

Employment and Staffing

Workforce Realignment, Reorganization and Reduction-in-Force

FOR THE GOVERNOR:

WILLIAM H. WADE II
Major General
The Adjutant General



OFFICIAL:

STUART D. EWING
Captain, CA ANG
Human Resources Officer

Applicability. California National Guard Full-time Personnel Regulation (CNGFPR) applies to all California Army and Air National Guard technicians and to commanders, managers and supervisors (military or civilian) with authority or responsibility over technician personnel management.

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

Supplementation. Supplementation of this regulation is prohibited.

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

Distribution. Distribution of the regulation is Army - A and Air Force - F.

History. None

Summary. This regulation establishes the Workforce Realignment, Reorganization and Reduction-in-Force procedures for California National Guard technicians. It replaces the Technician Personnel Manual, dated March 2000, Annex C.

Content (listed by paragraph number)

	Paragraph
Purpose	1
References	2
Responsibilities	3
Equal Employment Opportunity Policy.	4
Informing the Workforce	5
Management Options	6
Reduction-in-Force Definitions	7
Mandatory Requirements for Reduction-in-Force	8
Placement Efforts	9
Records and Files	10
Transfer of Function	11
Types of Transfers	12
Personnel Management Implications of Transfer of Function	13
Appeals and Corrective Actions	14
Competitive Areas	15

1. Purpose.

Reorganizations, realignments, and workforce reductions may require the movement or displacement of technicians. In most cases, reduction of positions does not necessarily result in separation of technicians. When reorganizations, consolidations and workforce reductions are anticipated, one of the major objectives is avoidance of adverse impact on the current workforce, to the maximum extent possible. Management makes every effort to avoid involuntary separations by considering management directed reassignments, separation pay incentives, technician requested change to lower grades, furloughs, voluntary retirements, elimination of temporary technicians, and hiring restrictions.

2. References.

Reduction-In-Force (RIF) is implemented only as a final solution. All policy and instructions necessary to conduct a RIF are contained in Technician Personnel Regulation (TPR) 300(351). The RIF procedures in Federal Personnel Manual (FPM) Supplement 351-1 do not apply since 32 USC 709(f) excludes National Guard technicians from the provisions of 5 USC 3502 (Order of Retention) and 6 USC 2108 (Veterans Preference).

3. Responsibilities.

a. National Guard Bureau. Notifies The Adjutant General of known technician losses and notifies Congressional and Senate representatives.

b. The Adjutant General. After notification of technician losses from the National Guard Bureau (NGB), The Adjutant General determines whether a RIF is necessary. The Adjutant General, or his designated representative, will issue a public announcement or letter about downsizing and personnel losses. Through the efforts and support of the Directorate for Human Resources and key management officials, The Adjutant General ensures that any system used to reduce or reorganize the workforce results in equity, consistency, minimal adverse impact, and accomplishment of critical missions. The Adjutant General makes the final decision regarding individual appeals of actions taken during any technician downsizing, reorganization, or transfer of function.

c. Managers. Managers and supervisors are responsible for planning workforce reductions and reorganizations as far in advance as possible, preferably a year. Managers will include the Directorate of Human Resources in the early planning and decision making stage and keep the workforce informed. Rewriting position descriptions to include multi-skill and eliminating unnecessary supervisory or leader positions through effective position management helps to achieve targeted reductions. Imposing a hiring freeze and employment of temporary technicians for non-critical vacancies early on minimizes adverse impact on the current workforce.

d. Directorate for Human Resources. The Directorate for Human Resources and his/her staff serve as advisors and technical experts to the Adjutant General and managers on laws, regulations, policy, entitlements, benefits, Reduction-In-Force procedures, and placement assistance. Assistance will include, but is not limited to, the following:

- (1) Brief manager, supervisors, and their subordinates as required.
- (2) Ensure technician personnel records and position descriptions are current.
- (3) Determine retirement eligibility and conduct interest surveys.
- (4) Accomplish qualification updates and reviews.
- (5) Institute out-placement assistance.
- (6) Establish re-training programs for other occupational series and/or agencies.

