorate of Human Resources concurrence, commanders may direct reassignment of AGR members under their command to vacant positions without advertising the position.

(2) Reassignment to a vacant UMDA position must be to a position not lower than the individual's current military grade and the position must be compatible with the UMDG assignment.

(3) Units will request the reassignment on the CNG 690-27, Request for ANG AGR Personnel Action. An amendment will be accomplished on the member's AGR tour order reflecting the new UMDA position and/or UMDG position, as appropriate.

(4) Members who are reassigned to a new position must remain in that position for a minimum of 12 months. Directorate of Human Resources may approve a variance for exceptional circumstances when the commander justifies it in writing.

i. *Details.* Active Guard Reserve members may be detailed outside of their assigned AFSC. Details may not exceed 120 days.

## 12. Utilization and Assignment.

a. *Scope.* Personnel serving in the AGR program under Title 32 USC 502(f) are employed for the purpose of organizing, administering, recruiting, instructing, or training ANG members.

### b. *Duties of AGR Personnel:*

(1) Duties of AGR personnel will be governed by the functions inherent to the AGR positions they occupy on the Unit Manning Document Active (UMDA) and Duty Air Force Specialty Code (DAFSC).

(2) AGR members will perform a minimum of forty hours of duty per week. Regular or alternate work schedules, as approved by TAG, should not deviate from those approved for military technicians. AGR personnel will participate with their unit of assignment during Unit Training Assemblies (UTA) or equivalent periods of duty unless excused from duty IAW AFI 36-3003, *Military Leave Program*. UTA duty hours will not be applied towards fulfillment of the forty-hour workweek. AGR personnel will also be available to participate in annual training periods, deployments, and exercises, when required.

### c. *Overseas Duty:*

(1) Active Guard Reserve members may be required to serve overseas.

(2) Active Guard Reserve personnel may not participate in exercises or deployments outside the United States, Guam, Puerto Rico, or the US Virgin Islands while in 32 USC 502(f) status. Guidance for placing AGR personnel on overseas duty is included in AFI 37-128, *Administrative Orders*.

(3) Authority is given for any mission directed OCONUS TDY that the member will be placed under Title 10 USC Section 12301(d) for the duration of TDY and will revert to Title 32 USC Section 502(f) upon completion of TDY. When called or ordered to federal active duty with their unit, AGR personnel will not be terminated from Title 32 USC Section 502(f) status.

d. *Counter Drug Support.* Active Guard Reserve personnel may, at the commander's discretion, provide support to the counter drug program, but only to the extent the support is incidental to the duties they normally perform for their units. Such support is temporary in nature for specific missions only.

e. *Retraining.* Enlisted members currently serving in AGR status may be selected for a vacant UMDA position without an awarded 3-level in a compatible duty AFSC subject to the following restrictions:

(1) If the UMDA position requires a mandatory training school for the award of the 3-level AFSC, they may be assigned to the new UMDA position immediately, but must agree in writing to attend the first available course that would qualify them in the new AFSC. Service commitments will be IAW ANGI 36-2101, *Assignments within the Air National Guard*. If the member fails to successfully complete the required formal training IAW AFI 36-2201, *Developing, Managing and Conducting Training* and AFI 36-2101, *Classifying Military Personnel (Officers and Airmen)* or fails to attend the first available course though circumstances over which the individual has control, the individual must be reassigned to a UMDA position for which qualified or be removed from AGR status.

(2) Individuals must continue to progress in training IAW AFI 36-2201 and AFI 36-2101 to a skill level compatible with their UMDA assignment. Members who do not progress to the next skill level will be reassigned to a UMDA position for which qualified or will be removed from AGR status.

(3) The member must sign a statement acknowledging understanding of the above conditions prior to assignment to the UMDA position. This statement may be made on the AF Form 2096, *Classification/On-The-Job Training Action*, reassigning the member and must be included in the member's AGR personnel file.

### f. *Supervision of Personnel:*

(1) The concept of the senior military individual being assigned supervisory responsibilities is an essential element of military service and an inherent part of the military organizational structure.

(2) Military rank is the determining factor when designating supervisory responsibilities. Grade inversion is detrimental to the military nature of the ANG and is not authorized.

(3) Family members will not normally be assigned to a unit commanded by a relative. However, the assignment of family members to the same unit is permissible only if the following criteria are met:

(a) Prior to the assignment, the unit commander must determine that the potential for conflict of interest or the possibility (or perception) of preferential treatment on the part of either family member will not exist.

(b) Family members must be separated by at least 2 levels of supervision, and not be in the rating chain.

### 13. Merit Placement/Promotion.

a. *Purpose.* Selection, placement and promotion of the most qualified individuals to accomplish the organizations mission.

b. *Policy.* Selection, placement and promotion of ANG AGR members will be implemented consistent with the following merit system principles:

(1) Recruitment should be from qualified individuals from appropriate sources in an endeavor to achieve a work force from all segments of society. Selection and advancement should be determined solely on the basis of relative ability, knowledge, and skills, after fair and open competition which assures that all receive equal opportunity.

(2) All employees and applicants for employment should receive fair and equitable treatment in all aspects of personnel management.

(3) All employees should maintain high standards of integrity, conduct, and concern for the public interest.

(4) The AGR work force should be used efficiently and effectively.

(5) Employees should be retained on the basis of the adequacy of their performance. Inadequate performance should be corrected, and employees should be separated who cannot or will not improve their performance to meet required standards.

(6) Employees should be provided effective education and training in cases in which such education and training would result in better organizational and individual performance.

(7) Employees should be:

(a) Protected against arbitrary action, personal favoritism, or coercion for partisan political purposes.

(b) Prohibited from using their official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for election.

(c) Protected against reprisal for the lawful disclosure of information which the employees reasonably believe evidences a violation of any law, rule, or regulation, or; mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

c. *Management Rights.* Management has the right to select or not select from any properly certified certificate of eligibles.

d. *Exceptions to Competition.* The temporary AGR tours are exempt to the competition requirements in this regulation.

e. *Over-grade AGR Members and Priority Placement.* Active Guard Reserve members who are in over-grade status or are awaiting priority placement will be considered for placement at the time of the vacancy announcement.

f. *Position Announcement Procedures.*

(1) Request Air AGR vacancies on CNG Form 690-27, Request for ANG AGR Personnel Action.

