

# Leader's Handbook



## California Army National Guard

Office of the Inspector General  
California  
April 2012

## PREFACE

This handbook is intended to be an informative tool to assist leaders with day-to-day issues affecting service members in the California National Guard.

When using this handbook, keep in mind **that it does not supersede or replace any Army or State regulations.** As of the publication date, the information in this handbook is current. However, regulations are subject to change. **Before taking any final actions, leaders must refer to the appropriate regulation.**

The Inspector General Staff  
April 2012

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**DO NOT PRINT**

## ***Absence With Out Leave / Unexcused Absences***

### **References:**

a. AR 135-91, Service Obligations, Methods of Fulfillment, Participation Requirements and Enforcement Procedures, 1 February 2005

b. NGR 350-1, Army National Guard Training, 4 August 2009

c. NGR 601-1, Army National Guard Strength Maintenance Program, 28 April 2006

d. NGR 680-1, Personnel Assets Attendance and Accounting, 3 May 2012

**SME:** Army Division G1, Personnel Strength Management & Staff Judge Advocate

**Army National Guard Responsibilities.** Unit commanders have administrative control of Soldiers under their command; they provide information and direction to Soldiers concerning methods of fulfilling the Reserve obligation and consequences of unsatisfactory participation. Soldiers are responsible for acknowledging and understanding the terms of his or her Reserve participation agreement.

**a. Unexcused Absences for Inactive Duty Training (IDT).** Commanders will notify Soldiers using a letter of instruction (AR 135-91, Figure 4-1) that will be delivered either in person or by U.S. mail. If U.S. mail is used, the first notification commencing with the fourth absence will be sent certified mail/return receipt; this is required. Remaining notifications will be sent by first class mail; the person preparing the letter for mailing must complete an affidavit of service by mail.

(1) National Guard Soldiers are required to perform 48 Unit Training Assemblies (UTA) per year, unless otherwise authorized by the unit commander. Soldiers will be notified of unexcused absences commencing with the fourth absence within a 12-month period. Each UTA (4 hour period) is considered one unexcused absence.

(2) Whether notices are delivered in person or U.S. mail, a copy of each notice will be placed in the Soldier's unit drop file.

(3) Mail refused, unclaimed, or otherwise not delivered may not be used as defense against unexcused absences when notices were correctly addressed.

**b. Unexcused absence from Annual Training (AT).** Soldiers are unsatisfactory participants if without proper authority they fail to attend or complete the entire period of active duty.

(1) Commanders will determine if the Soldier was notified in enough time to comply with orders; was aware of the training termination date; whether there were compelling or emergency reasons for being absent.

(2) Actions taken against a Soldier absent without leave (AWOL) during AT will be at the discretion of the commander. Commanders can base this on the number of days absent and the Soldier's attendance and manner of performance during the regular IDT year.

(3) A Soldier present on the reporting and ending dates of AT orders, but who was AWOL for 1 or more days during the active duty period may be:

(a) Declared an unsatisfactory participant may be subject to reassignment or separation.

(b) Retained on active duty for punitive action under paragraph 10, Manual for Courts Martial/State Code.

(c) Administered non-judicial punishment per UCMJ, Article 15.

**c. Absence With Out Leave (AWOL) Abatement.** Commanders will establish a process to follow up on Soldiers in AWOL status; this is developed as part of the unit comprehensive strength maintenance program.

## ***Army Board for Correction of Military Records***

**Reference:** AR 15-185, Army Board for Correction of Military Records, 31 March 2006

**SME:** Army Division G1, Enlisted/Office Personnel Management

### **ABCMR Functions:**

The Army Board for Correction of Military Records (ABCMR) is the highest administrative board in the Army. The purpose of the Board is to correct errors and remove injustices from any military record. Examples of military records that the Board may review include: Awards, Separations, Retirements, Disabilities, Evaluation Reports, Pay and Allowances, and Survivor Benefit Plans. Prior to applying to the ABCMR, all other administrative remedies must be exhausted. This includes applying to other Army Boards such as the Army Physical Disability Appeal Board or the Army Discharge Review Board. Applying to the ABCMR does not affect other proceedings.

### **Who May Apply:**

a. The ABCMR's jurisdiction under 10 U.S.C. 1552 extends to any military record of the Department of Army. It is the nature of the record and the status of the applicant that define the ABCMR's jurisdiction.

b. Persons eligible to apply for corrections are Active Duty Soldiers and former members of the Regular Army, U.S. Army Reserve, and in certain cases, the Army National Guard and other military and civilian individuals affected by an Army military record. Requests are personal to the applicant and relate to military records. Requests are submitted on DD Form 149 (Application for Correction of Military Record Under the Provisions of Title 10, U.S. Code, Section 1552). Soldiers do not need to submit applications through their chain of command.

c. An applicant with a proper interest may request correction of another person's military records when that person is incapable of acting on his or her own behalf, missing, or deceased.

**Submitting Request:** All references and application forms are available from the Army Review Board Agency's web site at <http://arba.army.pentagon.mil>; or by sending a request to: Army Review Boards Agency, 1901 South Bell Street, Arlington, Virginia 22202-4508.

## **Army Substance Abuse Program**

### **References:**

AR 600-85, Army Substance Abuse Program, (RAR) 2 December 2009

NGR (AR) 600-85, Drug Abuse Prevention and Control, 1 March 1990

AR 135-175, Army National Guard and Army Reserve Separation of Officers, (RAR) 4 August 2011

AR 135-178, Army National Guard and Army Reserve Enlisted Administrative Separations, (RAR) 13 September 2011

**SME:** Army Division Deputy G1 & J1, Joint Substance Abuse Program Officer (JSAPO)

**Department of the Army Policy.** All ARNG Soldiers, who are identified as drug abusers, without exception, will—

- a. Be processed for administrative separation IAW AR 135-175 (for officers) and AR 135-178 (for enlisted) with the exception of “Limited Use” self-referrals (see AR 600-85).
- b. Be considered for administrative disciplinary action, as appropriate. Seek Staff Judge Advocate legal counsel for assistance.
- c. Be referred to a State Certified Rehabilitation Counseling Center for screening within 30 days. Contact State JSAPO for resources. M-Day Soldiers will incur the cost for state certified counseling/rehabilitation treatment.

### **Commander’s Responsibilities:**

- a. Appoint an officer or noncommissioned officer (E-5 or above) as the unit prevention leader (UPL) who must be certified through required UPL training addressed in AR 600-85.
- b. Implement a unit biochemical-testing program IAW AR 600-85, Chapter 8.
- c. Implement Prevention and education initiatives addressed in AR 600-85. All Soldiers will receive a minimum of two hours of alcohol and other drug awareness training per year of which one hour must be Team Readiness Prevention Training (TRPT).
- d. Ensure all newly assigned Soldiers are briefed on ASAP policies and services.
- e. Immediately report all offenses involving illegal possession, use, sale, or trafficking in drugs or drug paraphernalia to the JSAPO, Staff Judge Advocate, Provost Marshal and or Criminal Investigation Division (CID) for investigation or referral to local law enforcement, as appropriate.

f. Commanders are responsible to ensure random urinalysis testing occur, either monthly at a 10% rate or quarterly at a 25% rate. Units are required to test 100% of personnel annually.

g. Below are some scenarios to help in the familiarization of the process:

**Situation #1: A Soldier's job performance is well below par and they used to be an excellent Soldier. Co-workers say this Soldier is smoking marijuana frequently.**

*Question: I have a Soldier in my unit I suspect of drug use. I would like to determine if he is using drugs, but do not want to disrupt the unit by conducting a unit urinalysis? What are my options?*

*Answer: IAW AR 600-85, when commanders suspect drug use by a Soldier due to observation, suspicion, or a negative change in job performance, social conduct, interpersonal relations, physical fitness or health they will:*

*a. Coordinate with JSAPO or command Staff Judge Advocate legal advisor about whether the commander, his designated representative or law enforcement should conduct the initial interview for suspected alcohol or drug abuse.*

*b. When the unit commander believes the Limited Use Policy applies, the unit commander should consult with the JSAPO and supporting command Staff Judge Advocate legal advisor. The unit commander may then explain the Limited Use Policy (self-referral), if applicable to the particular circumstances.*

**Situation #2: A commander realizes that he is required to conduct urinalysis testing of 100 percent of his unit's assigned personnel in a fiscal year. DOD 1010.1, paragraph D.2.b. states that the minimum rate of urinalysis testing be one random sample per active duty member each year. However, he is unsure how to conduct urinalysis testing within his unit to discourage illegal drug use and to not tip off Soldiers.**

*Question: How should I conduct urinalysis testing to deter illegal drug use and not tip off Soldiers while meeting the DOD 1010.1 requirement?*

*Answer: Utilize discretionary smart testing. A good urinalysis testing practice is to test about 10 percent of the unit's strength monthly and conduct a 100 percent urinalysis once per year. Frequent testing is a good deterrent and 100 percent urinalysis testing once per year ensures the DOD 1010.1 requirement is met.*

**Situation #3: A commander conducts a urinalysis test during an Inactive Duty Training (IDT) drill weekend and a Soldier tests positive.**

*Question: If a traditional M-day National Guard Soldier tests positive for an illegal substance during an IDT drill weekend, can the commander initiate disciplinary action under UCMJ or MVC?*

*Answer: Generally no, but the Soldier must be processed for administrative separation and the Commander may consider taking administrative disciplinary action to include but not limited to counseling, letter of reprimand, and or bar to reenlistment. Always consult guidance from the supporting command Staff Judge Advocate legal advisor.*

## **Awards**

### **References:**

- a. AR 600-8-22, Military Awards, (RAR) 15 September 2011
- b. CA ARNG 600-8-22 & CA ANGI 36-2803, Military Awards and Decorations, 1 December 2008
- c. AR 600-8-2, Suspension of Favorable Personnel Actions (Flags), 23 December 2004

**SME:** Army Division G1, Awards Branch

### **Department of the Army and Army National Guard Policy.**

- a. The Department of the Army and National Guard Awards Program provides a means of tangible public recognition for acts of valor, achievement, and meritorious service rendered to the Army or the State of California.
- b. It is the responsibility of any individual having personal knowledge of an act, achievement, or service believed to warrant the award of a decoration, to submit a formal recommendation into military command channels for consideration. A Soldier may not recommend himself/herself for award of a decoration.
- c. Each recommendation must be entered administratively into military channels within two years of the act, achievement, or service to be honored, except as indicated in AR 600-8-22, paragraphs 1-14a, b, c, d, or e.
- d. A medal will not be awarded or presented to any individual whose entire service subsequent to the time of the distinguished act, achievement, or service has not been honorable.
- e. APFT/Weight Control Flags: Retirement awards and decorations for valor may be processed and presented to flagged Soldiers, IAW AR 600-8-2, 1-15(g).

### **General Information.**

- a. Once an award recommendation is submitted, it must be forwarded to the approval/disapproval authority. The chain of command can only recommend approval/disapproval and **must** forward the recommendation to the approval/disapproval authority. The chain of command cannot refuse to process an award recommendation or throw it out for any reason.
- b. Recommendations for awards must be based on specific achievements.

c. Awards for meritorious achievement or service will not be based upon the grade of the intended recipient. The predominant factor will be the degree to which an individual's achievement or service enhanced the readiness or effectiveness of his or her organization.

d. No individual is automatically entitled to an award upon departure from an assignment. Consideration should also be given to certificates, coins, or other signs of gratitude when a military award is not appropriate.

e. No preconditions for an award may be established nor will they be used as prizes in contests.

f. Limiting awards to a specific number per unit (quotas) is not authorized.

## **BAR TO REENLISTMENT**

### **References:**

- a. NGR 600-200, Army National Guard Enlisted Personnel Management, 31 July 2009
- b. AR 140-111, U.S. Army Reserve Reenlistment Program, (RAR), 6 September 2011
- c. AR 135-178, Enlisted Administrative Separations, (RAR) 13 September 2011
- d. AR 601-280, Total Army Retention Program, (RAR), 15 September 2011

**SME:** Army Division G1, Enlisted Discharge Branch & Staff Judge Advocate

### **General Information.**

a. There are prescribed policies and procedures to deny reenlistment/immediate extension on current enlistment, and the future entrance into the military of substandard Soldiers whose immediate discharge under administrative procedures is not warranted.

b. Service beyond ETS without appropriate improvement is not in the best interest of the ARNG. Soldiers may not reenlist, immediately reenlist or extended without the recommendation of the unit commander. If a Soldier is not recommended for continued service, a BAR may be initiated under the provisions of this chapter unless the Soldier possesses a disqualification that can be waived.

### **National Guard Policy.**

a. Only Soldiers of high moral character, personal competence, and demonstrated adaptability to the requirements of the professional Soldier's moral code may reenlist, immediately reenlist or extend. Soldiers who cannot or will not measure up to such standards, but whose discharge under proper administrative procedures is not now warranted, may receive a BAR from further service under the provisions of this chapter. Even though a BAR has been initiated, a Soldier can still be administratively discharged if it is warranted.

b. The BAR is a non-punitive probationary device intended to serve notice that a Soldier is not a candidate for reenlistment, immediate reenlistment or extension and may be discharged if the circumstances that led to the bar are not overcome.

### **Guidelines for use of a BAR.**

- a. BAR procedures will not be used instead of discharge actions under this regulation.
- b. A BAR will not be initiated solely because a Soldier refuses to immediately reenlist or extend.

c. A BAR will not be used instead of trial by courts-martial, nonjudicial punishment, or other administrative action.

d. Disciplinary and administrative actions that do not result in discharge do not prevent initiation or continuation of a BAR.

e. The fact that a Soldier may be issued an honorable or general discharge for the current period of service does not prevent initiation of a BAR to deny the Soldier later service in the military.

f. Honorable service for a number of years is considered in the evaluation of the Soldier's service. However, it does not prohibit the initiation of a BAR if appropriate.

### **Commanders Responsibility.**

a. Commanders must evaluate the advisability and desirability of affording continued military service to Soldiers of the following or similar categories.

(1) Untrainable Soldiers. These Soldiers will be identified as soon as possible with a view toward eliminating them from service. When discharge under administrative procedures is not warranted, action will be taken under this chapter to bar the Soldier from further military service.

(2). Unsuitable Soldiers. These Soldiers will be identified early in their military service with a view toward elimination from the service. When administrative discharge is not warranted, action will be taken under this chapter to bar the Soldier from further military service.

### **Procedures for processing a BAR.**

a. Any commander in a Soldier's chain of command may prepare NGB Form 602-R (BAR to Reenlistment/Immediate Reenlistment or Extension Certificate), summarizing the basis for the action.

(1) A BAR normally should NOT be initiated against a Soldier assigned to a unit for less than 90 days.

(2) A BAR must be based on specific dates, places, times which can all be substantiated with backup documents.

(3) Normally, a BAR will NOT be initiated against a Soldier during the last 90 days prior to ETS. Initiating a bar earlier will allow for Soldiers ample time to overcome the bar.

b. Upon receipt of the comment of the Soldier, or the Soldier's refusal to comment, the certificate will be endorsed personally by each commander in the chain of command, and approved or disapproved by the appropriate authorities as shown in (1), (2) or (3) below.

(1) For Soldiers with less than 10 years of qualifying service for retired pay at ETS, the approval/disapproval authority is the first commander, LTC or above, in the Soldier's normal chain of command. No delegation of authority is authorized.

(2) For Soldiers with at least 10 years but less than 18 years of qualifying service for retired pay at ETS, approval/disapproval authority is the first general officer, in the Soldier's normal chain of command. No delegation of authority is authorized.

(3) Soldiers, who upon ETS, will have at least 18 years but less than 20 years of qualifying service, will be allowed to extend to the point where they could attain 20 years. They may, after the extension is executed, be barred. The approval/disapproval authority for this bar is the State AG. These Soldiers may be processed for separation before they attain 20 years of service, but will not be separated without approval from the Secretary of Army. Requests will be processed through NGB-ARH-S.

c. When the BAR has been approved, the Soldier's unit commander will use a counseling statement to inform the Soldier of the right of appeal within 15 days.

