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GOVERNOR

ARKANSAS DEPARTMENT OF THE MILITARY
OFFICE OF THE ADJUTANT GENERAL
CAMP JOSEPH T. ROBINSON
NORTH LITTLE ROCK, ARKANSAS 72199-9600



KENDALL W. PENN
MAJOR GENERAL
THE ADJUTANT GENERAL

NGAR-HRO-EEM

27 May 2022

MEMORANDUM FOR Arkansas National Guard Full-Time Federal Employees

SUJECT: The Adjutant General's Policy 2022-12, Employee Assistance Program (EAP)

1. References.

- a. Technician Personnel Regulation 792, Alcohol and Drug Abuse Program, dated 8 February 2011
- b. 5 C.F.R Part 792, Federal Employees' Health, Counseling, and Work/Life Programs
- c. Executive Order 12564, Drug-Free Federal Workplace, 51 Federal Register 32.8989 (1986)

2. This memorandum supersedes The Adjutant General's Policy 2021-20, Employee Assistance Program, dated 20 August 2021.

3. Employees are the most valuable resource of the Arkansas National Guard. When employees are working at their best, the Arkansas National Guard is operating at its best. Coping with problems is a normal part of life. We have all, at one time or another, experienced personal problems that have caused us to feel uncomfortable. Most often, with the help of family and friends, we are able to overcome these problems before they have a serious impact on our lives. However, there may be times when employees may feel overwhelmed by their problems; and if this were to happen, the Employee Assistance Program (EAP) is a resource available to help.

4. Assistance may be provided for a wide variety of personal concerns under the auspices of EAP. This service helps employees' access problem-solving resources. The EAP Manager can help employees understand governing policies, procedures, and benefits of the EAP, including but not limited to emotional counseling, family counseling, financial counseling, marital counseling, alcohol abuse and substance abuse counseling. Drug and alcohol abuse are serious, treatable health problems that may affect job performance, conduct, or efficiency of the service. Employees experiencing personal problems will be afforded the same consideration and assistance that is provided for other health issues.

5. There are two different types of EAP actions. The first is called Self-Referral: An employee simply calls the EAP office to schedule an appointment. The second is called Supervisor Referral: Supervisors may refer employees to the Employee Assistance Program when they

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SUBJECT: The Adjutant General's Policy 2022-12, Employee Assistance Program (EAP)

notice a problem exists by observing such things as declining job performance, increased absenteeism, and/or changes in work habits. When an employee's work is affected, the supervisor must talk to that employee about their work issues. Conduct or performance issues that arise will be dealt with as the conduct or performance requires. Whether a supervisor referral or self-referral, employees are encouraged to utilize EAP resources.

6. Employees are authorized the necessary leave time for EAP visits and will need their supervisor's approval to schedule leave time from work. However, employees do not have to discuss their personal problems with their supervisor. If the employee prefers not to let anyone know they intend to use the EAP service, then the employee will need to take annual leave, sick leave, or make other arrangements. There is no cost for EAP referrals. Any cost for outside resources will be the employee's responsibility. Depending on the benefit option chosen on individual medical plans, employee coverage and steps to get help may differ. Your EAP Manager can provide information regarding individual coverage.

7. The EAP is confidential service designed to help employees resolve their personal problems before disrupting their personal or work life. No employee's job security or promotion opportunities are jeopardized by their request for counseling or referral assistance, except as limited by Title II, section 201(c)(2) of Public Law 92-255, which relates to sensitive positions. No information discussed during your EAP visits will be given to anyone, including supervisors, without written consent unless employees disclose activities that require reporting. Nothing about an employee's personal problems will be put into their personnel record. The confidential nature of medical records of employees with alcohol and/or substance abuse problems will be preserved in accordance with Section 333 of Public Law 91-616, as amended by Section 122 of Public Law 93-282 and implementing regulations.

8. Point of contact for the EAP is the State Equal Employment Manager, 501-212-4231 or DSN 962-4231.



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NGAR-HRO-EEM

27 May 2022

MEMORANDUM FOR All Service Members and Employees Arkansas National Guard

SUBJECT: The Adjutant General's Policy 2022-13, Alternative Dispute Resolution (ADR)

1. References.

a. 29 CFR, Part 1614, Federal Sector Equal Employment Opportunity (EEO), dated 9 November 1999

b. Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e, et seq., as amended

c. Administrative Dispute Resolution Act of 1996, Pub. Law 104-320

d. Alternative Dispute Resolution Policy and Guidance, CNGBI, 9600.01

2. This memorandum supersedes The Adjutant General's Policy 2021-21, Alternative Dispute Resolution (ADR), dated 20 August 2021.

3. It is the policy of the Arkansas National Guard to maximize the use of the ADR process to resolve disputes as early, inexpensively, and expeditiously as possible. The ADR process will be managed at the lowest level. Used properly, alternative dispute resolution can provide faster, less expensive, less contentious and productive results in eliminating workplace discrimination.

4. There is not one ADR model that works for all situations. The Arkansas National Guard's program is flexible enough to respond to the variety of situations and must be adapted to fit the specific need. Generally, this organization uses mediation or facilitation. The definitions of mediation and facilitation are:

a. The preferred ADR process for EEO complaints is mediation. Mediation is a structured proceeding in which disputing parties use a trained, neutral mediator to assist them in arriving at a mutually agreeable resolution. The neutral mediator guides the process and determines when to meet with both parties in a joint session or individually, establishes a tone to help parties engage in meaningful discussion, and creates a safe environment for discussion.

b. The preferred ADR process for EO complaints is facilitation. Facilitation involves the use of techniques to improve the flow of information in a meeting between parties to a dispute. The techniques may also be applied to decision-making meetings where a specific outcome is desired (for example, resolution of a conflict or dispute). The term "facilitator" is often used interchangeably with the term "mediator," but a facilitator does not typically become as involved as the mediator in the substantive issues does. The facilitator focuses more on the communication processes involved in resolving a matter. In either case, the neutral party may not impose a decision on the disputing parties.