(2) Area of Consideration:

(a) The area of consideration on each AGR vacancy announcement must be broad enough to attract a sufficient applicant pool of qualified candidates. At a minimum, AGR vacancy announcements must be advertised "statewide", which is defined as anyone who has a residence in the State of California or who are members of the California National Guard (regardless of where the individual resides). A Statewide vacancy announcement allows for better career advancement and lateral movement of current permanent AGR members. Statewide vacancy announcements will be advertised for a minimum of 21 calendar days.

(b) When a "statewide" vacancy announcement is determined by the selecting official to be insufficient to produce a sufficient applicant pool of qualified candidates, then a "nationwide" vacancy announcement may be published. Nationwide vacancy announcements will be advertised for a minimum of 30 calendar days.

g. *Application Procedures.* At a minimum, the following forms and documents are required for all AGR applications:

(1) NGB Form 34-1 (Application for Active Guard/Reserve (AGR) Position) with signature and date.

Applicants must annotate both the position tour number and title at the top of page one of the application.

(2) Current Report on Individual Personnel (RIP)

(3) Supporting documents (such as letters of recommendation, training certificates, resumes, EPRs/OPRs, transcripts, etc.) may also be submitted but are not required.

h. *Qualification Standards.* Applicants are assessed into Groups A, B, or C:

(1) Group A – All applicants currently possessing the required AFSC and skill level.

(2) Group B – Current AGR members who apply and do not possess the required AFSC and skill level, but who are eligible for retraining.

(3) Group C – All other applicants who do not possess the required AFSC and skill level, but meet basic AFSC entry requirements IAW AFM 36-2105 (Officer) and AFM 36-2108 (Enlisted). Group C applicants are forwarded to the selecting official on request when a selection is not made from the Group A and B Certificate of Eligible Applicant and individual justification as to why selection was not made is received. If no Group A or Group B applicants are received, all Group C applications will be forwarded for consideration.

i. *Certification and Selection.* Within 10 working days after the announcement closes the AGR Management Branch will review all applications to determine eligibility and grouping. The Certificate of Eligible Applicants, a copy of the vacancy announcement, and all eligible applications will be forwarded to the servicing MPF for coordination with the selecting supervisor. Once selection is made, the servicing MPF Remote Designee must return all applications along with the Certificate of Eligible Applicants and the following documents to start an AGR tour:

- NGB 336, Request for Orders
- CNG Form 690-28, Condition of AGR Appointment
- AF Form 422, Physical Profile Serial Report
- CNG Form 690-29, Statement of Understanding
- Sanctuary Waiver if applicable (for temporary tours only)

Applicants that are currently on board CA Air National Guard AGR members will only need to fill out a CNG Form 690-27, Request for ANG AGR Personnel Action, to move the AGR member into a new position.

j. *Placement/Promotion Records.* Complete placement/promotion records are maintained by the HRO to provide a clear record of the action(s) taken, evaluate the merit placement program, and provide proof that merit placement actions are being made on a fair and equitable basis in accordance with this plan. Sufficient records are required to allow the reconstruction of the placement/promotion actions. As a minimum, the following information and forms are required:

- (1) CNG Form 690-27, Request for ANG AGR Personnel Action (VA Request).
- (2) Copy of the vacancy announcement.
- (3) List of applicants and rating eligibility.
- (4) Copy of each application received.
- (5) Certificate of Eligible signed by the selecting official.
- (6) Copy of each non-selection letter.

k. *Promotion of AGR Personnel.* The number of AGR personnel and their military grades cannot exceed the annually established military duty end strength and control grade ceilings. Therefore, the following controls are necessary.

(1) Officer and enlisted AGR personnel will not be promoted above the comparable grade of their UMDA position.

(2) While serving in AGR status, existing ANG promotion policies in NGR(AF) 36-4, *Federal Recognition of Promotion in the ANG of the US and as a Reserve of the AF Below the Grade of General Officer* and ANGI 36-2502, *Promotion of Airmen, ANG* will apply to both officers and enlisted personnel, respectively.

(3) Officers selected for promotion under Reserve Officer Promotion Management Act (ROPMA) can only be promoted within current grade ceilings. The availability of a controlled grade and the assignment to a comparable UMDA position will be determining factors. Promotions will be involuntarily delayed, indefinitely, if any of the preceding factors are not satisfied. (AFI 36-2504, *Officer Promotion, Continuation and Selective Early Removal in the Reserve of the AF.*)

#### 14. Career Management.

a. *Standards of Conduct.* DoD Directive 5500.7, *Joint Ethics Regulation (JER)* and AFI 51-902, *Political Activities by Members of the US Air Force* is applicable to AGR personnel.

(1) Commanders must ensure that outside employment of AGR members is in compliance with the provisions of DOD Directive 5500.7. Commanders must maintain a copy of written approval for outside employment of an AGR member. Mission needs must be the guiding force behind approval. Due to possible conflicts of interest, AGR members may not be employed as state civilian employees (temporary or permanent).

(2) For political activity, DoD Directive 1344.1, *Political Activities by Members of the Armed Forces on Active Duty* applies to full-time National Guard duty and in practical effect causes the guidance in AFI 51-902 to apply to AGR members. Requests for waivers must be submitted through channels to ANG/DP for submission to HQ USAF/JACM.

b. *Performance Evaluations:*



(1) The commander or designated representative will establish the supervisory/evaluation chain and the rating scheme. The rating chain must include a full-time supervisor (AGR or military technician) as the rater, additional rater, or reviewer.

