



U.S. AIR FORCE

**NONAPPROPRIATED FUND
PERSONNEL PROGRAM
MANAGEMENT AND ADMINISTRATION
PROCEDURES GUIDE**

June 2019

This guide describes processes for the human resources management and administration of the Air Force (AF) nonappropriated fund (NAF) personnel and programs. It implements Department of Defense Directives (DoDD) and Department of Defense Instructions (DoDI) in the 1400.25 series specifically pertaining to NAF personnel. It also implements Air Force Policy Directive 34-3, *Nonappropriated Funds Personnel Management and Administration*, AFI 34-301, *Nonappropriated Funds Personnel Management and Administration* and AFMAN 34-302, *Nonappropriated Fund Personnel Employee Benefit Plans*. This guide applies to all AF and AF Reserve personnel who have authority over or work in or with Nonappropriated Fund Instrumentalities (NAFI) or NAF personnel. It does not apply to Army and Air Force Exchange Service (AAFES) employees, the Air National Guard, or any other category of employee unless they are seeking employment or are employed in either a full or part time basis by a NAFI. Chapter 13 applies to Appropriated Fund (APF) employees with respect to transfer of benefits when they transfer in or out of NAF employment. Major commands (MAJCOM) may not supplement this guide.

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Chapter 1: General Provisions, Authorities and Responsibilities

1.1. Purpose. This guide describes basic procedures for managing and administering the Air Force Nonappropriated Fund (AF NAF) Civilian Personnel Program. It also confers authority upon those responsible for administration of the program.

1.2. Applicability. This guide applies to AF NAF employees. It does not apply to:

1.2.1. Employees of private organizations authorized to operate on installations in accordance with AFI 34-223, *Private Organizations (PO) Program*.

1.2.2. Air Force Appropriated Fund (APF) civilian employees and military personnel who perform assigned duties in Force Support Squadron (FSS) activities.

1.2.3. Independent contractors, such as professional entertainers and sports officials, where no employer-employee relationship exists.

1.2.4. Individuals employed by contractors and concessionaires doing business with Nonappropriated Fund Instrumentalities (NAFIs).

1.2.5. Local nationals or third country nationals employed in United States (U.S.) territories or possessions and foreign areas when such nationals are subject to the requirements of treaties or country to country agreements.

1.2.6. Employees of Army and Air Force Exchange Service (AAFES).

1.2.7. Volunteers or individuals serving as Family Child Care Providers under the Family Child Care Program.

1.2.8. Air National Guard units and members.

1.3. Appointing Authority. Appointing authority is the authority to appoint, classify, promote, reassign, discipline, demote, detail, compensate, separate, or affect other related personnel and position transactions that involve NAF employees. This authority is granted to the Secretary of the Air Force and delegated to installation commanders assigned an AF NAF Human Resources (HR) Section. The Human Resources Officer acts for the installation commander in the administration of this authority as it pertains to the NAF personnel program.

1.3.1. The Human Resources Officer has authority and responsibility for ensuring each personnel action he or she approves conforms with all legal and regulatory requirements applicable to the AF NAF Civilian Personnel Program.

1.3.2. Some instructions pertaining to NAF personnel administration assign authority and responsibility for certain personnel management actions and decisions inherent to appointing authority, to specified positions, organizations, or organizational levels. The delegation of appointing authority as addressed in this section does not limit those with appointing authority, or organization's authority or responsibility to take these actions as specified in this guide and other AF or Department of Defense (DoD) Instructions.

1.4. Roles and Responsibilities. The authority and responsibility to manage civilian employees of AF NAFIs flows from the Secretary of the Air Force, who bears ultimate authority and

responsibility, to the Chief of Staff, and successively, to commanders of MAJCOM, or comparable organizations, subordinate commanders, and, ultimately, to first-level supervisors. Each level in the chain of command has personnel management responsibilities, from overall policy-making responsibilities at the top management level to immediate supervisory responsibilities at the operating level.

1.4.1. Deputy Chief of Staff (DCS), Manpower, Personnel and Services (AF/A1). Develops and adjusts Air Force policies for all matters pertaining to the AF NAF personnel management program.

1.4.2. Director, Civilian Force Management Division (HAF/A1C) shall:

1.4.2.1. Under the authority and direction of the AF/A1, direct development and implementation of the AF NAF civilian personnel program.

1.4.2.2. Publishes appropriate headquarters level guidance.

1.4.2.3. Designated as waiver authority for the NAF civilian personnel program.

1.4.3. HQ Air Force Services Center (HQ AFSVC), Human Resources and Benefits Division (SVXH).

1.4.3.1. Provide operational guidance and policy interpretation for the AF NAF personnel management program for HQ USAF/A1C.