5. The ADR program must be available during the pre-complaint process and the formal complaint process. If the aggrieved and management agree to use ADR, the complaint process time period may be extended up to 90 days. If the ADR does not result in a resolution, the State Equal Employment Manager will notify the EEO Counselor who will issue the Notice of Right to File a Discrimination Complaint as required by 29 C.F.R. 1614.105(d). Note that if ADR is made available in a particular case, it can be attempted at any point during the complaint process.

6. The ADR proceedings are most successful where a neutral or impartial third party with no stake in the outcome of a dispute allows the parties themselves to attempt to resolve their dispute. There are trained neutral parties available to assist through either of the ADR procedures mentioned above. If there is no neutral party available locally, there are others assigned to various Arkansas National Guard elements that can assist. In the event that no neutral parties are available within the organization, contract neutral parties can be made available by the National Guard Bureau ADR office.

7. In some cases, ADR may not be appropriate because of the nature of a particular dispute. Each EO and EEO case will be evaluated to ensure it is appropriate for resolution using the ADR process. Complaints that require a formal written decision to determine precedent in a given case or that could affect the outcome of other similar, but unrelated, cases is an example of a case that is not appropriate for ADR. Cases involving potential criminal involvement such as fraud, waste, and/or abuse are usually not appropriate for ADR. The Arkansas National Guard does not exclude cases from consideration for ADR simply because of the type of EO and EEO bases (e.g. race, color, religion, sex, age, national origin, disability, genetic information, or reprisal) alleged.

8. The decision to use ADR for a particular case is voluntary. Management and the aggrieved/complainant must both agree to use ADR. Once the ADR proceeding has begun, it can be terminated by either party at any time. If the ADR process is terminated during the informal pre-complaint stage, complainants will be advised of the right to file a formal complaint. A decision to use ADR does not obligate either party to settle the complaint or to agree to any particular terms of settlement.

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SUBJECT: The Adjutant General's Policy 2022-13, Alternative Dispute Resolution (ADR)

9. Employees have the right to representation of their choice. An employee's right to have a representative remains in effect during the ADR process. EO and EEO officials are not eligible to represent aggrieved individuals/complainants in the ADR process. The process must be fair to both parties and provide an opportunity for individuals to be heard and to develop options for resolution. Neither party can be forced to agree to any terms or outcomes if they are not satisfactory to them.

10. The Arkansas National Guard is committed to providing ADR proceedings that reflect confidentiality, neutrality, and enforceability. Confidentiality applies to ADR proceedings with regard to joint discussions between the parties where the neutral is providing information to either party, and with regard to private discussions (caucuses) held by the neutral with a respective party. Neutrality is a cornerstone of the ADR program. Neutral parties used by this organization are required to practice the highest standards of integrity and ethics in conducting ADR proceedings.

11. The Arkansas National Guard will make accessible an individual with settlement authority. No responsible management official or agency official directly involved in the case will serve as the person with settlement authority. If the parties reach an agreement, the parties will be allowed to settle as long as the proposed agreement is lawful, enforceable, and both parties are informed of their rights and remedies under the applicable statutes. Any resulting settlement agreement will, upon approval by appropriate Arkansas National Guard officials, be binding on both you and the agency.

12. An allegation that an ADR settlement agreement has been breached must be brought to the attention of the State Equal Employment Manager (SEEM). The responsible party will then review and investigate the allegation and determine if resources to seek enforcement of the agreement will be utilized.

13. The Arkansas National Guard will make every effort to comply with all requirements of the ADR process, to include adequate training to the manager and first line supervisor. An evaluation process will be used to determine the ADR process' effectiveness, identify deficiencies, and implement corrective actions.

14. Point of contact for this policy is the State Equal Employment Manager, 501-212-4231 or DSN 962-4231.



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JONATHAN M. STUBBS
MAJOR GENERAL
THE ADJUTANT GENERAL

NGAR-HRO-LRS

7 March 2024

MEMORANDUM FOR National Guard Title 5 Employees and their Supervisors

SUBJECT: The Adjutant General's Policy 2024-03, Dress Code for Title 5 Employees

1. Purpose. This memorandum supersedes TAG Policy 2018-12, dated 15 March 2018, Subject: Dress Code for Title 5 National Guard Employees. It defines appropriate dress and grooming standards for our civilian employees with intent to maintain the high level of professionalism necessary to foster public trust and confidence in our organization.

2. Punitive. Employees, as defined by 5 USC§ 2101, who are not in compliance with the dress code established in this policy may be subject to disciplinary and/or adverse action in accordance with Chief, National Guard Bureau Instruction (CNGBI) 1400.25, Volume 752, National Guard Technician and Civilian Personnel Discipline and Adverse Action Program.

3. Policy.

a. When in civilian attire, a neat and professional appearance is required. This policy does not require the wear of specific materials or styles, but does prohibit clothing deemed unsafe, unhealthy, soiled or unclean, non-productive, or disruptive to the work environment. The following items are prohibited from wear at any Arkansas National Guard facility:

- (1) Flip-flops and Crocs-style footwear.
- (2) Sleeveless shirts or tank tops.
- (3) Visible face or body piercings, not including earrings or nose studs/rings. All piercings must be reasonably sized, not to exceed eighteen (18) gauge.
- (4) Revealing clothing such as mid-drifts, high-cut shorts or skirts, low-cut or see-through shirts, tattered or ripped clothing, and low hanging pants.
- (5) When wearing leggings, shirts and/or dresses must be long enough to cover the top half of the leggings, both front and back.
- (6) Any clothing with offensive writing, emblems, or symbols that are racist, sexually explicit, advocate violence, or political in nature.
- (7) Clothing with names, slogans, or advertisements of alcohol, tobacco, or cannabis.

b. The following guidance applies to Title 5 Flight Crew and Maintenance Personnel:

(1) Title 5 Instructor Flight Crew. Title 5 Instructor flight crew personnel will wear the Nomex Flight Suit comparable with AGR and T32 Dual-Status (DS) Military Technician flight crew. The Title 5 flight suit will either be blue or tan, as determined by the wing commander, to differentiate Title 5 personnel from the AGR/DS flight crew. No military rank will be worn on the flight suit, but unit patches, American flag patches and the name/aircrew identification patch are authorized. In addition, Title 5 aircrew are authorized to wear the 2-piece flight suit with applicable name, unit, and flag patches displayed. 2-piece flight suit wear affords Title 5 members the opportunity to remove the top during spring/summer months as they perform pre-flight duties on the flight line.