(2) All AGR personnel will have annual appraisals IAW AFI 36-2406, *Officer and Enlisted Evaluation Systems* and MPFM 07-45, dated 11 JUL 07. Table 3.1 of MPFM 07-45 replaces Table 3.1 in the revised AFI 36-2406 and provides step-by-step procedures on completing the AF Form 707 and AF Form 724. Table 3.2 of MPFM 07-45 replaces Table 3.2 in the revised AFI 36-2406 and provides step-by-step procedures on completing the AF Form 910 and AF Form 911. Supervisors must counsel AGR members on their performance at least annually. Utilization of the following forms is mandatory:

AF Form 707 (Lt thru Col), Officer Performance Reports (OPR)

AF Form 724, Performance Feedback Worksheet (Lt Thru Col)

AF Form 910 (AB thru TSgt)

AF Form 911 (MSgt thru CMSgt)

## 15. Control Grade Management.

a. *State Allocation Process.* The Headquarters, California Air National Guard, Personnel Branch (HQ CA ANG/DP) will coordinate with the HRO on all matters relating to promotion of AGR personnel. Effective coordination is required particularly when matters involving established military duty controlled grade ceilings are under consideration. When additional controlled grade resources are received from NGB or become available due to transfer, separation, or retirement of an AGR member, the Deputy Adjutant General, Air Division will determine where the resource will be allocated.

(1) When a position becomes vacant due to the transfer, separation, or retirement of an AGR member, the same position may be announced with the highest grade available being that authorized the previous incumbent. When an applicant of equivalent grade is selected, the controlled grade remains with that position. However, when lower graded personnel are selected for such openings, the controlled grade resource will become available for possible redistribution within the state.

(2) AGR controlled grades available for initial allocation or redistribution will either be allocated to specific positions, based on recommendations of the AGR Manager, or competitively announced utilizing the special promotion board process.

b. *Control Grades.* Officer – Colonel O-6, Lieutenant Colonel O-5, Major O-4; Enlisted – Chief Master Sergeant E-9, Senior Master Sergeant E-8

c. *O-6 Special Procedures.* Colonel control grades are not provided to the state as a permanent authorization. Colonel control grade authorizations are provided by NGB on a case by case basis and they apply only for the current incumbent. When the position becomes vacant or the individual leaves the state (retirement, or transfer to another state), the Colonel resource is returned to NGB for re-allocation to states who have reported a projected hire/promotion to Colonel.

d. *Officer Procedures.* HQ CA ANG/DP directly manages officer personnel promotions and career planning to include allocation of control grades. Special requests for control grade allocations for unit vacancy promotions must be forwarded to the HRO. HQ CA ANG/DP will coordinate with HRO.

e. *Enlisted Procedures/ Special Promotion Board Process.* Air Division will send out a memorandum announcing promotion requests for SMSgt and CMSgt control grade allocations. Enlisted promotion nominations will include an Airman Promotion Request, CA ANG Form 26; a Report Individual Personnel (RIP); and the recommendation of the wing/group commander, and results of the enlisted promotion board, conducted and documented in accordance with this regulation. Airman Promotion Request forms, CA ANG Form 26, must include remarks describing the nominee's positive attributes, contributions to the unit, and future potential.

(1) Whenever only one promotion request package is received for a given AGR grade resource, it will be processed by the HRO with the concurrence of the Deputy Adjutant General, Air Division without any special promotion board action.

(2) When two or more requests for promotion are received for a given AGR grade resource, the Air Division will arrange a special promotion board. The board will be comprised of at least three CA ANG officials senior in grade to those under consideration. The senior-ranking member, who must be an officer in the grade of major or above, will serve as board president. The junior member of the board will serve as recorder. In their deliberations the board will consider the following factors: time-in-grade, time-in-service, AFSC qualification, professional military education, civilian education, AGR performance appraisals, relative importance of position held, and whether or not individuals were previously considered by a special promotion board.

(3) After careful review and discussion of the promotion requests, the board rank orders the nominees and determine which nominee(s) will be recommended for promotion. Future control grade vacancies will necessitate another board action. The recorder will prepare a report to the Deputy Adjutant General, Air Division summarizing the

board proceedings and offering the board's recommendation. A board member who disagrees with the recommendation of the majority may submit a minority report. After reviewing the report(s) of the special promotion board's recommendation, the Deputy Adjutant General, Air Division will approve the applicant(s) to be promoted.

(4) The HRO will coordinate to ensure appropriate promotion orders are published and distributed, as well as inform the units concerned of the status of those who were considered for promotion. Promotion requests of those not selected for promotion will be returned to units without action. Units are responsible to notify those not selected for promotion.

f. *NGB Report (projections)*. This report is produced by the HRO and forwarded to NGB to reflect projected hire and promotion actions for officer and enlisted members. It also reflects those individuals who are pending mandatory separation of whose tours are not going to be extended. This report is required monthly.

#### **16. Tour Length, Renewals, and Extensions.**

a. *Tour Length*. Permanent AGR tours must be at a minimum of 1 year in length and a maximum of 6 years in length. Temporary AGR Tours may not exceed 179 days in a fiscal year without NGB approval.

b. *Extension of Current Tour and Subsequent Tour*:

(1) Extension of the current tour and selection for subsequent tours is based on the mission needs of the unit, member's performance, and authorized force structure; however, every effort will be made to allow qualified members who so desire to be retained in the program. The remote designee will submit an NGB 336 for AGR tour extensions not less than 30 days prior to the end of tour date.

(2) Active Guard Reserve personnel requesting either a tour extension or a new tour must complete the NGB 336, Air National Guard Order Application Request, a minimum of 120 days prior to their tour expiring. Special orders authorizing the follow-on tour or a memorandum of intent not to renew must be issued a minimum of 90 days prior to the scheduled end of the current tour.

#### **17. Temporary AGR Tours.**

a. Temporary AGR tours should only be used for short periods of time to fulfill work requirements that are seasonal, backlogged or unexpected. Examples include: Operational Readiness Inspection/Unit Compliance Inspection (ORI/UCI) preparation, filling a position due to an incumbent's absence due to a serious medical condition or hospitalization, interim fill of a position during the advertisement and selection period, or a requirement to install or refurbish newly acquired equipment.

(1) Units that have permanent resource allocation AGR vacancies during the year may hire temporary AGR personnel during the period of time the AGR position are vacant. States may also, under exceptional circumstances, request that additional resources be provided by NGB/XPM. States may not exceed their authorized AGR resource allocations at any point during the fiscal year.

