

NEVADA NATIONAL GUARD (NVNG)

ACTIVE GUARD / RESERVE (AGR) HANDBOOK



PUBLISHED FOR NVNG SUPERVISORS AND AGR MEMBERS

BY:

**THE NEVADA NATIONAL GUARD
HUMAN RESOURCES OFFICE (HRO)**

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NVNG AGR Handbook

MESSAGE FROM THE ADJUTANT GENERAL...

Congratulations on being selected as a member in the Active Guard/Reserve Program. You can take great pride in your selection to serve in this important role contributing to the unit readiness and combat capability of the Nevada National Guard.

The Human Resources Office (HRO) is pleased to provide the NVNG AGR Handbook to all managers, supervisors and AGR members of the Nevada National Guard to assist you in accomplishing this mission.

ABOUT THE GUIDE

This Guide is designed to assist commanders, supervisors, Active Guard/Reserve (AGR) members, and dependents in becoming familiar with the AGR Program of the Nevada National Guard. It is a consolidated source of information and is intended to provide an overview of the AGR program. The guidance has been drafted based on Army, Air, and Federal statutes and regulations, as well as DoD, local and National Guard Bureau policy.

HOW TO USE THIS GUIDE

The content of the Guide was developed in a sequence to educate employees about the AGR program and assist supervisors with the steps involved in managing the AGR workforce.

The accomplishment of our mission and vision are realized when we understand and support each other's needs and the vast diversity of our workforce. To this end, the NVNG AGR Handbook is provided to you.



William R. Burks
Brigadier General, NVMD
The Adjutant General

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Chapter 1 - Administrative and Personnel Matters

1-1 Overview of AGR Program

This Handbook is designed to help Active Guard/Reserve (AGR) personnel and their supervisors understand the Nevada National Guard AGR military program, the rules governing the management of AGR personnel, and the various entitlements and benefits that accrue to AGR personnel. As a comprehensive source of information, this handbook should be used as the "first stop" by AGR personnel and their supervisors. It is designed to provide essential information in easy to understand language in areas of major concern. It is expected that the information contained within this handbook will answer the great majority of questions using legal and regulatory references. Points of contact within the Human Resource Office (HRO) can be found at <http://www.nv.ngb.army.mil/contacts.cfm>.

The AGR program was first established in the early 1980's with the purpose of providing a full-time military asset to improve the readiness of the National Guard. AGR personnel provide skills, expertise, stability and continuity to various National Guard units that cannot be obtained by using part-time, traditional Guardsmen. Although on full-time National Guard duty, AGR personnel differ from active duty military personnel in that they are under the command and control of the Governor rather than the Army and Air Force directly. While AGRs have nearly the same pay allowances, benefits and privileges of active duty personnel, they are in state status (Title 32) and are covered by the same statutes and regulations as traditional Guard members to include the Nevada Code of Military Justice (NVCMJ).

The AGR program is administratively managed by the AGR Branch of the HRO. If you are Army Guard AGR, then most of your routine personnel needs will be met by this office. Much of the day-to-day service for Air Guard AGRs has been delegated to the Military Personnel Flights (MPF) which is located at each Air base. The HRO will have final administrative oversight on all AGR policy.

1-2 In-processing and Orientation

When entering the AGR program for the first time, you must in-process. Army Guard personnel will administratively in-process with the AGR office in Carson City, OTAG. Air Guard personnel will in-process at their base MPF. New personnel will be provided copies of orders and an in-processing checklist. The in-processing will consist of several briefings and the collection of required information and documentation necessary to build your personnel, pay and medical files. This includes information necessary to ensure you and your dependents become eligible for medical care and other benefits.

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New AGR Soldiers should also receive a unit orientation by their immediate supervisor within 30 days of reporting on initial tour.

1-3 Identification Cards

Each AGR member will be issued a military identification card, Common Access Card (CAC), during in-processing. This will be accomplished at the OTAG Complex, Carson City NV 775-884-8402, Plumb Lane Armory, Reno NV 775-348-1043, or at the 152nd AW Reno, NV 775-788-4510. The CAC card identifies you as a member of the Armed Forces as well as the benefits and privileges for which you are eligible. A CAC is necessary to use such facilities as the commissary, base-exchange, and to receive medical care. If your CAC is lost or stolen, report the loss immediately to your Chain of Command and the office that issued your card.

Your dependents are also eligible for a Uniformed Services Identification and Privilege Card using DD Form 1173. A key item to be accomplished during in-processing is to enroll you and your dependents in the Defense Enrollment Eligibility Reporting System (DEERS). This action must be completed in order to be eligible for medical care and most other benefits. In order to enroll, you will need to complete DD Form 1172, Application for Uniformed Services Identification and Privilege Card. In order to expedite processing, essential data concerning each dependent should be brought to in-processing by the new AGR Soldier.

A CAC is federal government property and its possession and use are a privilege. The CAC may be confiscated and the user prosecuted or discharged for its improper use. It and the dependent cards must be surrendered once eligibility ends.

Reference: AR 600-8-14, AFI 36-3001, 18 U.S.C. 499

1-4 Clothing Issue/Allowance

ARMY: Enlisted AGR members are expected to own a sufficient amount of uniforms upon entering the program. These uniform items are eligible for turn-in exchange at unit supply during their first six months a uniform becomes damaged or ruined through the performance of official duties. Thereafter, any uniform replacement is the individual's responsibility. A clothing allowance is provided to all enlisted personnel on an annual basis. In addition, organizational clothing items are issued during initial processing. These are uniform and equipment items issued to the individual on loan and remain the property of the unit to be turned in upon transfer or release from the program. These are items necessary to perform the mission assigned to the member's unit. This would include specialized clothing such as maintenance coveralls and aviation clothing. The quantity and nature of uniform and equipment issued to AGR personnel vary according to unit and mission assignment. Those uniform clothing items which are approved for

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wear but are not mandatory are considered optional and any purchase must be at the individual's own expense.

AIR: A complete set of personal and organizational uniform items are issued to enlisted AGR personnel upon accession to the AGR program. These uniforms and items are eligible for direct exchange through the servicing unit supply room whenever the item is damaged or needs replaced. There is no uniform allowance provided. Organizational uniforms and equipment which are issued are the property of the government and must be turned in upon transfer or release from the AGR program. Those uniform items which are approved for wear but are not mandatory are considered optional and any purchase is at the individual's own expense.

Commissioned AGR officers are responsible for purchasing their standard uniform issue. A nominal uniform allowance can be applied for using ARPC Form 838 within six months upon entry into the AGR program as long as no other active duty uniform allowance has been received in the prior two years. Organizational equipment and clothing items are loaned by the unit of assignment to the officer and must be turned in at time of transfer or release from the program.

The Defense Finance and Accounting Service and the State of Nevada will hold AGR personnel who have lost or misplaced equipment issued to them financially liable for the cost of the lost items.

References: AR 700-84, AR 735-5, AFI 36-2914

1-5 AGR Sponsorship Program

The sponsorship program is the best way to ensure quick and complete integration of new AGR personnel into the unit and AGR program. It also assists in helping the AGRs Family in becoming familiar with the military and the Nevada National Guard. The sponsor is the key to a successful Sponsorship Program. The following attributes should be considered when selecting a sponsor:

- (a) Attitude
- (b) Knowledge about the AGR program and local community
- (c) Should be a peer
- (d) Knowledge of the unit and its mission
- (e) Dependability

References: NGR (AR) 600-5, NMD Form 90

1-6 Dress and Appearance

One of the most important areas of military tradition is the military bearing and the proper wearing of the prescribed uniform. All AGR personnel must maintain a high standard of dress and military appearance. This standard consists of four elements: neatness, cleanliness, safety and military image.

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AGR personnel are expected to have a working knowledge of grooming and uniform standards. Supervisory personnel must ensure that minor infractions which become a pattern or habit are corrected either through disciplinary or administrative action. At the same time, application of the standard must be even-handed and the appearance of "selective enforcement" be avoided. Supervisors have a number of options for dealing with nonconformance to dress and appearance standards. They may counsel and send the offending Soldier home for a reasonable period to correct the problem. If the individual has been warned that he or she is violating the standard and shows no improvement, the individual may be punished for failure to obey a lawful order or regulation. Involuntary discharge from the National Guard and the AGR program are the ultimate option in a well-documented case.

References: AR 670-1, AFI 36-2903

1-7 Duty Hours

The current work schedule for all AGR personnel of the Nevada National Guard will be four ten hour days per week, Tuesday – Friday, 0630 to 1700 to include a 30 minute lunch. Variations of this schedule in order to accomplish the mission must be initiated by the individual and endorsed by their full time CoC. Requests will be forwarded through the requesting members CoC to HRO for review by the CoS/ DoS, prior to approval by TAG.

Compensatory time off is not authorized to include working on UTA weekends. In those cases where compensatory time would have been appropriate, passes and leaves are encouraged. In the event of a furlough of the technician and civilian workforce, AGR personnel are still required to report for duty. Attendance and participation at weekend drills with the Soldier's unit of assignment is required unless authorized (I.E. Pass, leave, SUTA). AGR personnel will work duty hours as required when performing Annual Training or State Active Duty, in non-SAD status, with their assigned unit.

References: NGR (AR) 600-5, AR 600-8-10, ANGI 36-101, AFI 36-3003, NGNV TAG Policy Memorandum

1-8 Physical Fitness Program

Maintaining an acceptable level of physical fitness is a requirement for continued service in the AGR program. To ensure that AGR personnel have an adequate opportunity to achieve and maintain fitness levels, individuals are authorized three, one hour periods during official weekday duty during the workday which includes shower and cleanup time. The scheduling and nature of this physical training must be coordinated with the supervisor. Abuse of this privilege can result in its suspension or termination of workout time periods by the chain of command.

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ARMY: AGRs must pass the Army Physical Fitness Test (APFT) twice a year. Failure to pass the APFT is a serious matter and results in a number of adverse consequences to the individual. These include placing a "flag", DA Form 268, on any positive personnel actions such as promotion, awards, and attendance at schools. Further, AGR personnel cannot have their tour of duty extended or renewed if they do not pass their last APFT. Two consecutive APFT failures without a valid medical condition will result in action to immediately involuntarily discharge the individual from their AGR tour for unsatisfactory performance.

AIR: . AGR Airmen who test in all four components and score an Excellent (90 or above) will only be required to test once a year. Those Airmen who score Excellent but were medically exempt from testing in one or more of the four components, those who score Satisfactory (89.9 to 75), and those scoring Unsatisfactory (74.9 and below) will be required to test twice each year IAW AFI 36-2905.

AGR personnel with a documented medical condition or pregnant personnel are eligible for alternate APFT programs. Coordination should be made with the unit's First Sergeant or training NCO for participation in these programs. Unit remedial physical fitness training programs are readily available for those personnel experiencing difficulties with the fitness test.

References: AR 40-501, AFI 36-2905, TAG Policy Letter

1-9 Weight Control Program

In addition to maintaining an acceptable level of physical fitness, AGR personnel are also required to keep their body weight within regulatory standards. The purpose of the physical fitness and weight control programs is to maintain the efficiency, health, and well-being of the individual and to present a proper military image to the public. It is the immediate responsibility of unit commanders throughout the Nevada National Guard to ensure that those under their command (AGR and traditional guardsmen alike) are in compliance with weight control guidelines and standards.

Although the Army and Air Guard regulations have weight tables that are used, they are an initial screening device. Body Fat Measurement is the determining factor in deciding whether a Soldier is noncompliant with body weight standards. During random or scheduled weigh-ins, individuals are weighed, and if they exceed their allowed weight in the weight table, a body fat measurement (BFM) is taken. If this measurement determines that the individuals exceed the maximum body fat, they are then placed into the weight control program. The weight control program requires a pattern of satisfactory weight loss and then keeping the weight off for 12 months. If the Soldier is placed back on the weight control program after 12-36 months, the Soldier only has 90 days to become compliant with the regulatory standards.

ARMY: A "flag", DA Form 268, is placed on favorable personnel actions for those who exceed body fat standards. Continued failure to meet weight standards could also

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result in a full range of adverse administrative actions to include discharge. Supervisors should carefully document a Soldier's progress in the weight control program by counseling and weigh-in results to support the appropriate action.

The key to this program is for commanders to uniformly apply it to each member of their unit. Each case should be handled on an individual basis and claims of "selective enforcement" within this area need to be avoided.

References: AR 600-9, NGR (AF) 35-11

1-10 Awards

Title 32 AGR personnel are eligible for the full range of Army and Air Force awards and decorations. The criteria for award of any decoration are contained within the cited references. Army AGR personnel are not eligible for the Army Reserve Components Achievement Medal.

In addition to federally recognized awards and decorations, the State of Nevada has a number of awards and decorations. AGR members are authorized to receive and wear these awards.

References: AR 672-5-1. AFPD 36-28

1-11 Pregnancy of AGR Members

Any AGR who becomes pregnant is allowed to continue performing her assigned duties as long as certain precautions and procedures as outlined in the cited references are followed. Upon notification of a medically certified pregnancy, the commander will advise appropriate medical personnel as to the Soldier's assigned duties to determine if a physical profile change is needed. In any event, the individual will receive a temporary physical profile for the duration of the pregnancy.

The individual will also be counseled by her chain of command as soon as practicable. Single parents will also be advised of the need to establish a Family Care Plan for care of the child should the member elect to stay in the AGR program. AGR personnel are entitled to full medical care and assistance during the period of their pregnancy.

References: AR 135-91, AR 40-501, ANGR 160-12

1-12 Inspector General (IG)

AGR personnel have a right to register complaints either orally or in writing with the Inspector General. All complaints will be acknowledged and handled to ensure that confidentiality will be preserved to the greatest extent possible. Individuals should attempt to resolve the perceived problem through the chain of command prior to filing the IG complaint but may contact the IG directly if they wish. If the individual is

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complaining about an action for which there is an established appeal process, they should use the established process prior to contacting the IG. Certain matters such as appeals of military justice actions and requests for change of established military policy are not appropriate for IG complaints.

All IG records are protected and are considered confidential. Release of IG records is limited to official use only and FOIA requests. In either instance, all requests for IG records must adhere to criteria established in AR 20-1, Chapter 3.

Personnel may contact the Nevada National Guard Inspector General at (775) 8425/8426/8427, or visit them at their webpage at <http://www.nv.ngb.army.mil/ig.cfm>

References: AR 20-1, AFI 90-301

Chapter 2 – Access and Conduct on Military Facilities

2-1 Privately Owned Firearms

The Nevada National Guard is committed to providing a safe and secure work environment for all of its employees. Prior to bringing a personal firearm on NVNG property, a person shall complete all requirements set forth in LOG# 12-05. No personal firearms will be brought inside any NVNG facility.

Personnel are also prohibited from bringing privately owned weapons and ammunition to military training exercises and from having them stored in Nevada National Guard arms rooms. Violation of this policy will result in disciplinary action as appropriate.

Reference: LOG# 12-05 NVNG Personally Owned Firearm Policy

2-2 Workplace Searches

AGR personnel need to be aware that a supervisor has the right to search most areas within a workplace without obtaining a search warrant or the permission of the individual. Within the workplace, a search can be conducted in those areas over which the government is considered to exercise control. These include such areas as offices, desks, toolboxes, and file cabinets.

Government offices are provided to employees for the purpose of conducting official work. A search by a supervisor or security police to retrieve work related materials or to investigate possible violations of workplace rules has been ruled by the courts not to violate the 4th Amendment right against unreasonable searches and seizure. Employees may avoid exposing personal belongings to being searched by leaving them at home. There are certain areas that individuals are considered to have an expectation of privacy within the workplace. This would include handbags, briefcases, backpacks and wall lockers secured by a personal lock. These are not considered part of the workplace and are generally not subject to a search without a warrant or permission of the individual.

AGR personnel that are assigned to secured bases are also subject to having their vehicles randomly searched as a condition of entry. Supervisors should always consult with the legal office prior to conducting a search of a work area unless an emergency situation exists.

Reference: Postal Workers vs. USPS, 871 F. 2d 556 (6th Cir. 1989)

2-3 Violence in the Workplace

The Nevada National Guard is committed to the health and safety of all its Soldiers and employees. Everyone must make a commitment to maintain a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior.

Violence, threats, harassment, intimidation, and other disruptive behavior in the workplace will not be tolerated. All reports of incidents will be taken seriously and dealt with appropriately. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action.