(2) Title 5 Maintenance Personnel. Title 5 Wage Grade employees will wear safe working attire that provides the wearer with a proper, comfortable fit and protection from injuries normally associated with the working environment. Such attire should be neat, clean, free of holes, non-offensive, non-distracting to other employees, and in accordance with applicable safety standards.

c. In accordance with Title VII of the Civil Rights Act, 42 U.S.C. §2000e, exceptions for religious reasons will be made. Reasonable accommodations for medical needs will also be made. It is the supervisor's responsibility to manage this policy for their employees and the work environment. Additionally, management may not discriminate or enforce clothing standards based upon gender, age, or cultural differences.

d. Personnel will generally wear business casual attire and footwear that is compatible with their assigned position. Jeans and athletic footwear are authorized. However, personnel who have daily contact with the public, or who are representing the Agency in a forum where members of the general public will be present, may be required to wear specific clothing items up to and including appropriate business attire.

4. Point of Contact. Point of contact for this memorandum is the Labor Relations Specialist at 501-212-4207 at the Human Resources Office (HRO).



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NGAR-HRO

20 March 2024

MEMORANDUM FOR All Arkansas National Guard Full-Time Federal Employees

SUBJECT: The Adjutant General's Policy 2024-06, Full-Time Federal Employees Requesting and Performing Outside Employment

1. References:

a. Title 5 Code of Federal Regulations, Part 2635, Subpart H, Outside Activities, § 2635.801-809, 01 January 2020.

b. DoD Directive 5500.7 R, Section 2, Paragraph 2-203 and 2-206, Section 3, Paragraph 3-304, 17 November 2011.

c. Air National Guard Instruction 36-101, Paragraph 1.6, 3 June 2010, Certified Current 21 April 2022.

2. This memorandum supersedes The Adjutant General's Policy #2020-06, Full-Time Federal Employees Requesting and Performing Outside Employment, dated 13 November 2019.

3. The purpose of this policy is to establish a joint process for full-time employees to request and perform outside employment.

4. All full-time federal employees of the Arkansas National Guard must be aware of the process required to gain approval prior to performing any outside employment, including self-employment. Employees must also annually certify the continuation of previously approved employment. Full-time federal employees are defined as Active Guard Reserve (AGR) members, Guardsmen on long-term orders (over 30 days), dual status, and Title 5 federal technicians in all tenure groups including temporary and indefinite appointments.

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SUBJECT: The Adjutant General's Policy 2024-06, Full-Time Federal Employees Requesting and Performing Outside Employment

5. As members of the National Guard, mission requirements beyond normal duty hours may be necessary. While there is not a blanket prohibition on employment outside of a member's federal appointment, such paid or unpaid employment must not interfere with primary duties as a full-time federal employee. This can include employment that inhibits the full-time federal employee's ability to satisfactorily perform their duties by coming to work physically or mentally fatigued. Additionally, full-time employees may not accept outside employment that:

- a. Detracts from readiness.
- b. Creates a liability for the federal or state government.
- c. Creates an actual or perceived conflict of interest.
- d. Poses a safety or health risk to the member.
- e. Poses a security risk to the member or the National Guard.
- f. Gives the appearance of impropriety.
- g. Involves the actual or perceived promotion and/or endorsement of commercial products/services as a representative of the military.
- h. Involves the use of the employee's military title or representation.
- i. Creates a risk of bringing discredit upon the individual, National Guard, Department of Defense, or U.S. Government.
- j. Requires absences during normal duty hours.
- k. Involves working from a firm or other entity that is engaged or endeavoring to engage in business transactions of any sort with an agency of the U.S. Government or state government.
- l. Is so closely related to the employee's official job function that his or her participation is primarily because of that factor.
- m. Requires action at any time as a sales agent for the purpose of personal, commercial solicitation of military personnel junior in rank or grade.

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SUBJECT: The Adjutant General's Policy 2024-06, Full-Time Federal Employees Requesting and Performing Outside Employment

n. Has the potential for local, regional, or national press or public relations coverage regarding the members outside employment and any potentially positive or negative impact that employment may have on the member's military position.

6. Approval is not required for volunteer activities performed by full-time employees, such as serving on committees, boards for churches, civic organizations, youth sports teams, non-profit organizations, or local government for which the employee does not receive compensation. Approval is also not required for activities performed for work or educational credit, or reduced fees for organizations, such as Boy or Girl Scouts, athletic organizations, and sports leagues.

7. Jury duty is not considered outside employment. However, the employee must ensure that these activities follow the same guidelines outlined in paragraph 4 above.

8. Approval will generally not be granted for AGRs and FTNGD-OS to participate in "high-risk" employment such as those that involve law enforcement, firefighting, and armed security unless proof of outside liability insurance coverage, including policy limits, can be provided. This prohibition includes paid employment and volunteer employment when performing these "high-risk" functions.

9. All full-time federal employees must provide written notice to their full-time supervisory chain of command prior to engaging in any outside employment. All personnel must submit a notice using Enclosure 1 (Application Outside Employment). Air AGR personnel must also complete Enclosure 2 (AF IMT Form 3902) to submit with their package. Army approval/disapproval authority will be the full-time Directorate, MSC Administrative Officer, or Army Chief of Staff. The authority for Air approval/disapproval will be the Group Commander, Wing Commander, or Director of Staff. Outside employment should be approved unless the employment violates the guidelines outlined in paragraph 4. Approved or disapproved applications for outside employment must be forwarded to the Human Resources Office, Attention: Labor Relations Specialist (LRS)/AGR Branch Chief/Technician Branch Chief, for placement in the Technician or AGR employee folder.