1.4.3.2. Develops and adjusts Air Force procedures for quality assessments.

1.4.3.3. Develops and conducts human resources training to FSS management and human resources staff at all levels.

1.4.4. Installation Commander. Each installation commander through the FSS commander/director and Human Resources Officer:

1.4.4.1. Ensures serviced organization management officials and supervisors are fully informed of and comply with this guide and other legal and regulatory requirements pertinent to the AF NAF personnel program.

1.4.4.2. Ensures all personnel actions are authorized and comply with legal, policy, and regulatory requirements.

1.4.5. Human Resources Officer

1.4.5.1. Administers the use of appointing authority. This authority remains in effect unless limited or withdrawn in writing by the installation commander. The appointing authority is delegated only to persons whose training and experience enables them to review the background material on a proposed action and determine whether it meets the necessary legal and regulatory requirements. In carrying out this role, the Human Resources Officer advises and helps management meet personnel needs and solve personnel problems.

1.4.5.2. Ensures programs and actions comply fully with the spirit and intent of laws, regulations, and policies.

1.4.5.3. Approves and issues all required notices of personnel and position actions. Approval of actions is a serious responsibility that should not routinely be assigned to clerical or other technical support personnel who may lack the necessary background and training to make the decision to approve or disapprove an action.

1.4.5.4. Makes final pre-appointment determinations regarding citizenship, preference eligibility, minimum and maximum age limits (where appropriate), suitability, qualifying experience and education.

1.4.5.5. Ensures the position to which the employee is assigned has been established and properly classified.

1.4.5.6. Provides training for program managers and supervisors.

1.4.6. **Supervisors.** Supervisors know the mission requirements, job needs, and the employees assigned to their organizations and carry out personnel management responsibilities.

1.4.6.1. Selects employees and assures their proper placement and use; recommend employees for promotion and reassignment.

1.4.6.2. Assigns duties and certifies the accuracy of position guides (PG) and position descriptions (PD).

1.4.6.3. Establishes work standards and evaluates employee performance and conduct; takes or initiates corrective action when an employee's performance or conduct is not acceptable; and recognizes superior performance.

1.4.6.4. Identifies training needs; conducts on-the-job training (OJT); recommends other training; and evaluates training results.

1.4.6.5. Resolves complaints, grievances, and maintains discipline.

1.4.6.6. Carries out affirmative actions in support of equal opportunity objectives.

1.4.6.7. Observes the laws, policies, and guidelines applicable to the NAF Civilian Personnel Program and merit system principles in 5 U.S.C. 2301(b), and prohibited personnel practices in 5 U.S.C. 2302(b).

1.4.6.8. Discharges all duties without regard to race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), religion, age (40 or older), national origin, disability, or genetic information or any other non-merit factor.

1.4.6.9. When required, coordinates proposed actions and decisions with, or obtains prior approval of a higher-level supervisor and/or the Human Resources Officer. When a supervisor does not use an authority properly, the FSS commander/director may withdraw the authority and assign it to a higher-level supervisor pending the outcome of an inquiry.

1.4.6.10. Treat employees with respect and consideration and motivate employees to improve.

1.4.6.11. Create a work environment free from harassment.

1.4.6.12. Complete personnel management actions without unnecessary delay.

1.4.6.13. Attend required supervisory training and implement same.

1.4.6.14. Delegation of personnel management authority to first-level supervisors does not relieve higher-level officials from responsibility for effective management. They are responsible for the groups of employees and the overall use of the total workforce within their organization. They must make sure their subordinate supervisors manage properly and effectively and adhere to the legal and procedural requirements applicable to the AF NAF Civilian Personnel Program.

1.5. Legal Status of NAF Civilian Employees. NAF employees are Federal employees within the DoD, but are not subject to many personnel laws administered by the Office of Personnel Management (OPM) for APF employees. Section 2105(c) of 5 U.S.C. explains this status and identifies the OPM-administered laws that cover NAF employees unless otherwise specifically stated. Because these employees are paid with NAFs, they are distinguished from other AF civilian employees paid from funds appropriated by Congress.

1.6. Terms Explained.

1.6.1. **APF Employee.** A person paid from funds appropriated by the Congress.

1.6.2. **Concessionaire.** An entrepreneur under contract to an authorized NAFI to provide goods or services.

1.6.3. **DoD Components.** The DoD components consist of the Office of the Secretary of Defense (OSD), the Military Departments, the Services, the Chairman of the Joint Chiefs of Staff (CJCS) and the Joint Staff, the unified commands, and Defense agencies.

1.6.4. **NAF-HR.** The personnel office that services AF NAFIs.

1.6.5. **Personal Services Contracts.** A written agreement between an individual and a NAFI to perform specified duties on a one-time or otherwise short-term basis. The contract does not establish an employee-employer relationship.