Do not ignore violent, threatening, harassing, intimidating, or other disruptive behavior. If you observe or experience such behavior by anyone on a Nevada National Guard installation, whether he or she is an employee or not, report it immediately to a supervisor or manager. Supervisors and managers who receive such reports should seek advice from the State Equal Employment Manager. Threats or assaults that require immediate attention by security or police should be reported first to the base or facility security office or to the police at 911.

Reference: NVNG TAG Policy Memorandum

2-4 Smoking in Government Facilities

Current DOD and Nevada National Guard directives are designed to discourage the use of tobacco products and prohibit use inside federal or state buildings. AGR personnel may not smoke in National Guard facilities or in any area immediately adjacent to building entrances or exits. Smoking is permitted in "designated areas" or smoking shelters provided outside the buildings.

Reference: DOD Directive 1010.10

2-5 Barment from Facilities

Base and facility commanders are responsible for protecting personnel and property under their control and for maintaining order to ensure the uninterrupted and successful accomplishment of the military mission. Each base and facility commander is authorized to grant or deny access to their installation and to remove or exclude persons whose presence is undesirable or unauthorized. This process is called "barment."

While this process is rarely used in regards to AGR personnel, it may be appropriate in limited cases such as where the Soldier has seriously assaulted another employee, made death threats, or poses a significant safety or security risk. Additionally, barment might be appropriate for personnel who are in the process of being involuntarily separated for serious misconduct. AGR Soldiers barred from their worksite can be

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assigned duties to be performed at home or excused from reporting to duty. They cannot be forced to take annual leave.

Coordination should be made with the HRO office prior to a barment letter being issued.

Reference: 18 U.S.C. 1382, AFI 31-209, Nevada Revised Code 5913.17

2-6 Vehicle Access to Military Installations

AGR personnel attempting access to any military installation will be required to show their CAC card as proof of their military status. Individuals must possess a valid state driver's license, a valid state vehicle registration, and a valid insurance policy that meets Nevada minimum requirements to access a military installation. AGR personnel will adhere to base traffic and safety regulations and policies. The base commander may suspend base driving privileges upon showing that any AGR personnel has violated base driving/parking regulations or has suffered a license suspension from civilian authorities.

Reference: AR 190-5, AFI 31-218(I)

2-7 Military Driver's License

Many AGR personnel may be called upon to operate military vehicles that ordinarily would require a Commercial Driver's License (CDL) to operate upon public roads. Federal law, however, grants an exemption to military personnel from this licensing requirement. Even though a CDL is not required, all personnel operating military vehicles will be required to obtain a military drivers license for each type of vehicle. Each unit or installation will have its own internal procedure for testing and obtaining a military driver's license. Use of GSA automobiles and military vehicles also requires possession of a valid state driver's license. Vehicle operators on any military installation of those operating a Government owned vehicle will not use any hand-held device unless the driver is safely parked or has a hands-free attachment for the device.

In addition to training for a military license, the Nevada Guard offers the AAC, Accident Avoidance Course, which is required each year for all personnel.

Reference: 49 U.S.C. 31301, All States Letter #192-0177, Commercial Driver's License Waiver for National Guard Technicians

Chapter 3 –Professional Development

3-1 General

The objective of the Nevada AGR Program is to provide highly qualified officer and enlisted personnel to meet support requirements for the Nevada National Guard, its projects and programs. To achieve this objective, a hiring process selects the best qualified personnel to enter the AGR program and offers a three year stabilization duty station. Once selected, the AGR program offers opportunities for career development and possible upward mobility to encourage retention by quality individuals. While entry into the program of individuals who may desire only to serve an initial or occasional AGR tour often occurs, the program is structured to allow for the achievement of sufficient years of full-time duty to qualify for retirement. This guidance is not intended to raise an individual AGR member's career expectations unrealistically. It will require careful planning by the individual AGR member, who has the PRIMARY responsibility for the management of his or her own career. AGRs should ensure their career goals are made known to their immediate supervisor. Career objectives should be addressed during counseling sessions.

By virtue of position the respective services senior leadership, CoS/ DoS/ CCWO/ SEL/ SCSM/ SCC will provide oversight and direction for overall career management. All personnel actions taken (I.E. promotion, demotion, discharge, continuation) will be properly staffed through Command channels prior to execution utilizing the NMD 97.

Reference: NGR (AR) 600-200, NGR (AR) 600-5, AR 135-18, Nevada AGR Tour Stabilization Policy DTD: 07 Jan 2010

3-2 Entry Into the AGR Program

For initial entry into the AGR program, an individual must satisfy certain basic qualifications in addition to any special requirements of the advertised position. Among the basic requirements are military membership, be physically and medically fit as prescribed by service regulations, be able to serve at least five years on active duty prior to their mandatory removal date, and, if an officer, have completed certain military education. Failure to satisfy one or more of these requirements will usually result in the rejection of any application. An individual who has been previously barred from re-enlistment or involuntarily separated from active duty will also not be favorably considered.

When a commander identifies a position that is authorized for fill, a determination is first made whether the vacancy can be filled by on-board AGRs or military technicians of the respective service. Prior to advertising the vacancy, first consideration will be given to excess personnel who are on the Priority Placement Program (PPP) or transfer by laterally assigning an AGR. Within the Army National Guard, consideration must also be given providing upward mobility to individuals affected by the Enlisted Promotion

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System (EPS) program. As a general rule, AGR vacancies will be advertised to fill entry level positions as well as junior NCO and Officer positions.

Application procedures and required forms will be listed on the actual vacancy advertisement as well as be available from the HRO office.

Reference: AR 135-18, NGR (AR) 600-5, ANGI 36-101

3-3 Priority Placement Program (PPP)

This program manages over-grade Soldiers who have been placed in a lower graded position due to unit reorganization or demobilization. The PPP will be the initial means utilized to fill vacant AGR personnel positions. The HRO-AGR Branch will notify the Soldiers in writing of their placement on the PPP and will maintain a list of AGR personnel on the PPP.

ARMY: Elimination or downgrade of manning document positions or promotions received due to mobilizations will trigger AGR Soldiers to be enrolled in the Priority Placement Program (PPP). These Soldiers will be given priority over other Soldiers in filling vacant authorized positions. AGR Soldiers carried in an excess or over-grade will be offered, in writing, the opportunity to fill vacant positions. If a Soldier refuses a valid offer, commensurate current grade and MOS, the Soldier will be reduced effective the date of refusal. If the position is not commensurate with MOS, then the Soldier may accept the position and become MOSQ within 12 months or decline the offer for another potential position. Positions offered Soldiers may not have a maximum military duty grade which exceeds the Soldier's current grade. The PPP takes precedence over all other personnel selection processes. AGR Soldiers affected by changes in manning document requirements, end-strength and grade ceiling limitations may be retained in an excess or over-grade status for not more than one year after the effective date. PPP Soldiers who are in over-grade status or fail to become MOSQ one year after the effective date of assignment will be reduced to the authorized military grade of the manning document position or be separated from the AGR program.

AIR: AGR enlisted personnel who become over-grade to their manning document assignment will be placed into the Priority Placement Program effective the same date as the action which caused them to become over-grade, for a period not to exceed two years. Officers who are selected for Reserve Officers Personnel Act (ROPA) promotion will be placed into the program on the release date of the ROPA list if it places them over grade in their manning document position.

Reference: NGR (AR) 600-5, ANGI 36-101, ANGI 36-2101

3-4 Lateral Reassignment/Transfer

This procedure is an optional means of filling positions within the AGR force. Commanders have the authority to transfer AGR personnel outside of their initial tour

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within their command. This reassignment must be to a position not lower than the individual's current military grade unless the individual consents to a demotion. Grade inversion is not permitted. While not an absolute requirement, an AGR should be transferred to a position to which they are MOS/AOC/AFSC qualified. If this is not possible, the AGR will be afforded an opportunity to obtain training to reach the necessary skill level compatible with their new assignment. Members who fail to obtain the necessary qualification skills within a 12 month time will be either reassigned or terminated from their AGR status.

AGR personnel may be reassigned without consent and without geographical limitations within the boundaries of Nevada to meet the needs of the service. If the AGR refuses a reassignment, action can be initiated to separate the individual from the National Guard and AGR tour. An AGR who is reassigned at the request of the command is eligible to have PCS costs reimbursed. A reassignment initiated at the request of the individual is categorized as a permissive move and the AGR will be responsible for all costs associated with the move.

Reference: NGR (AR) 600-5, AR 135-18, ANGI 36-101, ANGI 36-2101

3-5 Temporary AGR Fills (AIR)

Commanders can utilize AGR personnel hired on a temporary basis to fill valid, vacant positions. This is providing that an Air AGR resource is available at the time of the request. Individuals filling these positions cannot exceed the maximum grade for the position. The AGR must be medically qualified for worldwide deployment. Temporary tours cannot exceed 179 days and Airmen are required to have a 31 day break between each temporary tour. Temporary tours are not required to be announced through advertising and may be terminated at any time by the commander.

Reference: ANGI 36-101

3-6 Enlisted Promotion System (EPS) (Army).

This program will be used IAW the Enlisted Promotion System (EPS). EPS provides opportunities for upward mobility in assignment, rank and eligibility to attend service schools. EPS is a viable program in filling AGR vacancies. Commanders must consider all priority placement personnel prior to utilizing EPS. Positions to be filled through EPS require commanders to forward a request through channels to the AGR Office requesting backfill for the position. The commander will be provided the EPS list and instructions for the selection of Soldiers through EPS. Each Soldier on the EPS list provided by the HRO-AGR Branch will be contacted in sequence until a Soldier accepts the assignment. Soldiers fully qualified for promotion will be automatically promoted upon assignment. If a controlled grade is required, the Soldier will be automatically placed on the controlled grade list. However, all commanders are encouraged to call the AGR branch to ensure their Soldier has been added.

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Reference: NGR (AR) 600-200

3-7 Promotions

Promotion is not a right, but a privilege earned by performance of duties and accepting the responsibilities of the duty position.

ARMY: You cannot be promoted above the grade authorized for the position you hold on the Full-Time Support Manning Document, even though the TDA/TOE may call for a higher grade. The maximum grade allowed is dictated by the Manning Document in relation to the held Para/Lin.

AIR: You cannot be promoted above the grade authorized for the position you hold on the Unit Manning Document (UMD).

Two important factors affect the selection process for promotion of enlisted AGR personnel:

(a) Needs of the Guard. The needs of the Nevada Guard change year to year. The number of projected vacancies at the next higher grade determines the number of AGRs promoted.

(b) NCO Qualification. NCO qualifications may be improved by keeping physically fit, improving military and civilian education levels, maintaining a valid security clearance and seeking challenging leadership positions.

In addition to qualifications, AGR personnel should review their official file / IPERMS on an annual basis to ensure all authorized documents are present, keep their official photograph (Officers/Senior NCOS) current and check it for quality, and ensure evaluation reports (NCOERS/EPR or OERS/OPR) are current.

Reference: NGR (AR) 600-200, NGR (AR) 600-100, ANGI 36-101

3-8 Details

AGR personnel may be detailed outside of their assigned MOS/AFSC by their commander. Details may not exceed 139 days duration. Supervisors need to take any extended details into account when rendering a performance evaluation.

Family members of AGR personnel will not be assigned nor detailed to organizations where one Family member holds or may hold a direct command or supervisory position over another full-time support Family member. In addition, this restriction applies to an assignment in which the AGR member or military technician could influence the outcome of a personnel action regarding a Family member.

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3-9 Tour Continuation

AGR's will be reviewed by the Active Continuation Board (ACB) prior to completion of their initial tour. Initial tours will all be for the duration of three years with exception of temporary AGR's. Review will be based upon the member's current end of initial tour date or having obtained 20 years of Active Federal Service (AFS).

a. All AGR's will be boarded within one year prior to completing initial tour. If continued, members will be entered into "career status" and force managed per applicable service regulations and organizational management controls.

b. **Air Force-** Upon obtaining 20 years AFS may appear before the ACB, and every two years thereafter until retirement.

c. **Army-** Upon obtaining 18 years AFS will be managed by the Active Service Management Board (ASMB). Those Soldiers who have not obtained 18 years AFS but meet the qualifications to go before the Qualitative Retention Board (QRB) will go through the QRB process and, if non retained, will be removed from the AGR program and separated from the NVARNG (retirement or transfer to Inactive Ready Reserve (IRR)).

Continuation in the AGR program is a privilege earned by demonstrated performance of assigned duties, maintenance of MOS/AFSC proficiency, maintaining physical fitness, meeting retention standards and having demonstrated potential for future promotion and or assignments of greater responsibility.

The HRO-AGR Branch will notify the member and supervisor when to forward records for review. When notified, individuals should review their records to ensure that all requested information for review is accurate and current. The primary responsibility for completing this review and determining whether the personnel file is accurate rests on the individual. Commanders and supervisors should review regulatory requirements to ensure AGRs in their command meet all requirements for tour continuation.

Reference: AR 135-18/ AR 600-5 (Army), and ANGI 36-101 (Air), NVNG Active Continuation Board (ACB) Memorandum

3-10 Controlled Grades

In addition to other promotion requirements, individuals seeking advancement to certain senior officer and enlisted ranks must obtain a controlled grade authorization. In order to prevent the organization from becoming "top-heavy", the Nevada Guard is only allotted a certain number of these authorizations. Controlled grades are 04 and above for officer, E8 and above for enlisted. Each service has established procedures for how these controlled grades will be apportioned. Controlled grade standings are maintained by the HRO-AGR branch.

Reference: NVNG AGR Policy Letter #09-07

3-11 Performance Evaluations

ARMY: Officer Evaluation Reports (OERs) and Noncommissioned Officer Evaluation Reports (NCOERs) will be prepared IAW current ARMY Regulations; 623-105 for officers and 623-205 for enlisted Soldiers. Published rating schemes should include the rated Soldier's immediate full-time supervisor in the rating chain whenever practicable. If there is no full-time supervisor in the rating chain the FTS supervisor should provide input to the Senior Rater.

AIR: Appraisals. All AGR personnel will have periodic appraisals rendered on at least an annual basis. Officers will have Officer Performance Reports (OPRs) rendered as required by AFI 36-2402, Officer Evaluation System. Enlisted personnel will be rated according to the procedures established in ANGR 39-62, Enlisted Performance Appraisal. Supervisors will counsel AGR members on their performance at least annually.

Reference: AR 623-3, AFI 36-2403

3-12 Continuing Education

At present, MOSQ/AOC/AFSC is the only education requirement for AGR tour continuation. All AGR Soldiers must be qualified in the skill level commensurate with the grade in their AGR duty position. Cross training in another MOS/AOC, when funds are available, is perhaps the most overlooked, but most important item in career development. Air AGR personnel must progress in training to a skill level compatible with their UMD assignment. Members who do not successfully acquire the necessary skill level will either be reassigned to a position for which they are qualified or removed from the AGR program.

Attendance at The National Guard Professional Education Center (NGPEC) for your related position, Readiness NCO/NCOIC, Training NCO, Supply NCO or Admin NCO, is mandatory. This training is designed to enhance capabilities to perform the day-to-day requirements of most AGR duty positions.

Civilian education continues to be of significant value in the selection of personnel to fill leadership positions. For further assistance regarding civilian education opportunities contact your State Education Officer.

Reference: AFI 35-2202, AFI 2101

Chapter 4- Separations/Retirements

4-1 General

All separations from the AGR program, voluntary or involuntary, are governed by directives published by National Guard Bureau. Individuals are expected to complete the period of duty specified in their AGR orders unless separated early from AGR status.

4-2 Voluntary Separations

Personnel may request resignation from the AGR program by submitting a written request through channels to the AGR Branch, at least 60 days in advance of requested separation date. The request must state the individual's intentions towards his or her M-day status with assigned unit. Under no circumstances will the request itself constitute termination. Requests for resignation will be reviewed by the State Adjutant General and approved or denied on a case by case basis. Termination of AGR status does not affect the remaining Nevada Guard enlistment contract. Unless specifically requested and granted, individuals will continue to perform IDT drills with their unit of assignment after termination of their AGR status.

References: NGR (AR) 600-5, ANGI 36-101

4-3 Involuntary Separation.

Full time military supervisors at any level may initiate a recommendation for involuntary separation IAW NGR (AR) 600-5 or ANGI 36-101. The recommendation must be referred to the individual for rebuttal.