10. If, at any time, approved outside employment conflicts with the guidelines above, the supervisor will immediately notify the employee of the problem. The approval authority may deny or revoke the approval for outside employment and provide notice as to why the employment was denied or revoked. Employees whose outside employment is denied or revoked will have 30 calendar days from the date of denial or revocation to cease outside employment. Failure to obtain approval for or continue disapproved outside employment may result in disciplinary actions. Disciplinary actions may also be taken if outside employment causes or contributes to job-related issues.

NGAR-HRO

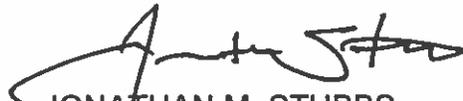
SUBJECT: The Adjutant General's Policy 2024-06, Full-Time Federal Employees Requesting and Performing Outside Employment

11. Revalidation of outside employment will be completed annually, no later than 30 September each year. Additionally, revalidated packets will need to be submitted to the Human Resource Offices as directed in paragraph 9 for record management updates.

12. Point of contact for this policy is the Deputy Human Resource Officer at 501-212-4202.

2 Encls

1. Application Outside Employment
2. AF IMT Form 3902



IONATHAN M. STUBBS
Major General
The Adjutant General

Application and Approval of Outside Employment

Employee Name & Grade: _____

SSN: _____ Duty Position: _____

Duty Organization & Address: _____

Normal Duty Days & Hours: _____

Name of Outside Employer: _____

Business Address: _____

Phone Number: _____ Is Employer a DoD Contractor: _____

Position Title of Off-Duty Employment: _____

Off-Duty Employment Days & Hours: _____

Off-Duty Job Description (continue on a separate sheet if necessary): _____

I certify that I understand the applicable provisions of the Joint Ethics Regulation (DoD 5500.7-R) and Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR Part 2635). I further certify that the off-duty employment for which I am applying (Mark applicable blocks below): Note any answer that results in checking the "Will" must be explained in detail on a separate sheet.

Will	Will Not	
		Bring discredit upon the AR NG, NGB, DoD, or U.S. Government.
		Interfere with or be incompatible with my government duties.
		Interfere with the customary or regular employment of local civilians.
		Require absences during normal military duty hours.
		Involve any expense to AR NG, use of government facility, property, or manpower.
		Endanger my health or safety.
		Involve the use of my military title or representation before any federal agency.
		Involve employment with an organization now involved in a strike.
		Place me in a position that might be incompatible with my rank/position/assignment.
		Require action at any time as a sales agent for the purpose of personal commercial solicitation of military personnel junior in rank or grade.
		Appear to involve a conflict of interest
		Involve working for a firm or other entity that is engaged, or is endeavoring to engage, in business transactions of any sort with an agency of the DoD
		Violate any U.S., State, Local ordinance, National Guard or DoD regulation or instruction.

Employee Signature: _____ Date: _____

Application and Approval of Outside Employment

First Line Supervisor's Recommendation:

_____ Recommend Approval. I have personally interviewed the applicant and have no objection to the requested off-duty employment.

_____ Recommend Disapproval. Explain (required): _____

First Line Supervisor Signature: _____

Date: _____

MACOM Administrative Officer (Army) and/or Wing/Group Commander (Air Force)

_____ Approved. Any remarks: _____

_____ Disapproved. Explain (required): _____

Directorate, MACOM AO or Wing/GSU Signature: _____

Date: _____

HRO Representative Signature (LRS/AGR/TECH): _____

Date filed in employee record: _____

APPLICATION AND APPROVAL FOR OFF-DUTY EMPLOYMENT

PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 974; 10 U.S.C. 8013; Executive Order 9397; DoD 5500.7-R, Sections 2-206 and 2-303.

PRINCIPAL PURPOSE(S): Provide information for commanders to evaluate proposed off-duty employment, grant approval, and determine impact on duty performance.

ROUTINE USE(S): Records may be disclosed for any of the blanket routine uses published by the Air Force.

DISCLOSURE: Disclosure of SSN is voluntary. Failure to provide the information could result in disapproval of request for off-duty employment.

SECTION I APPLICANT DATA AND CERTIFICATION (Completed by Applicant)

1. LAST NAME, FIRST NAME, MIDDLE INITIAL	2. GRADE	3. SSN	4. AFSC
5. ORGANIZATION OFFICE SYMBOL ADDRESS	6. DUTY PHONE	7. DUTY TITLE	
8a. NAME OF EMPLOYER		8b. BUSINESS ADDRESS	
8c. IS EMPLOYER A DEPARTMENT OF DEFENSE CONTRACTOR? <input type="checkbox"/> (1) YES <input type="checkbox"/> (2) NO <input type="checkbox"/> (3) DON'T KNOW		8d. PHONE NUMBER	
9. TITLE OF POSITION OF OFF-DUTY EMPLOYMENT	10. OFF-DUTY PERIODS OF EMPLOYMENT (Days per week; hours per day)		
11. JOB DESCRIPTION (Continue on reverse side)	12. NORMAL PERIODS OF MILITARY DUTY (Days per week; hours per day)		

I certify that I understand the applicable provisions of the Joint Ethics Regulation (DoD 5500.7-R). I further certify that the off-duty employment for which I am applying (Mark applicable block): (Note: explain in detail on the reverse of this form any answer that results in checking a box "will." Checking a box "will" does not automatically result in disapproval, but does require an explanation).

WILL a.	WILL NOT b.	
<input type="checkbox"/>	<input type="checkbox"/>	13. Bring discredit upon the Air Force, Department of Defense or U.S. Government.
<input type="checkbox"/>	<input type="checkbox"/>	14. Interfere with or be incompatible with my government duties.
<input type="checkbox"/>	<input type="checkbox"/>	15. Interfere with the customary or regular employment of local civilians. (Enlisted members only)
<input type="checkbox"/>	<input type="checkbox"/>	16. Require absences during normal military duty hours.
<input type="checkbox"/>	<input type="checkbox"/>	17. Involve any expense to the Air Force or use of government facilities, property or manpower.
<input type="checkbox"/>	<input type="checkbox"/>	18. Endanger my safety or health.
<input type="checkbox"/>	<input type="checkbox"/>	19. Involve the use of my military title or representation before any federal agency.
<input type="checkbox"/>	<input type="checkbox"/>	20. Involve employment with an organization now involved in a strike.
<input type="checkbox"/>	<input type="checkbox"/>	21. Place me in a position that might be incompatible with my rank, position or assignment.
<input type="checkbox"/>	<input type="checkbox"/>	22. Require action at any time as a sales agent for the purpose of personal commercial solicitation of military personnel junior in rank or grade.
<input type="checkbox"/>	<input type="checkbox"/>	23. Appear to involve a conflict of interest.
<input type="checkbox"/>	<input type="checkbox"/>	24. Involve working for a firm or other entity that is engaged, or is endeavoring to engage, in business transactions of any sort with an agency of the Department of Defense.
<input type="checkbox"/>	<input type="checkbox"/>	25. Violate any U.S., state or local law; ordinance; or Air Force regulation or instruction.
26a. DATE SIGNED		26b. SIGNATURE OF APPLICANT