1.6.6. **Local National NAF Employee.** A national or citizen of a foreign host country who is employed in that country by a NAFI.

1.6.7. **Manager.** An individual who executes all directives that apply and who administers an activity or function.

1.6.8. **NAFs.** Funds generated by DoD military and civilian personnel and their dependents and used to augment funds appropriated by the Congress to provide a comprehensive, morale-building welfare, religious, educational, and recreational program, designed to improve the well-being of military and civilian personnel and their family members.

1.6.9. **NAF Accounting Office (AO).** A support office that provides centralized professional bookkeeping, accounting services, and financial management advice for all Morale, Welfare, and Recreation (MWR) activities and NAFIs serviced (AFI 34-209, *Nonappropriated Fund Financial Management and Accounting*).

1.6.10. **NAF Employees.** Persons who are employed in and receive compensation from a NAFI.

1.6.11. **NAFI.** A NAFI is an integral DoD fiscal and organizational entity performing an essential government function. It acts in its own name to furnish or to assist other DoD organizations primarily in providing MWR or Lodging programs for military people, family members, and authorized civilians. It is established and operated individually or jointly by the heads of the service departments. Its custodians and designated representatives exercise reasonable care to prudently administer, safeguard, preserve, and maintain those resources made available to carry out its function.

1.6.12. **Private Organization.** A generally self-sustaining, nonfederal instrumentality, incorporated or not, and constituted or established and operated on a military installation with the written consent of the installation commander or higher authority, by individuals acting exclusively outside the scope of any official capacity as officers, employees, or agents of the government.

1.6.13. **Chief, Resource Management.** The individual in charge of the Resource Management Section which includes a NAF AO and financial section. The chief may also be the single custodian of all serviced NAFIs, including the base restaurant and civilian welfare funds.

1.6.14. **Service Computation Date (SCD):**

1.6.14.1. The leave SCD is usually the date of appointment or conversion to Regular employment. An employee with prior service has the date adjusted by the total amount of creditable DoD service. Certain periods of military service may be creditable for leave SCD purposes.

1.6.14.2. Creditable service for the reduction-in-force (RIF) SCD does not include military service. (**NOTE:** For AF NAF employees, RIF SCD is the same as the service computation date for Business Based Actions.)

1.6.14.3. As provided by the Portability of Benefits for NAF Employees Act of 1990 (Public Law 101-508, Section 7202), periods of APF civilian federal service may be creditable for both the leave and RIF SCD.

1.6.15. **HQ Air Force Services Center Shared Service Center (SSC).** The SSC provides central processing of financial and payroll information Air Force wide.

1.6.16. **Third Country National NAF Employee.** Citizens or nationals of a country, other than the host country or the U.S., who are employed in the host country by a NAFI.

1.7. **Employee Categories and Entitlements.**

1.7.1. **Types of Employment Categories.** There are two types of employment categories, Regular and Flexible. Supervisors determine which type of category to use. The following describes the compensation and benefits for each type of employment category.

1.7.1.1. **Regular Employment Category.** Regular employment category is intended to facilitate recruitment and retention of a continuing, stable workforce. Regular employees have a work schedule that is scheduled in advance and is expected to continue for an extended period of time. Regular employees are guaranteed a minimum of 20 hours to a maximum of 40 hours of work per week, and they receive benefits. Regular category employees will be designated as having full-time or part-time work schedules.

1.7.1.1.1. Regular full-time employees have a regular schedule of 35 to 40 hours per week. For employees on compressed work schedules, the hours may be scheduled across the bi-weekly pay period.

1.7.1.1.2. Regular part-time employees have a regular schedule of 20-34 hours per week.

1.7.1.1.3. Regular employees must be given a 24-hour notice of a schedule change. Employees appointed to Regular category positions are eligible for the following benefits and basic compensation:

Health and life insurance

Dental plans

Performance Awards

Retirement Plan

401(k) Savings Plan

Leave: (annual, sick, military, administrative, maternity, paternity, and court)

Overtime pay

Holiday pay

Sunday premium pay

Shift differential

Workers' Compensation

Unemployment Compensation

1.7.1.2. **Flexible Employment Category.** Flexible employees are most appropriately used in positions that meet temporary or seasonal workforce needs, or where the work schedule fluctuates due to inconsistent workload. These employees may work a minimum of zero hours to a maximum of 40 hours per week, but do not receive benefits. The work may be scheduled in advance or on an as-needed basis. Flexible employees must be given a 24-hour notice of a schedule change. The Flexible employment category is generally not appropriate for employees who work a regularly scheduled full-time work schedule on a continuing basis. Employees appointed to Flexible employment category positions are eligible for the following basic compensation:

Overtime pay

Sunday premium pay

Shift differential

Performance Awards

Workers' Compensation

Unemployment Compensation

Affordable Health Care Act Provisions (as applicable)

1.7.1.2.1. Identification of Appropriate Flexible Workforce. Semiannually, installation-level management officials will review and evaluate all NAF Flexible positions for proper category determinations. All NAF Flexible employees found to have worked in excess of an average of 30 hours per week over the past 6 months will **either** be changed to a Regular category, **or** the FSS commander/director will request a waiver to change of category. AFSVC/SVI provides active oversight to include review and approval of all waiver requests.