ARMY/ AIR: The recommendation and rebuttal are forwarded through command channels to the AGR manager, then forwarded to the State Command Sergeant Major (Army Enlisted)/ Command Chief, respective organizations Chief Of Staff (Enlisted and Officer), then to the Adjutant General for a final decision. Records of counseling and attempts to take corrective actions should be attached to the request. If the cause of the action warrants discharge from the National Guard, then that process should be followed, to include any administrative discharge board proceedings.

The Adjutant General can appoint an investigating officer to informally review the matter and make a recommendation concerning separation or retention of the individual.

References: NGR (AR) 600-5, ANGI 36-101

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4-4 Mandatory Separation

This may occur without board action for the reasons listed below, regardless of the expiration date of current tour. Individuals should be given as much advance notice as possible.

A. Officers

1. At Mandatory Removal Date (MRD) or Mandatory Separation Date (MSD).
2. Twice non-selected for promotion by mandatory consideration board or by a reserve officer promotion board.
3. Non-selection by the selective retention board or active service management board.

B. Enlisted

1. At age 60
2. At Mandatory Retirement Date or Mandatory Separation Date.

C. Officer and Enlisted

1. Upon reaching Retention Control Point (RCP).
2. Failure to obtain, or loss of, required security clearance.
3. Conviction by civilian or military authorities for an offense that disqualifies the individual for retention.
4. Removal from Active Reserve status (i.e. transferred to Inactive Ready Reserve or does not maintain NVARNG membership).
5. Failure to meet assigned MOS or AFSC qualification standards within one year.

References: NGR 600-100, NGR 600-101, NGR (AR) 600-200, NGR 635-100, ANGI 36-101.

4-5 Retirement

Personnel are eligible for retirement from Active Guard/Reserve (AGR) duty upon completion of 20 years accumulated active federal service (AFS). AFS which includes AGR, active duty special work (ADOS), annual training (AT), initial active duty for training (IADT), active duty for training (ADT), and all other types of active service under Title 10 USC or Title 32 USC 502-505.

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When retiring with at least 20 years of AFS, an individual is entitled to receive an immediate annuity with all rights and privileges of Regular Retired Military (VA disability benefits are authorized). Individuals cannot receive retired reserve pay at age 60 if already retired from Active Duty and drawing that retirement annuity.

Upon retiring with 20 years of AFS, personnel retire at the highest grade held on active duty on the date of retirement, provided they satisfy the time in grade requirements for that rank.

The HRO-AGR Branch will assist the SM in scheduling retirement physical examinations at a qualified federal facility between 30 – 120 days prior to beginning transitional leave. Personnel must also attend a pre-retirement briefing prior to retirement. Attendance by spouses is not mandatory but strongly encouraged.

Reference: AR 37-104-1, AR 135-32, NGR (AR) 600-5, ANGI 36-3203, ANGI 36-101.

4-6 Medical Disability/Severance Pay

AGR personnel separated from active duty for service related injuries or diseases may be entitled to a monthly disability payment or a lump severance pay. Eligibility rules are very specific and detailed. Individuals will be fully advised of their rights or options if they are potentially eligible for medical disability separation.

References: AR 635-40, AFI 36-3203

4-7 Out-Processing Procedures- Non-Retirement

ARMY: Upon notification of approval for separation, commanders will follow the HRO-AGR Branch separation checklist (available from the HRO-AGR Branch). HRO-AGR Branch issues the DD Form 214 (Certificate of Release or Discharge from Active Duty). Upon completion of out-processing, AGRs must turn-in all ID cards associated with the AGR program (military and dependent) to HRO-AGR Branch or the servicing base Military Personnel Flight. In cases of stolen IDs, you must provide a copy of a Police Report that explains when and where the ID card(s) were stolen.

A physical examination is not a mandatory requirement for terminating from AGR status and failure to obtain a physical will not be grounds for retention in AGR status. If the individual has sustained major medical problems or undergone treatment during their AGR tour, they should ensure they have an approved LOD for any accident, injury or disease for which they may have been treated.

AIR: Out-processing will be coordinated and handled by the servicing Military Personnel Office. The DD 214 will be issued by the individual's servicing Military Personnel Flight.

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Final pay will be made via Electronic Funds Transfer (EFT). This final process will take 30-45 days to complete. Final pay at time of separation includes all pay and allowances due as well as payment for up to 75 days of unused leave balance.

Dental Care:

ARMY: If dental care cannot be obtained, personnel must notify HRO-AGR Branch as soon as possible so the appropriate block can be marked on your DD Form 214.

AIR: Federal Medical Treatment Facilities are available and must be used to get dental care prior to separation.

The VA hospital will offer a "one time" exam within 90 days of separation as long as your DD Form 214 reflects that dental care was not provided. The VA does not provide dental/eye care unless it's a result of a disability or service related injury. Long term treatment for service related injury/illness is referred to the VA.

References: AR 135-178, AR 635-5, AR 635-5-1, AR 635-8-21, AR 635-8-24, ANGI 36-101, AFI 36-3212, AFI 36-3202

4-8 Separation Pay

Personnel who are involuntarily separated and have served six or more years of continuous active federal service (AFS) immediately preceding their separation date, may be entitled to separation pay for specific reasons IAW the DOD Pay and Entitlements Manual. Currently, the only types of separation which warrant payment of separation pay are:

- (a) Failure on Weight Control Program (5%)
- (b) Board action (i.e. QRB, etc) (10%)

If the individual subsequently becomes eligible for retirement pay, any separation pay received must be repaid. Deduction for repayment will be automatically taken from their retired pay. Personnel involuntarily separated from active duty for any reason are entitled to Transition Counseling and Benefits.

Reference: 10 U.S.C. 1174, AR 135-18, ANGI 36-3212

Chapter 5 – Pay and Leave

5-1 Pay Process

ARMY: AGR personnel are paid through Defense Joint Military Pay System (DJMS) of the Defense Finance and Accounting Office, Indianapolis, IN (DFAS-IN). Pay inquiries should be directed to the AGR Branch.

AIR: AGR personnel should direct any pay inquiries to their base Military Finance Office. Satellite units will contact their host base.

It is the responsibility of the Commander, and individual to ensure that the AGR Branch is included in distribution of action documents that will affect a Soldiers pay.

5-2 Direct Deposit

ARMY: Any individual entering the AGR Program must have direct deposit of pay (SURE-PAY). The AGR Soldier and the financial institution (bank, savings & loan, credit union) must complete SF 1199A (Direct Deposit Sign-up Form). The form must include signature, account number, the routing number of the financial institution, and the customer service telephone number of that institution. The AGR Soldier and the Unit Admin NCO are responsible for sending the completed SF 1199A and DA Form 3685 (Jumps-ARMY Pay Election), to the AGR office prior to the tour starting date. It is the option of AGR personnel to be paid twice a month (on the 1st and 15th) or once a month (on the 1st).

AIR: Contact the base Military Finance Office for specific procedures.

Reference: DFAS Reg. 37-1

5-3 Allowances and Special Incentive Pays

Base Pay: Base pay depends on your grade and length of service. You receive Basic Allowance for Housing (BAH), and Basic Allowance for Subsistence (BAS)

Basic Allowance for Housing (BAH):

ARMY: The amount of BAH received is based on grade, dependency status, and duty location zip code. This tax-free allowance is for the purpose of offsetting a Soldier or Airman's housing and utility expenses. An AGR is authorized to live in government quarters. If government quarters are available and used, BAH is not authorized. Army AGRs must submit a new DA Form 5960 upon change of duty station or when there is a change in the member's dependent status. This change may affect the amount of money received for BAH. BAH is retroactive to the effective date of personnel action. The member is responsible for any difference owed if the amount decreases.

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AIR: Contact your base Military Finance Office for change procedures.

Basic Allowance for Subsistence (BAS): This tax-free allowance is designed to defray meal and food costs incurred by the member and is the same amount whether the member has dependents or not. AGR members need to be aware that when they attend annual training and draw meals from the unit mess, their BAS or rations not available (RNA) allowance will be subject to collection for that period. For enlisted personnel, BAS entitlement is a daily rate, for officers, BAS is one flat monthly rate for all commissioned grades.

Family Separation Allowance (FSA): An AGR is entitled to receive a tax-free Family Separation Allowance (FSA) for any period of TDY or mobilization that exceeds 30 days. The current rate is \$250 per 30-day period. Partial months (after first 30 days) are prorated by day. Individuals must submit a completed DA Form 1561, copy of TDY orders, DD Form 1351-2 and a copy of PAID travel voucher to the AGR office or Base Finance Office to qualify for this payment.

Clothing Allowance:

ARMY: Clothing allowance for enlisted Soldiers is paid annually during their anniversary month. Officers must request to receive a limited clothing allowance during their first six months on tour. Use FBH Form 19-1-68. The form can be obtained from the AGR Office. Enlisted will have the first six months of their tour to DX any unserviceable items and will have a prorated clothing allowance of six months.

AIR: Clothing issue and turn-in is conducted locally at each unit. AIR enlisted personnel are not eligible for a clothing allowance but may directly exchange damaged or unserviceable uniform and equipment. AGR officers are eligible for organizational equipment issue.

Special/Incentive Pays: Some AGR personnel may be eligible for special or incentive pay based upon the types of jobs they perform or the areas in which they serve. Some incentive pays are treated as tax-free and are usually paid at monthly rates.

(a) Aviation career incentive pay (ACIP) is paid to aviation officers to encourage continued service in aviation. Rates vary with years of aviation service up to a maximum dollar amount per month.

(b) Enlisted Soldiers may qualify for flight pay if they have skills that are authorized flight pay and are performing jobs that require flying as a crew member.

(c) Hazardous duty incentive pay (HDIP) is paid for performing certain hazardous jobs, such as parachutist or demolitions duty. A member may receive up to two HDIPs under certain conditions.

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(d) Proficiency pay, special assigned duty pay, incentive pay are paid to members who serve in critical skills or special assignments.

NOTE: AIR AGR personnel are eligible for special pay, but not incentives or bonuses.

Travel Allowances: Under certain conditions, when ordered to TDY away from a normal duty station, AGR personnel are authorized per diem and travel allowances as established by Joint Travel Regulations. Claims must be submitted no later than five days after completion of travel. AGRs will submit all travel claims through the Defense Travel System (DTS).

References: DFAS Regulation 37-1, Defense Travel System (DTS)

5-4 Allotments

An AGR is entitled to make allotments from monthly pay. The total allotments cannot exceed the amount of base pay and BAH after taxes and other authorized deductions. Voluntary allotments of military pay and allowances of service members in active military service are limited to discretionary and non-discretionary allotments.

(a) DISCRETIONARY ALLOTMENTS: An AGR is authorized no more than six allotments. DFAS is no longer authorized to pay allotments by any method other than electronic funds transfer (EFT). All allotments to individuals and organizations, with the exception of **Child Support Enforcement Agencies**, must go to or through an institution with a routing number.

ARMY: You must submit a DD Form 2558 for the following:

- (1) Commercial life insurance
- (2) Payment to a dependent or relative
- (3) Support payments--contradiction
- (4) Deposits to a financial institution, mutual fund company or investment firm
- (5) Payment of car loan
- (6) Payment to mortgage company, realtor or landlord
- (7) Payment of a loan to repay consumer credit

AIR: Contact your base Military Finance Office

(b) NON-DISCRETIONARY ALLOTMENTS:

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- (1) Savings Bonds (DD Form 2559)
- (2) ARMY Emergency Relief and American Red Cross
- * (3) Combined Federal Campaign
- * (4) any debt owed to the government
- * (5) Relief organizations
- * (6) Payment of delinquent local, state or federal income tax

* Allotments are made for indefinite periods of time, **EXCEPT** those indicated. Allotments may be continued into retired status; however, once the retiree discontinues any such allotment, it cannot be re-established.

Reference: DFAS Regulation 37-1

5-5 Pay Inquiries

ARMY: The HRO-AGR Branch will assist individuals with pay problems when necessary. Most pay problems can generally be corrected with the assistance of the Military Exam Branch, USPFO for Nevada.

AIR: Contact your base Military Finance Office for assistance and inquiries.

5-6 Life Insurance and Dependent Indemnity Compensation

AGR personnel are covered under the Servicemen's Group Life Insurance (SGLV) program for \$400,000 with a \$100,000 death gratuity, unless an election is made to participate for a lesser amount or decline insurance. Upon retirement, the SGLV may be converted to Veteran's Group Life Insurance (VGLI) within 120 days of release from active duty. If the amount of SGLV coverage is changed by law, and the individual elects less coverage or not to participate, a new VA Form SGLV 8286 must be completed.

Dependent Indemnity Compensation (DIC): An annuity paid to survivors of AGR personnel if they die in the line of duty on active duty, active duty for training (ADT), or while traveling to or from ADT. If the individual has qualified for (and elected) the Survivor Benefit Plan (SBP), survivors will be paid the greater of DIC or SBP. DIC may also be paid to survivors of some totally disabled veterans. See also para. 8-6.

5-7 Commonly Used Pay Documents

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ARMY: Following is a list of the most commonly used pay documents. Please contact the AGR Military Pay Examiner with any questions concerning their preparation.

DA Form 3685 (JUMPS - JSS Pay Elections)
DA Form 5960 (Authorization to Start, Stop or Change BAH)
DA Form 4187 (Start/Recoup BAS – Enlisted/Officer)
DA Form 4187 (Payment of Accrued Leave)
DD Form 1561 (Statement to Substantiate Payment of Family Sep. Allowance)
DD Form 2058 (State of Legal Residence Certificate)
DD Form 2494 (Uniformed Services Active Duty Dependent Dental Plan (DDP) Enrollment)
DD Form 2558 (Authorization to Start, Stop or Change an Allotment for Active duty or Retired Personnel)
DD Form 2559 (Savings Bond Allotment Authorization/Active Duty or Retired Pay)
DD Form 2560 (Advance Pay) used in conjunction with a household move only
DD Form 2660 (Statement of Claimant Req. Recertified check)
SF Form 1199A (Direct Deposit Sign-Up Form)
FBH Form 19-1-68 (Payment of Uniform Allowance-Officer Personnel)
Form W-4 (Federal Taxes)

AIR: The AIR Force uses many forms that are the equivalent of the DA Forms listed above. The DD forms are standard across services. Consult your base Military Finance Office for specific instructions.

References: DOD 7000.14-R, JFTR Vol. 1, JTR Vol. 2, NGB Pam 600-15, AR 37-104-3

5-8 Leave and Passes

Leave and Pass management is an important function of full-time supervision. The full-time supervisor of an AGR member has the responsibility to ensure the Soldier performs assigned duties, is present for duty when required, and is afforded fair and reasonable treatment which includes reasonable time-off consistent with responsibilities to the mission of the organization.

Leave is an individual entitlement that should be pre-planned and scheduled to obtain the maximum benefit for the individual and the organization. Supervisors should make every reasonable effort to grant leave during holiday periods, during significant Family events, and after major training periods.

References: AR 600-8-10, ANGI 36-3003

5-9 Procedures and Responsibilities for Leave Administration.

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ARMY: To request leave, AGR personnel must initiate an automated leave request using the Full Time Support Management Control System Leave Log located at <https://ftsmcs.ngb.army.mil/LeaveLog/>. Each Soldier will initially have to set up an account before submitting the request. Supervisors will approve the leave and if required, a digitally signed DA Form 31 will be generated. When the Soldier returns from leave, the immediate supervisor will verify the dates and enter "return from leave".

AIR: To request leave, Air AGR personnel must initiate and automated leave request using LEAVE WEB located under Personnel and Finance on the AF Portal. New AGR hires must contact 152 MPF to gain access to Leave Web. Supervisors will approve or deny the leave request and when the Airman returns from leave, the immediate supervisor will verify the dates and enter "no change in leave".

Below applies to all AGR other than ordinary leave requests and members on temporary Air AGR tours

An AF Form 988 will be submitted to their full-time supervisor for approval and signature. Personnel should retain the individual's copy (#2) of the approved leave form to keep with them during the period of leave. The immediate supervisor will approve or deny requests for leave. If the leave request is approved, the supervisor will complete the form and hold for further processing. If the request is disapproved, the supervisor will provide a brief written explanation on the form and return it to the requesting AGR. When an individual departs for leave, the supervisor will annotate the departure date and time and forward the form to the appropriate office. The form will then be transmitted by the supervisor to the servicing FM for action.