SECTION II SUPERVISOR'S RECOMMENDATION

<input type="checkbox"/>	27. RECOMMEND APPROVAL. I HAVE PERSONALLY INTERVIEWED THE APPLICANT AND I HAVE NO OBJECTION TO THE REQUESTED OFF-DUTY EMPLOYMENT.	
<input type="checkbox"/>	28. RECOMMEND DISAPPROVAL (Explain).	
29a. DATE SIGNED	29b. NAME AND GRADE OF SUPERVISOR	29c. SIGNATURE

SECTION III JUDGE ADVOCATE RECOMMENDATION

<input type="checkbox"/>	30. APPROVAL	32. REMARKS (Continue on reverse side)
<input type="checkbox"/>	31. DISAPPROVAL	
33a. DATE SIGNED	33b. NAME AND GRADE	33c. SIGNATURE

SECTION IV APPROVING AUTHORITY ACTION (Completed by Unit Commander or Delegatee)

<input type="checkbox"/>	34. APPROVED	36. REMARKS (Continue on reverse side)
<input type="checkbox"/>	35. DISAPPROVED	
37a. DATE SIGNED	37b. NAME, GRADE AND TITLE	37c. SIGNATURE



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JONATHAN M. STUBBS
MAJOR GENERAL
THE ADJUTANT GENERAL

NGAR-HRO

20 March 2024

MEMORANDUM FOR RECORD

SUBJECT: The Adjutant General's Policy 2024-07, Use of Official Time for Physical Fitness

1. Purpose. This memorandum supersedes TAG Policy 2016-01, dated 19 October 2015, Subject: Use of Official Time for Physical Fitness. It continues authorization for full-time federal employees of the Arkansas National Guard to use official time for physical fitness and now includes Title 5 civilian employees within this authorization IAW NGB-J1-P memorandum dated 17 November 2023, Subject: National Guard Employee Physical Activity.

2. Applicability. This policy applies to all full-time federal employees, including all Active Guard and Reserve Soldiers and Airmen; military technicians, as defined by 10 USC§ 10216; and Title 5 civilian employees, as defined by 5 USC§ 2101. This includes temporary, indefinite and permanent federal employees. State Military Department employees should refer to the current Military Department Physical Fitness Opportunity Program.

3. Policy.

a. Full-time federal employees, scheduled 80-hours per pay period, are authorized three hours per week to participate in a fitness program during normal work hours. The program must start and end at the individual's workplace and must be approved by the employee's immediate supervisor. Participants should have their doctor and, if appropriate, fitness counselor advise them on a program to meet their fitness goals. Participation is voluntary.

b. In managing the three hours authorized per week, individuals can exercise one hour three times a week or at other time intervals during the workday not to exceed the three hours allowed per week. Official exercise time can be combined with lunch periods, but not with break time as break time is considered duty time. Routine fitness schedules, to include the days and blocks of time, must be approved by the supervisor prior to participating.

c. Mission accomplishment remains our primary goal. Mission requirements may periodically necessitate that supervisors disapprove employee participation in the physical fitness program for a period of time. Generally, supervisors will not disapprove employee participation for an extended period of time. Employees and supervisors must use sound judgement and common sense to ensure a prudent use of time away from the work site.

NGAR-HRO

SUBJECT: TAG Policy 2024-07, Use of Official Time for Physical Fitness

d. Individuals will maintain a high standard of dress and appearance to include the wearing of appropriate physical fitness attire and footwear including shirts, shorts, or pants, socks, and running shoes unless specifically exempted by the supervisor/commander for specific mission requirements. Shirts are required to be worn at all times. The physical fitness uniform is not required. Civilian clothes are authorized.

e. The use of official time for physical fitness is not an entitlement. It is a privilege that is provided as an incentive to assist the full-time workforce in maintaining physical fitness with the intent to increase readiness, enhance morale, increase productivity, reduce sick leave use, and increase job and life satisfaction. Employees who abuse the program will be disciplined and/or have their privileges to participate in the program revoked.

f. Participants may select the type of activity they wish to participate within the guidelines provided. Examples of acceptable individual activities include running, jogging, walking, cycling, stationary cycling, rowing, aerobics and weight training. Employees are prohibited from engaging in competitive contact sports since they are considered high risk.

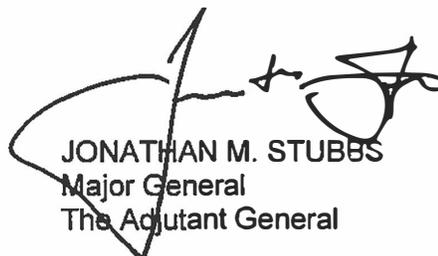
g. Federal Employee's Workers Compensation Officials have ruled that in the event of a civil service employee's injury or death occurring while participating in the physical fitness program, participation in the fitness program will be considered a part of the employment requirement if the employee complied with the established guidelines. Military technicians and Title 5 civilian employees who participate in activities other than those listed in paragraph 2 acknowledge that Worker's Compensation (Federal Employees Compensation Act) may not cover injuries. Military technicians and Title 5 civilian employees must also complete and forward a Form CA-1 through their supervisory chain to the Human Resource Office within 24 hours of an injury sustained during the program.

h. IAW the NGB policy memorandum referenced above, all military technicians and Title 5 civilian employees must complete the attached supporting documents prior to participating in a physical fitness program as authorized by this policy. These completed documents will be maintained by the supervisor.