(2) Temporary AGR tours must be utilized within the same category of manpower (i.e. officer vacancies to hire temporary officers, enlisted vacancies to hire temporary enlisted).

b. All Temporary AGRs must be coded in MilPDS with a TECH-ID code of "3" indicating an AGR status. The correct Active Duty Status Code should be a "U" (Temp Tour Other) along with the approved start and stop dates of the orders, place ordered to active duty, Total Active Federal Military Service Date (TAFMSD) and the Civilian Grade (GS) of the position that the member is occupying.

c. Temporary AGR tours will be for a minimum of 31 consecutive days, and will normally not exceed 179 days in a fiscal year. With the exception of temporary AGR resources provided by the Ready Team for units in conversion, or temporary AGR resources authorized by NGB/XPM, initial unit funded temporary AGR tours greater than 179 days or extension of individuals on unit funded temporary AGR tours past 179 days, must be approved by NGB/DP to ensure that end-strength considerations are met. Such requests will be forwarded to the HR AGR Management Branch not less than 30 days prior to the effective start dates allowing 15 days to process orders.

d. If a temporary tour is effective on or through 30 September of the fiscal year, or exceeds 179 days in one fiscal year, the incumbent must be counted and accommodated in the State's end-strength and if applicable, controlled grade ceilings.

e. Temporary AGR personnel must be assigned against valid UMDA positions and may not exceed the maximum grade authorized for the position. If the temporary AGR tour involves a member in the grade of SMSgt, CMSgt, Maj, Lt Col, or Col, and will be crossing fiscal years, it must first be coordinated through NGB/DP.

f. To be eligible for a temporary AGR tour, the eligibility and selection criteria defined in this regulation for permanent AGR tours apply with the following exceptions:

(1) The member must be medically qualified for continued worldwide duty IAW AFI 48-123, *Medical Examination and Standards*. An AF Form 422, certified by the State Air Surgeon as worldwide qualified must be completed when the temporary tour begins.

(2) Members need not meet the retainability criteria provided the temporary tour does not place the member within the "sanctuary zone" and the tour does not exceed 179 days.

(3) Temporary AGR tours need not be advertised through normal announcement procedures and may be terminated at any time.

g. Individuals in temporary AGR status will be paid through the Defense Joint Military Pay System - Reserve Component (DJMS-RC) rather than DJMS-AC.

h. Military Personnel Flights will submit requests for Temporary AGR tours (179 days or less) to the Directorate for Human Resources AGR Management Branch not less than 30 days prior to the effective start dates allowing 15 days to process orders.

i. Requests for temporary AGR tours exceeding 179 days will use the format in ANGI 36-101, Attachment 2 and be processed through command channels through the Directorate for Human Resources, AGR Management Branch to NGB/DPR not less than 30 days prior to tour end date. Actions involving an O6 controlled grade will also require approval of NGB/DPFF. Upon receiving approval from NGB, the HRO will notify the MPF. Upon validation of funding and position availability, the HRO will process temporary AGR orders within 15 days.

## 18. Recruiting and Retention Personnel.

The purpose of ANG Recruiting and Retention is to provide TAG and commanders with quality personnel resources to fill ANG critical positions and all authorized UMDG positions. It also provides the tools and programs necessary to assist in the retention of ANG members. Recruiting and Retention personnel assist units in meeting mission readiness and force management objectives, to include diversity goals.

a. Recruiting and Retention personnel are funded through Program Element Code (PEC) 58150. This PEC includes Military Personnel (MilPers) and O&M to support personnel, operations and activities designed to attract and retain personnel in the Reserve Forces in order for required manning levels to be achieved and maintained.

b. Recruiting and Retention personnel should not be assigned other duties that interfere with their primary responsibilities. They are expected to perform duty during non-traditional hours, often exceeding the 40-hour workweek, to include evenings, weekends and holidays, to meet strength objectives. Recruiters and Recruiting Office Managers (ROM) are expected to be available at times when their "customer" is available. Unit Training Assemblies (UTA) are the most productive times for Recruiting and Retention personnel. It is of utmost importance that their offices remain open for business during a UTA and equivalent periods of training.

c. Entry Grade/Skill Level Qualifications.

(1) Entry level production recruiters must be in the rank of SrA through TSgt and GSU Recruiting and Retention NCOs must be SSgt through MSgt. A 5-level in any AFSC is required except in those instances where a 5-level does not exist. ANG membership for 18 months is desirable. All Recruiting and Retention tours will begin after successful completion of any USAF Recruiting School.

(2) Recruiting Office Supervisors (ROS) must have a minimum of two years experience in either production recruiting, retention, or equivalent civilian competitive sales experience. Additionally they must be a MSgt or promotable TSgt. 18 months ANG membership is desirable.

(3) Retention Office Managers (ROM) must be in the rank of TSgt or MSgt. It is highly desirable for the selected individual to have experience as a military recruiter or Unit Career Advisor (UCA). 18 months ANG membership is desirable.

(4) Recruiting/Retention Superintendents (RRS) must have at least two years experience in military recruiting and/or retention, and be a SMSgt or a promotable MSgt. A minimum of 18 months ANG membership is desirable.

d. Selection Process.

(1) Selection and assignment to vacant Recruiting and Retention positions must be within the authorized grade limits specified for the positions published in ANGI 36-2602, *ANG Recruiting Expenditures and Management of Recruiting and Retention Programs*, Attachment 2. Recruiting and Retention positions are Category 1 and cannot be transferred to Category 2 positions when vacated.

(2) The HRO is responsible for the publication of vacancy announcements and receipt of applications for all AGR positions including Recruiting and Retention positions.

(3) Members selected for recruiting and retention duty have restoration rights IAW Chapter 20 of this instruction.

e. Length of Tours.

(1) It is important that unit supervisors create a Career Management Plan that will enable deserving Recruiting and Retention personnel an opportunity for upward mobility within either the Category 1 or 2 AGR program.

(2) All Recruiting and Retention tours will be based on State AGR hiring guidelines. Tour extensions beyond the initial tour should be approved if the production and/or performance levels of the recruiter or ROM have consistently been met.