1.7.1.2.2. Process and Procedures:

1.7.1.2.2.1. On a semiannual basis, the NAF-HR, utilizing the Discover Viewer reporting tool, reviews total hours worked for each Flexible employee. The report, Flexible Employee Hourly Review, provides the hours worked data for each employee by cost center.

The first semiannual report contains pay periods 1- 13 (A – M).

The second semiannual report contains pay periods 14 – 26 (N – Z).

1.7.1.2.2.2. Management Review and Action. The NAF-HR prepares a memo and forwards listing for each Flexible employee whose hours worked for the semiannual period exceeds 780 hours to the appropriate Flight Chief for review and action.

1.7.1.2.2.2.1. The memo advises the Flight Chief of those Flexible employees working in excess of 780 hours during the reporting period and that he/she must take one of the following actions:

1.7.1.2.2.2.1.1. Change the Flexible employee to Regular employment category, or

1.7.1.2.2.2.1.2. Provide justification for number of hours worked and intent not to make employee Regular. Examples of acceptable justification for working a Flexible employee in excess of thirty hours per week on a temporary basis include:

To fill in for John/Susie Q. employee, Regular employment category who was:

Called to active duty for period _____.

On Leave Without Pay (LWOP) for personal reasons for period _____.

On extended LWOP for Workers' Compensation injury/illness for period _____.

Other extenuating circumstances (must be explained in detail).

Per employee request. Any Flexible employee electing to decline a change to Regular employment category is required to make such declination in writing only after being provided a full explanation by the NAF-HR staff of the benefits of Regular employment category. Military spouse preference (MSP) will be lost if the MSP was offered a continuing position and declined.

1.7.1.2.2.2.1.3. The Flight Chief completes management action portion of the memo by taking the following actions:

Records a decision for each employee.

Obtains the FSS commander/director concurrence on the memo.

Initiates an electronic Request for Personnel Action (RPA) for each Flexible employee being changed to Regular employment category. Management determines the guaranteed hours upon change to Regular employment category and ensures they are established no lower than the minimum requirement for Regular employment category, 20 hours per week.

Forwards the memo to the NAF-HR Section for action.

1.7.1.2.3. NAF-HR Final Action. Upon receipt of the memo from management, the NAF-HR takes the following actions:

1.7.1.2.3.1. Processes personnel actions on those Flexible employees identified for change to Regular employment category.

1.7.1.2.3.2. For Flexible employees not being changed to Regular employment category, the NAF-HR will prepare a request memo for the FSS commander/director's signature and forwards the request to AFSVC/SVI for review and approval.

1.7.1.2.3.3. AFSVC/SVI reviews written decisions for each submitted waiver to include rationale for disapproval decisions. Upon receipt of AFSVC/SVI's decision, the NAF-HR actions:

1.7.1.2.3.3.1. If AFSVC/SVI disapproves the FSS commander/director's request, the NAF-HR obtains RPA and processes a personnel action on each identified Flexible employee changing them to Regular employment category. The effective date for the personnel action is the first day of the first pay period immediately following the date of AFSVC/SVI's decision.

1.7.1.2.3.3.2. If AFSVC/SVI approves the FSS commander/director's request, the NAF-HR retains the memo and listings for those employees not being changed to Regular employment category in the office's official files.

1.7.1.2.4. Review Completion. Each semiannual review is completed not later than 45 days following the end of the review period to include receipt of AFSVC/SVI's decision and processing any required personnel actions.

1.7.1.3. Limited Term Appointments. This type of appointment is not expected to last indefinitely. It is used to meet seasonal or nonrecurring one-time requirements, and summer employment; to fill a continuing position when the incumbent is absent due to temporary duty (TDY), extended leave, temporary promotion, etc.; or to fill a vacancy that is programmed for cancellation within a specific timeframe.

1.7.1.3.1. Limited term appointments may be Regular or Flexible category. Benefits and compensation applicable to the normal Regular and Flexible appointments apply. Where the mission requires the temporary assignment of a Regular category employee, time limitations may be established of not less than one year and no more than five years.