4. Point of Contact. The point of contact for this memorandum is the Human Resource Officer at (501) 212-4200.

4 Encls

1. Employee – Supervisor Agreement
2. Informed Consent for Participation
3. Physical Activity Questionnaire
4. Physician Approval Form



JONATHAN M. STUBBS
Major General
The Adjutant General

ATTACHMENT 1

CIVILIAN FITNESS AND HEALTH PROMOTION PROGRAM EMPLOYEE- SUPERVISOR AGREEMENT

I, _____ (Employee name) , understand full participation in the Civilian Fitness and Health Promotion Program allows up to 3 hours per week (no more than 1 hour per day) unless illness, injury, or mission requirements dictate otherwise. I also understand the fitness periods are up to 1 hour of duty time at the beginning of the duty day, up to 1 hour of duty time at the end of the duty day, or up to 1 hour of duty time taken adjacent to (before or after) my 30- or 60-minute lunch period. I understand designated fitness hours cannot be banked, or carried over, to another week for future use. In addition, I understand I may not adjust my lunch period to participate in the program at the beginning or end of the duty day to extend my fitness time. Further, I understand participation in the approved activities will be at or near my place of duty. Failure to use fitness time appropriately or misconduct during these periods may be considered workplace infractions subject to disciplinary action. I understand the program and times may be adjusted or curtailed based on mission needs. I further understand I am required to ensure fitness periods resulting from my participation in the Civilian Fitness and Health Promotion Program are accounted for by entering Administrative Leave "LN-PF" (Type Hour Code "LN" with Environmental/Hazard/Other Code "PF") in the Automated Time Attendance and Production System.

Start Date: _____

Days of the Week: Monday [] Tuesday [] Wednesday [] Thursday [] Friday []

Time of Day (Select One): Morning [] Lunch [] Afternoon []

Fitness Location/Place of Duty:

Employee Signature/Date:

Supervisor Signature/Date:

ATTACHMENT 2

INFORMED CONSENT FOR PARTICIPATION IN THE CIVILIAN FITNESS AND HEALTH PROMOTION PROGRAM

I desire to engage voluntarily in the Civilian Fitness and Health Promotion Program to attempt to improve my physical fitness and general health. I understand the activities are designed to place a gradually increasing workload on the musculoskeletal, metabolic, and/or cardiorespiratory system and thereby attempt to improve function and overall health. The reaction of the cardiorespiratory system to such activities cannot be predicted with complete accuracy. Certain changes might occur during or after exercise. These changes might include abnormalities in blood pressure or heart rate.

I understand the purpose of the fitness program is to develop and maintain cardiorespiratory fitness, body composition, flexibility, muscular strength, and/or endurance. I understand fitness programs include warm-up, exercise, and cool-down activities and may include walking, aerobic exercise, and strength training. I understand I am responsible for monitoring my own condition throughout my fitness program. If any unusual symptoms occur, I will stop my participation and seek immediate medical treatment, as needed.

In accordance with the guidelines for the Civilian Fitness and Health Promotion Program, if I must obtain a medical clearance before participating in the program, I agree to consult my medical provider and obtain practitioner approval before beginning the program.

In consideration for being allowed to participate in this program, I agree I am voluntarily participating in this program, and I assume the risk of such exercise. I further agree to hold harmless my organization and its employees and leaders, from any and all claims, suits, losses, or related causes of action for damages, including, but not limited to, such claims that may result in my injury or death, accidental or otherwise, during or arising in any way from the program. In signing this consent form, I affirm I have read this form in its entirety, and I understand the nature of the program in which I choose to participate.

I further acknowledge I have read the enclosed physical activity readiness questionnaire and I (do) I (do not) require physician approval before starting a new fitness activity or dramatically increasing my activity level (duration, frequency, or intensity). I understand this is my responsibility to obtain medical approval before participating in the program.

Employee Name: _____

Organization: _____

Employee Signature/Date: _____

Enclosure 3: _____

ATTACHMENT 3

PHYSICAL ACTIVITY READINESS QUESTIONNAIRE

This questionnaire is strictly for the employee's personal use and will not be collected.

Regular physical activity is fun and healthy, and more people are starting to increase their activity every day. Being more active is very safe for most people. However, some people should check with their doctor before they start efforts to become more physically active.

This questionnaire is designed to assist you in determining whether you should see a doctor before beginning any level of activity. It should not be considered a complete or exhaustive questionnaire to determine whether health problems exist. Notwithstanding your answers to these questions, if you believe you have any underlying health concerns, you should consult your doctor before beginning any physical activity program. If you are planning to increase your physical activity, answer these eight questions. Common sense is your best guide when you answer these questions. Please read the questions carefully and answer each one honestly: **YES or NO.**

1. _____ Has your doctor said you have a heart condition, and you should only do physical activity a doctor recommends?
2. _____ Do you feel pain in your chest when you do physical activity?
3. _____ Have you developed any chest pain in the past month?
4. _____ Do you lose your balance because of dizziness, or do you ever lose consciousness?
5. _____ Do you have a bone or joint problem (for example, back, knee, or hip) that could be made worse by a change in your physical activity?
6. _____ Is your doctor currently prescribing drugs (for example, water pills) for your blood pressure or heart condition?
7. _____ Do you become extremely short of breath with mild exercise?
8. _____ Do you feel frequent skipped heartbeats?
9. _____ Have you been diagnosed with diabetes?
10. _____ Do you know of any other reason you should not participate in physical activity?

If you answered "YES" to any of these questions, you should talk to your doctor before you become more active. If you answered "NO" to all of the questions, use your own discretion in talking to your doctor before participating in a fitness program. Delaying your participation in this program is recommended if you:

- are not feeling well because of a temporary illness, such as a cold or fever (wait until you feel better.)
- are or may be pregnant (talk to your doctor before you become more active.)