ARMY/ AIR: AGR personnel intending to travel out of country need a Leave Control Number (LCN). This LCN is obtained by submitting to the supervisor a digitally signed DA Form 31 through the FTSMCS site or the AF Form 988 to the FM. The supervisors using the FTSMCS site or FM office will forward to the AGOH-HRO-AGR for coordination and assignment of a control number. The leave form must include the following: (1) Date of birth/place of birth; (2) Country(s) to be visited; (3) Date, point, and means of entry; (4) Purpose and length of visit; (5) Point of Contact address and telephone number; and (6) Date, point, and means of departure. NOTE: Space A flight dispatch, overseas military vacation and housing coordination, and some Airlines require an LCN on the leave form.

Prior to executing leave members must have an approved leave request.

References: AR 600-8-10, ANGI 36-101, Full Time Support Management Control System Leave Log

5-10 Convalescent Leave

Convalescent leave requires a signed doctor's statement, with a full explanation of injury or illness, to be submitted with the leave form through the chain of command to the AGR office or MPF.

ARMY: Convalescent leave is a non-chargeable absence from duty granted to expedite a Soldier's return to full duty after illness, injury, or childbirth. The hospital commander or designee (State Surgeon or Base Medical Commander) is the approval authority for convalescent leave for 30 days or less (42 days after normal pregnancy and childbirth). Only hospital commanders will approve convalescent leave in excess of 42 days after childbirth when a Soldier is assigned or attached to the medical holding unit (AR 40-3, para 9-2) during one continuous period of hospitalization. If the Soldier is not hospitalized, unit commander is the approval authority.

The unit commander is the approval authority for up to 30 days convalescent leave (42 days after normal pregnancy and childbirth) for a Soldier returning to duty after illness or injury the approval authorities (Commander and/ or hospital Commander or designee) establish procedures for granting convalescent leave.

Hospital commanders are the only approval authority for requests in excess of 30 days (or in excess of 42 days for childbirth). Attending physician determine leave to be necessary in the care and treatment prescribed for recuperation and convalescence and recommend a period of convalescent leave, with full justification, to the approval authority (Commander and/ or hospital Commander or designee). Commanders will ensure leave is limited to the minimum amount of time essential to meet medical needs and will further consider diagnosis, prognosis, and probable final disposition of Soldier.

If requested by commander, hospital commanders or designee will confirm physician's recommendation and advise Soldier to report any complications or medical problems. If warranted by medical condition, hospital commander may grant leave extension or considers other appropriate options and further more advise Soldiers whether they are to return to the hospital or place of duty after convalescent leave.

Commanders may consider granting Soldier's request for additional accrued, advanced, and or excess leave, as appropriate.

Rules to grant convalescent leave when Soldiers return to unit after illness or injury Prior to approval, obtain supporting recommendation and recommendation from the attending physician or hospital commander (or designee as stated above) to verify what, if any, convalescent leave Soldier has had while assigned or attached to hospital, only that portion is authorized which, when added to hospital-approved leave, will not exceed 30 days or 42 days if the reason is pregnancy and childbirth. A commander may require early return of a Soldier if that Soldier's absence will clearly have an adverse impact on readiness or operational mission of the Soldier's unit. A cognizant military health authority must determine that such action is medically acceptable.

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AIR: Convalescent Leave. Convalescent leave is an authorized absence normally for the minimal time essential to meet the medical needs for recuperation. It is not chargeable leave. The unit commander normally approves convalescent leave up to 30 days based on the recommendations by either the MTF authority or the attending physician most familiar with the member's medical condition. The commander will not approve more than 30 days initial convalescent leave. Extending convalescent leave beyond 30 days requires additional medical review and consent, which may be accomplished by the attending physician or base Medical Commander. Exception: Convalescent leave due to pregnancy or childbirth. Note: During short absences of the unit commander, the commander's designated representative may approve, in the commander's name, convalescent leave.

Absences from duty because of pregnancy and childbirth; During pregnancy, members continue to perform normal duties as long as they are medically fit to do so. When it is necessary for the member's or fetus' health and safety, convalescent leave is appropriate as long as it is medically required. For childbirth, postpartum convalescent leave following normal pregnancy is 42 days to allow time for the mother to recover physically. Convalescent leave begins the day of discharge from the medical treatment facility and continues through the day before the member's return to duty. Medical authorities determine whether the mother's medical condition warrants convalescent leave beyond 42 days.

The medical authority (Base Medical Commander and Hospital Commander) or attending physician determines when a medical condition warrants continuance of convalescent leave and whether the member can depart the local area while on convalescent leave. Convalescent leave begins the day of release from the medical treatment facility and continues through the day before the member's return to duty, if applicable, or return to in-hospital status. A member may voluntarily terminate convalescent leave earlier with the attending physicians approval. A member may request ordinary leave after completing convalescent leave which is left to the discretion of the Commander. The unit commander may terminate convalescent leave status if the member's continued absence from duty would clearly have an adverse impact on the readiness or operational mission of the unit. The unit commander must consult the cognizant military health authority to determine whether such action is medically advisable prior to terminating convalescent leave.

Reference: DOD Directive 1327.5, AR 600-8-10, AFI 36-3003

5-11 Maternity / Paternity Leave

Maternity: This leave can be granted for up to six weeks of convalescence for AGR personnel after the successful conclusion of their pregnancy. This six week period may be extended with the recommendation and justification of the individual's doctor and approval from the State Surgeons office for Army AGR; and to the Base Medical Clinic for Air AGR personnel.

Paternity (**ARMY Only**): A married Soldier is authorized up to ten consecutive days of non-chargeable administrative leave after the birth of his child/children. This leave must be taken within 45 days after the birth of his child/children. Redeployed Soldiers have 60 days after returning from deployment to utilize the ten days of paternity leave or it is lost.

References: AR 600-8-10, ANGI 36-101; NGB-ARH Policy Memo 09-019

5-12 Transition Leave

Transition leave is ordinary leave that may be granted in conjunction with a transition (ETS, Resignation, Retirement). Transition leave (previously referred to as terminal leave) should begin only after all out-processing activities have been completed. The amount of transition leave approved will not exceed the individuals leave balance. Leave will not be granted if it interferes with timely out processing or transition requirements. Transitional leave will be continuous, and must end on the effective date of the individual's separation. Leave forms for both Army and Air personnel must be submitted prior to the start date of the transition leave. Any leave not used may be turned in for pay upon final separation, as long as the total leave paid within the individual's career does not exceed 60 days.

References: AR 600-8-10, AFI 36-3003

5-13 Passes

A pass or special pass is leave time provided as non-chargeable time-off, granted by the immediate full-time supervisor. Passes should only be granted if an individual's performance or arduous duty merits approval of additional time-off. Refer to the referenced regulations for all details.

ARMY: The FTSMCS DA Form 31 will be used to document all passes. A special pass begins and ends at the duty location, or at the location where the Soldier normally commutes to duty. The individual must physically be at one of these locations when departing to and returning from a special pass. A special pass can be granted in conjunction with TDY.

AIR: AGRs will utilize the DD Form 345.

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References: AR 600-8-10, AFI 36-3003, DODI 1327.06

5-14 Chargeable Leave

When a holiday falls within an individual's leave dates, the holiday must be charged as leave. When leave begins on a holiday, or when it terminates on a holiday, it is generally not charged as leave. Chargeable leave includes emergency, leave in conjunction with TDY or PCS, ordinary, and transitional. Non-Chargeable leave includes sick-in-quarters, sick-in-hospital, convalescent, paternity and mental incapacity.

References: AR 600-8-10, AFI 36-3003

5-15 Leave Accrual

Leave accrues at a rate of 2.5 days per month. Leave cannot be taken in half day or hourly increments. AGR personnel can only carry over 75 days of accrued leave at the start of a new fiscal year (1 October). Any leave exceeding 75 days is normally forfeited absent compelling circumstances (I.E Deployments) beyond the individual's control.

References: AR 600-8-10, NGR (AR) 600-5, AFI 36-3003.

5-16 Absent Without Leave (AWOL)

AWOL is any period of time an individual is absent from his/her duty station without the supervisor's knowledge. An individual is considered AWOL when they have not reported for a period of 24 hours. AWOL time is counted as lost time and is measured in day/24 hour increments. All pay and allowances are terminated during the AWOL period. AWOL status constitutes sufficient reason for an individual to be separated from the AGR program.

ARMY: Once an individual fails to report for duty for a 24 hour period, the officer in charge (OIC) reports the AWOL status to the CoS. The OIC must submit a change of duty status report on DA Form 4187 to change status from duty to AWOL effective the beginning of the AWOL period.

AIR: Once an individual fails to report for duty for a 24 hour period, the OIC reports by telephone the AWOL status to the Commander. The OIC must submit a change of duty status report on AF Form 2096 to change status from duty to AWOL effective the beginning of the AWOL period.

References: AR 600-8-10, AFI 36-3003

5-17 Permissive TDY

Permissive TDY is performed at no expense to the government and is not charged as leave to the individual. The activity must be semi-official in nature and beneficial to the

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service. The activity must not be a requirement of assigned military duties. An example would be to go on a house-hunting trip as a result of PCS orders to a new location.

ARMY: Request for Permissive TDY is submitted by the Soldier on the FTSMCS DA Form 31.

AIR: A request for permissive TDY is submitted on AF Form 988 and forwarded to the base MPF.

References: AR 600-8-10, AFI 36-3003

5-18 State Active Duty

AGR members may not be placed in a State Active Duty (SAD) status. When a declared emergency occurs, AGRs may support a SAD operation by performing their normal AGR functions using specific skill sets for the response effort. These functions may be used while deployed in a forward CONUS location.

Reference: Utilization of the Full-Time Force for CONUS Disaster Response, 27 Apr 09

5-19 Collection of Debts to the Government

Generally, debts owed by AGR members to the United States and its agencies may be collected involuntarily from the member's pay if voluntary methods fail. Prior to actual collection the responsible Accounting & Finance office must provide the AGR written notice of the debt and give an opportunity to dispute the debt.

The government usually prefers to collect its debts in a lump sum; however, agreements can be made for installment payments if the member is unable to pay off the debt at one time. Interest and penalty payments can also be added once payment is first demanded.

Under certain circumstances an AGR can seek to have a waiver or remission of a debt. Specific guidance on this procedure should be obtained from the AGR's commander. Such a waiver will usually only be allowed where the debt or erroneous overpayment was not caused by an act of the member and a collection of the money will result in a serious financial hardship to the member.

References: DOD Reg. 7000-14 Nevada Revised Code 5923.10, AR 37-1

5-20 Garnishment of Pay

In addition to the ability to withhold money owed the government, recent changes in the law now allow garnishment (seizure) of the pay of federal civilian and military personnel for debts owed to outside parties. This would include debts owed banks, credit card companies, retail establishments and child/spousal support obligations.

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In order for an AGR's pay to be garnished, a court order establishing the debt must exist. Under Nevada law, adequate prior written notice must be given to the individual allowing them an opportunity to pay all or part of the debt prior to garnishment taking place. Additionally, no more than 25% of a person's monthly gross pay can be garnished each month. AGRs facing possible collection action for private debts should consult with a JAG for a full explanation of their rights and responsibilities.

References: 42 U.S.C. 659, 5 U.S.C. 5520, AFI 36-2906

5-21 Government Issued Credit Cards

During the course of duty, AGR Soldiers are often required to travel on official temporary duty. To facilitate this official government travel, they are issued credit cards for payment of gas, meals, lodging and other approved expenses. These cards are issued with the sole purpose of being used for government travel; they are not for personal use. Use of these cards for other than authorized purposes could result in disciplinary action.

Soldiers using the credit cards are responsible for making payments on charges made with the card to the company which issued the card. The card is to defray the immediate need for cash. Upon completion of the temporary duty the individual must still file a travel voucher for reimbursement of all expenses incurred. If the Soldier is delinquent in making payment on the card, the government may now collect the debt owed directly from the Soldier's pay. There is a 15% limit on the amount that can be collected at any one time.

Reference: Travel and Transportation Reform Act of 1998

Chapter 6—Medical Care -

6-1 TRICARE: The Basics

TRICARE is a regionally managed health care program for Active Duty, Activated Guard and Reserves, Retired members of the uniformed services, their families, and survivors. TRICARE brings together the health care resources of the Army, Navy and Air Force and supplements them with networks of civilian health care professionals to provide better access and high quality service while maintaining the capability to support military operations.

Active Duty and AGR service members are automatically enrolled TRICARE Prime. However military dependents must choose the TRICARE option that best suits their needs. Your main challenge will probably be deciding which TRICARE option, Prime, Extra or Standard, is best for your Family.

TRICARE has three main coverage choices for health care:

- TRICARE Prime (and Prime Remote) - where Military Treatment Facilities (MTFs) are the principal source of health care.
- TRICARE Extra - a preferred provider option that saves money; and
- TRICARE Standard - a fee-for-service option (the original CHAMPUS program)

6-2 TRICARE Prime and Prime Remote

TRICARE Prime

For active duty families, there is no enrollment fee for TRICARE Prime, however they must complete an enrollment form to select Prime as their coverage plan. With TRICARE Prime, most health care will come from a military treatment facility (MTF), along with the TRICARE contracted Civilian Medical Providers called Preferred Provider Network (PPN).

Primary Care Manager:

Your Primary Care Manager (or team of providers) will see you first for your health care needs. The Primary Care Manager:

- Provides and/or coordinates your care
- Maintains your health records
- Refers you to specialists, if necessary (To be covered, specialty care must be arranged and approved by your Primary Care Manager)

Care is usually provided in a military treatment facility, but civilian clinics may be used in some cases.

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TIP: TRICARE Prime members should always seek the advice of their Primary Care Manager (or local MTF) before seeking medical attention from any specialists or other medical facilities.

Point of Service (POS) Option:

The POS Option under TRICARE Prime allows enrollees the freedom to seek and receive non-emergency health care services from any TRICARE authorized civilian provider, in or out of the TRICARE network, without requesting a referral from their Primary Care Manager (PCM) or the Health Care Finder (HCF). When Prime enrollees choose to use the POS option, all requirements applicable to TRICARE Standard apply except the requirement for a Nonavailability Statement(NAS).

POS claims are subject to outpatient deductibles (\$300 individual and \$600 Family), 50% cost-shares for outpatient and inpatient claims, and excess charges up to 15% over the allowed amount. The 50% cost-share continues to be applied even after the Enrollment Year catastrophic cap has been met.

TRICARE Prime – Advantages:

- No enrollment fee for active duty and families
- Small fee per visit to civilian providers, and no fee for active duty members
- No balance billing
- Guaranteed appointments (access standards)
- Primary care manager supervises and coordinates care
- Away-from-home emergency coverage
- Point-of-Service option

TRICARE Prime – Disadvantages:

- Provider choice limited
- Specialty care by referral only
- Not universally available

TRICARE Prime Remote

TRICARE Prime Remote (TPR) provides healthcare coverage through civilian providers for those U.S. Uniformed Service Members and their families who are on remote assignment. It applies to members of the Army, Navy, Marine Corps, Air Force, Coast Guard, U.S. Public Health Service, and National Oceanic and Atmospheric Administration. You must live AND work more than 50 miles or approximately one hour's drive time from the nearest Military Treatment Facility. TPR is offered in the 50 United States only.

When you enroll in TPR, you may select a primary care manager (PCM) from the TRICARE network. If a network PCM is not available, you may select any TRICARE-

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authorized, non-network provider as your PCM. Your PCM will provide most of your care or refer you to a specialist for care he or she cannot provide.

With TPR enrollment, you have time and distance standards for care including wait times for urgent, routine and specialty care. Other benefits include enhanced vision and preventive services and travel reimbursement for some specialty care.

There are no enrollment fees and no out-of-pocket costs for any type of care as long as care is received from your PCM or with a referral. Care received without a referral is subject to point-of-service fees.

6-3 TRICARE Extra

Under this option, the AGR's Family doesn't have to enroll or pay an annual fee. They do have to satisfy an annual deductible for outpatient care, just as under TRICARE Standard. The deductible and cost sharing work the same way for TRICARE Extra. In the TRICARE Extra program, when you receive care from a TRICARE Extra network provider, you get a discount on cost sharing, and you don't have to file your own claims. You don't enroll and may use TRICARE Extra on a case-by-case basis just by using the network providers. TRICARE Extra is not available overseas or to active duty service members.