1.7.1.3.2. When using this type of appointment, a not-to-exceed (NTE) date must be established prior to filling the position. If the position is advertised, the NTE date must be included in the vacancy announcement. The applicant or employee is advised in advance that the appointment is a

limited term appointment, the NTE date, and the appointment may be terminated at any time prior to the NTE date.

1.7.1.3.3. The NAF-HR terminates the appointment effective on the NTE date, unless an approved request to extend or terminate the employee is received prior to the NTE date. The appropriate Nature of Action Code (NOAC) is N046, *Termination*. The AF Form 2545, *NAFI Notification of Personnel Action*, Block 25, must show the remark, "Expiration of Appointment."

1.7.1.3.4. An employee hired on a limited term appointment is not eligible for severance pay at the end of the appointment.

1.7.1.3.5. Process a limited term appointment using the NOAC and NOAC, N012, Appointment NTE.

1.8. Hours of Work.

1.8.1. **Administrative Work Week.** The administrative workweek consists of seven consecutive calendar days. It does not have to coincide with the calendar week, and may begin on any day and at any hour. The basic workweek is established within this period.

1.8.2. **Basic Work Week.** Within the administrative workweek, the basic workweek for NAF employees will not exceed 40 hours, exclusive of meal times. This does not include alternative work schedules (para 1.8.13). When possible, two consecutive days off are provided during each administrative workweek. However, the basic workweek may be scheduled over a period of six days, provided the total scheduled hours do not exceed the number of hours, excluding overtime hours, an employee is required to work, or to account for, within the established basic workweek.

1.8.3. **Tours of Duty.** A tour of duty is a work schedule of those days of the week and hours of the day that an employee is required to be on duty. The tour of duty is at least one hour and not more than eight hours on a regular basis unless working an alternate work schedule. The tour of duty is established, in writing, for all employees at least one administrative workweek in advance of the tour to be worked and will not be changed or adjusted solely to avoid the payment of premium pay or other benefits. If possible, the tour of duty is established for the same days of each week, for the same hours each day, and on consecutive days of the administrative workweek. As far as practical, the regular daily tour is set up in terms of whole hours. When fractional hours are required, the regular daily tour is scheduled in whole hour and quarter-hour multiples. Regular daily tours are not scheduled in less than quarter hour increments.

1.8.4. **Rotating Tour of Duty.** A rotating tour of duty is a scheduled tour of duty that rotates on a regular basis between shifts, different hours of the day, or different days of the administrative workweek, without a change in guaranteed hours.

1.8.5. **Split Shift.** A split shift is two or more work periods within the workday, excluding overtime, when the break between the work periods exceeds one hour. Employees who are required to work split shifts must be allowed to use the time off between their shifts as they wish. If an employee is required to remain on the premises or to be available for work that may occur during the break, under the Fair Labor Standards Act (FLSA), must be counted as hours of work.

1.8.6. **Workday.** The workday shall be scheduled within a 24-hour period and may extend over two calendar days in succession (e.g., 6:00 p.m. Monday through 2:30 a.m. Tuesday).

1.8.7. **Rest Periods.** Short compensable rest periods, for not more than 15 minutes during each four hours of continuous work may be granted if the manager believes such rest periods are necessary.

1.8.7.1. **Break Time for Nursing Mothers.** IAW 29 U.S.C, §207(r), NAFIs will provide a reasonable break time for NAF employees to express breast milk for her nursing child for one year after the child's birth, each time such employee has a need to express the milk. This applies only to employees who are not exempt from the requirements of the FLSA. NAFIs are not required to compensate employees who are nursing mothers for breaks taken at times other than already provided (for example, rest periods of 15 minutes during each four hours of continuous work), for the purpose of expressing milk. The frequency of breaks needed to express milk as well as the duration of each break will likely vary according to the needs of the individual mother. Employee may be allowed to use annual leave, leave without pay, credit hours, or compensatory time. Management will make arrangements to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, for an employee to express breast milk.

1.8.8. **Meal Periods.** Regular meal or lunch periods are established at no less than 30 minutes nor in excess of one hour and are not considered as time worked, except for the purpose of determining entitlement to night shift differential pay. If time off for meals is not feasible, an on-the-job (OJT) meal period of not to exceed 30 minutes may be authorized and included in the employee's regularly scheduled tour of duty. No employee will work more than six consecutive hours without a meal period of not less than 30 minutes.

1.8.9. **Make Ready and Cleanup Time.** Incidental duties directly connected with performing a job, such as obtaining and replacing working tools or materials, undergoing inspections, donning or removing prescribed work uniforms, and similar tasks, in established tours of duty are a part of the job requirements. Work shifts are arranged so that time required for incidental duties are part of the regularly scheduled workday.