(3) All Recruiting and Retention positions are validated by ANG/DP, prior to vacancy announcement or tour renewal to ensure authorized and assigned personnel/grades are within the RA of the current ANG Recruiting and Retention Manpower Guide.

f. Temporary Tours:

(1) Temporary Recruiting and Retention tours are authorized for short periods of time to fulfill work requirements that directly support recruiters and ROMs to more effectively handle the functions associated with their jobs. Requests for temporary Recruiting and Retention tours will be submitted in writing through the HRO to ANG/DP with full justification and expected results.

(2) Temporary Recruiting and Retention tours will be for a minimum of 31 days, and will normally not exceed 179 days in a fiscal year.

(3) Temporary Recruiting and Retention tours are funded from PEC 58150 and are accommodated within fiscal year (FY) recruiting/retention RA. For accountability purposes, all temporary tours must end NLT 20 September of current FY.

g. Tour Termination.

(1) The expected high energy, long hours, high ethics, personal appearance and added pressure of recruiting and retention, render these positions not suitable for everyone. These standards are the reason for assignment to a Special Duty Identifier (SDI) and award of Special Duty Assignment Pay, where authorized. Because of these high standards, stress levels and the unit strength demands for high quality results, termination of Recruiting and Retention tours, when necessary, must be handled expeditiously IAW ANGI 50-7, *Recruiting Retention Training Management* and ANGI 36-2602. Commanders should consider all factors before renewal of any Recruiting and Retention tour. Aggressive efforts should be made to assimilate recruiters and retainers who experience "burn out" into other positions. The ANG cannot allow productivity lapses and poor performance from the recruiting/retention force.

(2) Every person entering a Recruiting and Retention tour must be given adequate opportunity for success. When production or expected performance standards are not being met, a memorandum outlining the circumstances will be furnished to the member by the immediate supervisor. The member will be given 60 to 120 days IAW ANGI 36-2602, paragraph 2.15, to show progress toward expected standards. If adequate progress has not been made, the member will revert to previous status (when within restoration period): traditional guard member, technician, or AGR (if resource is available).

### 19. Compatibility Waivers for Air National Guard First Sergeant and Command Chief Special Duty Positions

a. ANGI 36-101 and ANGI 36-2101 requires all military duty personnel be assigned as the position incumbent to a military UMDG position compatible with their full-time duties and responsibilities. In rare circumstances an AGR member may be granted a compatibility waiver by The Adjutant General to be assigned as a unit First Sergeant Special Duty Identifier (SDI) 8F000 or State/Wing Command Chief Master Sergeant. Emphasis should be placed on the selection of a Drill Status Guardsman. Waiver request criteria are discussed in paragraph c.

b. An AGR may be assigned as a unit first sergeant only once in their career. The term of this duty will be no less than three years from the date of assignment and no more than six years from graduation at the USAF First Sergeants Academy. Command Chief terms will be no less than three years and no more than six years from the date of assignment.

c. Waivers to leave the position prior to three years from the date of assignment must be processed through the ANG First Sergeant Functional Manager. Waivers to extend the maximum term will not be considered IAW ANGI 36-2101. The only exception would apply to a Wing Command Chief consecutively reassigned to the State Command Chief position.

d. Upon completion of their assignment, AGRs must be reassigned to a UMDG position with a compatible AFSC that will support the individual's current grade. Commanders must exercise sound force management practices to ensure reassignment complies with ANGI 36-2101. It is the policy of the California National Guard not to support and over grade waiver request for a member who cannot be placed in a compatible UMDG position after completion of the first sergeant tour when the UMDG does not support their military grade. AGR member selected for a First Sergeant duty position must sign a statement acknowledging that if a compatible position cannot be located the will be separated from the AGR program.

e. The Adjutant General may allow Command Chiefs to be placed in an over grade status. AGRs cannot be promoted above the authorized military grade of their UMDG position. Reassignment in excess status will not be permitted for Command Chief Master Sergeant positions. The over grade condition will not exceed 24 months from date of assignment or ETS, whichever is less. Prior to assignment as a Command Chief Master Sergeant, AGRs must serve at least 12 months in a specialty compatible with their full-time UMDG position. This condition may not be waived.

f. Ensure there is a Chief Master Sergeant control grade resource available when selecting AGR personnel in the grade of Senior Master Sergeant to fill the Command Chief Master Sergeant position. If there are no resources, other

promotable candidates must be considered or a Chief Master Sergeant controlled grade must be obtained prior to placement.

## 20. **Medical.**

a. *General.* Within the context of federal law, the health and well being of ANG members must always be a prime consideration in any decision concerning their assignment, utilization, retention or separation.

### b. *Eligibility for AGR Tours:*

(1) Members selected for AGR tours (permanent, indefinite, and temporary) must meet the physical qualifications outlined in AFI 48-123, Medical Examination and Standards. Physicals and other medical documentation including an AF Form 422, Physical Profile Serial Report, will be sent by the appropriate medical squadron directly to the State Air Surgeon (do not send physicals to the Directorate for Human Resources). The State Air Surgeon will forward the AF Form 422 for individuals determined medically qualified for AGR duty to the HRO.

(2) Determination of medical qualifications by the State Air Surgeon will be accomplished prior to any start/hire as a permanent, indefinite, or temporary AGR. An AF Form 422 is required for all initial tours (temporary, indefinite, or permanent), follow on tours, and tour extensions.

(3) The State Air Surgeon will forward for waiver consideration to NGB/SG those cases which do not meet continued military service standards IAW AFI 48-123 prior to entry on AGR duty.

c. *Medical Care.* Active Guard Reserve personnel are authorized medical care IAW AFI 41-115, *Authorized Health Care and Health Care Benefits in the Military Health Services System* and AFI 41-101, *Obtaining Alternative Medical and Dental Care.*

d. *Medical Board.* The various medical conditions and defects that may cause a member to undergo medical board processing are established in AFI 48-123. The responsibility for prompt identification of members whose medical qualifications for continued worldwide service are in doubt rests with commanders, supervisors, and medical personnel.