#### **Removing a BAR.**

a. A recommendation to remove a BAR may be submitted at any time by the Soldier's unit commander, if the Soldier has proven worthy of retention in the ARNG.

(1) Recommendations to remove a BAR will be submitted in writing through the chain of command and will be endorsed personally by each commander.

(2) Approval to remove a BAR may be granted by the same authority that approved the BAR originally or, if the Soldier has moved to another jurisdiction, by a comparable commander in that jurisdiction.

## **Corrective Training**

**References:** AR 600-20, Army Command Policy, (RAR) 4 August 2011

**SME:** Staff Judge Advocate & CSMs

### **Department of the Army Policy.**

a. Military discipline is founded upon self-discipline, respect for properly constituted authority, and the embracing of the professional Army ethic with its supporting individual values. It will be developed by individual and group training to create a mental attitude resulting in proper conduct and prompt obedience to lawful military authority. Military authority is exercised with promptness, firmness, courtesy, and justice.

b. One of the most effective nonpunitive, corrective measures is extra training or instruction (including on-the-spot correction).

*Example: If Soldiers appear in an improper uniform, they are required to correct it immediately. If Soldiers have training deficiencies, they will be required to take extra training or instruction in subjects directly related to the shortcoming.*

(1) The training, instructions, or correction given to a Soldier to correct deficiencies must be **directly related** to the deficiency. It must be oriented to improving the Soldier's performance in his/her problem area. Corrective measures may be taken after normal duty hours. Such measures assume the nature of training or instruction, not punishment. Corrective training should continue only until the training deficiency is overcome. Authority to use corrective training is part of the inherent powers of command.

(2) Care should be taken at all levels of command to ensure that training and instruction are not used in an oppressive manner to evade the procedural safeguards applying to imposing nonjudicial punishment (NJP).

### **Commander Responsibilities.**

- a. Ensure that training and instruction are not used in an oppressive manner.
- b. Written counseling and NJP, if applicable, will be used for Soldiers who fail to respond to proper corrective training for repeated minor deficiencies. When considering NJP, contact your SJA.
- c. Ensure that deficiencies that are satisfactorily corrected by means of corrective training are NOT noted in the official records of the Soldiers concerned.

## Counseling

**References:** FM 6-22, Army Leadership, 10 October 2006

Related publications:

- a. AR 135-178, Enlisted Administrative Separations, (RAR) 13 September 2011
- b. AR 600-8-19, Enlisted Promotions and Reductions, 27 December 2011
- c. AR 600-9, The Army Weight Control Program, 27 November 2006
- d. AR 600-20, Army Command Policy, (RAR) 4 August 2011
- e. AR 623-3, Evaluation Reporting System, 10 August 2007
- f. NGR 600-200, Enlisted Personnel Management, 31 July 2009

**SME:** Staff Judge Advocate & CSMs

**General:** Counseling is the process used by leaders to review with a subordinate the subordinate's demonstrated performance and potential and is one of the most important tools for Army leaders to develop Soldiers.

**The Developmental Counseling Form (DA Form 4856)** is designed to help Army leaders conduct and record counseling sessions.

**Three major categories of developmental counseling:**

**a. EVENT COUNSELING.** Event-oriented counseling involves a specific event or situation. It may precede events such as appearing before a promotion board or attending training. It can also follow events such as noteworthy duty performance, a problem with performance or mission accomplishment, or a personal issue. Examples of event-oriented counseling include—

(1) Reception and integration counseling: identifies and helps alleviate any problems or concerns that new members may have and familiarizes new team members with the organizational standards and how they fit into the team.

(2) Superior or substandard performance: Counseling should be conducted for both superior performance and substandard performance. Establishing the standard in the reception counseling will help identify superior and substandard performance.

(3) Crisis counseling: Includes getting a Soldier through a period of shock after receiving negative news and focuses on the subordinate's immediate short-term needs, which may include referring the subordinate to a support activity or coordinating for external agency support.

(4) Referral counseling: Helps subordinates work through a personal situation and aims at preventing a problem from becoming unmanageable.

(5) Promotion counseling: Army leaders must conduct promotion counseling for all specialists and sergeants who are eligible for advancement without waivers, but not recommended for promotion to the next higher grade.

**b. PERFORMANCE COUNSELING.** Providing regular and effective performance counseling to all Soldiers, not just those whose performance fails to meet unit standards, is a function of the command. All commanders will ensure that their subordinate commanders have implemented and are maintaining an effective performance counseling program.

During performance counseling, leaders conduct a review of a subordinate's duty performance over a certain period. Simultaneously, leader and subordinate jointly establish performance objectives and standards for the next period. Rather than dwelling on the past, focus on the future: the subordinate's strengths, areas of improvement, and potential.

**c. PROFESSIONAL GROWTH COUNSELING.** Professional growth counseling includes planning for the accomplishment of individual and professional goals. During the counseling, leader and subordinate conduct a review to identify and discuss the subordinate's strengths and weaknesses and to create an individual development plan that builds upon those strengths and compensates for (or eliminates) weaknesses. Leaders and subordinates may choose to develop a "pathway to success", which includes opportunities for civilian or military schooling, future duty assignments, special programs, and reenlistment options.

## **THE FOUR-STAGE COUNSELING PROCESS**

### **a. STAGE 1: IDENTIFY THE NEED FOR COUNSELING**

### **b. STAGE 2: PREPARE FOR COUNSELING**

- (1) Select a suitable place.
- (2) Schedule the time.
- (3) Notify the subordinate well in advance.
- (4) Organize information.
- (5) Outline the counseling session components.
- (6) Plan the counseling strategy.

(7) Establish the right atmosphere.

c. STAGE 3: CONDUCT THE COUNSELING SESSION

(1) Opening the session.

(2) Discussing the issues.

(3) Developing a plan of action.

(4) Recording and closing the session.

d. STAGE 4: FOLLOW-UP

The counseling process continues throughout the implementation of the plan of action, consistent with the observed results. Leaders must consistently support their subordinates in implementing the plan of action by teaching, coaching, mentoring, or providing additional time, referrals, and other appropriate resources.

## ***Enlisted Administrative Separations***

### **References:**

- a. NGR 600-200, Enlisted Personnel Management, 31 July 2009
- b. AR 135-178, Army National Guard and Army Reserve Enlisted Administrative Separations, (RAR) 13 September 2011
- c. DoD Instruction # 1332.40, 16 September 1997
- d. NGR (AR) 600-5, The Active Guard/Reserve (AGR) Program Title 32, Full-Time National Guard Duty (FTNGD), 20 February 1990
- e. AR 135-18, The Active Guard Reserve (AGR) Program, 1 November 2004

**SME:** Army Division G1, Enlisted Discharge Branch and Staff Judge Advocate

**General Information.** There are multiple reasons for commanders to administratively separate Soldiers. Each has its own set of rules and procedures. For example, in separations involving misconduct (Chapter 12, AR135-178) or unsatisfactory performance (Chapter 13, AR 135-178), Commanders will provide a rehabilitative transfer unless waived by the separation authority. Involuntary separation actions require the use of the notification procedure in AR 135-178, Chapter 3. These chapters explain the Soldier's rights in the proceeding and are part of the due process procedure. A commander's failure to administer chapter actions according to regulation can result in the action being overturned on legal review or appeal. The following Soldiers should be separated to avoid the high costs of continued service in terms of pay, administrative efforts, degradation of morale, and substandard mission performance:

- a. Soldiers who do not conform to required standards of conduct and performance.
- b. Soldiers who do not demonstrate potential for further military service.

### **Commander's Responsibilities.**

Commander's must:

- a. Become thoroughly familiar with the regulations governing the types of separation action desired.
- b. Consult with your servicing Staff Judge Advocate before initiating any separation action.
- c. Ensure that reasonable efforts towards rehabilitation have been exhausted before initiating separation proceedings.

- d. Ensure that adequate counseling has been accomplished in writing.
- e. Consult with the State Surgeon's Office and Staff Judge Advocate for Soldier's in a Medically-Non Deployable (MND) Status to determine involuntary separation options.
- f. Ensure that all Soldiers pending involuntary separation actions are notified in writing and provided 30 days to respond.
- g. Ensure that Soldiers with six or more year's time in service have the right to an administrative separation board.
- h. The Secretary of the Army is the approval authority to order a involuntary separation for a Soldier that has 18 or more year's time in service for retired pay.
- i. Denial of extension or immediate reenlistment at ETS, for a fully qualified Soldier, is considered an involuntary separation and the proper steps defined in appropriate regulations should be followed.

## ***Evaluation Reporting System***

**Reference:** AR 623-3, Personnel Evaluation System, 10 August 2007

**SME:** Army Division G1 Enlisted/Officer Evaluation Section

### **Department of the Army Policy.**

Army evaluation reports are assessments on how well the rated Soldier met duty requirements and adhered to the professional standards of the Army officer or noncommissioned officer corps. Performance will be evaluated by observing action, demonstrated behavior, and results from the point of view of the values, leadership framework and responsibilities identified on the evaluation forms, counseling forms, and as explained in DA PAM 623-3. Consideration will be given to the following:

- a. The relative experience of the rated officer or NCO.
- b. The efforts made by the rated officer or NCO.
- c. The results that could be reasonably expected given the time and resources available.

Potential evaluations will be performance-based assessments of the rated officers or NCOs of the same grade to perform in positions of greater responsibility and/or higher grades. Assessment of potential will apply to all officers and NCOs.

### **General Information.**

- a. Types of Reports.

(1) Annual. For OERs and NCOERs, an annual evaluation report is mandatory for a rated Soldier on completion of 1 calendar year of duty following the THRU date of the last OER or NCOER in the Soldier's OMPF.

(2) Change-of-Rater. An OER or NCOER report is mandatory when the rated Soldier ceases to serve under the immediate supervision of the rater and minimum rating qualifications, normally 90 days, have been met. Reasons for a change of rater:

- (a) PCS of the rated Soldier or rater.
- (b) The rated Soldier is separated from service.
- (c) Change of duty.

(3) Relief for Cause. An OER/NCOER report is required when an officer, warrant officer, or non-commissioned officer is relieved for cause. Relief for cause is defined as an early

release from a specific duty or assignment directed by superior authority and based on a decision that the officer/Soldier has failed in their performance of duty.

(4) **Senior Rater Option.** For DA Form 67–9 and DA Form 2166–8, when a change in senior rater occurs, the senior rater may direct that a report be made on any Soldier whom they senior rate.

(5) **Sixty-Day Option.** For DA Form 67–9 and DA Form 2166–8, when a change in senior rater occurs, the senior rater may direct that a report be made on any Soldier whom they senior rate. When an evaluation report is due within 60 calendar days of the change in senior rater, the senior rater will submit a senior rater option report to prevent that OER or NCOER being submitted without a senior rater evaluation.

### **Levels of Performance for NCOs.**

a. **Excellence.** Exceeds standards; demonstrated by specific examples and measurable results; special and unusual; achieved by only a few; clearly better than most others.

b. **Success.** Meets all standards. Majority of ratings are in this category; fully competitive for schooling and promotion. The goal of counseling is to bring all NCOs to this level.

c. **Needs improvement.** Missed meeting a particular standard.

### **Redress and Appeals.**

The NCOER Redress Program consists of several elements at various levels of command. The program is both preventive and corrective in nature in that it is based upon principles structured to prevent and/or provide a remedy for alleged injustices or regulatory violations, as well as to correct them once they have occurred.

a. **Commander's Inquiry.** Alleged errors, injustices, and illegalities in a rated Soldier's evaluation report may be brought to the commander's attention by the rated individual or anyone authorized access to the report (para 1–11). The primary purpose of a Commander's Inquiry is to provide a greater degree of command involvement in preventing obvious injustices to the rated Soldier and correcting errors before they become a matter of permanent record. Examples include, but are not limited to:

(1) Impropriety designated or unqualified rating officials.

(2) Inaccurate or untrue statements.

(3) Lack of objectivity or fairness by rating officials.

### **b. Appeals:**

(1). The rated Soldier or other interested parties who know the circumstances of a rating may appeal any report that they believe is incorrect, inaccurate, or in violation of the intent of this regulation. The results of a Commander's Inquiry provision under paragraph 1-11 do not constitute an appeal. They may be used, however, in support of an appeal, but are not required to submit an appeal. An appeal will be supported by substantiated evidence (see 623-3, para 6-11).

(2) Before deciding to appeal, an objective analysis of the report in question should be made. The burden of proof rests with the rated Soldier. AR 623-3, paragraph 6-11, discusses the level of evidence that must be provided. The Soldier should be realistic in the assessment of whether or not to submit an appeal based on a careful review of AR 623-3. The Soldier should also seek assistance from the Staff Judge Advocate, Personnel Service Center, and career management officials whether an appeal is advisable.

**Submit completed appeal along with one original directly to:**

a. For officer ARNG: NGB, ARNG Readiness Center, ATTN: NGB-ARP-C (Appeals Section), 111 S. George Mason Dr., Arlington, VA 22204-1382.

b. For ARNGUS enlisted:

(1) For administrative error: The State TAG

(2) For substantive error: CNGB, ARNG Readiness Center, ATTN; NGB-ARP-PE, 111 S. George Mason Dr., Arlington, VA 22204-1382

## **Family Care Plans**

### **References:**

- a. AR 600-20, Army Command Policy, (RAR), 4 August 2011
- b. AR 600-8-24, Officer Transfers and Discharges, (RAR) 13 September 2011
- c. AR 135-178, Enlisted Administrative Separations, (RAR) 13 September 2011

**SME:** Army Division G1, Officer/Enlisted Personnel Management & Staff Judge Advocate

### **Department of the Army Policy.**

a. The Army assists the Soldier in providing for the care of his or her family members. Mission, readiness, and deployability needs especially affect Active Army (AA), Army National Guard, and USAR single parents and dual military couples with family members. Plans must be made to ensure family members are properly and adequately cared for when the Soldier is deployed, on temporary duty (TDY), or otherwise not available due to military requirements. Army National Guard and USAR Soldiers are subject to those policies and regulations, and will implement plans during any period of absence for annual training, regularly scheduled unit training assemblies, emergency mobilization and deployment, or other type of active or inactive duty.

b. DA Form 5305 (Family Care Plan) is the means by which Soldiers provide for the care of their family members when military duties prevent the Soldier from doing so. It will include proof that guardians and escorts have been thoroughly briefed on the responsibilities they will assume for the sponsor/Soldier and the procedures for accessing military and civilian facilities and services on behalf of the family members of the sponsor/Soldier.

c. As a minimum, proof will consist of the following attachments to DA Form 5305:

- (1) DA Form 5841 (Power of Attorney) or equivalent delegation of legal control.
- (2) DA Form 5840 (Certificate of Acceptance as Guardian or Escort). This document must be notarized and signed by the guardian and/or escort.
- (3) DD Form 1172 (Application for Uniformed Services Identification Card—DEERS Enrollment) for each family member.
- (4) DD Form 2558 (Authorization to Start, Stop, or Change an Allotment) for active duty or retired personnel, unsigned until deployment, or other proof of financial support arrangements.
- (5) A letter of instruction to the guardian/escort.

d. Soldiers are responsible for implementing the Family Care Plan and thus ensuring the care of their family members. When operational or security considerations prevent the Soldier from implementing the plan, it will be used by appropriate military or civilian authorities to obtain care for such family members. DA Form 5305 may be executed at any time when conditions warrant and family care is necessary due to the required military absence of the Soldier. DA Form 5304, DA Form 5305, DA Form 5840, and 5841 are available on the APD Web site.

e. Soldiers must be able to perform their military duties without interference of family responsibilities. They must be available for duty when and where the needs of the Army dictate.

**General Information.** Soldiers must complete a FCP when any of the following apply:

a. Pregnant Soldiers who--

(1) Are single, divorced, widowed, separated or reside without their spouse.