1.8.10. **Daylight Savings Time.** A NAF employee working on a shift when daylight savings time goes into effect, or when the return to standard time occurs, is credited with the actual number of hours worked on that shift. For eligible employees, charge the hour lost as a result of the change, to annual leave or LWOP.

1.8.11. **Work Schedules.** All employees must have access to a posted work schedule. Flexible employees may be subject to "on call" work in addition to hours posted on the schedule. Supervisors/managers may change work schedules by providing a minimum of 24-hours' notice to the employee. Use the Air Force standard timekeeping system to create and post work schedules.

1.8.11.1. **Changes in Work Schedules.** Changes in the work schedule that do not decrease an employee's basic hours may be made with a minimum 24-hour notice. For example: If an employee normally works Monday, Wednesday, and Friday, 0700 to 1600, the supervisor may change the schedule to Monday, Wednesday, and Saturday, 0700 to 1600, provided the employee is given at least the minimum 24-hour notice.

1.8.12. **Guaranteed Hours.** Employees must, at a minimum, be scheduled for their guaranteed hours. If a Regular or Flexible employee is not scheduled for his or her guaranteed number of hours, the schedule will be changed, providing at least a 24-hour notice, to make up for the hours not scheduled in the employee's guaranteed hours. If this is not done, and the employee works fewer hours than his or her guaranteed hours, he or she must be paid for the difference between hours actually worked and hours guaranteed.

1.8.12.1. **Increase in Guaranteed Hours.** Increases in an employee's guaranteed hours may be made at any time by submitting an RPA to the NAF-HR.

1.8.12.2. **Reduction in Guaranteed Hours.** When a supervisor determines that fewer hours are required routinely each week, and the only way to accomplish this requirement is to reduce an employee's guaranteed hours, proper action will be taken to make the required changes. Guaranteed hours will not be reduced solely to avoid payment of benefits, or to provide more hours for other employees. These advance notification periods must be adhered to during normal, day-to-day operations. When emergency conditions exist, notification periods may be modified according to the provisions outlined in Chapter 6, para 6.6.4.5. A reduction in an employee's guaranteed hours that results in a change in employment category must be processed as a business based action (BBA) (for example, reducing a Regular employee from 20 to 15 hours), according to the procedures in Chapter 6. A reduction in an employee's guaranteed hours that does not require a change in employment category (for example, reducing a Regular employee from 40 to 35 hours) must be processed according to the following procedures:

1.8.12.2.1. When a decrease in hours is necessary, the supervisor must provide the employee a written notice in advance of the action according to Figure 1.1.

Figure 1.1. Reduction in Guaranteed Hours

<u>EMPLOYMENT CATEGORY</u>	<u>GUARANTEED HOURS ARE REDUCED</u>	<u>REQUIRED WRITTEN IN ADVANCE OF ACTION</u>
Regular	8 hours or more	15 calendar days
Regular	less than 8 hours	7 calendar days
Flexible	any amount of time	24 hours

1.8.12.2.2. As a minimum, the written notice must include:

1.8.12.2.2.1. A statement that the employee's guaranteed hours are being reduced.

1.8.12.2.2.2. The effective date of the change.

1.8.12.2.2.3. A clear statement of the reasons for the change (be specific).

1.8.12.2.2.4. A statement that if he or she believes the action is unfair or disagrees with the reasons for the action, the employee may submit a grievance.

1.8.12.2.2.5. Advice on how and where to file the grievance, and the time limits for filing such grievance.

1.8.12.2.2.6. The name, location, and phone number of the person in the NAF-HR designated to provide assistance.

1.8.12.2.3. Prior to issuance to the employee, the second-level supervisor reviews, and the NAF-HR coordinates on the written notice.

1.8.12.2.4. A copy of the memorandum, together with an RPA, requesting the change in the guaranteed hours, is sent to the NAF-HR. The NAF-HR staff processes the form and issues an AF Form 2545, to effect the change.

1.8.12.3. **Reduction in Guaranteed Hours at Employee's Request.** A decrease in guaranteed hours at the employee's request that does not reduce the employment category, may be taken at any time, provided the employee submits the request in writing.

1.8.13. **Alternative Work Schedules (AWS).** Section 1041 of the National Defense Authorization Act for Fiscal Year 1996 amended Section 6121(2) of 5 U.S.C. This amendment added NAF employees to the group of employees who are covered by P.L. 97-221, Federal Employees' Flexible and Compressed Work Schedules Act of 1982, thereby removing them from the basic overtime requirements imposed by FLSA and 5 U.S.C. for the purpose of AWS. Flexible and compressed work schedules (jointly referred to as AWS) must strictly comply with the provisions of P.L. 97-221; 5 U.S.C., Chapter 61, Subchapter II, Flexible and Compressed Work Schedules; and 5 C.F.R., Part 610, Hours of Duty.