Advantages

- Co-payment 5% less than TRICARE Standard
- No balance billing
- No enrollment fee
- No deductible when using retail pharmacy network
- No forms to file
- You may use also TRICARE Standard

Disadvantages

- No Primary Care Manager
- Provider choice is limited
- Patient pays Deductible and Co-payment
- Non availability statement may be required for civilian inpatient care for areas surrounding MTF's
- Not universally available

6-4 TRICARE Standard

TRICARE Standard is the TRICARE option that provides the **most flexibility** to TRICARE-eligible beneficiaries. It is the fee-for-service option that gives beneficiaries the opportunities to see any TRICARE-authorized provider. TRICARE Standard is not available to active duty service members. Standard shares most of the costs of

medically necessary care from civilian providers when military treatment facility (MTF) care is unavailable.

Reasons for Choosing TRICARE Standard:

Beneficiaries who are happy with the treatment they currently receive from a specific civilian provider that may not be in the TRICARE provider network often choose to use TRICARE Standard. Some beneficiaries may live in areas where the TRICARE Prime network is not available, and TRICARE Standard may be their only option. TRICARE Standard may be used as secondary coverage for these beneficiaries.

Standard's Pros – Advantages:

- Broadest choice of providers
- Widely available
- No enrollment fee
- You may also use TRICARE Extra

Standard's Cons – Disadvantages:

- No Primary Care Manager
- Patient pays Deductible and Co-payment
- Patient pays balance if bill exceeds allowable charge and provider is non-participating (up to 15% additional)
- Non-availability statement may be required for civilian inpatient care for areas surrounding MTFs
- Beneficiaries may have to do their own paperwork and file their own claims

Important Note: The Point of Service annual deductible and cost-share amounts do not count toward your enrollment-year maximum out-of-pocket expense, but instead are credited to your fiscal year maximum. There is no limit to the amount of a patient's responsibility under the POS option.

Reference: TRICARE Website @ www.tricare.mil/mybenefit/home/overview

6-5 DEERS –Defense Enrollment Eligibility Reporting System

The Defense Enrollment Eligibility Reporting System (DEERS) is a worldwide database of military sponsors, families and others who are covered by TRICARE. The Department of Defense uses DEERS to check those who are eligible for TRICARE health care benefits. The DEERS computer database helps service families by protecting the health benefit for those who are actually entitled to care. AGR personnel are automatically enrolled when a CAC ID card is issued, but they must take action to enroll their Family members into TRICARE and make sure they are correctly entered into the system. All Family information in the DEERS files is listed and updated only if the military sponsor specifically gives the new or changed information to DEERS.

Problems arise when a military sponsor gets married, divorced, has a child, or adopts a child and doesn't tell DEERS about the change. Claims for health care under TRICARE may be denied because the DEERS files were not updated by the sponsor. A claim may be paid by mistake because there was no record in DEERS of a divorce or death, or by gaining Medicare entitlement. The government is required by law to get the money back from the person, to whom it was incorrectly paid, regardless of who was responsible for the mistake. Family members who are not enrolled, or who have questions, should contact the nearest military personnel office of any uniformed service for assistance, www.dmdc.osd.mil/rsl/

Reference: AR 600-8-14, AFI 36-3026

6-6 Routine/Non-Emergency Care

All AGR personnel must select a TRICARE network provider. If the AGR Soldier lives within the 50 mile catchment area of a Military Treatment Facility (MTF), the Soldier must elect that MTF as their Primary Care Provider then complete and submit the enrollment form. All routine medical care must be obtained from the PCM, a TRICARE network provider or MTF unless there are not providers within 50 miles of the AGRs duty station or the HOR. Routine specialty care requires a referral from the PCM, who will in turn contact TRICARE for prior authorization. If the appointment is for specialty care or surgery, then the TRICARE authorization number must be obtained from the PCM prior to calling for the control number.

6-7 Emergency Care

Emergency care is defined as "the sudden and unexpected onset of a medical condition, or the acute worsening of a chronic condition, that is threatening to life, limb or sight, and which requires immediate medical treatment, or which requires treatment to relieve suffering from painful symptoms." Medical emergencies include heart attacks, cardiovascular accidents, poisoning, convulsions, kidney stones, and other acute conditions that are determined to be medical emergencies. Pregnancy-related medical emergencies must involve a sudden and unexpected medical complication that puts the mother, the baby, or both, at risk. If an AGR has an obvious medical emergency, they should contact 911 or go to the nearest hospital. If uncertain if the medical condition is an "emergency", the 24-hour Ask-A-Nurse at TRICARE (1-877-TRICARE) should be contacted. The nurse will take medical information and determine if it is an emergency or urgent care.

Since TRICARE cards are not required for AGR personnel, use of the military ID card for insurance care is recommended in addition to informing the clerk of TRICARE coverage. If admitted to the hospital due to the emergency, the unit POC must provide the name, city and phone number of the hospital along with the AGRs information and reason for hospitalization. A Line of Duty investigation (LOD) must be initiated for AGR personnel requiring emergency medical care.

6-8 Civilian Hospitalization

In order to obtain civilian hospitalization, the PCM or specialist must contact TRICARE for prior authorization. TRICARE is the approving authority for scheduled hospitalizations. Upon approval, TRICARE will issue an authorization number to the PCM or specialist.

6-9 Military Treatment Facilities

AGR personnel may use any military treatment facility. Military identification or DEERS verification is required before treatment. The health record should be hand carried to the MTF. **If a MTF is the Primary Care Provider, Health and Dental records must be maintained at MTF.** If the AGR is using a network PCM and needs/wants to see a specialist at the MTF, a referral from the PCM is still required. The PCM must contact TRICARE to coordinate a referral. If the PCM is the MTF then the AGR will go through the Primary Care Clinic for referral to a specialist.

6-10 Dental Care

AGR personnel have the option of receiving dental care by a military dental clinic, VA clinic or through a civilian dentist of choice. AGR personnel are entitled to routine and preventive care as a covered benefit. This includes annual dental examinations, x-rays, bi-annual examination and cleaning, and fillings as needed. Any special dental care beyond these services will require prior authorization from the individual's service POC. All AGR personnel are required to have an annual dental examination.

Dependents can obtain Family Member Dental Plan (FMDP) coverage through their AGR sponsor for a minimal monthly fee deducted from the individual's pay. In order to obtain this coverage the sponsor must complete a DD Form 2494 or DD Form 2294-1 and submit through their servicing HRO office. Processing time is approximately 30 days before the first monthly premium is deducted from the sponsor's pay. Personnel should be aware that a period of delay could be encountered by the Dental Plan in receiving dependent verification from DEERS. As a general rule, dependent dental care should be postponed until the first premium deduction is verified to prevent the claim from being rejected.

Family members may use any civilian dentist of their choice; however, additional savings will be realized if the dentist participates in the United Concordia FMDP. Additionally, participating dentists are required to submit any claim paperwork directly, thereby saving on unnecessary paperwork. Any questions regarding the FMDP can be made toll-free to United Concordia at 1-800-866-8499 or by visiting the website at www.ucci.com.

Reference: Tricare Information Pamphlet FMDP23

6-11 Prescriptions

AGR personnel may use any of the following prescription services:

TRICARE Network Pharmacy. To obtain a listing of pharmacies search the HealthNet Federal Services Website (www.hnfs.net) for pharmacies in the North Region.

TRICARE Mail Order Pharmacy Program (TMOP). This program is managed by Express Scripts. You should use the TMOP for long-term prescriptions such as medication to reduce blood pressure or treat asthma, diabetes, or any chronic health conditions, and birth control pills.

Military Treatment Facility (MTF). AGRs within the catchment area must use the MTF for all prescriptions. AGRs outside the catchment area may use an MTF for prescription services, even if a civilian provider issued the prescription.

6-12 Physical Profiles

A physical profile is a means of identifying whether military personnel have medical problems that may limit their ability to perform the full range of their assigned MOS/AOC duties in a worldwide environment. Profiles can either be temporary or permanent. All profiles must be issued by a military doctor and not a civilian physician. If an individual requires a permanent profile then it must be initiated at an active component military treatment facility (MTF). If the individual is using a civilian Primary Care Manager, they must refer the AGR to the specific clinic that treats the condition through TRICARE. I.

When obtaining a permanent profile the individual is required to provide the physician with all military and/or civilian documentation pertaining to the medical condition. The profile must be signed by two active duty military physicians.

Reference: AR 40-3, AFI 36-3212

6-13 Physical Performance Evaluation System (ARMY)

This program is designed to evaluate military personnel with permanent medical conditions to determine if they can perform satisfactorily in their primary MOS in a worldwide field environment.

Fitness For Duty (FFD). When a commander believes that one of his or her personnel is unable to perform the duties of his or her office or rank because of physical or mental disability, the commander will submit a FFD request along with all medical documentation and DA Form 705 to the G-1, ATTN: HHS for evaluation. The request for evaluation will be in writing and will state the commander's reasons for believing that the individual is unable to perform duties. An individual referred for a mental health evaluation has certain legal protections that must be observed prior to referral. Specific

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questions on these procedures should be directed to the HRO. See DODD 6490.1 for further guidance on command directed Mental Health Evaluations.

MOS Administrative Retention Review (MAR2). The MAR2 is an administrative screening board to evaluate Soldiers with permanent medical conditions to determine if they can satisfactorily perform their PMOS. The MAR2 replaces the MMRB process. One of the major changes is the Soldier no longer appears personally before the board since this is an administrative process. The MAR2 evaluation process is not intended to be used as an assessment of the quality of the Soldier's performance or promotion potential nor does it determine whether a Soldier should be separated for medical disability. Its sole function is to determine if the Soldier has the physical ability to reasonably perform in his or her primary MOS. All AGR personnel who are issued a permanent physical profile with a numerical score of "3" in one or more of their physical profile serial (PULHES) factors are required to be referred to a MAR2 unless they have been directly referred through the physical disability evaluation system. A Soldier is required to provide all relevant evidence regarding their medical condition. The MAR2 can recommend that an individual be reclassified into another PMOS , retained or referred to a Medical Evaluation Board.

Medical Evaluation Boards. This is an administrative screening board charged with evaluating an individual's ability or inability to physically perform his or her duties, and fully document his or her medical status and any limitations. An AGR with a permanent physical profile and a numerical factor of a "3" or "4" in one or more of his or her physical profile serial (PULHES) are required to be referred for evaluation by the MEB. The AGR may be required to attend MEB appointments at the Military treatment facility depending on the medical condition(s). He or she will be provided advance notice and afforded a full opportunity to provide statements, medical records, and other evidence he or she wish the MEB to consider. If the MEB determines that the individual does not meet retention standards, the board will recommend that the individual be discharged as well as the percentage of disability and amount of payment. The AGR will be advised of the results of the MEB and given the opportunity to read and sign the report of MEB proceedings. If the individual does not agree with all or part of the MEB report, he or she will be advised of his or her appeal rights to the Physical Evaluation Board.

Physical Evaluation Boards. The function of the PEB is to evaluate all cases of physical or mental disability in a manner fair to both the individual and the Nevada National Guard. AGRs will be referred to the PEB from the MEB. The PEB is a two stage hearing process with an informal proceeding and a later, formal hearing if requested by the individual. The AGR is entitled to present evidence in his or her behalf and to have the assistance of appointed military legal counsel. The PEB will make a final determination as to whether the individual should be retained or separated and the disability entitlement. If separation is mandated, the orders will be forwarded through medical channels for discharge action.

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AGR personnel who are pending MEB or PEB action may not reenlist. They may be voluntarily extended past their scheduled ETS until a final determination is made in their case.

Line of Duty (LD). Even though AGRs are full-time active duty and considered 24/7, LDs are still required if a Soldier was injured while in an active duty status. LDs are completed for AGR Soldiers to assist in VA Benefits or if a Soldier changes their status from AGR to M-Day. Formal LDs are required if misconduct or negligence is suspected resulting in the injury.

Reference: AR 635-40, AR 40-3, AR 600-60, AFI 36-3212, AFI 48-123

6-14 Medical Evaluation Boards (AIR)

A Medical Evaluation Board (MEB) will be conducted by a unit's physicians whenever an AGR sustains an injury, incurs a disease, or has a medical condition that places continued qualification for further active duty service in doubt. The AGR will be provided written notice that his or her case will be considered and afforded the opportunity to provide any evidence or documentation that he or she feels is relevant to his or her medical condition. There is no right to a personal appearance before the MEB. If the MEB determines that the individual is medically disqualified for continued service, then the recommendations and findings are routed through the command to the National Guard Bureau Surgeon General. Again, the AGR may dispute the findings and provide rebuttal information for consideration by the NGB/SG. If, after review, the NGB/SG approves the findings of the MEB, then that office will direct the Nevada Air National Guard to process the individual for discharge.

Reference: AFI 41-115, AFI 41-120

Chapter 7- Disciplinary Matters

7-1 Military Justice Jurisdiction

Jurisdiction defines a commander's authority to take disciplinary action. AGR Soldiers are under the jurisdiction of the Nevada Code of Military Justice (NCMJ) when they are in their usual Title 32 duty status. As is the case with traditional Guard Soldiers, this jurisdiction changes to the Uniform Code of Military Justice when the Soldier deploys for overseas duty, initial training, or active federal service. Service members entering on Active Duty are placed in a Title 10 status, which should be noted on their orders along with the unit of assignment/attachment for administrative and military justice purposes.

Even though AGR Soldiers are subject to disciplinary action by their military chain of command, they are also subject to civilian criminal laws. Some offenses are violations of both civil and military laws and either authority can prosecute. As a practical matter, the Nevada Guard will defer to civilian authorities in many cases, especially felonies. There are some offenses which are uniquely military (AWOL, insubordination, disobeying orders) in which the chain of command will take exclusive action.

If an AGR Soldier is convicted of an offense by civilian authorities, the chain of command is not prohibited from taking some form of administrative action; but non-judicial punishment or court-martial is ordinarily pre-empted by civilian conviction. Administrative actions can include bar to re-enlistment, termination of tour and administrative discharge. The level of action should be dictated by the seriousness of the underlying civilian offense. If the Soldier receives a significant sentence of imprisonment (6 months or more), action to involuntarily separate or drop the individual from the rolls should be commenced immediately.

References: NCMJ, AR 600-20, ANGI 36-101

7-2 Admonitions and Reprimands

The philosophy towards discipline within the Nevada National Guard is any misconduct should be resolved at the lowest appropriate level. The purpose of discipline is to get the Soldier's attention and put the Soldier on notice that certain conduct will not be tolerated. Minor disciplinary measures are encouraged, if adequate. Admonitions and memoranda of reprimand are suggested methods for dealing with minor disciplinary infractions. Admonitions and reprimands can be included as punishment under Article 15 or as administrative measures to document the Soldier's file.

An admonition is a warning, reminder, or written criticism given to deter repeat behavior on the part of a Soldier. It also serves to advise the individual that more serious consequences will result if the misconduct is repeated. It can be delivered orally and noted in the Soldier's file or delivered in the form of a written warning. In short, it falls between "counseling" and a letter of reprimand.

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A reprimand is a censure formally criticizing the offender's misconduct and puts the offender on notice that more severe measures will be taken for repeat offenses. It should be in writing and is made part of the personnel file. Unless it is part of an Article 15, it can be later withdrawn if the commander determines that the Soldier's subsequent conduct warrants it. Prior to issuing an admonition or reprimand, coordination should be made with the HRO.

Reference: AR 600-37

7-3 Involuntary Separation

Continued retention in the AGR program is a privilege and not a qualified right. A commander has a number of options for removing AGR personnel who are neither fit nor suitable for continued service. Involuntary separation for cause may be based on misconduct or substandard performance or both. The Adjutant General will review all recommendations for involuntary separation and will make the final determination. The decision of the Adjutant General is not subject to appeal. All requests will be forwarded through the members CoC to HRO for review by the CoS/ DoS and Assistant Adjutant General prior to final review by TAG.

Before initiating involuntary separation for cause, the commander of the individual should have exhausted reasonable, lesser corrective measures. A pattern of progressive disciplinary actions or a process identifying substandard performance, followed by documented failures, must be shown before involuntary separation for cause is pursued. Attempts at progressive corrective actions must be documented to support an involuntary separation.