(2) Are married to another service member of an Active or Reserve component of any service (Army, Air Force, Navy, Marines or Coast Guard).

b. A Soldier who has no spouse; is divorced, widowed, or separated, or is residing apart from his or her spouse; who has joint or full legal and physical custody of one or more family members under the age of 19; or who has adult family member(s) incapable of self-care regardless of age.

c. Soldiers who are divorced (not remarried) and who has liberal or extended visitation rights by court decree which would allow family members to be solely in the Soldier's care in excess of 30 consecutive days.

d. Soldiers whose spouse is incapable of self-care or is otherwise physically, mentally, or emotionally disabled so as to require special care or assistance.

e. Enlisted Soldiers and Officers will be counseled on voluntary and involuntary separation whenever parenthood interferes with military responsibilities under provision of—

(1) AR 600-20, Paragraph 5-5

(2) AR 135-178, for Enlisted discharge, Paragraph 6-5

(3) AR 600-8-24, for Officer discharge, Paragraph 4-2 (a) (16)

f. Pregnant Soldiers (who meet the criteria established in AR 600-20, paragraph 5-5b(1)) will be counseled IAW appropriate regulations.

(1) Using DA Form 5304-R as soon as pregnancy is identified but not later than 90 days prior to the expected date of birth of the child. Pregnant Soldiers should receive Family Care Plan counseling.

(2) That they must complete and have an approved DA Form 5305-R showing their intentions for family care not later than 60 days prior to the date of the birth of the child. DA Forms 5840-R and 5841-R or other guardianship documents, DD Form 1172, DD Form 2558 will be completed and DA Form 5305-R re-certified not later than 45 days following the date of the birth of the child.

**Commander Responsibilities.**

- a. Conduct FCP counseling. This can be delegated to an authorize representative.
- b. The unit commander is the sole approving authority for DA Form 5305-R. This responsibility will not be delegated.
- c. The commander should disapprove the DA Form 5305-R if the required attachments are not present unless extenuating circumstances exist.
- d. The commander may consider extenuating circumstances in approving DA Form 5305-R, but must understand that the Soldier is considered non-deployable until a FCP is validated and approved.
- e. The commander must adequately test the validity and durability of the FCP, to include contacting the designated guardian(s) prior to final approval or re-certification.
- f. The commander should consider initiating a bar to reenlistment against Soldiers who fail to properly manage personal, marital, or family affairs, or who fail to provide or maintain adequate FCP.
- g. Commanders should consider initiating involuntary separation proceedings against Soldiers who fail to provide and maintain adequate FCP.

## **Gifts**

**References:** DOD Directive 5500.7-R, Section 3, 2-300, Joint Ethics Regulation.  
5 C.F.R. 2635, *Standards of ethical conduct for employees of the executive branch*

**SME:** Staff Judge Advocate

a. Gifts to Superiors.

(1) Except as provided in this subpart below, an employee **may not** directly or indirectly, give a gift to or make a donation toward a gift for an official superior; or

(2) Solicit a contribution from another employee for a gift to either his own or the other employee's official superior.

b. Gifts from employees receiving less pay. An employee may not directly or indirectly, accept a gift from an employee receiving less pay than him unless:

(1) The two employees are not in a subordinate-official superior relationship; and

(2) There is a personal relationship between the two employees that would justify the gift. Limitation on use of exceptions. Notwithstanding any exception provided in this subpart, an official superior shall not coerce the offering of a gift from a subordinate.

c. Gifts from outside sources. An employee shall not solicit or accept a gift given because of his or her official position. Neither shall an employee solicit or accept a gift from a prohibited source.

### **General Information.**

a. Gifts are almost anything of monetary value. Following are some exclusions:

(1) Greeting cards and most plaques, certificates and trophies.

(2) Prizes in contests open to the public.

(3) Gifts given during traditional occasions, birthdays and holidays, with a market value of \$10 or less per occasion.

(4) Items such as food and refreshments to be shared in the office among several employees.

b. Voluntary Contributions. An employee may solicit voluntary contributions from another employee for a group gift to the contributing employee's superior for any special, infrequent occasion in a nominal amount that shall not exceed \$10.

c. Regardless of the number of employees contributing to a gift on a special, infrequent occasion, a DOD employee may not accept a gift or gifts from a donating group, which includes a subordinate, if the market value exceeds an aggregate of \$300 unless:

(1) The gift is appropriate for the occasion

(2) The gift is given on a special, infrequent occasion that terminates the subordinate-official superior relationship, such as retirement, resignation, or transfer, and,

(3) The gift is uniquely linked to the departing employee's position or tour of duty and commemorates the same.

NOTE: It is strongly urged that, even in such a case where you are talking about a "uniquely linked" gift that commemorates the "tour of duty", \$300 limit will be used to judge whether it (the gift) is "appropriate for the occasion."

With respect to PCS ("transfer") gifts, there is still the requirement that the occasion "terminates the subordinate-official superior relationship." That means no "special occasion" gift if the employee being transferred remains in the chain of command, just at a higher level.

d. The cost of items excluded from the definition of a gift, and the cost of food, refreshments and entertainment provided to the employee and his personal guests to mark the occasion for which the gift is given shall not be included in determining whether the value of a gift or gifts exceeds the \$300 aggregate limit.

e. An employee may accept the following, otherwise prohibited gifts:

(1) Gifts clearly motivated by a family relationship or personal friendship.

(2) Commercial discounts and similar benefits offered to groups in which membership is not related to government employment or in which, if membership is related to government employment, the same offer is broadly available to the public through similar groups, and certain benefits offered by professional associations or by persons who are not prohibited sources.

(3) Gifts resulting from the outside business activities of employees and their spouses.

(4) Free attendance provided by the sponsor of a widely attended gathering of mutual interest to a number of parties where the necessary determination of an agency has been made.

### **Commander Responsibilities.**

a. Become familiar with Standards of Conduct as specified in the Joint Ethics Regulation (JER), 5500.7-R and 5 CFR, 2635.

b. Ensure that all assigned personnel are familiar with these provisions.

## ***HIV Testing***

### **Reference:**

AR 600-110, Identification, Surveillance, and Administration of Personnel Infected with Human Immunodeficiency Virus (HIV), (RAR) 4 August 2011

Department of Defense Directive 6485.1, Change 1, 10 August 1992

**SME:** Deputy Chief of Staff, G-1, State Surgeons Office & Staff Judge Advocate

### **Department of the Army Policy:**

HQDA medical, manpower, and personnel policies on HIV reflect current knowledge of the natural progression of HIV infection, the risks to the infected individual incident to military service, the risk of transmission of the disease to non-infected personnel, the effect of the infected personnel on Army units, and the safety of military blood supplies.

### **Testing Requirements:**

All members of the USAR and ARNG will be tested for the HIV antibody every 5 years. HIV testing will be performed as part of all periodic physical examinations, in accordance with AR 40-501, and more frequently if required in accordance with AR 600-110, paragraphs 2-2k (1) and 2-2k (2).

Personnel ordered to AD for more than 30 days including travel time (for example, ADT, AGR, Initial Active Duty for Training (IADT), and Active Duty for Operation Support (ADOS) must have been tested for HIV antibodies with negative results no later than two years prior to the report date and prior to issuance of orders.

### **Notification and Counseling:**

The State surgeon will be notified of any Soldier whose initial test cycle is HIV antibody positive so that follow-up can be conducted. Soldiers will be individually and privately notified of results by designated medical corps officers within the States. Spouses of confirmed HIV-infected ARNG Soldiers will be notified of the positive test. Negative HIV test results will be mailed to Soldiers on DA Form 5668.

a. HIV-infected ARNG Soldiers, not AGR or on EAD, and their spouses will be counseled regarding the significance of a positive HIV antibody test, current medical knowledge on HIV infections, and ways to prevent transmission of the virus.

b. Counseling of ARNG Soldiers will be conducted in accordance with AR 600-110, paragraphs 2-13 and 2-14.

c. HIV-infected ARNG Soldiers will be referred to civilian physicians for medical care and further counseling.

**Assignments:**

a. Persons who are HIV positive are not eligible for appointment or enlistment into the Army, ARNG, or USAR.

b. Except for those identified during the accession-testing program, Soldiers who are HIV positive and demonstrate no evidence of progressive clinical illness or immunobiological deficiency will not be involuntarily separated solely on the basis of having been confirmed HIV positive.

c. HIV-infected Soldiers, not AGR or on EAD, may prove fitness for service. ARNG HIV-infected Soldiers will have 120 days from the date they are notified of their infection to complete a medical evaluation to determine fitness per the established DOD protocol for HIV or other guidance published by OTSG.

d. HIV-infected ARNG Soldiers found to be medically unfit for duty will be separated in accordance with AR 600-110, paragraph 5-11.

e. Soldiers found fit will be permitted to serve in the Selected Reserve in a non-deployable billet, if available.

f. Soldiers meeting fitness standards and placed in non-deployable billets must be reevaluated at least annually.

g. HIV positive active duty Soldiers, including AGR, will be limited to duty within the Continental United States (CONUS).

**Commander's Responsibilities.**

a. Unit commanders will ensure that all personnel in their units are tested and that HIV infection/AIDS information and education is included in unit training programs per AR 600-110, chapter 8.

b. Commanders will formally counsel Soldiers who test positive for the HIV antibody. This counseling will be conducted following the post-diagnosis preventive medicine counseling performed by medical department personnel. Commanders will use the DA Form 4856, General Counseling Form, and ensure that all topics are addressed (specific topics to be addressed are listed in Sections V, Chapter 2, AR 600-110).

c. Accompany Soldiers identified as HIV positive during initial notification.

d. Provide support and facilitate the support network for the HIV positive Soldier during the initial notification and subsequent evaluation.

e. Protect Soldiers confirmed as HIV positive from unwarranted invasions of their privacy.

f. Maintain unit status of the HIV testing requirement.

g. Consult with the servicing Staff Judge Advocate on the limited use provisions of this policy and other restrictions on the use of HIV information.

h. Ensure that information regarding HIV testing results are appropriately safeguarded in accordance with the policies specified in AR 600-110.

**Note:** Medical unit mission training requirements preclude the use of ARNG medical units to conduct HIV screening except as part of required periodic physical examinations.

## ***Incapacitation Pay***

### **Reference:**

- a. AR 135-381, Incapacitation of Reserve Component Soldiers, 27 December 2006
- b. DA Pam 135-381, Incapacitation of Reserve component Soldiers Processing Procedures, 22 May 2008

**SME:** Army Division G1, Medical Service Branch

### **Incapacitation Pay**

When a Soldier incurs or aggravates an injury, illness or disease in the line of duty that makes them unable to either (1) perform their civilian job or (2) perform their military duties, they are eligible to apply for incapacitation pay. Incapacitation pay must be applied for on a month by month basis. There are two types of Incapacitation Pay:

- a. Tier 1: When a Soldier cannot perform his/her military duties. If approved, the Soldier receives full pay/allowance at current rank.
- b. Tier 2: When a Soldier cannot perform his/her civilian job and can document lost civilian wages. If the request is approved, the Soldier will receive lost civilian wages up to the maximum pay/allowance for their current rank.

### **Commander's Responsibility:**

- a. Make leaders and Soldiers aware of Incapacitation Pay eligibility and process.
- b. Submit requests in a timely manner.
- c. Ensure that the full time staff have appropriate forms and checklist to provide to the Soldiers and assist as necessary.

## ***Initial Command Inspection***

**Reference:** AR 1-201, Army Inspection Policy, 4 April 2008

**SME:** State Inspector General and Army Division, G3

### **Department of the Army Policy.**

A new company (or similarly sized organization) will receive an initial command inspection (ICI) from his or her rater. The initial command inspection for a company will occur within the first 90 days of assumption of command. In the Army National Guard of the United States and the U.S. Army Reserve, the initial command inspection for new company commanders will occur within 180 days of the assumption of command.

### **General Information.**

a. **Purpose.** The ICI ensures that the new commander understands the unit's strengths and weaknesses in relation to higher headquarters' goals and all established standards. The ICI will appear on the training schedule and will serve to evaluate the condition of the unit. The ICI will not, however, evaluate the commander's performance since assuming command.

b. **Results.** Only the inspected commander and that commander's rater will receive the specific results of the initial inspection. These results will serve as the basis for a goal-setting session between the incoming commander and his or her rater that will establish realistic goals to improve unit readiness. The incoming commander should receive a clear picture of the goals, standards, and priorities for the unit. Commanders will not use the results of ICIs to compare units. IGs may also request from subordinate commands the results of ICIs (without unit attribution) for the purpose of analyzing trends.

c. **Subsequent command inspections (SCIs).** SCIs measure progress and reinforce the goals and standards established during the initial command inspection. Commanders will conduct SCIs following all initial command inspections at a frequency determined by the commander. These inspections are often focused inspections that only look at specific areas and are not necessarily complete re-inspections of the entire unit.

### **Commander's Responsibilities.**

a. **Prepare.** Prior to the inspection, ensure unit personnel obtain recent command inspection results to review and consolidate all appropriate regulations and policies for areas to be inspected. Work with higher HQ to understand and meet established goals and standards.

b. **Schedule.** Ensure the initial command inspection appears on the training schedule.

c. **Follow-up.** Review results. Measure progress and reinforce the established goals and standards. Schedule an SCI. Request assistance as needed.

## **Leaves And Passes (Military)**

### **References:**

- a. AR 600-8-10, Leaves and Passes, (RAR) 4 August 2011
- b. “National Defense Authorization Act for Fiscal Year 2008”
- c. ALARACT 062/2009, Army Guidance for Paternity Leave
- d. NGR (AR) 600-5, The Active Guard/Reserve (AGR) Program Title 32, Full-Time National Guard Duty (FTNGD), 20 February 1990

**SME:** Army Division G1, AGR Branch

### **Department of the Army Policy.**

**Annual Leave Program.** Unit commanders are the approval/disapproval authority for leave. The commander’s leave and pass program must be designed to allow Soldiers to use their authorized leave to the maximum extent possible within mission and operational constraints. Commanders and individual Soldiers share the responsibility of planning leave around unit mission and/or operational requirements. A commander may disapprove a request for leave regardless of the Soldier’s use or lose status or personal desires if:

- a. The leave will interfere with mission or operational requirements.
- b. The Soldier is required to remain on station due to reasons such as investigations or pending personnel actions.
- c. Annual Leave is accrued by the following Soldiers: Active Duty, AGR, Title 10, and National Guard Soldiers on long-term orders for 30 days or more, such as ADOS, ADT, AAT, FTNGDSW.
- d. Soldiers, except those on AGR status, understand that all orders are inclusive of leave (all **leave must be taken within the order period**, prior to the last day of each individual order).
- e. Orders will not be extended to allow the Soldier to “take leave”; furthermore, Soldiers should not accrue or carry over more than 75 days of leave within each fiscal year.

#### **f. Commander’s Responsibilities:**

(1) Encourage all Soldiers to use their authorized leave to the maximum extent possible. Leave is beneficial to health, morale, and motivation and helps maintain efficient performance of military duties.

(2) Commanders will ensure compliance with existing policies and procedures.

(3) Ensure Soldiers are charged leave only for days taken.

(4) Process and verify changes affecting leave such as, sick-in-hospital or sick-in-quarters.

(5) Process and be thoroughly familiar with advanced and excess leave policies.

**Emergency Leave.** Emergency leave will be granted to Soldiers only for family emergencies involving members of their household, immediate family or a sole surviving blood relative, whenever the circumstances warrant.

a. Authorized emergency leave may be approved for reasons listed below:

(1) Pregnancy of spouse and childbirth if a severe life threatening situation is documented.

(2) The death of an immediate family member.

(3) When Soldier's presence would contribute to the welfare of a terminally ill member of the immediate family if the expected date of death were within 30 days.

(4) For a serious situation involving accident, illness, or major surgery that cannot be postponed due to the urgency of the medical condition.

(5) Soldier is affected personally by a disaster (for example, hurricane, tornado, or flood) when severe or undue hardship would be encountered if the member failed to return home.

b. The following circumstances do not meet the criteria for emergency leave approval. Commanders may consider approving ordinary leave for situations described below:

(1) Marital problems, unless a severe life threatening situation is documented.

(2) To attend court hearings to resolve financial problems.