(1) This responsibility must be effectively discharged to preclude improper retention of members who are not qualified for world-wide duty, to the detriment of mission capability, as well as to preclude possible denial of benefits under Title 10 USC.

(2) Official provisions exist for retention in AGR status, with protective disqualifying defects IAW AFI 48-123.

(3) No AGR member has a right to remain in AGR status to attain or maximize longevity benefits if the member does not remain qualified for continued worldwide duty.

### e. *Retention/Release of Members:*

(1) An AGR member may request a physical examination upon release from AGR status, but a physical examination is not required unless there is or has been a significant change in the member's medical status.

(2) An AGR member, including those on temporary tours over 30 days, who are not offered a follow-on tour, will not be involuntarily released from AGR status while medically incapacitated, unless as a result of action IAW AFI 36-3212, *Physical Evaluation for Retention, Retirement, and Separations.* Orders will be published extending the tour until a final determination is made. If the member is subsequently found to be medically disqualified for continued military service, the individual will be separated or discharged IAW AFI 36- 3212.

## 21. **Uniformed Services Employment and Reemployment Rights Act (USERRA).**

a. *Military Technicians.* Military technicians who separate from technician employment to enter into the AGR program or to accept a statutory tour have restoration rights upon the satisfactory completion of their tour; not to exceed five years (cumulative), to the State from which they entered their initial tour. Individuals will not be restored to military technician status solely to gain entitlement to a new period of restoration rights or to establish a new high 3 years of income for federal civil service retirement computation. Exceptions to this policy will not be considered. Additional resources will not be allocated to accommodate a restoration to technician status.

b. *Statutory Tour.* Active Guard Reserve personnel who enter a Statutory Tour (e.g. Title 10, Sections 10211, 10305, 12402 and 12310) have restoration rights upon the satisfactory completion of their tour; not to exceed five years (cumulative), to the State from which they entered their initial tour. Individuals will not be restored to AGR status solely to gain entitlement to a new period of restoration rights. Exceptions to this policy will not be considered. Each AGR member who enters a statutory tour must be informed in writing and acknowledge such notice that the individual is entitled to revert to the same military grade held prior to the statutory tour assignment.

c. *Priority Placement Program.* Personnel promoted while on Statutory Tour, may be placed into the AGR Priority Placement Program (PPP) if a UMDA position is not available to support their current military grade. When the member in question is serving in a controlled grade, the member must be accommodated within the state's current control grade allocations as outlined in Chapter 12. NGB/XPM will not allocate additional resources to accommodate restoration to AGR status.

d. *Job Announcements and USERRA Rights.* When filling positions vacated by AGR personnel entering a Statutory Tour, job announcements must indicate that this position is temporary indefinite until such time as the departing individual is either restored or the restoration period expires.

e. *USERRA Exception.* The Adjutant General may authorize the retention or restoration of members with more than 20 years Total Active Federal Military Service (TAFMS). Restoration rights do not automatically apply to these members.

## 22. **Priority Placement, Workforce Realignment, and Reduction in Force.**

a. *Priority Placement of Over-Grade Members.* The Priority Placement Program (PPP) is designed for the management of over grade AGR members. Reductions in Force (RIF) actions take precedence over the PPP. Because of unique mission requirements and unit force management plans, PPP procedures are outlined as follows:

(1) Ensure that the fewest number of personnel are administratively reduced in grade or released from AGR status.

(2) Ensure that AGR personnel in an over-grade status and military technicians in a retained grade status will be given simultaneous PPP consideration. Neither category has priority over the other.

(3) Placement must be based on the least amount of impact to the individual and the mission.

b. *Implementation of PPP.* Personnel who become over-grade to their UMDA assignment will be entered into the PPP as described below.

(1) Members will be entered in the PPP, for a period not to exceed 2 years, on the same date as the action that causes them to become over grade.

(2) The HRO will notify the member in writing (with an information copy to the MPF) that the individual has been placed in the PPP.

(3) A member in the PPP will be offered, in writing, the first available UMDA position within the State for which the member meets the minimum specialty qualifications for assignment.

(a) The written offer will identify the position, unit of assignment and unit location.

(b) The written offer will also advise the member that they must successfully obtain the compatible skill level qualification for the UMDA position within a specified time and will identify any mandatory formal training required to obtain the necessary skill qualification.

(c) The position offered must have a military grade that meets or exceeds the member's current grade.

(d) The position offered should be in a unit within normal commuting distance of the member's residence. This does not preclude entitlement to PCS, if reassigned to another installation.

(4) Over-grade AGR members must accept or decline a position offered under the PPP within 10 days of the date of the written offer. If the member accepts the position, the HRO will direct the MPF to reassign the member within 30 days of acceptance of the position.

(5) An over-grade AGR member who declines a position offered under the PPP must be reduced in grade to the maximum grade of the UMDA position not later than 30 days after the declination; if an officer, the individual must be separated from AGR status. However, if the officer is within the sanctuary zone then the officer must be retained until eligible for a regular (active duty) retirement.

(6) The Adjutant General may approve the retention of a member in the PPP after the individual has declined an offered position if the declination was based on unusual circumstances which would have created a severe hardship for the member. This action will not extend the original PPP period.

c. *Notification of Over-Grade.* Unit DPs or designated representatives must counsel AGR personnel on the provisions of this chapter within 30 days of the date that they become over-grade.

(1) An officer who is entered in the PPP and is not offered a position under the program within two years will be retired or separated from AGR status.

(2) An enlisted member who is entered in the PPP and is not offered a position under the program within two years will be administratively reduced in grade to the authorized grade of the UMDA position, retired or separated from AGR status.

(3) The member will be notified at least 90 days prior to the expiration of the PPP that separation or reduction in grade will occur if a position does not become available by the anniversary date.