Formal, written counseling by the commander should be the first attempt to correct a performance or minor misconduct issue. If there is a pattern of performance and/or misconduct issues, the counseling statement should contain a written warning that an involuntary separation from the AGR tour could result. When counseling proves insufficient to correct performance or minor misconduct, an administrative memorandum of reprimand, coordinated with the HR office is most appropriate. When counseling or memoranda of reprimand have not effectively corrected patterns of performance or misconduct, the commander should consider discharge or involuntary separation for cause. The HRO-AGR Manager should be contacted to initiate an action for involuntary separation for cause. The AGRs complete disciplinary file with all supporting documentation must be made available to the HRO-AGR Manager for review.

Once the notice of intent to involuntarily separate has been coordinated through the HRO, the commander will meet with the HRO-AGR Manager to present the notice of intent to separate. At this time, the commander will inform the AGR of the option to voluntarily resign, without demanding or coercing the resignation. The AGR is then informed with formal memorandum that a response within 15 days, with JAG assistance, needs to be prepared if the AGR does not voluntarily resign. A 15 day extension may be granted by the commander if the AGR cannot meet with a traditional

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JAG within the original 15 day period. If a rebuttal to the commander is made, the commander must review the AGRs response. At this time, the commander will determine if the involuntary separation action should be processed or modified. At this time, the commander decides to a lesser action than involuntary separation or to proceed with the involuntary separation.

If the commander decides to proceed with involuntary separation, the entire package, including the AGRs rebuttal, is forwarded to the next command level for review. Each subsequent command level will provide an endorsement of concurrence or non-concurrence for the action. Each command level must review the action thoroughly and impartially and should contact the HRO-AGR Manager with specific questions about the review. Once the package is received in the AGR HR office, the HR office will submit the package for legal sufficiency and provide an analysis to the respective Army or Air Assistant Adjutant General for review to be forwarded to the Adjutant General for final determination.

If the Adjutant General decides to involuntarily separate the individual from the AGR program, the decision is forwarded to the commander, the command, and the AGR through the HRO-AGR Branch office. The command will provide the AGR with transition assistance ensuring the AGR receives pre-separation counseling and a separation physical if the AGR requests such. The command determines if the AGR will be reassigned to a traditional military position or be discharged from the respective military service. Normally, the involuntary separation will be no later than 30 calendar days from the date of the Adjutant General's determination letter.

If the proposed separation is based upon the commission of a serious offense, no counseling or documentation is required other than that which establishes the misconduct. For example, if an individual is convicted of felonious assault by a civilian court, the conviction entry from the court would be sufficient. If the AGR is pending trial on civilian criminal charges, the commander is not required to await the outcome of the trial to initiate involuntary separation action. If a review of the available evidence convinces the commander that the offense was committed, the action may proceed. An acquittal on the underlying criminal charges does not prevent an administrative separation nor invalidate an earlier separation. The administrative separation is based upon a lower standard of proof than that required for a criminal conviction.

References: NGR (AR) 600-5, ANGI 36-101

7-4 Voluntary Separation

An individual may voluntarily request separation from the AGR program prior to the scheduled end of the AGRs tour. The AGR makes the request, usually based upon personal desire or hardship. The AGR should submit a written request through the chain of command to the Adjutant General for a final decision. Intermediate commanders will render a recommendation on the request. **The request for early release does not constitute termination.** If approved, the orders will be issued with the effective

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discharge date. The request should be submitted at least 60 days in advance of the requested separation date.

Termination of the AGR tour does not affect the status of the individual's enlistment contract. AGR personnel are expected to fulfill the remainder of the contract with their unit of assignment. Generally, an individual is granted an early release, is ineligible for another AGR tour for a one year period.

AGR personnel who are accountable for government property will not be discharged until their unit commander certifies that all inventories are completed and all FLIPLs or statement of charges are initiated. AGR personnel who are being separated may request a separation physical examination prior to release from AGR status. Arrangements can be coordinated through the HRO-AGR Branch office.

References: NGR (AR) 600-5, ANGI 36-101, AGO Supp. 1 ANGI 36-101

7-5 Mandatory Separation

AGR personnel will be separated from AGR status when certain events occur. Mandatory separation will occur when:

Officer	Enlisted
At Mandatory Removal Date (MRD)	Reach age 60
Completion of 20 years active federal service Mandatory Retirement Date	Loss of security clearance
Two time non-selection for promotion	Non-Selection by Selective Retention Board
Non-selection by Selective Retention Board	Failure to meet MOS/AFSC standards
Loss of federal recognition	Conviction of serious offense
Loss of required security clearance	
Conviction of serious offense	

References: NGR (AR) 600-5, ANGI 36-101, AGO Supp. 1 ANGI 36-101

7-6 Administrative Discharge

An involuntary separation from the AGR program does not automatically result in a loss of military membership and position as a traditional Guardsman. If the commander should desire to separate the individual from the military entirely, an administrative discharge action must be initiated. There a number of different grounds for initiating an administrative discharge action to include those cited in the involuntary separation from AGR tour (i.e. unsatisfactory performance, pattern of misconduct, etc.). The process for administrative discharge may require a hearing before a board. This is dependent on the number of years of service and the level of discharge sought. The discharge

authority is The Adjutant General. Individuals with 18 years or over of total military service require NGB approval before a discharge can be approved.

The specific procedures, basis for action and rights of the individuals are outlined more fully in the references. Procedures differ between commissioned officers and enlisted personnel.

References AR 135-178, ANGI 36-3209

7-7 Non-Judicial Punishment (Article 15)

One of the most important management tools available to commanders is non-judicial punishment, which is also known as Article 15. All AGR personnel are subject to a commander's non-judicial punishment jurisdiction. It is designed to handle minor disciplinary infractions in an expeditious but fair manner. Once administered, the Article 15 becomes part of the individual's military personnel records.

Article 15 actions are in written form. They put the individual on notice as to the offense under the NVCMJ with which they are charged and the specific facts of the alleged misconduct. Upon receipt, an individual has a number of rights. They must be given a period of time in which to consult with a JAG; they have a right to an informal hearing with the commander prior to a final decision being made on the Article 15, the right to call witnesses and present evidence in their behalf at the hearing; and to appeal the Article 15 to the next higher level commander if they disagree with the decision. It is also the right of AGR personnel to refuse the Article 15 process and demand a trial by court-martial; but AGR personnel should be aware that if convicted by a Summary or Special court-martial, this will disqualify them for further AGR service. The specific rights and procedures should be obtained from your JAG and are detailed in the references.

The type of punishments which can be imposed by an Article 15 are reprimand, reduction in grade, loss of pay, extra duty, withholding of privileges, and in limited circumstances, confinement.

References: AR 27-10, AGO Pam 27-10, AFI 51-202

7-8 Court-Martial

The most severe form of disciplinary action that can be initiated against AGR personnel is to have charges drafted and referred to a court-martial. This is the military equivalent of a criminal trial and can result in loss of pay, reduction in rank, and confinement.

There are three types of court-martial: Summary, Special, and General. A Summary Court-Martial is reserved for minor offenses and can impose only light punishment. A Special Court-Martial is generally used for intermediate grade offenses and can impose more severe sentences. A General Court-Martial is reserved for the most serious

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offenses and can impose the maximum punishments authorized by Nevada law. A conviction by any court-martial will disqualify an individual from further AGR service.

The decision as to what level of court-martial a case should be heard at is the decision of the convening authority. The convening authority ranges from the local commander for Summary Courts-Martial to the Governor for a General Court-Martial. There are a considerable number of legal protections for an accused facing a court-martial to include the appointment of a free defense counsel who is licensed to practice in Nevada.

As a general rule, only exclusively military offenses are punishable by court-martial. Examples of this would be AWOL, insubordination, and disobeying orders. The NVCMJ covers most criminal offenses prohibited by state law (e.g. robbery, rape, murder, etc), but as a practical matter an AGR charged with this type of offense would not be prosecuted by court-martial but by local, state or federal courts for this type of offense. Depending upon the results of the civilian trial, the individual can then be administratively discharged from the Nevada National Guard.

A court-martial is a serious, expensive, and time consuming action. Commanders will want to consult with their JAG counsel to fully explore other options before initiating.

Reference: 32 U.S.C. 326, AGO PAM 27-1

7-9 Restraint/Confinement

Under limited circumstances, a commander may authorize an AGR Soldier to be placed in pre-trial confinement. It is only used when an individual is pending serious court-martial charges or has been apprehended after an extended AWOL. As should be evident, this measure should only be taken after consulting with the JAG.

Since most Nevada National Guard facilities do not possess guardhouses, restraint or confinement must be carried out in the county jail nearest the Soldier's residence. If an AGR is confined, every attempt must be made to have his case reviewed by a military magistrate at the earliest possible time.

Reference: Nevada Code of Military Justice

7-10 Arrest by Civilian Authorities

In the event AGR personnel are arrested or charged by civilian authorities with having committed a civilian criminal offense, a number of actions need to be taken. First, the chain of command should contact the civilian authorities and inform them that the individual is a full-time member of the Nevada National Guard. This will enable the civil authorities to understand why you are calling. Obtain a copy of the police report if you can. Ask as to what actual charges have been or will be brought, the circumstances of the case, and the maximum punishment possible. This will help determine whether the

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offense is a "serious offense" for purposes of possible administrative action to discharge the individual.

If the individual is in jail because they cannot post bail or no bail has been set, the commander can request that the AGR be released to military control, if it is feasible. This should only be done in the rarest of circumstances. A commander cannot state that the Nevada National Guard or the unit will guarantee the individual's presence at any court hearing or appearance. If the commander is able to meet with the individual, they should avoid questioning them at length about the charges. Nor can a commander force an AGR to discuss their involvement in the civilian crime or take adverse action against the Soldier for their failure or refusal to do so. That is a matter between the individual and his civilian attorney. The individual should be advised that a JAG attorney cannot be appointed to represent them in the civilian criminal matter.

During the period that an AGR is awaiting trial, consideration should be given to withholding action on promotions, performance appraisals, retention, and school orders. Any deployment orders should also be cancelled until the civilian criminal matter is resolved. If the evidence in the case appears strong enough, a decision to administratively discharge the individual can be made prior to the case being resolved. In most cases however, such a decision should await the final outcome of the criminal trial. If the AGR cannot post bail prior to the trial, it is recommended that their absence be charged to annual leave, or if their leave balance is exhausted, as excused. If the final result is a conviction, the Soldier should be charged as AWOL for any jail time after providing them with the due process rights outlined in AR 15-6, para. 1-8(c).

References: AR 27-10, AFI 36-3209

7-11 Legal Assistance

AGR personnel and their families are entitled to receive legal assistance and advice. This service can be obtained from either the Judge Advocates who drill with the Nevada National Guard or at the Staff Judge Advocate Office at nearby military bases. <http://www.nv.ngb.army.mil/contacts.cfm>, for a listing and phone numbers. Assistance on a full range of civil legal problems such as wills, domestic relations, bankruptcy, contracts and landlord-tenant is available. The extent of the legal service provided is left to the professional discretion of the Judge Advocate providing the service. However, Judge Advocates may not appear in civilian court or have their name appear on documents submitted to a civilian court. While they are licensed attorneys, they are prohibited from making such an appearance.

Judge Advocates can provide advice and representation to AGR personnel on military legal problems. This would include the full range of adverse actions ranging from providing advice on a response to a reprimand to acting as the Soldier's legal counsel in a court-martial. Attorney-client privileges are applicable in a military setting. As noted in the previous section, a Judge Advocate cannot advise or represent a Soldier facing civilian criminal charges. References: AR 27-40, AFI 51-504

Chapter 8 - Benefits

8-1 TDY

AGR personnel on travel orders are authorized temporary duty (TDY) allowances for travel performed away from their duty station. Allowance amounts are detailed in the Joint Federal Travel Regulation (JFTR) and depend on the availability of government quarters and rations at the TDY station and the cost of living for that area.

Credit Card - The Nevada National Guard has arranged to have individually issued government credit cards to assist those who must travel on official business. Each month, charges made during official travel are consolidated onto one statement and mailed to the individual for payment. Payment must be made to the credit card company in the full amount within 25 days of the billing date. Failure to make the full payment within 31 days will result in the credit card being deactivated by the credit card company. An expedited application can be completed in a week but should be the exception rather than the rule. A reimbursable \$20 fee is charged for the expedited process. The application must be submitted through the Comptroller's office or the application will not be processed. Requests to activate/deactivate the credit cards are made through the MSC AOs/designee. The request for activation must be NLT **three** business days if the Soldier is flying or **one** business day if the Soldier is driving to TDY location.

Advance Travel Pay – Advances are made on a case by case basis. A travel advance can be requested but is highly discouraged because of the availability of the government issued credit cards. If an individual was issued a credit card and the credit card was terminated through the fault of the individual, the individual will not be authorized advance travel pay.

ARMY: AGR personnel may request an advance through the USPFO; Paybranch. To request advance pay, you must submit a DD Form 1351 along with copies of your orders, directly to AGOH-HRO-AGR. Allow a minimum of 20 days to process and mail.

AIR: AGR personnel must process advance travel pay requests through their base pay office.

Claims for travel reimbursement are made through the Defense Travel System (DTS) for all other travel along with receipts for lodging, air fare, and other expenses. This should be accomplished within five days of the completion of travel. DTS submission should be done using a government computer. Split disbursements for expenses incurred during TDY travel should be made directly to the credit card company. If payment is not received within 31 days of charges, to the credit card company, the credit card will be deactivated. In the event the mission is canceled, the pay office should be notified ASAP so that the funds can be deobligated. It is the individual's responsibility to stay within the local per diem rates. The individual is responsible for expense amounts over the allocated per diem rates.

8-2 Permanent Change of Station (PCS) Moves

PCS moves are governed by the Joint Federal Travel Regulation (JFTR). Individuals are NOT authorized to use the government credit card for a PCS move. More than one PCS move in a fiscal year is usually not authorized but exceptions are handled on a case-by-case basis. However, only one dislocation allowance can be paid in a fiscal year.

Before the HRO-AGR Branch issues your PCS orders, you must complete a Pre-approval Checklist. This requirement must be done a minimum of 30 DAYS IN ADVANCE of the effective transfer date. This checklist determines if a PCS is authorized. When HRO-AGR Branch approves your PCS, orders are published.

When you PCS from one duty station to another, you are eligible for the following:

(a) Dislocation Allowance (DLA)--The purpose of this allowance is to partially reimburse you for expenses incurred in relocating your household. The pay scale is based on rank and dependents/no dependents. The AGR office will automatically submit for this allowance. It does not have to be repaid as long as the move is completed.

(b) Up to three months advance base pay (two months prior to PCS and one month after PCS) which will be prorated over a 12 month period for repayment. When you receive your PCS orders, you may request this by completing a DD Form 2560. Special justification must be made when requesting a proration over 12 months.

(c) You may choose either the Government Bill of Lading (GBL) or Do-It-Yourself (DITY) move.

(d) Other basic entitlements may include:

- (1) Temporary storage up to 90 days.
- (2) Mileage from old HOR to new duty station and authorization of more than one car.
- (3) Per-Diem enroute (one trip only).
- (4) Up to ten days temporary lodging expense at new duty station.

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ANTICIPATED DATE OF MOVE: _____

PCS MOVE PREAPPROVAL CHECKLIST

NAME: _____

Old Duty Station/City/Zip Code: _____

New Duty Station/City/Zip Code: _____

Old Residence Address/City/Zip Code: _____

City/Zip Code Soldier is moving to: _____

Date of Soldier's last PCS Move: _____

Purpose of Soldier's last PCS move: _____

TO BE COMPLETED BY SOLDIER AND ADMINISTRATIVE OFFICER

____ I understand that a PCS is approved only if the move is in the best interest of the government.

____ I understand that a PCS move is authorized only after REQUESTED by Soldier's Admin Officer and Approved by the AGR Manager.