(3) To settle the estate of a deceased relative.

(4) Situations involving a grandparent (not in loco parentis), aunt, uncle, cousin, niece, or nephew (when not the only living blood relative) or for a friend, or fiancée.

**Commander's Responsibilities:**

a. Process emergency leave requests as quickly as possible.

b. Be familiar with briefing requirements and travel authorizations afforded to Soldiers.

c. Remind Soldiers that emergency leave is chargeable leave.

**Permissive TDY (PTDY).** PTDY is a nonchargeable absence from duty granted at no expense to the Government to perform a semi-official activity that benefits the service and the Soldier. PTDY may be granted for the following:

- a. Career management to discuss career management and review personnel records (maximum absence authorized is 4 days).
- b. State jury service or be a witness at state criminal investigation proceedings or criminal prosecution (See AR 600-8-10, Section XVI, 5-32b).
- c. To attend civilian education programs (See AR 600-8-10, Section XVI, 5-32c).
- d. For house hunting (incident to a PCS move CONUS or OCONUS). The PTDY may not exceed 20 days CONUS or 30 days OCONUS (only one home of record/domicile).
- e. To attend meetings (scientific, professional, or technical) (See AR 600-8-10, Section XVI, 5-32g).
- f. To attend certain professional instruction courses (See AR 600-8-10, Section XVI, 5-32j).
- g. To accompany a dependent patient to a designated medical facility where the Soldier's presence is essential.

**Commander's Responsibilities:**

- a. Process request for leave in conjunction with Permanent Change of Station (PCS) or Temporary Duty (TDY).
- b. Do not grant extension requests to Soldiers who have PCS'd from your organization.
- c. Ensure requests for permissive TDY are appropriate and authorized.
- d. Denial of permissive TDY must be entered on DA Form 31.

**Convalescent Leave.** Unit commanders may grant up to 30 days convalescent leave when Soldiers return to duty after illness or inquiry (up to 42 days after the birth of a child). Approvals should be based on recommendations from the Soldiers treating physician.

- a. For convalescent leave greater than 30 days (or 42 days after the birth of a child) units must process request through the State Surgeons Office to the National Guard Bureau for approval.

### **Commander's Responsibilities:**

- a. Process requests for convalescent leave.
- b. Ensure supporting recommendation has been received from a physician. AR 600-8-10, Chapter 5, provides detailed guidance on medically related absences.

### **General Information.**

a. Soldiers are often erroneously charged for leave. Lack of knowledge or improper training by Battalion S1 personnel is often the cause.

b. Soldiers should only be charged leave for actual days taken

c. Definitions of leave:

(1) Accrued leave. This is leave that a Soldier has earned and accumulated at a rate of 2.5 days per month. Leave in excess of 75 days at the end of the fiscal year may be lost unless authorized by AR 600-8-10, paragraph 3-3.

(2) Advanced leave. This is leave granted to Soldiers with little or no leave balance. Basically, it's a loan of leave based on what a Soldier expects to earn during his/her current term of service.

(3) Excess leave. This is leave without pay, allowances, or leave accrual. It is granted only upon the Soldier's request, except as outlined in AR 600-8-10, paragraph 5-15. A Soldier on excess leave who incurs a physical disability is not entitled to physical disability pay.

**Passes.** Regular and special passes. Passes are issued on the basis of days; either 3 or 4 days:

a. Three-Day Pass. A three-day pass starts at the end of normal duty hours and terminates at the start of normal duty hours on the 4<sup>th</sup> day, this includes the weekend.

(1) Three-day Regular Pass. A three-day regular pass includes a holiday. A Soldier may depart on a three-day pass on Friday evening after duty hours and return in time for normal duty hours Tuesday morning.

(2) Three-day Special Pass. A Soldier may depart on a three-day pass on Friday evening after work and return in time for duty Tuesday morning (depending on the unit's duty day's requirements).

(3) Three-day Special Pass may be combined with leave as long as the pass starting and ending location is where the Soldier normally commutes from/to work.

b. Four-Day Pass. A four-day pass starts at the end of normal duty hours and terminates at the start of normal duty hours on the 5<sup>th</sup> day.

(1) Four-day Special Pass. A Soldier may depart on a 4-day special pass on Wednesday evening after duty hours and must return in time for normal duty hours on Monday morning.

(2) A four-day special Pass may include a holiday and the weekend.

(3) A four-day special pass may not be combined with leave.

**Commander's Responsibilities:**

a. Process requests for pass.

b. Ensure the Soldiers and supervisors understand the rules governing regular and special passes.

## ***Line of Duty***

**Reference:** AR 600-8-4, Line of duty Policy, Procedures and Investigations, 4 September 2008

**SME:** Army Division G1, Medical Service Branch

### **Line of Duty Determinations.**

Line of duty (LD) determinations are essential for protecting the interest of both the individual concerned and the U.S. Government where service is interrupted by injury, disease, or death. A person who becomes a casualty because of his or her intentional misconduct or willful negligence can never be said to be injured, diseased, or deceased in LD. Such a person stands to lose substantial benefits as a consequence of his or her actions; therefore, it is critical that the decision to categorize injury, disease, or death as not in LD only be made after following the deliberate, ordered procedures that is described in AR 600-8-4.

a. Line of Duty process should be completed when:

(1) The Soldier was injured, diseased or a death occurred while on:

- (a) Inactive Duty Training (IDT)
- (b) Substitute Unit Training Assembly (SUTA)
- (c) Readiness Management Assembly (RMA)
- (d) Readiness Management Performance (RMP)
- (e) Active Duty Orders (ADOS, AT, ADT)

b. There are two types of Line of Duty reports, formal and informal:

(1) Informal: Injury or illness that does not require an investigation. *LD's are considered to be in the line of duty without an investigation.*

(2) Formal: Injury, illness disease or death that requires an investigation. Investigations are conducted to essentially arrive at a determination of whether misconduct or negligence was involved in the disease, injury or death. Formal LD reports must be submitted through State Headquarters, Medical Service Branch, to National Guard Bureau, State Surgeons Office, for final determination, regardless of the investigation findings and recommendations.

c. A formal Line of Duty must be conducted for the following:

- (1) Injury, disease, death, or medical condition that occurs under strange or doubtful circumstances or is apparently due to misconduct or willful negligence.
- (2) Injury or death involving the abuse of alcohol or other drugs.
- (3) Self-inflicted injuries or possible suicide.
- (4) Death of a USAR or ARNG Soldier while participating in authorized training or duty.
- (5) Injury or death of a USAR or ARNG Soldier while traveling to or from authorized training or duty.
- (6) When a USAR or ARNG Soldier serving on an AD tour of 30 days or less is disabled due to disease.
- (7) When requested or directed by State Headquarters or National Guard Bureau.

**Commanders Responsibility:**

- a. Ensure leaders understand the LD process and when LD's should be submitted.
- b. Be familiar with the LD Modular System and ensure appropriate roles are appointed to process LD's in a timely manner.
- c. Educate Soldiers to inform their chain of command when injuries, illness or disease occur while on military status.

## ***Medical Non-Deployable Process***

### **References:**

- a. AR 40-501, Standards of Medical Fitness, (RAR) 4 August 2011
- b. AR 600-60, Physical Performance Evaluation System, 28 February 2008
- c. AR 635-40, Physical Evaluation for Retention, Retirement, or Separation, (RAR) 20 March 2012
- d. Medical Policy Bulletin, Bulletin Number 11-04, 1 November 2011

**SME:** Army Division G1, State Surgeon's Office

### **Medical Readiness.**

Medical readiness optimizes Soldiers availability to conduct a full range of operations on world-wide deployment and Civil Support Missions. A key factor with medical readiness is deployment limitations due to unresolved medical conditions. These issues can be identified in multiple ways such as, Soldier Readiness Processing (SRP), Periodic Health Assessment (PHA), Post Deployment Medical Readiness Assessment (PDMRA), self or commander referred. When Soldiers are identified with potential medical issues they are entered into the Medical Non-Deployable Process (MND).

Here is a brief overview of the eight step MND process:

#### a. Step 1 – Notification

(1) When the Soldier has been identified as MND his/her records are flagged, which restricts the Soldier from going on any order, except for drill and annual training, unless otherwise directed by the State Surgeon.

(2) The Soldier will receive initial notification through the mail, with a SF 513, Medical Consultation, to be completed. The Brigade Medical Liaison will also be notified. The Soldier will have a 60 day suspense to submit the required documentation. Soldiers that will take longer than the suspense should notify their Brigade Medical Liaison.

(3) M-day Soldiers can use their own civilian primary care provider or the VA system (if eligible) for the evaluation. AGR Soldiers should use their primary care manager, either military or civilian.

(4) Soldiers who do not have health care and are not eligible to be seen at the VA, should contact the Brigade Medical Liaison to coordinate other options.

#### b. Step 2 – Medical Documents Submitted

(1) Soldiers should make a copy of all documents and submit them to their Brigade Medical Liaison, who will submit to State Headquarters.

(2) Soldiers should keep track of all documents submitted.

c. Step 3 – Process Delayed

(1) The Case Manager / or Provider Review can change the Soldier status to Step 3, which means there is a status delay for one of the following reasons:

(a) When Soldiers submit documents for one consultation, but still requires documentations for other medical consultations.

(b) When Soldiers submit medical documentation, but the documentation does not adequately address the medical issue on the consultation.

(c) When the medical provider issues the Soldier a temporary profile, and determines a review is required at the end of the profile.

(2) The State Headquarters will send notification to both the Soldier and Brigade Medical Liaison with additional instructions.

d. Step 4 – Case Management Review

(1) Once all the documents are received for each consultation, the case manager will review the case.

(2) The Soldier will either move on to Step 5, Provider Review, or return to Step 3, Process Delayed.

e. Step 5 – Provider Review

(1) When the case manager determines that a Soldiers file is complete it will be given to a provider for review and determination. The provider can take the following actions:

(a) If the provider determines that the Soldier does not meet medical retention standards IAW AR 40-501, and the injury is service connected, the Soldier can be referred into the active duty Medical Evaluation Board (MEB).

(b) If the provider determines the Soldier does not meet medical retention standards IAW AR 40-501, and the injury IS NOT service connected, the Soldier may be processed for separation.

(c) The provider can issue a temporary profile, which will put the Soldier back into Step 3.

(d) Depending on the provider review, the Soldier could be moved back to a previous Step or forward to Step 6, 7, or 8.

f. Step 6 – Profile Action Delay

(1) The provider may elect to issue a permanent profile. The Soldier will remain in Step 6 until the profile is approved by the State Surgeon or other action is taken.

(2) The provider may elect to issue a temporary profile that does not require follow-up. The Soldier with a temporary profile will remain in Step 6 until the profile is complete.

(3) Soldier will be moved to step 7 or 8 depending on the type of profile.

g. Step 7 – Medical Boards / Discharges

(1) Soldiers that do not meet medical retention standards may require a medical board. The Soldier and Medical Brigade Liaison will be notified of the type of board and the process. Below are some of the types of boards:

(a) Medical Administrative Retention Review Board (MAR2)

(b) Non Duty Related Physical Evaluation Board (PEB)

(c) Active Duty MEB

h. Step 8 – Case Closed. All requirements deemed necessary have been completed. The medical determination will be closed and the flag on the Soldier's record will be removed.

**Commander's Responsibility:**

- a. Ensure that Soldiers and leaders understand the MND process.
- b. Coordinate with Brigade Medical Liaison to know status of Soldier's in the MND process.
- c. Counsel Soldier's accordingly to ensure they comply with MND requirements.

## ***Mental Health Evaluations of Members of the Armed Forces***

### **References:**

- a. DOD Directive 6490.1, Mental Health Evaluations of Members of the Armed Forces, October 1, 1997
- b. DOD Instruction 6490.4, "Requirements for Mental Health Evaluations of Members of the Armed Forces", August 28, 1997
- c. DOD Directive 7050.6, "Military Whistle-blower Protection", 23 July 2007
- d. AR 40-501, Standards of Medical Fitness, (RAR) 4 August 2011
- e. AR 20-1, Inspector General Activities and Procedures, 29 November 2010

**SME:** Mental Health Division, State Surgeons Office & Staff Judge Advocate

### **Department of Defense Policy.**

- a. A commanding officer shall consult with a mental healthcare provider (MHCP) before referring a member for a mental health evaluation (MHE) to be conducted on an outpatient basis. An MHCP is defined as a psychiatrist, doctoral-level clinical psychologist, or doctoral-level clinical social worker.
- b. A member has certain rights when referred for a MHE and additional rights when admitted to a treatment facility for an emergency or involuntary MHE.
- c. No person shall refer a member for a mental health evaluation as a reprisal for making or preparing lawful communication to a member of Congress, any appropriate authority in the chain of command, an Inspector General (IG), or a member of a DOD audit, inspection, investigation, or law enforcement organization.
- d. No person shall restrict a member from lawfully communicating with an IG, Attorney, Member of Congress, or others about the member's referral for mental health evaluation.
- e. Violation of c & d above by any person may subject them to punishment under UCMJ, Article 92. Additionally, violations by civilian employees are punishable under regulations governing civilian disciplinary or adverse actions.
- f. Nothing in these procedures shall be construed to limit the authority of a commander to refer members for emergency mental health evaluation and/or treatment when circumstances suggest the need for such action.

### **Commander Responsibilities, Routine Referrals.**

- a. Become familiar with the DOD Directive on Mental Health Evaluations and AR 40-501, Standards of Fitness.
- b. Ensure that members are not referred for mental health evaluations as reprisal for whistle blowing.
- c. Only commanders will consult with mental health professionals before referring members for mental health evaluations. The Commander of the Soldier is the only person that can do a MHE referral.
- d. Follow the requirements for notification to the member before he/she attends the evaluation. This should be a written memorandum and should be personally signed and presented by the commander to the Soldier at least two business days for a routine referral. The notice shall, **at a minimum**, include the following:
  - (1) The date and time the mental health evaluation is scheduled.
  - (2) A brief factual description of the behaviors and/or verbal expressions that caused the commander to determine a mental health evaluation is necessary.
  - (3) The name or names of the mental health professionals with whom the commanding officer has consulted before making the referral. If such consultation is not possible, the notice shall include reasons why.
  - (4) The date, time and place the MHE is scheduled and the name and rank of the MHCP who will conduct the evaluation.
  - (5) The positions and telephone numbers of SJA, unit chaplain, and the IG, who can provide assistance to service members who wish to question the referral.
  - (6) The Soldiers non-waiverable rights as listed in paragraph 1.b of DOD Directive 6490.1.
  - (7) The member's signature attesting to having received the notice described in subparagraphs 1.a. (1) through (5) of DOD Directive 6490.1. If the member refuses to sign the attestation, the commander shall so indicate on the notice.

### **Commanders Responsibilities, Emergency Referrals.**

- a. A emergency referral is defined as a situation in which a service member is threatening imminently, by words or actions, to harm himself, herself, or others, or to destroy property under circumstances likely to lead to serious personal injury or death, and to delay a mental health evaluation to complete administrative requirements could further endanger the Service member's life or well-being, or the well being of potential victims.

b. The commanders first priority will be to protect the Soldier and potential victims from harm. The commander will safely convey the Soldier to the nearest MHCP or, if unavailable, to a physician or the senior privileged non-physician provider present as soon as practical.

c. The commander will make every effort to consult an MHCP before referring or sending a Soldier for an emergency MHE. If, due to the nature of the emergency, this is not practical, the commander will forward a memorandum to the MHCP as soon as practical, documenting the circumstances and observations about the Soldier that led to the commander's decision to make the emergency referral.

d. The commander will then prepare a written memorandum for the Soldier and provide it to him/her as soon as practical. The memorandum will include, at a minimum, the same information required above in a routine referral.

Commanders who adhere to the requirements spelled out in DOD Directive 6490.1 and DODI 6490.4 are less likely to have a complaint filed against them. The bottom line – if in doubt – contacts the local Mental Health Professional or Staff Judge Advocate for advice and assistance in conducting a proper MHE referral.