4. Equal Employment Opportunity Policy.

Positions may not be assigned to competitive levels on the basis of the sex of the incumbents, unless the positions are in combat units that prohibit the assignment of women. When placement actions involve technicians with disabilities, Section 501 of the Rehabilitation Act of 1973 (as amended) and 29 Code of Federal Regulations (CFR) 1613 requires management to provide reasonable accommodation for identified disabilities.

5. Informing the Workforce.

Notification to the labor organizations concerning any changes and, upon request, bargain on negotiable proposals. To alleviate anxiety and control rumors, the Directorate of Human Resources will conduct briefings, publish information about proposed changes and distribute information about regulations.

6. Management Options.

When reorganizations, consolidations, and workforce reductions are anticipated, one of the major objectives is avoidance of adverse impact on the current workforce, to the maximum extent possible. Below are recommended actions to achieve reduction or reorganization before implementing a RIF.

a. Management Directed Reassignment. Where possible, reassign excess technicians to available vacancies at the same grade level outside of the organizations impacted by position losses. Management may reassign technicians at any time and to any location in the state. If all excess technicians can be reassigned, involuntary separation actions are unnecessary. Reassignments to locations outside of the commuting area are subject to laws and regulations governing severance pay, permanent change of station (Joint Travel Regulation), and Discontinued Service Retirement.

b. Voluntary Early Retirement Authority (VERA). When managers anticipate a significant number of involuntary separations caused by reorganization or workforce reduction, authority for voluntary early retirement will be requested from National Guard Bureau-Human Resources Office (NGB-HR) and a General Notice to the work force issued. The General Notice may include a survey to determine who is interested in accepting early retirement. Managers may offer voluntary early retirement statewide, including both Army and Air National Guard, or limit it to specific organizations, occupational series, service (e.g. Army only), or geographical location. Early retirees must separate from the workforce before the effective date of the RIF and within the "window period." Voluntary Early Retirement is a management tool rather than a technician's entitlement. Determination as to how broad to offer VERA is based on the number and extent of technician reductions. Management may stop offering VERA before the expiration of the authority when target reductions are achieved.

c. Voluntary Separation Incentive Pay (VSIP). A cash payment up to \$25,000 is another management tool to minimize involuntary separations by encouraging voluntary resignations, optional retirement and early retirement. Technicians who chose to resign or leave with an optional retirement do not need VERA. Voluntary Separation Incentive Pay recipients must separate before the effective date of the formal RIF.

d. Voluntary Change to Lower Grade. After a General Notice is issued about expected downsizing, technicians may voluntarily accept a change to lower grade in order to save another technician from adverse impact. Technicians who volunteer for change to lower grade will receive grade/pay retention in accordance with governing regulations, under the following conditions:

- (1) The technician is in the same competitive area and level of technicians targeted for demotion.
- (2) The voluntary change to lower grade will prevent the demotion of another technician.
- (3) Voluntary demotions are free from coercion or pressure on the part of supervisors or higher level managers.

- (4) The volunteer must acknowledge in writing the reasons for the change to lower grade, the benefits to which he/she is entitled, and the irrevocability of the demotion after receipt of a change to lower grade notice. Volunteers for change to lower grade are entitled to noncompetitive re-promotion to their former grade and position when suitable vacancies become available; however, re-promotion is not guaranteed.

e. Voluntary Separations. Technicians may volunteer for involuntary separation. Volunteers for RIF separation receive severance pay as long as the following conditions are met:

- (1) Volunteers for separation must be in the same competitive area and competitive level as technicians targeted for involuntary separation.

- (2) The volunteer separation results in placement of an excess technician.

- (3) Volunteer separations are cost effective in comparison to involuntary separations.

- (4) Funds are available to cover the cost of a voluntary separation.

- (5) Volunteers must be serving on a permanent appointment and may not have a pending or approved application for Disability Retirement.