____ I understand that if any advance funds are used and the move is canceled, the Soldier is liable for those funds?

____ I request an Advance Pay (Complete DD Form 2560 and attach to the request for PCS orders).

____ Request for PCS orders are attached.

(AO signature/date) (Soldier's signature/date)

AGR Manager (Approval/Disapproval)
(Signature, Rank, Branch)

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Everything except DLA is taxable income. For guidelines on taxable income, contact the IRS and ask for Publication 521 which outlines what specifically is taxable and the percentage. HRO-AGR does not carry this publication. Upon completion of the PCS move, the individual must submit a claim, within one year of the effective date of PCS, through HRO-AGR Branch and the appropriate Personal Property Shipping Office for processing. The following is a list of forms needed:

- (a) DD Form 1351-2
- (b) DD Form 1351-4
- (c) Five copies of PCS orders
- (d) DD Form 1155 - provided by active installation.
- (e) DD Form 1299 - provided by active installation transportation office.
- (f) DD Form 2278 - provided by active installation transportation office.
- (g) Certified weight tickets (DITY MOVE) secured by AGR.
- (h) Lodging receipts.
- (i) Copy of PCS travel advance voucher.
- (j) All receipts incurred (DITY MOVE)

References: AR 37-16, AR 37-106, Joint Federal Travel Regulation (JFTR)

8-3 Unemployment Compensation

Personnel no longer employed full-time with the Nevada National Guard may be entitled and should apply for to receive state unemployment compensation by using the state unemployment website:

http://www.unemploymentoffice.net/State_resources/Nevada.htm

Benefits are paid under the guidelines established by Nevada law. AGR personnel who are terminated due to misconduct or unsatisfactory performance or resign their position may not be eligible for payment of these benefits.

Reference: 5 U.S.C. 8501

8-4 Life Insurance

An AGR Soldier is entitled to enroll under the Servicemen's Group Life Insurance (SGLV) program for \$400,000, with a \$100,000 death gratuity unless you elect to participate for a lesser amount or decline insurance. Personnel are also automatically enrolled in \$100,000 spousal insurance and \$10,000 child insurance unless the AGR declines the insurance. Upon retirement, the SGLV may be converted to Veteran's Group Life Insurance (VGLI) within 120 days of release from Active Guard/Reserve duty. If the amount of SGLV coverage is changed by law, and you elect less coverage or elect not to participate, you must complete a new SGLV 8286.

8-5 Dependency and Indemnity Compensation (DIC)

This is a benefit that is authorized to the survivors of AGR personnel who die in AGR status. It may also be paid to survivors of some totally disabled veterans or for death after completion of service if the death is due to a service-connected disability. DIC payments are authorized for surviving spouses (who have not remarried), with additional amounts for children under 18. There is also provision for payments to low income parents of deceased veterans. Payments are made monthly at an equal rate for all ranks. Benefits are subject to possible offset by social security benefits.

Reference: Public Law 102-568, www.va.gov

8-6 Veterans Benefits

The United States has a long and honorable history of providing monetary and other benefits to veterans of military service and to their dependents and survivors. The Department of Veterans Affairs, a cabinet level department established in 1989, administers all veteran benefit programs. These benefits include medical treatment, hospital and nursing home care, disability benefits, job training assistance, vocational rehabilitation, re-employment assistance, education benefits, life insurance programs, home loan mortgage guaranties, death benefits for survivors, and burial assistance.

The laws and regulations governing eligibility and level of benefit can be complex. As a general rule, a person must have served on active duty for a continuous period of 180 days in order to qualify for most benefits. Most benefits are also conditional on the individual being discharged under honorable conditions.

In addition to federal benefits administered by the VA, the state of Nevada has enacted a number of statutes providing various benefits and protections to those on active duty and veterans. These include civilian employment preferences, tax exemptions and distinctive automobile tags.

References: 38 U.S.C. 3103, Veterans Affairs Booklet "Federal Benefits for Veterans and Dependents", www.va.gov

Chapter 9- Equal Opportunity

9-1 Policy on Equal Opportunity

It is the policy of the NG to provide equal opportunity for NG military personnel or applicants for membership in the NG. They will not be subjected to illegal discrimination because of race, color, religion, gender (to include sexual harassment), national origin, or reprisal for having participated in a protected equal opportunity activity. All NG personnel are entitled to serve in an environment free from sexual harassment. Sexual harassment is a form of gender discrimination and will not be tolerated.

9-2 Military Discrimination Complaints Process

The NG has a Military Discrimination Complaint System designed to provide a just and effective avenue of redress to aggrieved persons in accordance with applicable laws and regulations. Any aggrieved individual who believes that he or she has been illegally discriminated against due to race, color, national origin, religion, gender (including sexual harassment) or reprisal for having engaged in a protected equal opportunity activity, in a matter subject to the control of the NG, may file an individual complaint of discrimination. Complaints based on age or handicaps are not addressed in the case of military members due to overriding military concerns of fitness and deployability.

One of the key components of the EO program is the ability of employees to present discrimination complaints without fear of retaliation. Complaints must be filed 180 calendar days from the date of alleged discrimination or the date that the individual became aware or reasonably should have become aware of the discriminatory event or action. All discrimination complaints must be acted upon, and must identify the date and act of discrimination and other facts surrounding the incident. The complainant must also list the requested corrective action.

Complaints must be in writing on NGB Form 333, July 00. Seek assistance from the Military Equal Opportunity (MEO, ANG), Equal Opportunity Advisor (EOA, ARNG) or State Equal Employment Manager, (SEEM). With AGRs, full-time supervisors have 14 calendar days, to resolve the complaint on behalf of and in coordination with the military commander. If unresolved after 14 days, forward to the next level.

The complainant may withdraw the complaint or file a formal complaint. Usually the complaint would progress to the next higher level commander. If unresolved at this level, the complaint goes to the TAG, and in turn, to NGB. Remember, all stages have the 14 day time limit.

References: DOD Directive 1350.2, National Guard Military Discrimination Complaint System, NGR (AR) 600-22/ ANGI 36-3, Military Complaints Process.

9-3 Release of Information

Official discrimination complaints and associated documents are maintained and safeguarded in the same manner as other sensitive personnel files. While the complaint, documents, evidence and witness statements will be given a high degree of

protection and confidentiality, no promises of total confidentiality can be made and kept by EO or command personnel involved in the matter. The party or parties against whom a complaint is made will be informed at some point as to the nature of the complaint and the evidence in the matter so they can provide a response to the charge. The individual presenting a complaint is entitled to a complete copy of their case file. Any Report of Investigation which is compiled as a result of the complaint may only be released to the individual, their representative, and any Nevada Guard or NGB office charged with processing the complaint.

References: NGR (AR) 600-22, ANGI 36-3

9-4 Rights of the Alleged Discriminating Official

The Nevada National Guard has a strong interest in processing discrimination complaints completely, objectively, and efficiently. This requires fairness to all parties concerned. AGR personnel who have been accused of a discriminatory act or sexual harassment have certain due process rights that must also be observed. This includes the right to be informed of the nature of the complaint and of any evidence in the matter. The individual may also make a statement in his or her behalf and to identify any witnesses or documents that they believe the investigation should include and consider. They also have a right to consult with counsel and to be represented. If the allegation involves potential violations of the UCMJ, then JAG counsel will be made available upon request.

9-5 Sexual Harassment

A form of unlawful gender or sex discrimination, sexual harassment is unwanted behavior of a sexual nature in the workplace.

Sexual harassment involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment. It should be noted that "workplace" is an expansive term for military members and may include conduct on or off duty, 24-hours a day. When possible, it is helpful for the victim to directly inform the harasser that the conduct is unwelcome and must stop.

a. Any person in a supervisory or command position who uses or condones any form of sexual behavior to control, influence, or affect the career, pay, or job of a military member or civilian employee is engaging in sexual harassment.

b. Similarly, any military member or civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature in the workplace is also engaging in sexual harassment. Sexual harassment includes but is not limited to the following characteristics:

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(1) The victim and harasser may be a woman or a man. The victim does not have to be of the opposite sex.

(2) The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.

(3) The victim does not have to be the person harassed but could be anyone tangibly affected by the offensive conduct.

(4) Unlawful sexual harassment may occur without the victim suffering economic injury or an adverse personnel action.

Reference: NGB Sexual Harassment Policy

9-6 Membership in Extremist Groups

The Nevada National Guard is committed to a membership free from prejudice, hate and extremism. Furthermore, participation in extremist organizations or related activities is inconsistent with the Department of Defense and National Guard Bureau's goals, beliefs and values concerning equal opportunity. While it is impossible to track every extremist group or to develop a comprehensive "list", any group which advocates the use of force or violence, advocates supremacist causes based on race, ethnicity, religion, gender, and national origin; or otherwise engages in efforts to deprive individuals or groups of their civil rights should be avoided by military personnel. Examples of extremist groups would include the Ku Klux Klan, Aryan Nations, Skinheads, and Nation of Islam.

Current DOD policy requires that military personnel must reject active participation in extremist organizations. Active participation includes participating in a public demonstration or rally, conducting fund raising activities, recruiting or training members (including encouraging other employees to join), organizing or leading such organizations, and distributing literature. Wearing of the official military uniform at any function or rally is also prohibited. While membership or association with such groups is strongly discouraged, it is not legally possible to prohibit this. Nevertheless, AGR personnel are put on notice that known membership in an extremist organization can and will be considered in evaluating an individual's duty performance and fitness for serving in positions of leadership and responsibility.

References: DOD Directive 1325.6. Subject: Guidelines for Handling Dissident and Protest Activities Among Members of the Armed Forces, NGB All States Memorandum Number I96-0180, "Extremist/Gang/and Hate Group Insignia"

Chapter 10 – Security Information

10-1 Security Clearances

ARMY: Most AGR personnel will be required to obtain a security clearance as part of their job. All commissioned officers, warrant officers and senior enlisted must have at least a SECRET level clearance. Other AGR enlisted personnel may be required to obtain a security clearance depending upon their duty assignment. If after a security clearance investigation, the results are unfavorable and the individual is unable to obtain the required clearance, immediate action may be taken to terminate the AGR tour of the individual or reassign them to a duty position not requiring a clearance.

Currently, all e-QIP submissions must be requested through the NVARNG Security Manager. Unit Security Managers will submit a request (with name, SSN and clearance level required) for all Soldiers that require an investigation. The NVARNG Security Manager will notify the Unit Security Managers when their Soldier's e-QIPs are set up in JPAS so their Soldiers can start the packages (e-QIP cannot be accessed correctly until this happens). Before submitting the package electronically, the Soldier should print the e-QIP and have the Unit Security Manager review the hard copy for completeness and correctness as they have reviewed the EPSQ packages in the past. The NVARNG Security Manager will review, approve, and release all packages to OPM. Once complete and correct, the Soldier must electronically submit the e-QIP. Unit Security Managers will forward the ORIGINAL signed release forms and fingerprint cards to the NVARNG Security Manager.

The Soldier has 30 days to begin the e-QIP (log in and start) once the investigation is initiated in JPAS. The Soldier has 90 days from the beginning of the investigation to complete it; however, if they fail to begin it (log in and start) within the first 30 days, the investigation will terminate and the Unit Security Manager will need to resubmit the request.

For Top Secret Periodic Reinvestigations, if the investigation is terminated for not beginning within 30 days or not completing the requested investigation, the individual's access is downgraded or terminated based on the out-of-date investigation.

The Adjutant General has the authority to grant interim clearances for up to 180 days for personnel awaiting final action on granting their clearance. Personnel who receive a "Top Secret" or "Secret" level clearance are subject to a periodic reinvestigation. For Top Secret these are accomplished every five years and every ten years for Secret.

Reference: AFI 31-501

10-2 Suspension/Revocation of Security Clearances

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When a commander receives information that an AGR has committed a serious offense or a breach of security, or has behaved in a manner that indicates that the individual is a security risk, the commander must determine whether action should be taken to suspend and possibly permanently remove that individual's security clearance.

Although the ARMY and AIR Guard have slightly differing procedures, the starting point is for the commander to temporarily suspend the clearance of the individual and recover any badges, access, or classified information in their possession. Efforts to thoroughly document the basis for the suspension need to be taken immediately.

As a general rule, security clearances should be suspended, and a determination made on whether to revoke when evidence indicates one or more of the following:

- Mental or emotional instability
- Excessive alcohol abuse that impairs judgment and/or performance
- Falsification or deception related to official documents
- Declaration as Conscientious Objector
- Arrest for commission of serious offense
- Repeated statements of anti-government views
- Two or more security violations in past 12 months
- Indications of excessive indebtedness or financial irresponsibility

Results of security investigations will be processed through channels as described in the references for a final determination on revoking a clearance. If the AGR loses his or her security clearance, action will be taken to immediately terminate his or her tour. There are limited rebuttal and appeal rights available to an AGR pending a suspension or loss of a clearance. Commanders do not need to await the results of the security clearance investigation to initiate other disciplinary or administrative action which the underlying misconduct might call for.

References: AR 604-5, AFI 31-501

10-3 ANTITERRORISM

The Nevada National Guard will remain vulnerable to threats from extremist and/or terrorist organizations seeking to cause damage to facilities and injure personnel. Antiterrorism (AT) regulations provide guidance for planning, implementation, and execution of the Antiterrorism Program. The AT program seeks to reduce the likelihood that National Guard installations, facilities, and personnel will be attacked and to mitigate the effects of such attacks should they occur. The Adjutant General directs the Antiterrorism Policy and Program through his operational staff. The Nevada National Guard Antiterrorism Officer and Program Coordinator will require participation from all Directorates and support from the Major Subordinate Commanders in order to effectively execute the Antiterrorism Program. This program applies to all personnel assigned or attached to the Nevada National Guard.

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The Nevada National Guard adheres to the Department of Defense Force Protection System. The FPCON system is a progressive level of protective measures implemented by all DOD components in response to terrorist threats in accordance with DOD Directive 0-2000.12H. The FPCON system complements the national-level intelligence community assessment of terrorist intentions and capabilities. FPCON Measures are actions taken at facilities to deter and/or prevent a terrorist(s) from conducting an attack.

Force Protection Normal: applies when a general global threat of possible terrorist activity exists and warrants a routine security posture.

Force Protection Alpha: applies when there is an increased general threat of possible terrorist activity against personnel or facilities, the nature and extent are unpredictable. ALPHA measures must be capable of being maintained indefinitely.

Force Protection Bravo: applies when an increased or more predictable threat of terrorist activity exists. Sustaining BRAVO measures for a prolonged period may affect operational capability and relations with local authorities.

Force Protection Charlie: applies when an incident occurs or intelligence is received indicating some form of terrorist action or targeting against personnel or facilities is likely. Prolonged implementation of CHARLIE measures may create hardship and affect the activities of the unit and its personnel.

Force Protection Delta: applies in the immediate area where a terrorist attack has occurred or when intelligence has been received that terrorist action against a specific location or person is imminent. Normally, this FPCON is declared as a localized condition. FPCON DELTA measures are not intended to be sustained for substantial periods.

Additionally, The Nevada National Guard will comply with Department of Defense threat levels. Terrorism Threat levels are assessments of the level of terrorist threat faced by U.S. personnel and interests. The assessment is based on continuous intelligence and analysis of a minimum of four elements: terrorist group operational capability, intentions, activity, and operational environment. There are four threat levels: LOW, MODERATE, SIGNIFICANT, and HIGH. Threat levels should not be confused with FPCONs. Threat level assessments are provided to senior leaders to assist them in determining the appropriate local FPCON.

Reference(s): DODI 2000.16, DODD 2000.12, DODD 2000.12H, AR 525.13, AFI 10-245, and AFI 31-101.

NOTE: An AT plan, with a complete listing of site specific AT security measures linked to a FPCON, will be classified at a minimum as CONFIDENTIAL. When separated from the AT plan, site-specific AT security measures and FPCONs should be handled as For Official Use Only (FOUO).

10-4 Freedom of Information Act/Privacy Act

AGR personnel, like any private citizen, have the right to access and obtain copies of government documents and records. The Freedom of Information Act (FOIA) is the law which permits access to this information. The Privacy Act is the law which serves to prevent release of information that an individual generally would not want released (e.g. medical and financial records) and to ensure their accuracy. The general policy is that the Nevada National Guard discloses the records within its control upon request to the public except for those specifically exempted or will result in a clear harm to the Nevada Guard or an individual.

As a practical matter, personnel will usually be interested in obtaining documents or records in which they have a direct interest. Individuals requesting their own personnel records should cite the Privacy Act as the authority. Requests for other information should cite the Freedom of Information Act. Requests do not need to follow any specific format but should:

- Be in writing and cite either the Privacy Act or FOIA
- Reasonably describe the desired record
- Include a statement that requestor is willing to pay the fees for searching and copying the records (not applicable to request for first copy of personnel records)
- Be addressed to the appropriate custodian of the records.
- Upon receipt of such a request, the receiving office should immediately contact the Staff Judge Advocate Office or Freedom of Information Act Officer for processing costs, release and possible denial of release. Strict time limits apply to the processing of these requests.