## ***Military Uniform Wear and Appearance***

**Reference:** AR 670-1, Wear and Appearance of Army Uniforms and Insignia, (RAR) 5 May 12

**SME:** Commanders & Senior Enlisted

### **General Information:**

a. Only uniforms, accessories, and insignia prescribed in AR 670-1 or in the common tables of allowance (CTA), or as approved by HQDA will be worn by personnel in the U.S. Army. Unless specified in AR 670-1, the commander issuing the clothing and equipment will establish wear policies for organizational clothing and equipment. No item governed by this regulation will be altered in any way that changes the basic design or the intended concept of fit as described in TM 10-227 and AR 700-84, including plating, smoothing, or removing detail features of metal items, or otherwise altering the color or appearance.

b. Wear of Jewelry. No jewelry, watch chains, or similar items, to include pens pencils, will appear exposed on uniforms (other than those described in AR 670-1, paragraph 1-14a).

(1) Wrist items. The wearing of a wristwatch, wrist identification bracelet, and a total of two rings (wedding set is considered one ring) will be worn with Army uniforms, unless prohibited by the commander for safety or health reasons. Identification bracelets are limited to the following: medical alert bracelets, MIA, POW, KIA (black or silver in color only) bracelets. Soldiers may wear only one item on each wrist.

(2) Body piercing. When on any Army installation or other places under Army control, Soldiers may not attach, affix, or display objects, articles, jewelry, or ornamentation to or through the skin while they are in uniform, in civilian clothes on duty, or in civilian clothes off duty (this includes earrings for male Soldiers). The term skin is not confined to external skin, but includes the tongue, lips, inside the mouth, and other surfaces of the body not readily visible.

(3) Earrings. Female Soldiers are authorized to wear prescribed earrings with the service, dress, and mess uniforms. The earrings may be screw-on, clip-on, or post-type earrings, in gold, silver, white pearl, or diamond. The earrings will not exceed 6mm or ¼ inch in diameter, and they must be unadorned and spherical. Female Soldiers are not authorized to wear earrings with any Class C (utility) uniform (ACU, hospital duty, food service, physical fitness, field, or organizational).

(4) Ankle bracelets, necklaces (other than those described in AR 670-1, paragraph 1-7b), faddish devices, medallions, amulets, and personal talismans or icons are not authorized for wear in any military uniform, or in civilian clothes on duty.

(5) Soldiers are prohibited from wearing wireless Bluetooth devices and non-wireless ear pieces while wearing Army uniforms, except while operating a commercial or military vehicle (to include a motorcycle or bicycle).

c. Wear of eyeglasses, sunglasses, and contact lens.

(1) Eyeglasses and sunglasses. Conservative civilian prescription eyeglasses are authorized for wear with all uniforms. Conservative prescription and nonprescription sunglasses are authorized for wear when in a garrison environment, except when in formation and while indoors. Individuals may be authorized to wear sunglasses for medical reasons. Eyeglasses or sunglasses that are trendy, or have lenses or frames with initials, designs, or other adornments are not authorized for wear.

d. Tattoos. Tattoos or brands anywhere on the head, face and neck above the Class A uniform collar is prohibited. Other tattoos that are prohibited are:

(1) Extremist tattoos or brands are those affiliated with, depicting, or symbolizing extremist philosophies, organizations, or activities.

(2) Indecent tattoos or brands are those that are grossly offensive to modesty, decency, or propriety.

(3) Sexist tattoos or brands are those that advocate a philosophy that degrades or demeans a person based on gender, but that may not meet the same definition of indecent.

(4) Racist tattoos or brands are those that advocate a philosophy that degrades or demeans a person based on race, ethnicity, or national origin.

(5) Existing tattoos or brands on the hands that are not extremist, indecent, sexist, or racist, but are visible in the Class A uniform (worn with slacks/trousers) are authorized for current Soldiers only. This grandfather provision does not apply to Soldiers enlisting as the effective date of the regulation.

(6) Soldiers may not cover tattoos or brands in order to comply with the tattoo policy.

(7) Commander's responsibility. Commanders will ensure Soldiers understand the tattoo policy. For Soldiers who are not in compliance, commanders may not order the removal of a tattoo or brand. However, the commander must counsel Soldiers, and afford them the opportunity to seek medical advice about removal or alteration of the tattoo or brand. If Soldiers are not in compliance with the policy, and refuse to remove or alter the tattoos or brands, commanders will:

(a) Ensure the Soldier has been afforded the opportunity to seek medical advice about removal or alteration.

(b) Counsel the Soldier in writing. The counseling form will state that the Soldier's refusal to remove extremist indecent, sexist, or racist tattoos or brands anywhere on the body, or refusal to remove any type of tattoo or brand visible in the Class A uniform will result in discharge.

d. Hair and fingernail standards and grooming policies.

(1) Hair.

(a) The requirement for hair grooming standards is necessary to maintain uniformity within a military population. Many hairstyles are acceptable, as long as they are neat and conservative. It is not possible to address every acceptable hairstyle, or what constitutes eccentric or conservative grooming. Therefore, it is the responsibility of leaders at all levels to exercise good judgment in the enforcement of Army policy.

(b) Leaders will judge the appropriateness of a particular hairstyle by the appearance of headgear when worn. Headgear will fit snugly and comfortably, without distortion or excessive gaps. Hairstyles that do not allow Soldiers to wear the headgear properly, or that interfere with the proper wear of the protective mask or other protective equipment, are prohibited.

(c) Extreme, eccentric, or trendy haircuts or hairstyles are not authorized. If Soldiers use dyes, tints, or bleaches, they must choose those that result in natural hair colors (this means colors that may be natural to any race or ethnicity of humans, not of a specific race). Colors that detract from a professional military appearance are prohibited.

(d) Soldiers who have a texture of hair that does not part naturally may cut a part into the hair. The part will be one straight line, not slanted or curved, and will fall in the areas where the Soldier would normally part the hair. Soldiers will not cut designs into their hair or scalp.

(e) Male haircuts. The hair on top of the head must be neatly groomed. The length and bulk of the hair may not be excessive or present a ragged, unkempt, or extreme appearance. The hair must present a tapered appearance where the outline of the Soldier's hair conforms to the shape of the head, curving inward to the natural termination point at the base of the neck. When the hair is combed, it will not fall over the ears or eyebrows, or touch the collar, except for the closely cut hair at the back of the neck. Males are not authorized to wear braids, cornrows, or dreadlocks while in uniform or in civilian clothes on duty.

(f) Female haircuts. Females will ensure their hair is neatly groomed, that the length and bulk of the hair are not excessive, and that the hair does not present a ragged, unkempt or extreme appearance. Trendy styles that result in shaved portions of the scalp or designs cut into the hair are prohibited. Females may wear braids and cornrows as long as the braided style is conservative, the braids and cornrows lie snugly on the head. Dreadlocks are prohibited in uniform or in civilian clothes on duty. Hair will not fall over the eyebrows or extend below the bottom edge of the collar at any time during normal activity or when standing in formation.

(g) Cosmetics.

1. Males are prohibited from wearing cosmetics, to include nail polish.

2. Females are authorized to wear cosmetics with all uniforms, provided they are applied conservatively and in good taste and complement the uniform.

3. Fingernails. All personnel will keep fingernails clean and neatly trimmed. Males will keep nails trimmed so as not to extend beyond the fingertip. Females will not exceed a nail length of ¼ inch, as measured from the tip of the finger.

g. **Wear and appearance of the Army Combat Uniform (ACU).**

(1) Boots with zippers or sneaker-type construction are not authorized to be worn with the ACU.

(2) The sleeve cuffs on the ACU coat are not authorized to be rolled inside the ACU coat. Sleeves will be worn down at all times.

(3) Soldiers will not starch the ACU under any circumstances. The use of starch, sizing, and any process that involves dry-cleaning or a steam press will adversely affect the treatments and durability of the uniform.

(4) Soldiers will not wear the ACU in off-post establishments that primarily sell alcohol. If the off-post establishment sells alcohol and food, Soldiers may not wear the ACU if their activities in the establishment center on drinking alcohol.

## Nonsupport of Family Members

### References:

- a. AR 608-99, Family Support, Child Custody, and Paternity, 29 October 2003
- b. AR 20-1, Inspector General Activities and Procedures, 29 November 2010

**SME:** Inspector General & Staff Judge Advocate

### Department of the Army Policy.

- a. Financial nonsupport of family members is a command issue.
- b. Soldiers are required to manage their personal affairs in a manner that does not bring discredit upon themselves or the United States Army. Soldier's responsibilities include:
  - (1) Providing adequate support for their family members.
  - (2) Complying with all court orders.
  - (3) Maintain reasonable contact with family members to ensure that their financial needs and welfare do not become official matters of concern for the Army.
- c. Soldiers **must** provide child support and/or alimony under the following circumstances:
  - (1) Court orders regarding child support, alimony, and paternity.
  - (2) The financial support provisions of a written support agreement (i.e., separation agreements) in the absence of a court order.
  - (3) If there is no court order or written agreement, a married Soldier must comply with what the minimum support provisions of AR 608-99, paragraph 2-6, as determined by the Commander.
- d. Paternity disputes. Soldiers will comply with the financial support provisions of court orders arising from paternity. In the absence of a court order identifying a Soldier as the father of a child, a male Soldier has no legal obligation under this regulation to provide financial support to a child alleged to have been born to him and the child's mother out of wedlock.
- e. Commanders cannot force a Soldier to pay family support, however they can encourage the Soldier to comply with court orders, written agreements, or minimum support as determined by the Commander and AR 608-99. Soldiers who fail to provide family support can be punished under the provisions of Article 92 UCMJ for failing to make the support payment required by AR 608-99.

**Commander Responsibilities.**

- a. Inform their Soldiers of the DA policy on support of family members.
- b. Process and respond to complaints of nonsupport in accordance with AR 608-99.
- c. Counsel Soldiers when nonsupport complaints are brought against them.
- d. Respond to all official messages and correspondence concerning nonsupport claims.
- e. Conduct inquiries into allegations of nonsupport.
- f. Take appropriate action against Soldiers that fail to comply with AR 608-99 or lawful orders based on regulator guidance. Confer with the Staff Judge Advocate if there are any questions concerning “appropriate actions.”

**Traditional Soldiers.** Upon activation in a Title 10 or Title 32 status for 30 or more days, Traditional National Guard Soldiers are required to comply with the provisions of AR 608-99.

## ***Physical Fitness Training And Testing***

### **Reference:**

- a. AR 350-1, Army Training and Leader Development, (RAR) 4 August 2011
- b. FM 21-20, Physical Fitness Training, 1 October 1998

**SME:** Army Division G1, Training Section

### **Department of the Army Policy.**

a. Conditioning for combat readiness is the focus of all physical fitness training. Commanders must design unit programs to take the base level fitness defined by the Army Physical Fitness Test (APFT) and raise it to meet or exceed mission related physical performance requirements.

b. The intent of the APFT is to provide a periodic assessment of a viable physical fitness program. The purpose of APFT is to give Soldiers an incentive to stay in good physical condition and to allow commanders a means of assessing the general fitness levels of their units. The APFT will not form the foundation of unit or individual fitness program.

c. Special fitness programs are described in FM 21-20, Chapter 1. Special programs are appropriate for Soldiers who have difficulty meeting unit or Army standards. Such programs will not be punitive in nature but they must be designed to build up Soldiers, not tear them down. Special fitness programs may be needed for Soldiers who fail to meet Army APFT standards.

### **General Information.**

a. Soldiers must meet the physical fitness standards (as measured during the Army physical fitness test (APFT) set forth in FM 21–20 and AR 350-1. Soldiers who are unable to meet these standards or the mission–related physical fitness standards required of their duty assignment may be subject to administrative action. Soldier who fail the APFT are required to be flagged IAW AR 600-8-2.

b. Commanders should consider conducting PT during hot periods of the day prior to deployment to facilitate acclimatization. It takes 8-14 days to acclimate to a hot, humid climate. When conducting PT in hot, humid environments trainers must adjust the intensity to fit the temperature and humidity and apply logical progression and ensure that Soldiers drink enough water. Leaders must ensure this is done without undue risk to Soldiers.

c. Personnel will be excused from physical fitness training or APFT's only during periods of temporary or permanent medical limitations established in accordance with AR 40–501.

d. Soldiers age 40 and over will be evaluated for coronary heart disease risk factors as part of their periodic physical examination.

e. Soldiers age 55 and above have the option of taking the APFT with alternate aerobic activity.

f. Commanders may administer the APFT as often as they wish; however, they must specify beforehand when the results are for record.

(1) AGRs will take the APFT at least twice each calendar year. A minimum of 4 months will separate record tests if only 2 record tests are given. The intent is for the AGR Soldiers to take a record APFT every 6 months.

(2) Traditional IDT Soldiers will take the APFT once per year. A minimum of eight months will separate the tests. Personnel requiring a make-up test are exempt from the eight month rule.

g. All events in a record APFT must be completed in the same day. Units will conduct APFT events in the following order: push-ups, sit-ups, and two-mile run. To be considered a record test, these events must be completed within 2 hours from the start of the push-up event until completion of the 2-mile run or alternate aerobic event (see repetition and time guidelines in FM 21-20).

h. Record APFT scores will be annotated on a DA Form 705, APFT Scorecard. For Soldiers on a permanent profile or an extended temporary profile (more than 3 months), a record test must include an aerobic event. The only approved aerobic events are the 2-mile run, 800-yard swim, 6.2-mile bike ride (stationary or track), or the 2.5-mile walk. Soldiers on permanent profile or a temporary profile of long duration (more than 3 months) will receive point scores for only those events taken. For example, if a Soldier has a permanent profile for the 2-mile run event and score 70 points in the push-up, 85 points in the sit-up and receives a "GO" for the 2.5-mile walk, he will receive a score of 155 points in the total score column of the DA Form 705 (see FM 21-20 for APFT scoring).

i. Soldiers who fail a record APFT for the first time or fail to take a record APFT within the required period will be flagged in accordance with AR 600-8-2. In the event of a record test failure, commanders may allow Soldiers to retake the test as soon as the Soldier and the commander feel the Soldier is ready. Soldiers without a medical profile will be retested no later than 90 days following the initial APFT failure. The RC Soldiers not on active duty and without a medical profile will be tested no later than 180 days following the initial APFT failure.

### **Commander Responsibilities.**

a. Establish and conduct physical fitness programs consistent with regulations and the unit's mission.

b. Become familiar with the principles, procedures, and guidelines in FM 21-20.

- c. Inform the Soldiers prior to testing that the APFT is for record purposes.
- d. Establish special programs for Soldiers that fail to meet Army and unit standards.
- e. Flag Soldiers that fail their first APFT or fail to take the APFT in the required period.
- f. Initiate action (separation or bar-to-re-enlistment) against Soldiers that are repetitive APFT failures.

## **Promotions / Advancements (Enlisted)**

**Reference:** AR 600-8-19, Enlisted Promotions and Reductions, (RAR) 27 December 2011

**SME:** Army Division, G1 Enlisted Promotion Branch

**Department of the Army Policy.** The purpose of the Army's Enlisted Promotion System is to fill authorized enlisted spaces with the best-qualified Soldiers. It provides for career progression and rank that is in line with potential. It precludes promoting the Soldier who is not productive or not best qualified, thus providing an equitable system for all Soldiers.

**General Information.** There are numerous work tasks in the promotion process. Those procedures will not be discussed as they are all listed in detail in the promotions regulations. However, commanders should become familiar with the advancement/promotion criteria of PV2 - SGM. A thorough knowledge of Time in Service (TIS)/Time in Grade (TIG) and other requirements for each grade is necessary for commanders to make informed decisions relevant to their Soldiers.

a. The table below outlines the TIS/TIG requirements for advancement from PV1-SPC:

<b>Rank</b>	<b>Criteria</b>	<b>Waiver</b>
PV2	6 months TIS	4 months TIS
PFC	12 months TIS 4 months TIG	6 months TIS 2 months TIG
SPC	24 months TIG 6 months TIG	18 months TIS 3 months TIG

(1) Soldiers flagged or barred from reenlistment at the required time for automatic advancement and later recommended, require a DA Form 4187 to be promoted.