1.8.14. **Telework Program.** Department of Defense Instruction (DoDI) 1035.01, *Telework Policy*, establishes policy, assigns responsibilities, and prescribes procedures for implementing DoD telework programs. Telework is a discretionary workplace flexibility. Telework is not a right and may be terminated at the discretion of the supervisor and/or commander, or in response to an employee's request.

1.8.14.1. **Purpose.** To establish telework guidance for Air Force Nonappropriated Fund (AFNAF) employees under which eligible employees may participate in telework to the extent possible without diminished employee work performance or customer service; to establish a process that increases options for continuity of operations (COOP) during emergency or pandemic situations; to promote AFNAF as an employer of choice; to improve the recruitment and retention of high-quality employees through enhancements to employees' quality of life; to enhance efforts to employ and accommodate people with disabilities, including employees who have temporary or continuing health problems, or who might otherwise have to retire on disability.

1.8.14.2. **Terms Explained.**

1.8.14.2.1. **Alternative worksite** means a place away from the traditional worksite that has been approved for the performance of officially assigned duties. It may be an employee's home, a telework center, or other approved worksite.

1.8.14.2.2. **Approving Official.** The individual who has final authority to approve or disapprove telework agreements. The FSS commander/director at installation level, or the higher headquarters equivalent at MAJCOMs DRUs, and FOAs.

1.8.14.2.3. **Eligibility.** Characteristics of the job position and the employee that identify suitability for teleworking as determined by the supervisor or other appropriate management official in the employee's chain of command.

1.8.14.2.4. **Official worksite/duty station.** Official duty station has been defined in federal travel regulations as the employee's designated post of duty, the limits of which will be: "...the corporate limits of the city or town in which the employee is stationed. If the employee is not stationed in an incorporated city or town, the official station is the reservation, station, or established area, or, in the case of large reservations, the established subdivision thereof having definite boundaries within which the designated post of duty is located."

1.8.14.2.5. Regular and recurring telework. An approved work schedule where eligible employees work at an alternative workplace on a regular, recurring, and ongoing basis at least twice each biweekly pay period.

1.8.14.2.6. Situational telework. Telework that occurs on an occasional non-routine or ad hoc basis. Telework that occurs to complete short-term special assignments or to accommodate special circumstances is also considered situational even though the telework may occur continuously for a specific period. Examples of situational telework include telework as a result of inclement weather, doctor appointment, or special work assignments and is sometimes also referred to as situational, episodic, intermittent, unscheduled, or ad-hoc telework. Situational telework is approved on a case-by-case basis.

1.8.14.2.7. Telework. The term telework refers to a work flexibility arrangement under which an employee performs the duties and responsibilities of such employee's position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work.

1.8.14.2.8. Telework agreement. A written agreement, completed and signed by an employee and the authorized management official(s) via the DD Form 2946, Department of Defense Telework Agreement, that outlines the terms and conditions of the telework arrangement.

1.8.14.2.9. Telework center. A GSA facility or GSA-approved facility that provides a geographically convenient office setting with workstations and other office facilities and services that are used by civilian employees from more than one organization.

1.8.14.2.10. Telework site. Alternative worksite location where an employee performs assigned official duties.

1.8.14.2.11. Traditional worksite. Location where an employee would work absent an alternative workplace arrangement.

1.8.14.3. Supervisors/Managers shall:

1.8.14.3.1. Successfully complete the basic telework training modules (Telework 101) found on www.telework.gov before entering into a written agreement to telework.

1.8.14.3.2. Determine which NAF positions in their organization are eligible for regular and recurring or situational telework based on Air Force NAF criteria for position and employee eligibility.

1.8.14.3.3. The first-level supervisor reviews the telework application for completeness and accuracy. When the application is found to be acceptable, the supervisor, within 5 calendar days, endorses the application to the approving official with a recommendation for either approval or disapproval.

1.8.14.3.4. Ensure completion of the DD Form 2946, prior to the commencement of either regular and recurring or situational telework.

1.8.14.3.5. Establish and approve telework schedules to meet mission requirements.

1.8.14.3.6. Upon receipt of an employee's DD Form 2946, forwards through the appropriate channel to the approving official for approval/disapproval.

1.8.14.4. Employees shall:

1.8.14.4.1. Successfully complete the basic telework training modules (Telework 101) found on www.telework.gov before entering into a written agreement to telework.

1.8.14.4.2. Complete the Telework Request and Eligibility Checklist (Figure 1.2) and DD Form 2946 and submit through appropriate channels for approval/disapproval.