(4) Members will be separated or reduced in grade on the second anniversary of entry into the PPP.

d. *Reduction-in-Force.* The Reduction-in-Force (RIF) is designed to manage those AGR members who become excess to a State's AGR Resource Allocations. Officers and airmen serving on AGR tours may be involuntarily separated due to a reduction in AGR RA. Placement based on RIF action takes precedence over placement due to PPP actions. AGR members who have between 18 and 20 years of active duty are exempt from RIF action.

e. *Management Directed Reassignment.* Management may make reassignments at any time to avoid or decrease the negative impact concerning performing an actual RIF. Reassignment must be to a UMDA position of the same grade. Such management directed reassignments will be coordinated with the HRO prior to informing employees of the

reassignment when a RIF is under consideration. Declinations of management directed reassignments will result in the separation of the AGR member.

f. *Priority Considerations.* Personnel affected by UMDA reductions will be given first priority for reassignment to any available vacant AGR position within the State for which they are or can become qualified. New hires may only be authorized after AGR members affected by the UMDA reductions have been placed.

g. *Reduction-in-Force Boards.* Boards will be comprised of at least three members, equal to or senior in grade to those being considered. The board president will be the senior member on the board. All board members will be present for all board sessions. When possible, board composition must be reflective of the members considered for possible RIF actions, to include female and/or minority representation if appropriate.

(1) The board will consider the following factors in establishing order precedence on the register.

- (a) Performance evaluations
- (b) Professional Military Education
- (c) Technician Reemployment Rights
- (d) Civilian Education
- (e) AFSC Qualifications
- (f) Military mission requirements

(2) The board will prioritize all members considered with the lowest score last and the highest first.

h. *Implementation of RIF.* When notified by NGB/XPM of a reduction in AGR Resource Allocations, the HRO will do the following:

(1) Notify commanders to identify, based on mission requirements, which functional areas are to be reduced. The HRO will place all AGR personnel within those functional areas on an AGR RIF Register.

(2) Ensure that reductions are first accomplished by normal attrition, hiring freezes, management directed reassignments, and separation of retirement eligible members.

(3) Individuals who are eligible for an immediate active duty retirement will be separated from the AGR program before conducting a RIF board unless specifically authorized for retention by TAG (this authority may not be delegated).

(a) Retention will only be authorized for mission essential reasons when the individual possesses unique military qualifications not readily available.

(b) Retention will not be authorized for the sole benefit of the member.

(4) Provide written notification to affected personnel of the RIF board to be held and the procedures that will be followed.

(5) Convene a board of ANG personnel to prioritize affected members placed on a RIF register.

(6) Separate members with the lowest scores first until mandated reduction levels have been met.

(a) Members must be given written notification at least 90 calendar days prior to separation.

(b) Members will be counseled on Transition Assistance Benefits.

(7) New hires may only be authorized after every effort has been made to place AGR members affected by the RIF.

(8) Members who have not been placed must be separated no later than 90 days from the date of the reduction in AGR RA.

### **23. Separation/Retention/Retirement.**

a. *General.* The Adjutant General is the final authority for determining whether individuals will be separated. Retention may not be directed where separation is mandatory under this or any other regulation. Personnel must complete the specified period of their orders unless released due to any of the following provisions:

(1) An approved request for voluntary separation.

(2) Mandatory Separation Date (MSD) is maximum length of commissioned service for officers.

Maximum for enlisted members is age 60.

(3) Involuntary separation for cause.

(4) Involuntary separation due to reduction of RA.

(5) Retirement.

b. *Separation at Expiration of Tour.* Personnel will be separated from AGR status at the expiration of their current tour if:

(1) They do not request a subsequent tour.

(2) They were not selected for continuation in the AGR program. The member may appeal the non-renewal of an AGR tour, through command channels to the HRO. The Adjutant General will make the final determination. Appeals must be submitted no later than 30 days prior to the expiration of the tour or date of separation.

(3) They are ineligible for a subsequent tour under the provisions of this regulation.

c. *Voluntary Separation:*

(1) A member may request an early release from AGR status by submitting a fully justified request through channels to the HRO, who is the final approval/disapproval authority. This authority has been delegated to the HRO by The Adjutant General. Members will be released no earlier than 30 days after receipt of their request in the HRO. In addition to submitting a justified request for release, with the commander's concurrence, a request to rescind the member's AGR orders should accompany the request. If the member is separating from the Air National Guard, a request for military separation must be submitted through the servicing military personnel flight to HQ CA ANG/DP, as appropriate.

(2) Members who voluntarily request separation from AGR status are not entitled to separation pay (10 USC 1174 and DoDFMR). This includes when a member voluntarily accepts a position as a military technician.

d. *Mandatory Separation.* Personnel will be separated for the reasons below, regardless of the expiration date of their current tour. Retention is not authorized. Separation of any member currently in AGR status is required when:

(1) Officers reach their Mandatory Separation Date (MSD). Officers will be separated upon reaching their maximum years of service unless they have completed between 18 and 20 years of active federal service for retirement purposes (sanctuary zone). Officers who are in the "sanctuary zone" will have their MSD extended until the end of the month in which they reach retirement eligibility. Requests for extensions of MSD must be sent through the HRO to NGB/DP.

(2) Enlisted personnel reach age 60. Enlisted personnel will be separated upon reaching age 60 unless they have completed between 18 and 20 years of active Federal service for retirement under 10 USC 8914. Enlisted members in the "sanctuary zone" when reaching age 60 will have their MSD extended until the end of the month in which they reach retirement eligibility. Requests for extensions beyond age 60 must be sent through the HRO to NGB/DP, upon member's attaining 18 years of federal active duty and qualification for the provisions of sanctuary.

(3) The required security clearance is withdrawn, cancelled or cannot be obtained.

e. *Involuntary Separation for Cause:*

(1) Except as specified other regulations, personnel will be involuntarily separated from AGR status only IAW procedures prescribed herein. The Adjutant General will review all recommendations for involuntary separation under this paragraph and will make the final determination. This authority may not be delegated.

(2) *Guidelines for Involuntary Separation:* The commander or supervisor will document counseling or issue a memorandum of counseling/reprimand when an individual's degree of efficiency, performance of duty, military conduct, or the commission of any derogatory act makes such action appropriate. Normally, a counseling statement (AF Form 174, *Record of Individual Counseling* may be used) or a memorandum of reprimand will be documented in the supervisor's record, before initiating involuntary separation action. When the reason for separation warrants immediate separation, counseling or a memorandum of reprimand may be omitted. Individuals being counseled will verify, in writing, acknowledgment of counseling session. When deciding whether to initiate involuntary separation action, the following factors must be considered:

(a) The seriousness of the events or conditions that form the basis for initiation of separation proceedings. Consider the effect of the member's continued retention on military discipline, good order, and morale.