(2) Soldiers advanced prior to the automatic advancement date require submission of a DA Form 4187 requesting waiver of TIG/TIS to be promoted.

(3) Advancement to SPC requires MOSQ and availability of vacant E4 position. Position vacancy can be waived.

(4) Authority for advancement to PV2, PFC and SPC are company, troop, battery and separate detachment CDRs (including CDRs of provisional units organized per AR 220-2.)

b. Promotions to SGT - SGM are executed from the selection objective for the current promotion list, the Order Merit List (OML). Promotions are based on unit vacancies filled by

qualified Soldiers from the OML for their Primary Military Occupational Specialty. The table below outlines the TIS/TIG requirements for promotion from SGT-SGM:

<b>Rank</b>	<b>TIG</b>	<b>TIS</b>	<b>CES</b>
SGT	12 months	N/A	N/A
SSG	18 months	N/A	N/A
SFC	11 months	9 years	6 years
MSG	12 months	13 years	8 years
SGM	14 months	16 years	10 years

(1) Soldier must be promoted in vacancy in Current Primary Military Occupational Specialty (CPMOS). Soldier must be fully qualified in MOS to include meeting school requirements.

(2) Promotion to SSG requires completion of WLC or higher NCOES.

(3) Promotion to SFC requires completion of BNCOC.

(4) Promotion to MSG requires completion of ANCOC.

(5) Soldier must possess a current and passing APFT score (AGR Soldiers—within six months, M-Day Soldiers—within twelve months).

(6) Soldier must be eligible for reenlistment with minimum one year of service commitment remaining for SGT to SSG and two years of service commitment remaining for SFC to SGM.

(7). Can not be flagged in accordance with AR 600-8-2.

(8) Promotion to SGT through SGM are announced on orders.

c. The following are areas in which errors are commonly found:

(1) Counseling/mentoring. Counseling and mentoring both play an important role in the promotion process. Soldiers must know what is expected of them, told what to strive for, or what areas to improve in order to achieve promotion. Unit commanders often fail to counsel Soldiers who are fully qualified for promotion without waivers. AR 600-8-19, requires commanders to counsel Soldiers (SGTs and below) who meet advancement or promotion eligibility, without waiver, but have not been recommended. Counseling should be directed towards those areas in which the Soldier needs to improve to qualify for the next higher grade.

(2) Flagging Actions. Soldiers must be in a promotable status to be promoted. Often Soldiers continue to remain flagged after the flagging action has been finalized. Commanders must ensure that flags are removed promptly when finalized.

(3) Promotion Boards. Promotion boards are conducted IAW the MOI established by the Director of Military Personnel, California Army National Guard. Additionally, Soldiers not recommended for promotion or not attaining enough points to obtain list status must be counseled.

(4) Ensure that Active Guard Reserve Soldiers are counseled on the additional regulations and policy regarding promotion while in probationary period and Federal Active Service requirements for promotion.

**Commander Responsibilities.**

a. Ensure Battalion S1 personnel and Readiness NCO's complete required administrative actions.

b. Counsel Soldiers not recommended and fully qualified.

c. Be thoroughly familiar with regulatory guidance on promotions.

## **Profiles**

**Reference:** AR 40-501, Standards of Medical Fitness, (RAR) 4 August 2011

**SME:** Army Division G1, State Surgeon's Office (SSO)

### **Department of the Army Policy.**

a. Physical profiling is the Army's method of classifying a Soldier's functional ability. Every Soldier has a permanent profile. Soldiers receive their permanent physical profile at the time of enlistment, appointment or induction.

b. Temporary profiles are intended to allow Soldiers to properly recover from illness or injury. Commanders must consult with medical personnel to determine what physical training and duty requirements the profiled Soldier can perform. The intent of a profile is to assist the Soldier in fully returning to duty in the fastest, safest manner possible. A profile does not constitute a blanket authority to miss physical training or avoid normal duty.

### **General Information - Permanent Profile.**

a. A physical profile is made up of six factors: physical capacity, upper extremities, lower extremities, hearing and ears, eyes, and psychiatric. The letters P-U-L-H-E-S represents these factors.

b. Each factor is rated on a scale of 1 to 4. These factors represent limits to classification or assignment.

(1) 1 = no limitations.

(2) 2 = possible limitations.

(3) 3 = limitations required.

(4) 4 = drastic limits to military duties.

### **General Information - Temporary Profile.**

a. It is the Soldiers responsibility to inform his/her unit when changes to his/her health occurs.

b. The unit should submit any documents indicating the Soldier may require a profile to the SSO for determination. *Commanders will honor the private physician's recommendations until the SSO office can make a determination and/or the Soldier is evaluated by a military provider.*

c. Soldiers on temporary profile for less than 90 days do not take the APFT if their profile prohibits them from participating in any of the APFT events. Once the profile period ends, the Soldier is authorized a recovery period twice the length of the profile (not more than 90 days) to prepare for an APFT.

d. Soldiers with temporary profiles of longer than 90 days may be administered the APFT with an alternate aerobic event. Profiled Soldiers are given three months to prepare for the alternate test, unless the Soldier's physician authorizes otherwise. The alternate test is outlined in FM 21-20.

e. The State Surgeon or physician designee will be the profiling authority for CA ARNG Soldiers.

f. Soldiers will be entered into the Medically Non-Deployable process when there is a requirement for a temporary or permanent profile.

### **Commander Responsibilities.**

a. Ensure that all Soldiers are utilized to the fullest extent possible within the limits of their profile.

b. Coordinate with health care personnel to maintain, monitor, and improve the health and physical abilities of assigned personnel.

c. Do not violate a Soldier's profile or require a Soldier to violate his profile.

e. Abide by civilian physician duty limitation recommendations until the SSO can make a determination on medical limitations for a Soldier.

## ***Reenlistment***

### **References.**

- a. AR 601- 1, Army National Guard Strength Maintenance Program, (RAR) 6 September 2011
- b. AR 600-8-2, Suspension of Favorable Personnel Actions (Flags), 23 December 2004
- c. AR 635-200, Active Duty Enlisted Administrative Separation, (RAR) 6 September 2011
- d. NGR 600-200, Enlisted Personnel Management, 31 July 2009
- e. AR 601-280, Army Retention Program (Applies to only Active Duty), (RAR) 15 September 2011

**SME:** Army Division G1, Enlisted/Officer Personnel Management & State Retention Sergeant Major

### **Commander's Responsibilities.**

- a. Provide the personnel, administrative equipment, facilities and other resources required to support the Recruiting and Retention Command (RRC) and the strength maintenance program.
- b. Appoint an additional duty Unit Career Counselor to assist in Soldier-related matters.
- c. Ensure that all incoming Soldiers are assigned a sponsor.
- d. Ensure that every qualified Soldier is provided counseling on the opportunity for continued service in the ARNG or offered an alternative to separation or discharge.
- e. Ensure that interviews and counseling are conducted on time and to standard to uncover and overcome challenges or obstacles to retention and to determine career opportunities for Soldiers.
- f. Ensure that every Soldier is provided the opportunity to compete for position vacancies to enhance personal and professional growth.
- g. Ensure that all Soldiers are made aware of available ARNG incentives and benefits and are processed for those for which they are eligible, and that a tracking system is implemented to ensure that their benefits are received.
- h. Develop and implement rehabilitative programs for unsatisfactory participants who are qualified for continued service in the ARNG in order to encourage active participation.

i. Ensure that eligible Soldiers who are unable to continue their active participation are afforded the opportunity to transfer to the Inactive National Guard (ING) IAQ NGR 614-1.

j. Maintain contact with Inactive National Guard Soldiers for assimilation back into an active status within the unit.

k. Appoint an additional duty Employer Support Representative (ESR) Officer or NCO to handle Employer Support of the Guard and Reserve (ESGR) and Uniformed Services Employment and Reemployment Rights Act (USERRA) matters.

### **Qualification of a Soldier for Reenlistment/Extension.**

a. Trainability (Nonwaivable).

(1) Initial term Soldiers requesting reenlistment must possess a MOS and is extending for the same MOS.

(2) Aptitude areas scores will be used to determine reenlistment eligibility if planning an MOS change.

(3) Initial term Soldiers who did not attain the aptitude score required above may be retested on the Armed Forces Classification Test (AFCT) under AR 611-5 and DA Pam 600-8.

b. Medical and Physical Fitness.

(1) Soldiers must meet the medical retention standards of AR 40-501, Chapter 3, or have been found physically qualified to perform in his or her PMOS per AR 635-40. Soldiers who have been found qualified for retention by a PEB will not be denied reenlistment under this provision. Soldiers pending MOS/Medical Retention Board (MMRB) action per AR 600-60 will not be reenlisted until the MMRB action has been finalized; **however, they may be extended for the minimum time necessary to complete the MMRB action.**

(2) APFT: Soldiers must have a current passing APFT, prior to date of reenlistment.

(a) Soldiers with physical profiles, which prevent taking the APFT, may be exempt from the requirements of (2) above; this should be considered on a case by case basis.

(b) Soldiers who are unable to be administered an APFT through no fault of their own, may be granted waivers by the GCMCA or the first general officer in their chain of command.

(3) Weight Control. Soldiers placed in the Weight Control Program, per AR 600-9, may be allowed to extend on a case by case basis, as determined by current California Army National Guard guidance.

## ***Relationships Between Soldiers of Different Rank***

### **References:**

- a. AR 600-20, Army Command Policy, (RAR) 4 August 2011
- b. DA PAM 600-35, Relationships Between Soldiers of Different Rank, 21 February 2000

**SME:** Staff Judge Advocate & Inspector General

### **Department of the Army Policy.**

Relationships between Soldiers of different rank are prohibited if they—

- a. Compromise, or appear to compromise, the integrity of supervisory authority or the chain of command.
- b. Cause actual or perceived partiality or unfairness.
- c. Involve, or appear to involve, the improper use of rank or position for personal gain.
- d. Are, or are perceived to be, exploitative or coercive in nature.
- e. Create an actual or clearly predictable adverse impact on discipline, authority, morale, or the ability of the command to accomplish its mission.

### **General Information.**

a. Custom acknowledges that leadership and obedience are founded in sincere, deeply held vertical bonds. Leaders affectionately care for their Soldiers, and Soldiers hold deep caring affection for their leaders. Building these emotional ties is a mark of good leadership. Neither leaders nor followers ought to act in ways that corrupt these bonds.

b. A relationship between two Soldiers having a detrimental effect on the authority of the senior service member has generally been regarded as “fraternization.” Fraternization is chargeable as a violation of Article 134, UCMJ. The criminal offense of “fraternization” is different from a violation of the Army’s regulatory policy regarding relationships between Soldiers of different rank.

c. Commanders have the responsibility to articulate what is improper. If the commander becomes aware of a relationship that has the potential for creating an appearance of partiality or preferential treatment, counseling the Soldiers concerned is usually the most appropriate initial action. This also generally holds true for those relationships that involve the appearance of partiality and have had no adverse impact on discipline, authority, or morale.

d. Certain types of personal relationships between officers and enlisted personnel are prohibited. Prohibited relationships include—

(1) Ongoing business relationships between officers and enlisted personnel. This prohibition does not apply to landlord/tenant relationships or to one-time transactions such as the sale of an automobile or house, but does apply to borrowing or lending money, commercial solicitation, and any other type of on-going financial or business relationship. In the case of Army National Guard or United States Army Reserve personnel, this prohibition does not apply to relationships that exist due to their civilian occupation or employment.

(2) Dating, shared living accommodations other than those directed by operational requirements, and intimate or sexual relationships between officers and enlisted personnel. This prohibition does not apply to—

(a) Marriages. When evidence of fraternization between an officer and enlisted member prior to their marriage exists, their marriage does not preclude appropriate command action based on the prior fraternization. Commanders have a wide range of responses available including counseling, reprimand, order to cease, reassignment, administrative action or adverse action. Commanders must carefully consider all of the facts and circumstances in reaching a disposition that is appropriate. Generally, the commander should take the minimum action necessary to ensure that the needs of good order and discipline are satisfied.

(b) Situations in which a relationship that complies with this policy would move into non-compliance due to a change in status of one of the members (for instance, a case where two enlisted members are dating and one is subsequently commissioned or selected as a warrant officer). In relationships where one of the enlisted members has entered into a program intended to result in a change in their status from enlisted to officer, the couple must terminate the relationship permanently or marry within either one year of the actual start date of the program, before the change in status occurs.

(c) Personal relationships between members of the National Guard or Army Reserve, when the relationship primarily exists due to civilian acquaintanceships, unless the individuals are on active duty (other than annual training), on full-time National Guard duty (other than annual training), or serving as a dual status military technician.

(d) Soldiers and leaders share responsibility, however, for ensuring that these relationships do not interfere with good order and discipline. Commanders will ensure that personal relationships that exist between Soldiers of different ranks emanating from their civilian careers will not influence training, readiness, or personnel actions.

(3) Gambling between officers and enlisted personnel.

(a) These prohibitions are not intended to preclude normal team building associations that occur in the context of activities such as community organizations, religious activities, family gatherings, unit-based social functions, or athletic teams or events.

(b) All military personnel share the responsibility for maintaining professional relationships. However, in any relationship between Soldiers of different grade or rank, the senior member is generally in the best position to terminate or limit the extent of the relationship. Nevertheless, all members may be held accountable for relationships that violate this policy.

(c) Commanders should seek to prevent inappropriate or unprofessional relationships through proper training and leadership by example. Should inappropriate relationships occur, commanders have available a wide range of responses. These responses may include counseling, reprimand, order to cease, reassignment, or adverse action. Potential adverse action may include official reprimand, adverse evaluation report(s), nonjudicial punishment, separation, bar to reenlistment, promotion denial, demotion, and courts martial. Commanders must carefully consider all of the facts and circumstances in reaching a disposition that is warranted, appropriate, and fair.

### **Commander Responsibilities.**

a. Counsel those involved or take other action, as appropriate, if relationships between Soldiers of different rank:

- (1) Cause actual or perceived partiality or unfairness.
- (2) Involve the improper use of rank or position for personal gain.
- (3) Create an actual or clearly predictable adverse impact on discipline, authority, or morale.

## ***Repeal of Don't Ask, Don't Tell***

**Reference:** Repeal of Don't Ask, Don't Tell - Effective 20 September 2011

**SME:** Staff Judge Advocate & Inspector General

All Soldiers, regardless of sexual orientation, are entitled to an environment free from personal, social, or institutional barriers that prevent Soldiers from rising to the highest level of responsibility possible. Harassment or abuse of any kind, including that based on sexual orientation, is unacceptable and will be addressed through command or IG channels, not the EO system.

**New Policy and Terminology:** "Gay, lesbian, or bisexual" (GLB) will now be used as more correct terminology in place of the term "homosexual." Soldiers will not be involuntarily separated for engaging in lawful GLB conduct. Sexual orientation remains a personal and private matter. Soldiers may inform others of their sexual orientation at their own discretion. The Army will not ask a Soldier to identify his or her sexual orientation and will not collect or maintain data on an individual's sexual orientation. Transgender and transsexual individuals are still not permitted to join the armed forces. For legal matters related to DADT, contact the local Staff Judge Advocate.

**Discrimination:** In accordance with current DoD and DA policies on EO, Service members are entitled to be evaluated on individual merit. However, sexual orientation will not be placed alongside race, color, religion, gender, and national origin as a class under the Military Equal Opportunity (MEO) Program. As such, complaints of discrimination based on sexual orientation will not be addressed through the MEO complaint process but through IG and command channels.

**Accessions, Re-entry, and Recruiting:** GLB conduct will not be a bar to military service, admission to Service academies, enrollment in ROTC, or any other accession program. All applicants, regardless of any statements with regard to sexual orientation or lawful conduct, will be treated equally with professionalism and respect. Similarly, prior-service members who were discharged solely for homosexual conduct may apply to re-enter the Armed Services and will be evaluated according to the same criteria and Service requirements applicable to all prior-service members seeking re-entry into the military.