- (6) Volunteers must sign a written understanding of record which states their understanding of the separation, entitlement to benefits, and that their decision is irrevocable. Technicians who volunteer for separation are ineligible for Voluntary Separation Incentive Pay (VSIP) and registration in the DOD Priority Placement Program.

f. Furlough. When budget deficits occur, managers may avoid involuntary separations by placing technicians temporarily in a non-pay status. For a furlough of 30 calendar days or less (22 workdays or less when furlough days are not continuous), refer to Technician Personnel Regulation (TPR) 700(715). A furlough is appropriate when managers expect to return technicians back to work within twelve months. Give as much advance notice as possible, a minimum of 14 calendar days before the effective date. Total shutdown of facilities because of lapse of Government funding, natural disasters, or other emergencies may necessitate furlough with no advance notice. In such situations, affected technicians will receive written notification as soon as possible. The technicians will be informed of:

- (1) Reason(s) for furlough.

- (2) Estimated length.
- (3) Appeal rights.
- (4) Obligation to return to work on the date specified.
- (5) Separation for failure to return to work when recalled.

g. If technicians are called back to work before the specified date, those with higher retention standing will return to duty first.

h. Other Management Options. Consideration may be given to curtailing recruitment, separating temporary technicians, and encouraging use of leave without pay. A Reduction-In-Force should be implemented only as a final solution.

7. Reduction-in-Force Definitions.

a. Reduction-In-Force (RIF). Reduction-In-Force occurs when a technician is released from his/her competitive level by separation, change to lower grade, or furlough for more than 30 calendar days. A RIF also occurs if an incumbent is displaced through reassignment or change to lower grade actions. Workforce reductions may occur because of lack of work or funds, reorganization, abolishment of positions, transfer of function, or the need to provide a job placement for a former technician who exercises reemployment rights following military service. Termination of temporary appointments or temporary promotions, furloughs for less than 30 calendar days, or reclassification (unless part of reorganization) are not considered RIF actions. Unless directed by the National Guard Bureau, the decision to implement a RIF will be made by The Adjutant General.

b. Tenure Groups. Tenure groups are the categories in which technicians are grouped based on length of employment and completion of probationary/trial periods as follows:

(1) Tenure Group I: Permanent dual status technicians who have successfully completed a trial period and permanent and non-dual status technicians with career status, who have successfully completed their probationary period.

(2) Tenure Group II: Permanent dual status technicians who are serving a trial period and career-conditional non-dual status technicians who are serving a trial period.

(3) Tenure Group III: Dual status technicians who serve on indefinite appointments and non-dual status technicians serving on a time limited appointment (more than one year).

(4) Tenure Group 0: Dual status and non-dual status technicians who serve on a temporary NTE appointment.

c. Service Computation Date (SCD). The date used to determine a technician's seniority or retention standing during a RIF based on creditable Federal civilian and military service.

d. Technician Service Date (TSD). The date based on the total service as a technician with the National Guard under permanent, indefinite and temporary appointment, including technician service in other states.

e. Commuting Area. A commuting area is any geographical area and surrounding localities where people live and can reasonably be expected to travel back and forth daily to their employment sites. There is no set mileage standard that can be used to determine the commuting area. Commuting areas will be determined locally.

f. Competitive Area. The boundary within which technicians compete for retention and receive placement offers. A competitive area may be defined in terms of organization and/or geographical location. It may be restricted to the commuting area or one organization or expanded to cover the entire state. The area may also include both the Army and Air National Guard or be restricted to one service. The competitive area should be identified during advance planning for RIF.