ATTACHMENT 4

PHYSICIAN APPROVAL FORM

Physician Instructions: Your patient is asking to participate in a voluntary Civilian Fitness and Health Promotion Program. (Ask your patient for a copy of the program guidelines for your information.) Please complete this form and give a copy to your patient:

Patient Name: _____

Participation in the Civilian Fitness and Health Promotion Program is recommended as follows:

- Medical approval for full participation-no restrictions/limitations
- Medical approval with restrictions/limitations
- Not medically cleared

I understand the program may include mild to moderate intensity exercise and is conducted in unsupervised groups or individually. The following restrictions apply: (provide restrictions only if the second option is selected):

Physician's Printed Name: _____

Physician's Signature: _____

Practice/Office Name: _____

Office Telephone Number: _____

Date: _____



SARAH HUCKABEE SANDERS
GOVERNOR

ARKANSAS DEPARTMENT OF THE MILITARY
OFFICE OF THE ADJUTANT GENERAL
CAMP JOSEPH T. ROBINSON
NORTH LITTLE ROCK, ARKANSAS 72199-9600



JONATHAN M. STUBBS
MAJOR GENERAL
THE ADJUTANT GENERAL

NGAR-HRO

20 March 2024

MEMORANDUM FOR RECORD

SUBJECT: The Adjutant General's Policy 2024-08, Standard Work Schedule

1. References:

- a. 5 USC § 6120-6133, Flexible and Compressed Work Schedules.
- b. Department of Defense Instruction 1400.25, Volume 610 – DoD Civilian Personnel Management System: Hours of Duty, dated 25 November 2019.
- c. Chief, National Guard Bureau Instruction 1400.25, Vol 630 – Technician Absence and Leave Program, dated 23 Apr 21.

2. Purpose. This policy supersedes The Adjutant General's Policy 2021-25, Standard Work Schedule, dated 01 Sep 21. Intent is to establish current policy and assign responsibilities reference the organizational hours of operations and work schedules.

3. Applicability. This policy applies to all full-time federal employees, including all Active Guard and Reserve Soldiers and Airmen; military technicians, as defined by 10 USC§ 10216; and Title 5 civilian employees, as defined by 5 USC§ 2101. This includes temporary, indefinite and permanent federal employees. State Military Department employees should refer to the current Military Department Compressed Work Schedule (CWS) Policy.

4. Policy.

a. **Activity Hours.** All units, directorates, and other activities will be staffed Monday through Friday from 0700 to 1530, excluding federal holidays, to maximize support to traditional Guardsmen and other supported entities. Supervisors at all levels are responsible for scheduling their workforce to ensure capabilities are maintained each duty day.

b. **Approved Work Schedules.** The 5 x 8 is an approved standard work schedule where an employee works five eight-hour days per week from 0700-1530. The 5-4/9 CWS is another approved option where an employee works eight nine-hour days, from 0700-1630, and one eight-hour day, from 0700-1530, every two weeks to complete 40 hours. Mondays are the compressed day off for all employees working under the 5-4/9 CWS. Supervisors

NGAR-HRO

SUBJECT: The Adjutant General's Policy 2024-08, Standard Work Schedule

will alternate employees' compressed days off between the first and second Monday of the pay period to ensure adequate service coverage of their directorate, unit, or agency. Any other day off other than Monday is a deviation from the approved standard work schedules.

c. Alternate Work Schedules. Directorates, Wing Commanders, and Major Command Administrative Officers have authority to approve alternate work schedules that change the start and end time of an employee's workday while maintaining a 5 x 8 or 5-4/9 schedule. Alternate report times should be the exception. Employees must request approval of alternate work schedules at least two weeks prior to the beginning of the next pay period and they will not be allowed to liberally switch back and forth between schedules.

d. Deviation to Work Schedules. Establishing an employee's schedule in a manner that is inconsistent with the 5-4/9 and 5 x 8 constitutes a deviation from the approved work schedules. Deviations will only be authorized if they increase mission readiness. Employee preference is not a justification for deviations. Employee's must submit a request packet (paragraph 5) through the full-time chain of command to the Labor Relations Specialist, for the Director of Joint Staff (DJS) review and consideration for final approval or disapproval.

e. Administration. Chargeable time for leave taken by employees on the 5-4/9 schedule equals the number of hours scheduled to work on the day of leave requested. Employees will adhere to the work hours of the temporary duty/work location, or those hours determined by the mission commander when performing temporary duty/work, operational flying temporary duty/work, attending schools, seminars, conferences, or other training. This may require a temporary adjustment in the employee's work schedule and payroll submission.

f. Holidays. Guidance in relation to federal holidays is published via an HRO Directive, located at the link to the HRO Library provided in paragraph five below.

g. Reporting. HRO-LRS will maintain a copy of all approved work schedule deviations. Every September, directorates and commanders will validate those deviations with HRO-LRS, who will provide a memo rolling up all validated deviations to the DJS for review.

5. Process and Point of Contact. All requests for a deviation to the standard work schedule must abide by the HRO Directive reference Standard Work Schedules, located in the HRO Library on Sharepoint at [AR ARNG Human Resources Office \(HRO\) Public Site - Home \(sharepoint-mil.us\)](#). Point of contact for this topic is the Labor Relations Specialist at (501) 212- 4207.



JONATHAN M. STUBBS
Major General
The Adjutant General



ARKANSAS DEPARTMENT OF THE MILITARY
OFFICE OF THE ADJUTANT GENERAL
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SARAH HUCKABEE SANDERS
GOVERNOR

OLEN CHAD BRIDGES
BRIGADIER GENERAL
THE ADJUTANT GENERAL

NGAR-HRO-LRS

12 February 2025

MEMORANDUM FOR RECORD

SUBJECT: The Adjutant General's Policy 2025-01, Excused Absence for Veterans Administration Medical Appointments

1. References:

- a. 5 U.S.C. § 6329a, Administrative Leave.
- b. 5 CFR § 630 Subpart M, Disabled Veteran Leave (DVL).
- c. Collective Bargaining Agreements with The Adjutant General and the Association of Civilian Technicians, dated 21 January 2022 (Chapter 141) and 01 June 2017 (Chapters 117 and 131).
- d. Chief, National Guard Bureau Instruction (CNGBI) 1400.25 Volume 630, National Guard Employee Leave Program, dated 17 November 2020.
- e. Arkansas National Guard (NGAR) Technician Personnel Regulation (TPR) 791, Reasonable Accommodation, dated 15 October 2018.