**Moral and Religious Concerns:** The Army will not make changes to current policies regarding Service members' individual expression and free exercise of religion. As such, Soldiers will not be expected to change their personal views and religious beliefs. However, they must continue to treat all Soldiers with dignity and respect. Similarly, policies concerning the Chaplain Corps and their duties will not change. Chaplains have both the right to serve and conduct religious services according to their faith and a duty to perform or provide religious support. Commanders should make every effort to approve requests for religious accommodation in accordance with

governing policies as long as those requests will not have an adverse impact on unit readiness, individual readiness, unit cohesion, morale, discipline, safety, and / or health -- defined collectively as "military efficiency".

**Assignments:** Assignment policies will not change. All Service members will continue to be eligible for world-wide assignment without consideration of sexual orientation. Service members assigned to duty, or otherwise serving in countries in which homosexual conduct is prohibited or restricted, will abide by the guidance provided to them by their local commanders. The Defense of Marriage Act (DOMA) limits Federal recognition of marriage to opposite-sex married couples. Therefore, dual-military spouse assignment consideration does not apply to same-sex married couples. GLB Service members in a committed same-sex relationship can, like their unmarried heterosexual counterparts, make an individualized, hardship-based request for accommodation in assignment. Additionally, DOMA prevents DoD from funding PCS travel expenses for a Service member's civilian same-sex partner.

**Benefits:** Eligibility standards for military benefits will not change. The Defense of Marriage Act, 1 U.S.C. and 7, and the existing definition of "dependent" in some laws, prohibit extension of many military benefits to a Service member's same-sex spouse or any children not considered bona fide dependents. Service members will continue to have various benefits for which they may designate beneficiaries in accordance with the rules governing each program. Benefits for which same-sex partners are eligible include designated beneficiary for Thrift-Savings Plan, Service Members Group Life Insurance, Death Gratuity, and any unpaid pay and allowances. Benefits for which same-sex partners and non-dependent children are NOT eligible include Family Separation Allowance, medical care, travel and housing allowances, Family Support / Advocacy Services (physical abuse, child care, youth programs, etc.), and Survivor Benefit Plan payments.

**Separations:** Sexual orientation or lawful GLB conduct is no longer a basis for separation. However, all Soldiers will be held to the same standard of conduct. Therefore, disciplinary action, to include separation from military service, may be taken for sexual misconduct that is prohibited by the UCMJ. Additionally, there will be no new policy to allow for release from service commitments for Service members who object to serving with openly GLB Service members. Such Service members may request to be voluntarily discharged under the plenary authority of the Military Department Secretary concerned, and such a discharge will be granted only when the respective Military Department Secretary has determined that early separation would be in the best interest of the Service.

**Article 125, UCMJ (Consensual Sodomy):** Unrelated to DADT, the U.S. Supreme Court and the Court of Appeals for the Armed Forces found that private, consensual sexual activity, to include consensual sodomy regardless of sexual orientation, is a protected liberty under the Fourteenth Amendment. Consensual sodomy can only be punished if it is prejudicial to good order and discipline, service discrediting, or if there are other factors involved in the commission of the act such as force, coercion, or involvement of a minor.

**Co-habitation Issues:** Service in the armed forces makes it necessary at times for Service members to accept living and working conditions characterized by little or no privacy. Examples

of areas with limited privacy may include showers, dressing areas, and berthing / billeting assignments. The Services will not establish quarters or berthing assignment regulations or policies that segregate Service members according to sexual orientation. Commanders retain the authority to alter berthing / billeting assignments on an individualized, case-by-case basis in the interest of maintaining morale, good order, and discipline.

**Harassment:** The repeal of DADT does not change the Army's current policy on sexual harassment, which is a form of gender discrimination of a sexual nature between the same or opposite genders. As such, the policy has always been sexual-orientation neutral. All Service members are entitled to a work environment free from hostility, unwelcome behavior of a sexual nature, and *quid pro quo* situations.

**Standards of Conduct:** Standards for personal and professional conduct (to include public displays of affection, dress and appearance, and unprofessional relationships) apply uniformly without regard to sexual orientation. Service members will continue to conduct themselves consistent with Army Values, customs, traditions, local policy, and the law according to UCMJ. Leaders at all levels are expected to set the example and enforce the high standards expected of those in military service.

**Participation in Politically Oriented GLB Events:** The repeal of DADT does not change the Army's policy on participation in GLB events or frequenting establishments that cater to GLB clientele. Participation in GLB events is within a Service member's right of expression, as long as the Service member's actions are not otherwise prohibited or would discredit the Armed Forces and is consistent with good order and discipline.

## ***Reprisals Against Whistleblowers***

### **References:**

- a. AR 20-1, Inspector General Procedures and Activities, 29 November 2010
- b. DOD Directive 7050.06, Military Whistle-blower Protection, 23 July 2007

**SME:** Inspector General & Staff Judge Advocate

### **Department of Defense Policy.**

- a. Members of the Armed Forces shall be free to make a protected communication.
- b. No person shall restrict a member of the Armed Forces from making lawful communications to a Member of Congress or an Inspector General (IG) or other persons defined in DoD 7050.06 definitions.
- c. Members of the Armed Forces shall be free from reprisal for making or preparing to make a protected communication.
- d. No person may take or threaten to take an unfavorable personnel action, or withhold or threaten to withhold a favorable personnel action, in reprisal against any member of the Armed Forces for making or preparing to make a protected communication.

### **Key Definitions to DoD 7050.06.**

- a. Reprisal is defined as taking or threatening to take an unfavorable personnel action, or withholding or threatening to withhold a favorable personnel action, for making or preparing a protected disclosure.
- b. Protected Communication is defined as any lawful communication to a Member of Congress, an Inspector General, or any person or organization in the chain of command. In addition protected communication can be made to a member of a DoD audit, inspection, investigation, or law enforcement organization.
- c. Chain of Command. For the purposes of the DoD directive, chain of command includes not only the succession of commanding officers from a superior to a subordinate through which command is exercised, but also the succession of officers, enlisted members or civilian personnel through whom administrative control is exercised, including supervision and rating of performance.
- d. Member of Congress. In addition to a Senator or Representative, or a member of a Senator's or Representative's staff or of a congressional committee, includes any Delegate or Resident Commissioner to the Congress.

e. Personnel action is defined as any action taken on a member of the Armed Forces that affects, or has the potential to affect, that military member's current position or career. Such actions include a promotion; a disciplinary or other corrective action; a transfer or reassignment; a performance evaluation; a decision on pay, benefits, awards, or training; referral for mental health evaluations under DoD Directive 6490.1; and any other significant change in duties or responsibilities inconsistent with the military member's grade.

f. A Whistleblower is defined as a member of the Armed Forces who makes or prepares to make a protected communication.

### **Commander Responsibilities.**

Ensure complainants are protected from reprisal or retaliation for filing equal opportunity, Inspector General complaints, or congressional inquiries. Should Soldiers be threatened with such an act, or should an act of reprisal occur, they must report these circumstances to the Inspector General. If the allegation of reprisal is made known to any agency authorized to receive complaints; the agency should refer the complaint to the Inspector General. It is strongly encouraged to simultaneously report such threats or acts of reprisal to the appropriate chain of command.

## ***Rights Warning Procedures***

### **References:**

- a. UCMJ, Article 31 (b). Compulsory Self-Incrimination Prohibited.
- b. AR 190-30 Military Police Investigations, (4-13) 1 November 2005
- c. DA Form 3881, Right Warning Procedure/Waiver Certificate, November 1989
- d. DA Form 2823, Sworn Statement, November 2006

**SME:** Provost Marshall Office, Staff Judge Advocate & Trial Defense

### **Department of the Army Policy.**

- a. No person may compel any person to incriminate himself/herself or to answer any question that may tend to incriminate him/her.
- b. No person subject to the UCMJ shall interrogate, or request any statement from an accused or a person suspected of an offense without first informing him/her of the nature of the accusation and advising him/her that he/she does not have to make any statement regarding the offense of which he/she is accused or suspected and that any statement made by him/her may be used as evidence against him/her in a trial by court-martial.
- c. No person may compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him/her.
- d. No statement obtained from any person in violation of this article, or through the use of coercion, unlawful influence, or unlawful inducement may be received in evidence against him in a trial by court-martial.

### **DA Form 3881 (Rights Warning Procedure/Waiver Certificate).**

- a. A rights warning procedure/waiver certificate should be used when possible. Step by step instructions for completing this form are on the back of DA Form 3881.
- b. Commanders should always carry the DA Graphics Training Aid (GTA) 19-06-006. This wallet size card contains the verbal rights warning to be read verbatim when the DA Form 3881 is not available.

Example: You have information that indicates that your supply sergeant has been seen taking government property from the supply room then transporting it to an unknown location.

**Question:** When do you inform the Soldier of his rights?

Answer: Commander and other Soldiers are prohibited from interrogating or requesting a statement from a person who is suspected or accused of committing an offense without first providing the suspect/accused with a proper rights warning.

## **Serious Incident Reports**

### **References:**

AR 190-45, Law Enforcement Reporting, 30 March 2007

CA ARNG 190-40 Supplement, Incident Reporting, 6 June 2003

CA ARNG 190-40, CNG Incident Reporting Procedures, 1 March 2001

**SME:** Joint Operations Center, J3

### **Purpose.**

a. It is impossible to establish definitive standards for the reporting of all incidents and situations. The degree and nature of each is contingent upon many variables. Therefore, it is important for each commander and supervisor to ensure that, at a minimum, incidents described in the above regulations are reported.

b. Incident Report Form (CAL FORM 190-40) dated: 1 March 2010 will be used to document reportable incidents.

### **Explanation of Terms.**

a. **Reportable Incident.** An actual or alleged incident, accident, misconduct, injury, death (on or off duty), loss of property, environmental emergency, threat to personnel or any other incident that warrants timely notification to this or higher headquarters because of its nature, gravity, potential for adverse publicity or adverse consequences is considered a reportable incident.

b. **Official Duty Status.** Any CNG member or full time employee on the following types of orders or status: IDT, RMA, AFTP, AT, AAT, ADT, ADOS, SAD, FED TECH, AGR, STATE CIVIL SERVICE, Official Leave status and travel performed to or from scheduled training in any official status is reportable.

c. **Routine Incident Report (IR) system.** The system provides official notification to the TAG and the organization's higher headquarters of the occurrence of an actual or alleged incident.

(1) Telephonically report all routine IR's to CAJS-PO operations center within 24 hours of discovery or occurrence.

(2) E-mail or submit a written copy of the incident report to CAJS-PO prior to 0700hrs of the next business day.

### **Routine Reports.**

- a. Vehicle Accident GSA/Tactical Minor damage
- b. Injuries / illness
- c. Minor Damage to CNG Facilities
- d. Minor CNG Facilities Maintenance Problem
- e. Theft of Gov.-Facility Property Less Than 1000.00
- f. Misconduct Incident (Not Jailed /Incarcerated)
- g. Environmental spill - Minor less Than 5 Gallons
- h. Environmental issue at Training Site

**Elevated Incident Report (IR).** This system provides official notification to Primary Staff, Directorates, SRCOM, of the occurrence of an actual or alleged incident.

- a. Immediately report elevated incidents to CAJS-PO .
- b. E-mail or submit a written copy of the report by FAX.

**Elevated**

- a. Injury - Accident causing EVAC / Hospitalization
- b. Loss of Sensitive Item
- c. Major Vehicle Accident (GSA-Tactical)
- d. Arrest / DUI - Soldier Operating Gov. Vehicle
- e. Change of CMD Major shortage(s)
- f. Emergency Landing - Aircraft Incident
- g. Loss of Round / Ammunition
- h. Major Damage to CNG Facilities
- i. Major CNG Facilities Maintenance Problem
- j. Theft / Damage of Gov. Property Greater Than \$1000.00

- k. Surveillance of Guard Facilities / Activities
- l. Environmental Spill - Major Greater than 5 Gallons
- m. Environmental Problem / Major Incident
- n. Death of a CNG soldier - (None Duty)
- o. Fire (field fire in excess of 50 acres) on any CNG property or installation

**Immediate - Serious Incident Report (SIR) system.** The system provides notification to Headquarters, Department of the Army, Department of the Air Force, National Guard Bureau (NGB), TAG, HQ CNG and the organization's higher headquarters of the occurrence of an actual/alleged incident, as identified in categories A or B of AR 190-40.

- a. Immediate telephonic notification of any serious incidents. All pertinent information requested on CAL FORM 190-40 will be submitted by e-mail to CAJS-PO or FAX.
- b. Immediately advise the next higher headquarters of the incident. Annotate date/time notification made and who received the report.

**Identifying sensitive items requiring IR reporting,** the following must be observed for theft, loss, damage, destruction and contamination of:

- a. Weapons and ammunition, explosives
- b. Vehicles, aircraft
- c. Radios
- d. COMSEC, cryptographic items
- e. Night vision devices
- f. Fuel/POL spills, HAZMAT dropped or found
- g. Computer with personnel or operational information
- h. ID cards
- i. High dollar value items
- j. Any other items with Controlled Inventory Item Code (CIIC)

**Immediate (Cdr's Critical Information Requirements)**

- a. Death of CNG Member on Duty

- b. Loss of Weapons / Major Munitions
- c. Armory Break In / vandalism
- d. Change of Arming Order
- e. CNG Aircraft Accident / Incident / Mishap Class A-C
- f. Accidental or Intentional Weapons Discharge
- g. Any Negative Press Involving the CNG
- h. Any potential WMD/terrorist incident
- i. Aggressive/hostile action taken against a CNG member on duty

**Reporting Procedures.**

a. When the IR is received by FAX at CAJS-PO a six digit “SIR LOG LUMBER” (i.e. 99-1234), will be assigned and the originating unit will be notified. If the report is made to the Staff Duty Officer (SDO) during non-duty hours, the SIR LOG NUMBER will be provided upon receipt of a FAX the following business day. All future correspondence and telephone calls will reference the assigned SIR number.

b. Twenty-four hour point of contact for submitting SIR’s is as follows:

**CAJS-PO Operations and SDO number (24 hours)**  
**Commercial:** (916) 854-3440 / 3177 / 3669 / 3171 / 3659  
**DSN: 466-3440**  
**Cell (SDO): (916) 267-7211**  
**FAX: 916-854-3475 or DSN: 466-3475**

**Commanders/Supervisors Responsibility.**

- a. Immediate telephonic notification of any serious incident.
- b. Ensure that all pertinent information requested on CAL FORM 190-40 is submitted to CAJS-PO.
- c. Immediately advise the next higher headquarters of the incident. Annotate date/time notification made.
- d. Ensure compliance with all procedures established by all regulations concerning the specified incident.

## ***Sexual Harassment***

**Reference.** AR 600-20, Army Command Policy, (RAR) 4 August 2011

**SME:** State Sexual Assault Coordinator (SARC) & Equal Opportunity Officer

### **Department of the Army Policy.**

a. The policy of the Army is that sexual harassment is unacceptable conduct and will not be tolerated. Army leadership at all levels will be committed to creating and maintaining an environment conducive to maximum productivity and respect for human dignity. Sexual harassment destroys teamwork and negatively affects combat readiness. The Army bases its success on mission accomplishment. Successful mission accomplishment can be achieved only in an environment free of sexual harassment for all personnel.

b. The prevention of sexual harassment is the responsibility of every Soldier and civilian. Leaders set the standard for Soldiers and civilians to follow.

### **General Information.**

a. The biggest factor contributing to improper sexual treatment is the lack of understanding of what sexual harassment is. There isn't always a clear distinction between what is and what is not sexual harassment. Opinions vary between what actions are acceptable and what actions are prohibited.

b. Sexual harassment is a form of gender discrimination that involves unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature between the same or opposite genders when—

(1) Submission to the authority or control of another or rejecting such conduct.

(a) Is stated or implied as a term or condition of a person's job, pay, or career.

(b) Is used as a basis for career or employment decisions affecting that person.