(b) The likelihood that the events or conditions will continue or recur.

(c) Whether the actions of the member resulted, or are likely to result, in an adverse impact on accomplishment of unit's mission.

(d) Substandard performance of full-time support duties.

(e) The member's potential for further service.

(f) The member's military record. This includes past contributions to the ANG, assignments, awards and decorations, evaluations, ratings, memorandums of commendation, records of non-judicial punishment, records of involvement with civilian authorities, and any other matter deemed relevant by the separation authority.

(g) The possibility of reassigning the member.

f. *Grounds for Separation.* The following breaches of discipline are incompatible with service in the ANG. Serious consideration should be given to involuntarily separating a member for these reasons:

(1) Acts of misconduct, whether or not connected with the member's official duties to include conviction for the illegal use of drugs or abuse of alcohol.

(2) Moral or professional dereliction.

(3) Loss of professional qualifications required for the performance of assigned duties.

(4) Substandard performance of full-time support duties.

(5) Acts or expressed sentiments of discrimination, harassment, or prejudice.

(6) Failure to maintain medical qualification, physical fitness, or weight standards.

(7) Failure to attain or maintain a skill level compatible with the UMDA assignment.

g. *Procedures.* The supervisor or commander must submit a recommendation through channels to the HRO to involuntarily separate a member. The following procedures will be followed as a minimum:



(1) The unit commander will refer the recommendation for involuntary separation to the member concerned for rebuttal or comment prior to forwarding through command channels. Appropriate written documentation substantiating the specific reasons for the recommendation will be provided to the member and forwarded with the request. The member has five working days to reply in writing to the separation recommendation. The five-day response time may be extended when legal counsel is consulted.

(2) Comments offered by the AGR member will be included with the supervisor's/commander's recommendation. The member may be given the opportunity, but will not be required to submit a written request for voluntary release from the program in lieu of involuntary separation. Personnel pending involuntary separation from AGR duty will be provided legal assistance upon request. United States Air Force legal counsel is not authorized.

(3) The senior commander (normally the air/detachment commander) will recommend approval or disapproval within five working days, indicating the reasons, and will forward to the HRO on submission to The Adjutant General, without delay. If additional reasons for separation are included in the recommendation, the member will be given the opportunity to rebut those additional reasons. Such rebuttal must be submitted within 15 days.

(4) The Adjutant General appoints an investigating officer (IO). The IO must be a commissioned officer, senior in grade to the member under review, and may not be in the full-time chain of command of either the member or the senior commander. The IO will make a written recommendation within ten working days of appointment to The Adjutant General concerning separation or retention of the member. Separation from the AGR program may begin upon final decision by The Adjutant General.

(5) Members separated for cause should be considered for discharge from the ANG. Only in exceptional circumstances should the member be retained in the ANG. If the member is to be concurrently discharged from the ANG, the provisions of AFI 36-3209, *Separation and Retirement Procedures for Air National Guard and Air Force Reserve Members*, apply.

(6) Personnel involuntarily separated before the scheduled end of a tour who meet the eligibility requirements outlined in DoDFMR (also see AFI 36-3207, *Separating Commissioned Officers*) may be eligible for separation pay. Those eligible for separation pay must sign a written agreement to serve in the Ready Reserve for a period of 3 years following their separation from AGR status. If the member has an unfulfilled MSO at the time of separation from AGR status, the 3-year Ready Reserve obligation begins on the day after the day on which they complete their MSO.

h. *Involuntary Separation Following UMDA Changes or End-Strength Limitations.* Active Guard Reserve personnel may be involuntarily separated as a result of a UMDA reorganization or reduction. In these cases the HRO after consulting with the air/detachment commander, may involuntarily separate the incumbent of the deleted position, or a retirement eligible AGR member to open another position. The NGB/XPM will notify HROs of changes to AGR manning levels. The notification will stipulate that the reduction affects AGR personnel only and give an effective date of the RIF.

#### **24. Retirement.**

Personnel may accrue sufficient creditable service to qualify for a regular retirement under Title 10 USC 8911 (officer) or 8914 (enlisted). Retirement eligibility may be attained through continuous AGR service or by an accumulation of various types of active duty or active duty for training.

a. All AGR members must plan to retire once they attain sufficient creditable service to qualify for a regular (20 year) retirement. Current AGR members who qualify for retirement or whose current tour will qualify them for retirement will be retained for the duration of their existing tour.

b. Continuation beyond 20 years will be considered on an individual basis and may be recommended by the Air Commander. Authorization for subsequent AGR tours will be based on mission requirements, past performance and authorized force structure. Commanders will forward requests to extend AGR personnel past the 20 year point to the Directorate for Human Resources no later than 180 days prior to the 20-year service date. A tracking tool is currently being developed as MilPDS does not provide this information that far ahead. The HRO will coordinate this action with CA ANG/CC. Those previously approved for extension beyond the 20-year point will require approval for subsequent extension, and these requests also must be submitted no later than 180 days prior to the expiration of the current tour.

c. Supervisors and/or commanders will process recommendations for retirement IAW AFI 36-3203, *Service Retirements*. Military Personnel Flights will send completed packages to CAJS-J1-HR-AIR AGR, NLT 120 days prior to the member's projected separation date.

d. Applications for AGR retirement will be processed IAW AFI 36-3209, *Separation and Retirement Procedures for Air National Guard and Air Force Reserve Members*, Chapter 5, Section 5D.

e. Service requirements established in the respective Air Force Instruction listed above must be met for members to retire in their current grade.

**FOR THE GOVERNOR:**

**WILLIAM H. WADE II**  
*Major General*  
*The Adjutant General*

**OFFICIAL:**



**STUART D. EWING**  
*Captain, CA ANG*  
*Deputy, Human Resources Officer*