g. Competitive Level. A group of identical or similar positions for which technicians compete for retention. Positions are grouped by competitive levels within each competitive area. Generally, each competitive level consists of positions which have the same grade and occupational series; or are similar in qualifications requirements, working conditions, duties and pay (incumbent of one position can perform the duties of another position without significant training or interruption of work operations). Some positions in the same occupational series will be in different competitive levels because of major differences in functions and qualifications. There is no limit on the number of positions that may be assigned to a particular competitive level. The competitive level may consist of only one position if that position is exceedingly unique to be grouped with other positions. The position the technician is permanently and officially assigned to establishes the competitive level. The position to which a technician is temporarily promoted, temporarily reassigned or detailed is not used to establish the competitive level.

h. Retention Register. A list of competing technicians within a competitive level grouped by Tenure 1, 2 and 3 in descending order. Within each tenure group, technicians are listed in order of their retention standing, Service Computation Date (SCD), and as a tie breaker, the Technician Computation Date (TCD).

i. Retention Standing. The technician's ranking on a retention register may be determined by a variety of elements, such as, appointment type, tenure group, work contributions, the Service Computation Date (SCD) and the Technician Service Date (TSD).

j. Order of Release. The order in which technicians on the retention register will be released from their competitive level based upon their retention standing.

k. Placement Offer. Efforts to place technicians who are released from their competitive level in positions at the same or lower grade.

l. Representative Rate. A rate used to determine the nature of the job change (promotion, demotion, etc.) when different types of pay schedules are involved, whether in the same or different wage area. It is the fourth step of the grade of a position under the General Schedule (GS) or the second step of the grade for a Federal Wage System (FWS) position under a regular prevailing rate schedule established in accordance with subchapter IV of Chapter 53, Title 5, U.S. Code.

m. Grade Retention. Retention of an eligible technician's grade for a period not to exceed two years when demoted by RIF or reclassification (Code of Federal Regulations 536 and Technician Personnel Regulation 990-2).

n. Pay Retention. Entitlement of eligible technicians to current pay when it exceeds the maximum rate of the grade of the position in which placed.

o. Severance Pay. Payment to an eligible technician who has been involuntarily separated from the Federal Government. Severance pay reduces the financial effect of job loss, thereby assisting technicians as they seek employment.

p. Advance Notices. Written notices to inform technicians about actions (e.g., reorganization, realignment, or RIF) which will occur and the affect upon the work force.

(1) General Notice. A written notice, with an expiration date, that informs the workforce about anticipated organizational changes when specific information about how each technician will be affected is unknown. The general notice discusses any changes in the organization that may involve the mission, function, location, and number/types of positions and technicians. A General Notice is unnecessary when sufficient information is available to issue a Specific Notice. The General Notice does not count toward the 60 day notice period for the Specific Notice.

(2) Specific Notice. A written notice, addressed to each individual technician involved, which describes what specific action will occur and its affect on the technician. The technician must receive the specific notice a minimum of 60 days before the effective date.

q. Appeal. A technician's request for review of procedures and actions taken regarding a RIF. The right of appeal does not extend beyond The Adjutant General.

8. Mandatory Requirements for Reduction-in-Force.

a. Preparation. Long before a RIF is anticipated, it is essential that all personnel records pertaining to service computation date, technician service date, position classification, tenure group, and competitive levels and eligibility for optional and early retirement are complete and accurate.

b. Competitive Area. When the extent of the RIF is known, the competitive area is established as far in advance as possible. Technicians will compete for positions within their designated competitive area. Those who cannot be placed within their competitive area may be placed in vacant positions outside of their competitive area through merit placement procedures.

c. Competitive Level. The State Classification Specialist, with assistance from the Personnel Staffing Specialist, will establish separate competitive levels for:

- (1) Part-time and full-time positions.
- (2) Excepted and competitive service positions.
- (3) Supervisory and non-supervisory.

d. Retention Registers. Establish separate registers for different competitive levels. Arrange the technicians' names on the register in descending order within each competitive level by tenure group and Service Computation Date (SCD). Doing a "Mock Reduction-In-Force" in advance of an actual Reduction-In-Force is recommended to enable management to determine who would be adversely affected and need placement assistance.