2. Purpose. This memorandum supersedes TAG Policy 2024-02, Subject: Excused Absence for Veterans Administration (VA) Medical Appointments, dated 7 March 2024. Intent is to provide supervisors with clear guidance on managing employee requests for medical appointments in relation to combat or service-connected injuries.

3. Applicability. This policy applies to military technicians, as defined by 10 USC§ 10216, and federal civilian employees, as defined by 5 USC§ 2101, who have either a combat-related injury or service-connected disability managed by the VA.

4. Policy.

a. **Requirements.** Employees who meet the criteria below may request up to 80 hours of administrative leave (excused absence) per calendar year as a reasonable accommodation to attend these medical appointments:

NGAR-HRO-LRS

SUBJECT: The Adjutant General's Policy 2025-01, Excused Absence for Veterans Administration Medical Appointments

(1) The medical appointment must be related to an injury or illness incurred as a result of service in the Armed Forces of the United States and must be at a facility approved or designated by the VA to evaluate or treat the employee.

(2) A reasonable accommodation request must be submitted IAW NGAR TPR 791 using NGAR Form 791-1-RA – Employee Request. It must be accompanied with written documentation from the VA to verify the appointment meets criteria set forth in this policy. Each request for excused absence must be submitted separately unless directed otherwise.

(3) The employee is responsible for providing required documentation IAW CNGBI 1400.25 Vol 630 to justify an excused absence request. Excused absence will not be granted unless the criteria above are satisfied. When the criteria cannot be satisfied prior to attending a VA medical appointment, the employee shall be placed in an appropriate leave status to cover the period of absence. An employee may subsequently provide the required documentation within the prescribed 15 days, at which point the time and attendance record shall be promptly corrected to reflect the appropriate duty status.

b. Considerations. Once the AR NG Form 791-1-RA is submitted, the NGAR will consider the following factors to determine appropriateness of the excused absence:

(1) Disabled Veterans Leave. If the employee qualifies for Disabled Veterans Leave (DVL), it must be exhausted before requesting leave under this policy.

(2) Current sick leave balance. Employees with sick leave balances in excess of 104 hours will not qualify for leave under this policy.

(3) Prior excused absence. If the employee has taken leave under this policy before, supervisors must consider if it is more appropriate to be on Warrior Transition Active Duty or some other active status as determined by a line of duty investigation.

(4) Prior abuse of leave. If the employee has abused this or any leave program, it may be the basis for disapproval, even if the request meets all of the criteria above.

c. Approvals. The amount of excused absence granted shall be the amount of time needed to cover the medical appointment, plus the amount of time needed to cover travel to and from the employee's assigned duty station and the medical facility. Any administrative leave granted by this policy counts against the maximum annual limit of 80 hours authorized under 5 U.S.C. § 6329a, Administrative Leave. Use of this type of administrative leave for VA appointments may affect future administrative leave requests for other purposes such as voting, donating blood, reviewing a personnel file, etc.

d. Disapprovals. Disapprovals may be appealed IAW AR NG TPR 791 Chapter 4 - Reasonable Accommodation Dispute. Bargaining unit employees have the option to file a grievance.

NGAR-HRO-LRS

SUBJECT: The Adjutant General's Policy 2025-01, Excused Absence for Veterans
Administration Medical Appointments

5. Point of Contact. The point of contact for this subject is the Human Resources Office,
Labor Relations Specialist at (501) 212-4207.

OLEN C. BRIDGES
Brigadier General
The Adjutant General



ARKANSAS DEPARTMENT OF THE MILITARY
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NGAR-HRO-LRS

12 February 2025

MEMORANDUM FOR RECORD

SUBJECT: The Adjutant General's Policy 2025-04, Annual Notice of Right to Union Representation

1. References:

a. 5 U.S.C. § 7114, Representation Rights and Duties.

b. Change 1, 27 August 2021, to DoDI 1400.25, Volume 711, DoD Civilian Personnel Management System: Labor Management Relations, 26 February 2020.

2. Purpose. This memorandum supersedes Policy Memorandum No. 2022-07, Subject: Annual Notice of Right to Union Representation, dated 08 March 2022. Intent of this memorandum is to provide guidance for the annual notification requirement to union representation during management investigation.

3. Applicability. The notification below applies to military technicians, as defined by 10 USC§ 10216, and federal civilian employees, as defined by 5 USC§ 2101.

4. Policy. This policy serves as the annual notification of the right to union representation during management investigation. Supervisors will ensure employees are annually informed of the rights below IAW paragraph (3) of 5 U.S.C. § 7114.

5. Rights Notification. The Civil Service Reform Act of 1978 gives federal employees, represented by exclusive labor organizations, the right to have a union representative present at any meeting which involves an examination by a representative of the agency in connection with an investigation. Section 7114, "Representation Rights and Duties of the Civil Service Reform Act of 1978 states:

a. A labor organization which has been accorded exclusive recognition is the exclusive representative of the employees in the unit it represents and is entitled to act for, and negotiate collective bargaining agreements covering, all employees in the bargaining unit. An exclusive representative is responsible for representing the interests of all employees in the unit it represents without discrimination and without regard to labor organization membership.

NGAR-HRO-LRS

SUBJECT: TAG Policy 2025-04, Annual Notice of Right to Union Representation

b. An exclusive representative of an appropriate unit in an agency shall be given the opportunity to be represented at the following:

(1) Any formal discussion between one or more representatives of the agency and one or more employees in the unit or their representatives concerning any grievance or any personnel policy or practices or other general condition of employment.

(2) Any examination of an employee in the unit by a representative of the agency in connection with an investigation if the employee reasonably believes the examination may result in disciplinary action and the employee requests representation.

6. Point of Contact. Point of contact for this memo is the Human Resource Office, Labor Relations Specialist at (501) 212-4207.

OLEN C. BRIDGES
Brigadier General
The Adjutant General