References: 5 U.S.C. 552, 32 CFR 806, AFI 37-131

Chapter 11 – Standards of Conduct

11-1 Fraternalization and Professional Relationships

It has been a longstanding custom within the military and the Nevada National Guard to regulate fraternization and relationships between members of different ranks that could be detrimental to good order and discipline. While the rules in this particular differ in extent and application between the ARMY and AIR Guard, there are some basic guidelines which have remained constant.

Fraternalization is the specific term used to describe certain officer-enlisted relationships which are prohibited and can be prosecuted in a court-martial proceeding. What is prohibited depends upon the circumstances of each case but it is generally accepted that an officer should not become involved in a friendship or relationship with an individual subject to the officer's supervisory control and authority. Not only does this lessen the command authority structure but creates an actual or perceived perception of possible favoritism. Not all social relationships and contacts between officer and enlisted are improper. For instance, participating on the same athletic team or occasionally attending the same social function is certainly acceptable. On the other hand, becoming frequent "drinking buddies" or dating a subordinate is unacceptable.

In addition to the legal offense of fraternization, AGR personnel should also avoid relationships which have the potential to create the appearance of partiality or preferential treatment. This extends to all ranks, officer and enlisted. For instance, it is obviously improper for a platoon sergeant to date a Soldier over whom the platoon sergeant exercises supervision. A commander could lawfully give an order to both Soldiers to desist. If they continued their relationship, disciplinary action for disobeying a lawful order would be warranted.

Professional relationships are essential to the effective operation of all organizations, both military and civilian, but the nature of the military mission requires absolute confidence in command and an unhesitating adherence to orders that may result in inconvenience, or hardship. This distinction makes the maintenance of professional relationships in the military more critical than in civilian organizations. It is imperative that those relationships do not adversely affect the organization by eroding morale, good order, discipline, respect for authority, unit cohesion or mission accomplishment.

Reference: AR 600-20, AFI 36-2909

11-2 Political Activities

In the United States, there is a long tradition of the military being politically neutral, subject to civilian control and of no military influence on the political process. While AGR personnel are encouraged to carry out their responsibilities as citizens, by virtue of being full-time military there are a number of restrictions on the political activity they can become involved in. AGR personnel can:

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<u>PERMITTED</u>	
MAY be candidates for public office in nonpartisan elections	MAY register and vote
MAY assist in voter registration drives	MAY express opinions about candidates and issues but be careful about doing so to subordinates
MAY contribute money to political organizations	MAY hold office in political clubs or parties
MAY attend political rallies and meetings as a spectator in civilian attire and not in an official capacity	MAY join and be an active member of a political party or club
MAY sign nominating petitions	MAY campaign for or against candidates in partisan elections not in uniform, not identified by military status
MAY make campaign speeches for candidates in partisan elections not in uniform, not identified by military status	MAY distribute campaign literature in partisan elections
MAY attend political fundraising functions not in uniform, not identified by military status	
<u>PROHIBITED</u>	
MAY NOT use official authority to interfere with an election	MAY NOT collect political contributions unless both individuals are members of the same labor organization or employee organization and the one solicited is not a subordinate employee
MAY NOT knowingly solicit or discourage the political activity of any person who has business before the agency	MAY NOT engage in political activity while in uniform or while using a Government vehicle or communication device
MAY NOT solicit political contributions from the general public	MAY NOT be candidates for public office in partisan elections
MAY NOT engage in political activity while on duty	MAY NOT engage in political activity in or for any Government office

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Reference: Joint Ethics Regulation DOD 5500.7-R

11-3 Gambling and Lotteries

Current law prohibits AGR personnel from participating in gambling activities while on duty or in Guard facilities. Gambling with a subordinate is a criminal violation of the Nevada Code of Military Justice. Gambling activities, lotteries and raffles are also prohibited inside Guard installations except when conducted by a registered charitable organization. Questions should be addressed to the Staff Judge Advocate.

References: Charitable Fundraising Guidelines/Policy, Joint Ethics Regulation DOD 5500.7-R

11-4 Gifts to Supervisors

During the course of a tour of duty, AGR personnel will probably be approached to contribute money for a going-away gift for a co-worker or superior or to mark a special event. There are a number of restrictions that have been placed upon this activity to protect an individual from being pressured into an uncomfortable situation.

No more than \$10 should be solicited or accepted from any individual for a gift for a superior. If the gift is to be given as part of a dinner, the dinner price is not to be considered as applying to the \$10 limit, but the invitation should set out the amount.

An AGR cannot accept a gift or gifts that exceed a total value of \$300 when part or all of the contributions are from a subordinate. However, the \$300 limit does not apply to gifts received after retirement.

Reference: Joint Ethics Regulation DOD 5500.7-R

11-5 Solicitation of Subordinates

If an AGR and/or spouse have outside employment, they cannot solicit or make sales of their services or products to personnel who are subordinate in rank, grade, or position. This does not apply if the solicitation or sale is made in a retail establishment off-duty. Also excepted is the off-duty sale of a personal vehicle or residence. The posting of an advertisement on an approved bulletin board within the workplace does not constitute a solicitation.

Reference: Joint Ethics Regulation DOD 5500.7-R

11-6 Gifts From Outside Sources

AGR personnel are limited in their ability to accept gifts in their official capacity from outside sources. This is particularly true in the case of personnel who hold positions of financial accountability or have input into how contracts for goods and services are awarded. Personnel employed by the USPFO for Nevada should accept nothing from

any vendor or would-be vendor. As the rules in this area are extremely complex, the Staff Judge Advocate should be consulted in most situations.

Reference: Joint Ethics Regulation DOD 5500.7-R

11-7 Off-Duty Employment

AGR personnel may obtain off-duty employment which does not conflict with their assigned military duties. Prior to accepting outside employment, written notice of the proposed job, nature of duties, and hours of employment must be provided to their commanding officer and or full time supervisor. When evaluating these requests the commander should take into account a number of considerations to include: The job should not interfere with nor create a conflict of interest with the individual's military duty nor should the job create a risk of bringing discredit to the individual or the Nevada National Guard.

The outside employment must not hamper the individual's ability to satisfactorily perform his or her military duty. This would occur when the outside job entailed such hours and physical demands that the AGR would continually report for work physically or mentally drained or create an undue risk of injury.

The job must be accomplished during regularly scheduled off-duty hours. Military time and material cannot be utilized for the purpose of the AGR conducting his or her part-time job. There is some additional authority for police and firefighters. If the proposed job creates a problem in one of these areas or during the course of the employment a problem arises, a commander may deny or revoke permission for the part-time employment.

Supervisor approved requests will be submitted to HRO for staffing through the appropriate organizational CoC up to the CoS/ DoS. Notification of approval will be provided from HRO to the supervisor, members may not begin off duty employment until final approval is received.

Reference: DODD 1344.10, Joint Ethics Regulation DOD 5500.7-R

11-8 Illegal Tape Recordings

One of the most disruptive activities that can take place within the workplace is when an individual chooses to make audio or video recordings of co-workers without their consent or knowledge. As a strictly legal matter, a conversation can be recorded as long as one party has knowledge and consents to the process. While legal, this creates an atmosphere of mistrust and intimidation when this occurs in the work environment.

It is suggested that supervisors and commanders adopt a strong policy prohibiting unauthorized tape or audio recordings of meetings or conversations. In addition to preventing an environment which is contrary to the maintenance of good order and

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discipline, this measure would be justified in a military setting where classified, sensitive or privileged information is frequently available. Unauthorized tape recordings that might contain this information constitute a potentially serious breach of security. Questions regarding issues in this area should be addressed to the HRO or Staff Judge Advocate. Reference: 42 U.S.C. 2000

Chapter 12- Miscellaneous

12-1 Substance Abuse

Drug and alcohol abuse are not tolerated in the Nevada National Guard. Commanders must emphasize drug and alcohol abuse deterrence while responding to the rehabilitative needs of personnel. Although the Nevada National Guard does not have in-house resources for rehabilitation, the individual's nature of abuse can be assessed and civilian resources utilized.

If an abuse occurs, commanders must counsel the individual, consider and/or process the individual for separation, and evaluate the individual's accessibility to classified information.

References: AR 600-85, ANGR 30-2

12-2 Urinalysis

One of the key features of the Nevada National Guard drug deterrence effort is the urinalysis program. In this program, urine samples are collected from military personnel and shipped to a state-of-the-art forensic laboratory. There the samples are tested for cocaine, marijuana, opiates, amphetamines, ecstasy, barbiturates, PCP, and LSD.

The urine samples can be collected as part of a random unit testing, as part of a medical test, or directed at an individual as part of probable cause where the commander has reasonable belief that an AGR is currently using illegal drugs, or part of a drug rehabilitation program. Results of the testing can result in a court-martial, article 15, or involuntary discharge with service characterization of honorable, general, or other-than-honorable.

All AGRs are considered a "special population" and will be randomly tested a minimum of one time annually. Drug testing is mandated after any Aircraft mishap.

References: AR 600-85, AFI 36-27

12-3 Military Unions

A member of the National Guard serving in AGR status may not be a member of a military union or labor organization. Regardless of its name, this would be any organization that attempts to engage in representing military personnel in connection with any grievance, complaint or changing the terms and condition of their military service. Current law prohibits this because of concern that military unions may impede the military mission of the Guard and present a danger to discipline, loyalty and obedience to the lawful orders of the chain of command. There are a number of potential criminal penalties to include fines and jail time for any AGR who joins, recruits for, or organizes a military union.

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AGR personnel can:

1. Present complaints or grievances concerning military issues through the military chain of command;
2. Seek redress through Inspector General channels;
3. Contact their legislator or Member of Congress; or
4. Voice personal views or complaints through authorized advisory councils, PAT teams, or similar committees.

AGR personnel who have been authorized off-duty employment are not prohibited from joining a union in connection with their civilian job.

References: 10 U.S.C. 976, AR 600-20, AFI 51-906

12-4 Jury Duty

Under Nevada law, AGR personnel are not exempt from serving as a juror simply because of their AGR status. AGR personnel are authorized to be absent from AGR duties for jury duty or for participating as a witness on behalf of the federal, state or local government. This absence is considered excused and the Soldier does not suffer a loss of leave or pay for attending. Excused absence is not available for AGR personnel attending as a witness in a private matter not involving a government agency. In those cases use of annual leave is required.

Wherever a summons to appear in court or report to jury duty is received, it should be presented to the supervisor. The supervisor may ask that the Soldier be excused from jury duty or that it be postponed consistent with the summons. But, the final decision rests with the jury commission or the court. Upon returning to duty, the Soldier should submit documentation from the court reflecting the dates and hours of their attendance. Any fees received for jury duty or as a government witness (except for parking and transportation) should be turned in to the appropriate military payroll office.

References: AR 27-40 Comptroller General Decision B-217845

Glossary

Abbreviations:

ACIP – Aviation Career Incentive Pay
ACMJ – Nevada Code of Military Justice
AD – Active Duty
ADSM – Nevada Distinguished Service Medal
ADSW – Active Duty Special Work
ADT – Active Duty for Training
AFI – Air Force Instruction
AFPD – Air Force Position Description
AFS – Active Federal Service
AFSC – Air Force Specialty Code
AGR – Active Guard/Reserve
KS – Nevada
NVNG – Nevada National Guard
NVNG-ARS – Nevada National Guard-Advanced Records System
ANGI – Air National Guard Instruction
ANGR – Air National Guard Regulation
AOC – Area of Concentration
APFT – Army Physical Fitness Test
AR – Army Regulation
AT – Annual Training
ATTN – Attention
AWOL – Absent Without Leave

BAH – Basic Allowance for Housing
BAQ – Basic Allowance for Quarters
BAS – Basic Allowance for Subsistence

CCWO- Command Chief Warrant Officer
CDL – Commercial Drivers License
CFR – Code of Federal Regulations
COC – Chain of Command
COS- Chief of Staff
COLA – Cost Of Living Allowance

DA – Department of the Army
DDP – Dependent Dental Plan
DEERS – Defense Enrollment Eligibility Reporting System
DFAS – Defense Finance and Accounting Office
DIC – Dependency and Indemnity Compensation
DITY – Do-It-Yourself
DJMS – Defense Joint Military Pay System

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DLA – Dislocation Allowance
DMVA – Department of Military and Veterans
DOB – Date of Birth
DOD – Department Of Defense
DODD – Department Of Defense Directive
DOM – Date of Marriage
DOS- Director of Staff
DTD – Dated

EAD – *Extended Active Duty*

EAP – Employee Assistance Program
EDS – Estimated date of Separation
EFT – Electronic Funds Transfer
EO – Equal Opportunity
EPS – Enlisted Promotion System
ETS – Expiration Term of Service
EUMD – Extended Unit Manning

FFD – **Fitness for Duty**

FMDP – Family Member Dental Plan
FOIA – Freedom of Information Act
FSA – Family Separation Allowance
FTNGD – Full-Time National Guard Duty
FTS – Full-Time Support
FTTD – Full-Time Training Duty

GBL – Government Bill of Lading
GSA – General Services Administration

HDIP – Hazardous Duty Incentive Pay
HHG – House Hold Goods
HOR – Home Of Record
HR/EO – Human Relations Equal Opportunity
HRO – Human Resources Office
HSS – Health System Specialist

IADT – Initial Active Duty for Training
IAW – In Accordance With
ID – Identification (card)
IDT – Initial Duty Training
IG – Inspector General
IM – Emissions

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IRS – Internal Revenue Service

JAG – Judge Advocate Generals

JFTR – JOINT FEDERAL TRAVEL REGULATION

JTR – Joint Travel Regulation

LCN – Leave Control Number

LOD – Line of Duty

MEB – Medical Evaluation Board

MEO – Military Equal Opportunity

MGR – Manager

MMRB – MOS Military Retention Board

MMSO – Military Medical Support Office

MOS – Military Occupational Specialty

MOSQ – MOS Qualified

MPF – Military Personnel Flight

MRD – Mandatory Removal Date

MSD – Mandatory Separation Date

MTF – Military Treatment Facility

MTOE – Modified Table of Organization and Equipment

NCO – Non-commissioned Officer

NCOER – NCO Evaluation Report

NCOIC – NCO In-Charge

NGB – National Guard Bureau

NGB/SG – NGB Surgeon General

NGB-HS – National Guard Bureau Health Services

NGPEC – National Guard Professional Education Center

NGR – National Guard Regulation

OIC – Officer-In-Charge

OER – Officer Evaluation Report

OPR – Officer Performance Report

PAT – Process Analysis Team

PCM – Primary Care Manager

PCS – Permanent Change of Station

PDS – Permanent Duty Station

PEB – Physical Evaluation Board

PEBD – Pay Entry Base Date

PEC – Professional Education Center

PMOS – Primary MOS

PO – Post Office

POC – Point of Contact

POV – Privately Owned Vehicle

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PPP – Priority Placement Program

PT – Physical Training

PULHES – Physical Profile Serial

P-Physical Capacity or Stamina

U-Upper Extremities

L-Lower Extremities

H-Hearing

E-Eyes (Vision)

S-Psychiatric

QRB – QUALITATIVE RETENTION BOARD

RDP – Remote Dental Program

REFRAD – Release from Active Duty

RFO – Request for Orders

RNA – Rations Not Available

ROPMA – Reserve Officer Personnel Management Act

SAD – State Active Duty

SBP – Survivor Benefit Plan

SCC- State Command Chief

SCSM- State Command Sergeant Major

SDAP – Special Duty Assignment Pay

SEEM – State Equal Employment Manager

SEL- Senior Enlisted Leader

SGLI – Servicemen’s Group Life Insurance

SGLV – Servicemen’s Group Life Insurance (Form)

SJA – Staff Judge Advocate

STP – Separation Transfer Point System

SRB – Selective Retention Board

TAG – The Adjutant General

TDA – Temporary Duty Assignment

TDA – Table of Distribution and Allowances

TDY – Temporary Duty

TOE – Table of Organization and Equipment

TPR – TRICARE Prime Remote

TPRADFM – TRICARE Prime Remote for Active Duty Family Members

TSC – Training Support Center

UIC – Unit Identification Code

US – United States

USC – United States Code

USPFO – United States Property and Fiscal Office

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USPS – United States Postal Service

UTA – Unit Training Assembly

VA – Veteran

VGLI – Veteran’s Group Life Insurance

VHA – Variable Housing Allowance