e. Tie-Breakers. The last technician performance rating on file will be used as a tie-breaker. If an appraisal does not exist then a rating of "satisfactory" will be used. Technician Service Date (TSD) will only be used as a tie-breaker in the event that two or more technicians have the same Service Computation Date (SCD) and technician performance rating.

f. Status of Technicians Restored After Active Duty. Technicians who have been restored after active duty under 38 U.S.C. 2024(a) and 38 U.S.C. 2024(b) may not be separated for one year after restoration except for

cause. If technicians in this category are identified for release from a competitive level during their first year of restoration, they may not be separated, but are entitled to an equivalent position.

g. Status of Technicians Restored After Fully Recovering From Injury (within one year). A fully recovered technician who is permanently re-employed in a position funded by the National Guard will compete with other onboard technicians for retention. Such technicians may be separated because of Reduction-In-Force or personal cause. Those in positions which are not funded by the National Guard do not participate in the Reduction-In-Force process, but may be reassigned to other organizations because of lack of work.

h. Dual Status/Non-Dual Status. Certain organizations (e.g., USPFO, Directorate for Human Resources) have both Dual Status and Non-Dual Status technicians who occupy identical positions. In such cases, Dual Status and Non-Dual Status technicians will be on separate retention registers. The Adjutant General will decide whether to reduce the Dual Status or Non-Dual Status workforce.

i. Order of Release. Based upon tenure group and other elements, identify technicians for release from their competitive level. Release technicians in the order in which their name appears on the retention register.

j. Adjustment in Order of Release. Adjustment in the order of release may be necessary for very unusual situations; e.g., to allow for completion of a special project impacting on the organization's mission. If lower standing technicians are retained while releasing those with a higher standing, inform the higher standing technicians, in writing, of the reasons for the change in order of release. After completion of the special project, the lower standing technician will be released and the higher standing technician will be reinstated to duty.

k. Preparation of Specific Notice. Before releasing technicians from their competitive level, they must receive a Specific Notice no later than 60 days prior to the effective date of the personnel action. The last day of the notice may not fall on a non-workday. The personnel action may not be effected, or the notice delivered, during the period 15 December through 3 January. As a minimum, include the following information in the notice:

- (1) Reason(s) for the action.
- (2) Specific action that will be taken (reassignment, demotion, separation, etc.) and effective date.

date.

- (3) Title, series, grade and salary of new job offer.
- (4) If applicable, compatibility information for the new position.
- (5) If applicable, reasons for any exceptions to order of release.
- (6) Location of retention registers, pertinent regulations and who to contact for additional information.

information.

- (7) Appeal rights (how to submit, to whom, and time limits).
- (8) Explanation of all benefits due, such as, grade and pay retention, severance pay entitlement, and retirement eligibility.
- (9) Eligibility for additional placement assistance.
- (10) Requirement for the individual to acknowledge receipt of the notice by signature, if delivered in person, or by return receipt, if mailed.

delivered in person, or by return receipt, if mailed.

l. If a more severe action than originally proposed becomes necessary, a new notice will be issued.

m. If a less severe action than originally proposed becomes necessary, a new notice will be issued.

9. Placement Efforts.

a. Review of Qualifications. Review each technician's qualifications in conjunction with available vacancies.

b. Placement Actions. Placement offers and competition for occupied positions will occur in the following order:

- (1) Placement in vacant positions at the same grade or pay.
- (2) Competition for occupied positions at the same grade or pay.
- (3) Placement in vacant positions at lower grade levels or pay.
- (4) Competition for occupied positions at lower grade levels or pay.

c. When placed, technicians must meet all military/compatibility requirements and be able to perform the duties of the job. The Directorate for Human Resources may waive all technician qualification standards except mandatory education and military compatibility requirements for placement in vacant positions at the same or lower grade. In order to displace other technicians in occupied positions at the same or lower grade level, management and the Directorate for Human Resources must determine that the excess technicians are well qualified and can perform the duties without disruption of the work operations. Technicians who are displaced will be considered for job offers. Competitive, merit placement procedures must be used for placement in higher graded positions.