(2) Such conduct interferes with an individual's performance or creates an intimidating, hostile, or offensive environment.

c. Any person in a supervisory or command position who uses or condones implicit or explicit sexual behavior to control, influence, or affect the career, pay, or job of a Soldier or civilian employee is engaging in sexual harassment. Similarly, any Soldier or civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature is engaging in sexual harassment.

### **Commander Responsibilities.**

- a. Understand and be knowledgeable of what constitutes an act of sexual harassment.
- b. Acknowledge that sexual harassment exists, and educate yourself and your personnel on methods of prevention.
- c. Report sexual harassment and treat each allegation of sexual harassment with the seriousness it deserves.
- d. Don't tolerate sexual harassment and take action if you observe or hear it. Many problems could be alleviated if commanders/supervisors would act on complaints in a timely and sensitive manner.
- e. Realize that sexual harassment happens to both men and women.

## ***Standards of Conduct***

### **References:**

- a. DOD Directive 5500.7-R, Standards of Conduct, 29 November 2007
- b. AR 600-20, Army Command Policy, (RAR) 4 August 2011

**SME:** Staff Judge Advocate

### **Department of the Army Policy.**

a. Government service or employment, as a public trust, requires Soldiers and Army civilians to act with integrity and abide by the values of the Professional Army Ethic by placing loyalty to country, state, ethical principles and law above private gain and other interests.

b. Personnel will avoid any action that might result in or reasonably be expected to create the appearance of the following:

- (1) Using public office for private gain.
- (2) Giving preferential treatment to any person or entity.
- (3) Impeding Government efficiency or economy.
- (4) Losing independence or impartiality.
- (5) Making a Government decision outside official channels.
- (6) Adversely affecting the confidence of the public in the integrity of the Government.

### **General Information.**

a. Government facilities, property, and work assistance will be used only for official Government business. This includes, but is not limited to, stationery, stenographic services, typing assistance, duplication, computer facilities, and chauffeur services.

b. DA Personnel may not participate, on behalf of the Government, in any matter involving an organization with which they are negotiating employment. "Negotiating" includes any action by DA personnel that reasonably could be construed as an indication of interest in future employment. Examples include sending letters or resumes, making telephone inquiries, or failing to clearly reject a proposal from the entity's representative regarding future employment. It is not necessary that there be any firm offer of employment.

c. There are several statutory restrictions affecting retired officer employment or activities with Government contractors and other entities dealing with the Government, commercially or otherwise. Generally, there is no prohibition on the use of general professional knowledge acquired while on active duty in connection with employment. The applicability of the specific restrictions depends on the nature of former duties, the extent of former official involvement in activities/projects affecting the potential employer, and the nature of the proposed employment.

**Commander Responsibilities.**

- a. Ensure that DA personnel avoid situations in which their integrity or that of the U.S. Government is placed in jeopardy.
- b. Brief personnel on the values of the Professional Army Ethics through OPD/NCOPD.
- c. Brief personnel on Army Values (Leadership).

## ***Suspension of Favorable Personnel Actions***

**Reference:** AR 600-8-2, Suspension of Favorable Personnel Actions (Flags),  
23 December 2004

**SME:** Army Division G1, Enlisted/Officer Personnel Management

### **Department of the Army Policy.**

a. A flag will be initiated immediately when a Soldier's status changes from favorable to unfavorable. A flag will be removed immediately when a Soldier's status changes from unfavorable to favorable.

b. Suspension of favorable personnel actions is mandatory when an investigation (formal or informal) is initiated on a Soldier by military or civilian authorities. Flags are classified into the two categories described below, depending upon the specific action or investigation.

(1) Non-transferable Flags. The flag may not be transferred to another unit (except where consistent with AR 600-8-2, paragraph 1–15). The specific actions and investigations listed below require a non-transferable flag.

(a) Adverse actions.

(1) Charges, restraint, or investigation. Remove the flag when Soldier is released without charges, charges are dropped, or punishment is completed.

(2) Court-martial. Remove the flag upon completion of punishment, to include any term of suspension.

(3) Nonjudicial punishment. Remove the flag upon completion of punishment, to include any term of suspension.

(4) Absent without leave (AWOL). Remove the flag upon completion of punishment.

(5) Administrative reduction. Remove the flag on the day of reduction.

(6) Memorandums of admonition, censure, or reprimand not administered as nonjudicial punishment. Remove the flag upon completion of filing instructions.

(b) A referred officer evaluation report (OER) when on a promotion list. Remove the flag when received and accepted by HQDA.

(2) Transferable Flags. The flag may be transferred to another unit. The specific actions and investigations listed below require a transferable flag.

(a) Failure to pass the Army Physical Fitness Test (APFT) or failure to take the APFT within the required period. Remove the flag (code E/type report) on the day the Soldier passes the APFT or at expiration term of service.

(b) Entry into Weight Control Program. Remove the flag (code E/type report) on the day the commander decides that the Soldier is in compliance with the program.

(3) Actions Prohibited by a Flag. A flag properly imposed in accordance with the regulation prohibits the personnel actions listed below (see para 1–15 for exceptions).

(a) Appointment, reappointment, reenlistment, and extension.

(b) Entry on active duty (AD) or active duty for training (ADT).

(c) Reassignment.

(d) Promotion or advancement

(e) Awards and decorations.

(f) Attendance at military schooling.

(g) Unqualified resignation or discharge.

#### **Commander's Responsibilities.**

- a. Direct the flagging action when a Soldier's status changes from favorable to unfavorable.
- b. Initiate a separate flag for each investigation, incident or action.
- c. Review active flag actions monthly.
- d. Consult the security manager if determination is made to suspend access to classified information.
- e. Follow the rules for transferring and removing flags.
- f. Inform the Soldier of the flag action.

## **Weight Control Program**

### **References.**

- a. AR 600-9, The Army Weight Control Program, 27 November 2006
- b. AR 600-8-2, Suspension of Favorable Actions, 23 December 2004

**SME:** Army Division G1, Enlisted/Officer Personnel Management

### **Department of the Army Policy.**

a. Each Soldier is responsible for meeting the standards in AR 600-9. Commanders and supervisors will monitor all members of their command to ensure that they maintain proper body weight, body composition, (body fat in relation to weight) and personal appearance. At minimum, personnel will be weighed when they take the APFT. Soldiers may be weighed immediately before or after they take the APFT. Personnel exceeding the screening table weight or identified by the commander or supervisor for a special evaluation will have a determination made of percent body fat. Identification and counseling of personnel who do not meet the required weight/body fat standards are required.

b. Excessive body fat indicates a lack of personal discipline, detracts from military appearance, and may indicate a poor state of health, fitness, or stamina. Self discipline to maintain proper weight distribution and high standards of appearance are essential to every Soldier in the Army.

c. Soldiers will conform to the body fat standards in AR 600-9. Soldiers that exceed these body fat standards are considered overweight. Body fat composition will be determined for personnel--

(1) Whose body weight exceeds the Screening Table Weight in Table 3-1, AR 600-9.

(2) When the unit commander or supervisor determines that the individual's appearance suggests that body fat is excessive.

d. Routine weigh-ins will be accomplished at the unit level. Percent body fat measurements will be accomplished by company or similar level commanders (or their designee) in accordance with standard methods prescribed in AR 600-9, Appendix B. Soldiers will be measured by individuals of the same gender. If this cannot be accomplished, a female Soldier will be present when males measure females.

(1) Active Army and Reserve Component Soldiers exceeding body fat standards in AR 600-9, Table 3-1 (determined to be overfat), will be provided exercise guidance, dietary information or weight reduction counseling by health care personnel, and assistance in behavioral modification, as appropriate, to help them attain the requirements of the Army.

(2) Soldiers not meeting body fat standards after 1 year from date of entry into the Active Army will be entered in the Army Weight Control Program (AWCP) and flagged under the provisions of AR 600–8–2 by the unit commander. Enrollment in a weight control program starts on the day that the Soldier is informed by the unit commander that he/she has been entered in a weight control program. The weight reduction counseling may be accomplished prior to or shortly after entry into a program.

e. The required weight loss goal of 3 to 8 pounds per month is considered a safely attainable goal to enable Soldiers to lose excess body fat and meet the body fat standards described in Table 3–2.

(1) Weigh-ins will be made by unit personnel monthly (or during unit assemblies for ARNG and USAR personnel) to measure progress. A body fat evaluation may also be done by unit personnel to assist in measuring progress.

(2) As an exception, an individual who has not made satisfactory progress after any two consecutive monthly weigh-ins may be referred by the commander or supervisor to health care personnel for evaluation or reevaluation. If health care personnel are unable to determine a medical reason for lack of weight loss—and if the individual is not in compliance with the body fat standards and still exceeds the screening table weight, the commander or supervisor will inform the individual that their progress is unsatisfactory and he/she is subject to separation.

(3) After a period of dieting and/or exercise for 6 months, Soldiers who have not made satisfactory progress and who still exceed the screening table and body fat standards will be processed as follows:

(a) If health care personnel determine that the condition is due to an underlying or associated disease process, action described in AR 600-9, paragraph 3–2d, will be taken.

(b) The unit commander will initiate a mandatory bar to reenlistment or administrative separation proceeding for Soldiers who do not make satisfactory progress within 6 months.

(c) M-day Soldiers must use their personal physician to prove that the weight is caused by a medical condition. If M-days Soldier fails to receive documents from the civilian health care provider they can be processed for separation, IAW AR 600-9.

f. Commanders and supervisors will remove individuals administratively from a weight control program as soon as the body fat standard is achieved.

g. If a Soldier becomes overweight within 12 months of the date of removal from the AWCP and there is no underlying or associated disease process causing the condition, that Soldier's commander will initiate separation proceedings against the Soldier.

h. Soldiers who become overweight after the 12th month but within 36 months of removal from the AWCP get 90 days to meet the standards or become subject to separation proceedings.

i. Soldiers who meet body fat standards and become pregnant will be exempt from the standards for the duration of the pregnancy plus the period of convalescent leave after termination of pregnancy.

**Commander Responsibilities.**

- a. Become familiar with AR 600-9.
- b. Ensure that every Soldier is weighed once every six months.
- c. Ensure that every Soldier that exceeds his or her screening table weight (AR 600-9, Table 3-1) is taped to determine his or her body fat content.
- d. Flag Soldiers entered in the AWCP in accordance with AR 600-8-2.
- e. Provide all Soldiers with guidance and information on diet and exercise to control weight.
- f. Conduct monthly weigh-ins for Soldiers in the AWCP. Body fat evaluations may also be done to assist in the measuring process.

## Points of Contacts

Army Board of Corrections

**Phone:** Commercial: 1-866-272-6272

**Web Site:** <http://www.archives.gov/st-louis/>

Army Division G1

**Phone:** Commercial: 916-854-3233 **DSN:** 466-3233

**Web Portal:** <https://portal.ca.ngb.army.mil/sites/G1/default.aspx>

Army Division G1, Active Guard Reserve (AGR)

**Phone:** Commercial: 916-854-3419 **DSN:** 466-3419

**Web Portal:** <https://portal.ca.ngb.army.mil/sites/G1/armyagr/default.aspx>

Army Division G1, Discharge

**Phone:** Commercial: 916-854-3150 **DSN:** 466-3150

**Web Portal:** <https://portal.ca.ngb.army.mil/sites/G1/enl/discharge/default.aspx>

Army Division G1, Enlisted Personnel Management

**Phone:** Commercial: 916-854-3150 **DSN:** 466-3150

**Web Portal:** <https://portal.ca.ngb.army.mil/sites/G1/enl/default.aspx>

Army Division G1, Officer Personnel Management

**Phone:** Commercial: 916-854-3119 **DSN:** 466-3119

**Web Portal:** <https://portal.ca.ngb.army.mil/sites/G1/off/default.aspx>

Army Division G1, Medical Services Branch

**Phone:** 916-854-3219 **DSN:** 466-3219

**Web Portal:** <https://portal.ca.ngb.army.mil/sites/G1/MSB/Medicalclaims/default.aspx>

Army Division G1, Promotion

**Phone:** Commercial: 916-854-3150 **DSN:** 466-3150

**Web Portal:** <https://portal.ca.ngb.army.mil/sites/G1/enl/promotions/default.aspx>

Army Division G1, State Surgeons Office

**Phone:** Commercial: 916-854-3229 **DSN:** 466-3229

**Web Portal:** <https://portal.ca.ngb.army.mil/sites/G1/MSB/default.aspx>

Army Division G3, Training

**Phone:** Commercial: 916-854-3360 **DSN:** 466-3360

**Web Portal:** <https://portal.ca.ngb.army.mil/sites/G3/default.aspx>

Chaplain

**Phone:** Commercial: 916-854-3383 **DSN:** 466-3383

**Web Portal:** <http://www.calguard.ca.gov/chaplain/Pages/default.aspx>

Equal Opportunity

**Phone:** Commercial: 916-854-3417 **DSN:** 466-3417

**Web Site:** <http://www.calguard.ca.gov/eo-eeo/Pages/default.aspx>

Inspector General

**Phone:** Commercial: 916-854-3580 **DSN:** 466-3580

**Web Site:** <http://www.calguard.ca.gov/Pages/igs.aspx>

Joint Operation Center (JOC)

**Phone:** Commercial: 916-854-3440 **DSN:** 466- 3440

**Web Site:** <https://portal.ca.ngb.army.mil/sites/pos/default.aspx>

Joint Substance Abuse Program Officer (JSAPO)

**Phone:** Commercial: 916-366-4732 **DSN:** 466-4732

**Web portal:**

[http://www.calguard.ca.gov/j1/Pages/CaliforniaNationalJointSubstanceAbuseProgram\(JSAP\).aspx](http://www.calguard.ca.gov/j1/Pages/CaliforniaNationalJointSubstanceAbuseProgram(JSAP).aspx)

Provost Marshal Office

**Phone:** 916-854-4323

**DSN:** 466-4323

**Web Portal:** Not Listed

State Sexual Assault Response Coordinator (SARC)

**Phone:** Commercial: 855-225-7277 **DSN:** 466-3448

**Web Portal:** <http://www.calguard.ca.gov/j1/Pages/SAPRP.aspx>

Staff Judge Advocate

**Phone:** Commercial: 916-854-3505 **DSN:** 466-3505

**Web Portal:** <https://portal.ca.ngb.army.mil/sites/caag-Staff Judge Advocate/default.aspx>

Trail Defense Services

**Phone:** Commercial: 916-854-3496 **DSN:** 466-3496

**Web Portal:** <https://portal.ca.ngb.army.mil/sites/TDS/default.aspx>

State Mental Health

**Phone:** Commercial: 916-854-3019 **DSN:** 466-3019

**Web Site:** <http://www.calguard.ca.gov/mh>

## ***Additional References***

### **Publication References:**

Army Publishing Directorate: <http://www.apd.army.mil/>

National Guard Bureau, Publications and From Library: <http://www.ngbpd.c.ngb.army.mil/>

CA ARNG Administrative Services: <https://portal.ca.ngb.army.mil/sites/admin/default.asp>

### **Resource Websites:**

Army Knowledge Online: <https://www.us.army.mil/suite/login/login>

Guard Knowledge Online: <https://gko.ngb.army.mil/Login/welcome.aspx>

### **Useful Links:**

Awards and Decorations: <http://www.armyawards.com/>

Army Correspondence Courses and Distant Learning: <http://www.train.army.mil/>

Army Home Page: <http://www.army.mil/>

Army National Guard Home Page: <http://www.arng.army.mil/Pages/Default.aspx>

Army National Guard G1 Gateway: <https://g1arng.army.pentagon.mil/Pages/Default.aspx>

Army Review Board Agency: <http://arba.army.pentagon.mil/>

ATRRS Course Catalog: <https://www.atrrs.army.mil/atrrscc/>

ATRRS Self Development Center: <https://www.atrrs.army.mil/selfdevctr/eLearningWelcome.aspx>

DFAS MyPay: <https://mypay.dfas.mil/mypay.aspx>

Health Resource: <http://www.hooah4health.com/>

National Guard Bureau: <http://www.ng.mil/default.aspx>

National Guard Bureau, Professional Education Center: <http://www.pec.ngb.army.mil/>