d. Placement Actions. If the order of release process identifies more than one technician for release, the Directorate for Human Resources will place technicians with higher standings before those with lower standings. Technicians unable to be placed must be separated.

e. Reemployment Priority Lists. Establish Reemployment Priority Lists (RPL) to document separation of technicians and to provide a tool for orderly reemployment consideration. A Reemployment Priority List contains names of individuals in tenure group and retention standing (highest to lowest) and will remain on the list for two years. Technicians will receive priority placement for all suitable vacancies at the same grade or representative pay rate of the former position. Reemployment Priority lists should also be queried about availability for positions at lower grades and in other commuting areas; however, their entitlement to reemployment is at the grade of the former position and in the same commuting area. Therefore, declination of reemployment opportunities at lower grades or outside the commuting area will not result in removal from the Replacement Priority List. If vacancies become available, refer qualified technicians in tenure group 1, before those in tenure group 2. If no qualified technicians are in tenure group 1, refer those in tenure group 2.

f. Refer all qualified technicians for consideration and selection by the selecting official if the tenure group has more than one qualified Replacement Priority List registrant. Remove names of individuals who decline an offer at the same grade or representative rate, request removal, or when the period of consideration expires. Technicians entitled to grade retention in accordance with Technician Personnel Regulation (TPR) 300(335), will receive priority placement before Replacement Priority List registrants.

f. DOD/OPM Priority Placement Program. Technicians who qualify may be registered for placement in other agencies through the Department of Defense (DOD) and Office of Personnel Management (OPM) priority placement programs. Registration will be in accordance with DOD Manual 1400.20-1-M.

g. Job Training Partnership Act Program. Additional placement assistance may be obtained through the Job Training Partnership Act Program (JTPA) which is administered by each state government. Contact your state representative for information about training programs, employment services, and other benefits.

10. Records and Files.

Maintenance and disposition of all files and records associated with any action will be in accordance with applicable Army or Air Force Regulations. Files must contain all records necessary to reconstruct any action, including:

- a. Rationale for establishment of the competitive area.
- b. Official authorization for the Reduction-In-Force or reorganization.
- c. Copies of all retention registers.
- d. Reduction-In-Force notices.
- e. Placement actions.
- f. Documentation of exceptions to order of release.
- g. Other pertinent documents.

11. Transfer of Function.

A transfer of function occurs when a continuing function moves from one competitive area to another; or the competitive area in which the function is performed moves to another commuting area. The movement of a function within the same competitive area does not meet the definition of a transfer of function. In a transfer of function, the operation of the function must stop in one area and continue in its identical form in another area. The movement of a function to a gaining competitive or commuting area where an identical function is already being performed is not a transfer of function.

12. Types of Transfers.

The transfer may occur within the same state or between different states. When the transfer of function occurs in the same state, every effort should be made to transfer technicians with the function. A written notice must be issued to affected technicians a minimum of 90 days before the effective date. A transfer of function may involve the relocation of a military unit to another state. The decision as to who will be appointed as technician rests with The Adjutant General of the gaining state or his designated appointing authority. The decision as to who will be assigned to the military unit rests with the unit commander. These decisions will determine whether technicians from the losing state meet legal and regulatory requirements for transfer with their unit. The gaining state is encouraged to accept technicians from the losing state who would otherwise be demoted or separated. The losing and gaining states should work together to effect the transfer and assist technicians who will face demotions or separations.

13. Personnel Management Implications of Transfer of Function.

a. Losing State. Notify the gaining state about affected technicians as far in advance as possible to determine who will transfer with the unit. As soon as this information becomes available, issue a written notice to technicians within the function concerned, a minimum of 90 days before the effective date which states:

(1) Reason(s) for the transfer.

(2) Effective date.

(3) If applicable, the maximum amount of time (at least 10 calendar days) to either accept or reject the transfer offer.

(4) If the transfer offer is rejected, the notification letter constitutes a notice of termination of employment which is effective on the date of the transfer.

(5) Eligibility for severance pay, optional retirement, and discontinued service retirement. If eligible, other technicians may volunteer to transfer in place of the incumbents of positions assigned to the transferring unit. Volunteers must meet technician qualification and military compatibility requirements. The losing state should advise technicians who do not transfer with their unit about placement assistance available, including Department of Defense and Office Personnel Management placement programs. Management has the option to reassign individuals to an organization that will not transfer with their unit. If placement opportunities do not exist, such technicians will be separated.

b. Gaining State. After a determination is made as to the effective date of the transfer and which technicians will transfer with the unit, help the losing state or location ease the transfer by providing information on housing, schools, employment site, and other amenities. If the transfer would result in an excess number of technicians at the gaining work site, use Reduction-In-Force procedures before technicians are physically relocated to the new employment site.

c. Transfer of Function within California. Notify the affected technicians as far in advance as possible to determine who will transfer with the unit. As soon as this information becomes available, issue a written notice to technicians within the function concerned, a minimum of 90 days before the effective date which states:

(1) Reason(s) for the transfer.

(2) Effective date.

(3) If applicable, the maximum amount of time (at least 10 calendar days) to either accept or reject the transfer offer.

(4) If the transfer offer is rejected, the notification letter constitutes a notice of termination of employment which is effective on the date of the transfer.

(5) Eligibility for severance pay, optional retirement, and discontinued service retirement. If eligible, other technicians may volunteer to transfer in place of the incumbents of positions assigned to the transferring unit.

d. If placement opportunities do not exist, such technicians will be separated. If the transfer would result in an excess number of technicians at the gaining work site, use Reduction-In-Force procedures before technicians are physically relocated to the new employment site.

14. Appeals and Corrective Actions.

A technician or representative of the labor organization, who believes that the provisions of governing regulations were improperly applied, may appeal the action to The Adjutant General. The appeal must be in writing and be submitted no later than 30 days after receipt of the Specific Notice. The appeal must specifically state how the action failed to comply with the procedures in National Guard Bureau (NGB) or local regulations. The Adjutant General will issue a written decision to all interested parties and, where appropriate, direct corrective action. The Adjutant General's decision is final, and no other appeal opportunity exists. If an appeal results in the finding of an error that does not change the results of a placement action, the error will be corrected without returning the incumbent to his or her former position. If the appeal results in a finding that an error caused an incorrect placement action, corrective action may require the incumbent to return to his or her former grade and pay level or to one with similar duties, status, grade, and pay. The technician may also be reimbursed for all pay lost as a result of any improper action.

15. Competitive Area.

The competitive area will be the area determined at the time of a Reduction-in-Force that best fits the specifics of the reorganization. They may include as a minimum but are not limited to the following:

Joint Forces Headquarters (ANG funded positions) includes HQ CA ANG/Air Division and ANG HRO personnel.

All Organization Army – Statewide

All Organization Air – Statewide

Joint Forces Headquarters (ARNG funded positions) includes all Directorates.

AAFA Fresno
AASF Los Alamitos
AASF Sacramento
AASF Stockton
AFRC Los Alamitos
California Army National Guard Division, Brigade, Battalion, and Company Level Field Units
(Combined)
CSMS Long Beach
CSMS Stockton
Each individual FMS Shop separately
MATES Camp Roberts
MATES Ft. Irwin
Training Site Camp Roberts
Training Site Camp San Luis Obispo
Training Site Los Alamitos
USPFO
144th FW
146th AW (includes 195th Weather Flight)
129th RQW
163rd ARW (includes 210th Weather Flight)
162nd Combat Communications Group (HQ)
162nd Combat Communications Group, Det 1
147th Combat Communications Squadron
148th Space Operations Squadron
149th Combat Communications Squadron
216th Electronic Installation Squadron
222nd Combat Communications Squadron
234th Intelligence Squadron
261st Combat Communications Squadron
1106th AVCRAD