Figure 1.2. Telework Request and Eligibility Checklist

PART A – To be completed by the Employee

1. NAME
2. POSITION TITLE
3. PAY PLAN, SERIES, and GRADE
4. TYPE OF TELEWORK REQUESTED Recurring Situational
5. DATE REQUESTED
6. SIGNATURE

PART B – To be completed by the Supervisor

1. Position Eligibility:

Position is not developmental in nature and does not require the employee to be in the office for on-the-job training or to learn the organization

Position involves tasks and work activities that are portable and do not require the employee to be at the traditional worksite

Position does not require handling of secure information

(Management determines what information is too secure or sensitive to be taken from the workplace)

Is not dependent on daily face-to-face contact with the supervisor, colleagues, customers or the general public

Work performed is measurable

2. Employee Eligibility:

Demonstrated dependability and the ability to handle responsibility

Ability to prioritize work effectively and utilize good time management skills

Proven or expected minimum performance rating of —fully successful or equivalent

Possesses experience in performing the tasks and duties of the position

3. If all items above are checked, have employee complete the Telework Agreement and APPROVE this request. If ANY of the items are not checked and accommodations cannot be made, DENY the request.

Supervisor’s Signature

CC/CL Signature

APPROVED DENIED

1.8.14.4.3. Complete and sign a safety checklist that proclaims their home safe for an official home worksite. The goal is to ensure that all requirements to do official work are met in an environment that allows the tasks to be performed safely.

1.8.14.4.4. Ensure that a proper work environment is maintained in instances where the home is the alternative worksite (e.g. dependent care arrangements are maintained and do not interfere with the home office, personal disruptions such as non-business telephone calls and visitors are kept to a minimum). Telework is not a substitute for dependent care.

1.8.14.4.5. Must have a written telework agreement (regardless of whether telework is regular and recurring, or situational). The agreement is mandatory in order for any employee to participate in telework.

1.8.14.5. NAF-HR shall:

1.8.14.5.1. Ensure supervisors and participants adhere to all policies and procedures.

1.8.14.5.2. Provide appropriate notification to local labor organizations and ensure labor relations obligations are completed prior to local implementation of the telework program.

1.8.14.5.3. Serves as an advisor for installation leadership.

1.8.14.5.4. Serves as a resource for managers and employees on telework matters.

1.8.14.5.5. Track employee participation and provide usage data to AFSVC/SVXHR at the end of each calendar year.

1.8.14.5.6. Distribute information on telework throughout the workplace and include in periodic training events.

1.8.14.5.7. Brief new employees occupying telework eligible positions to ensure they are aware of their telework responsibilities, should telework be offered or requested.

1.8.14.6. Telework Applicability. Telework is an effective strategy for mission accomplishment, ensuring continuity of operations (COOP) in a crisis, and recruiting and retaining valued talent. Telework for applicable NAF jobs can be used:

1.8.14.6.1. On a regular and recurring basis.

1.8.14.6.2. On a situational, non-routine, or ad hoc basis:

1.8.14.6.2.1. To perform large projects or tasks that requires concentration and uninterrupted blocks of time for successful completion.

1.8.14.6.2.2. For supervisor or commander directed Web-based distance and continuous learning, including educational requirements required by law or regulation. Training requested by an employee is subject to the supervisor's or commander's approval, as applicable, and must conform to the provisions of applicable regulations.

1.8.14.6.2.3. When the traditional worksite is closed during adverse or inclement weather conditions (e.g., snow emergencies, floods, hurricanes).

1.8.14.6.3. As a regular, situational, or ad hoc arrangement for employees with impairments, as appropriate. The DoD Computer/Electronic Accommodations Program may provide services and accommodations (e.g., assistive devices and technology) for employees with impairments teleworking under an approved telework arrangement. In the case of covered employees, telework arrangements may be a form of reasonable accommodation pursuant to sections 791 and 794a of title 29, United States Code (U.S.C.) (also known as —The Rehabilitation Act of 1973, as amended). The Rehabilitation Act of 1973, as amended, does not apply to military personnel.

1.8.14.6.4. Periodically (as practice) to prepare for COOP and an efficient transition to telework in the event of an emergency situation.

1.8.14.7. Telework Eligibility. To the extent that mission requirements and customer service are not jeopardized or diminished, the commander may permit employees to telework who exhibit suitable work performance and occupy eligible positions (i.e., those positions that involve portable work and are not dependent on the employee's presence at the traditional worksite or face-to-face interaction with customers) to the extent possible.

1.8.14.7.1. To be able to participate in telework, an employee must first be identified as eligible. The Telework Act specifies two categories of employees who may not be deemed eligible under any circumstances: an employee who "has been officially disciplined for being absent without permission for more than 5 days in any calendar year" and an employee who —has been officially disciplined for violations of subpart G of the Standards of Ethical Conduct of Employees of the Executive Branch for reviewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties [Public Law 111-292, 6502(a)(2)(A)(B)]." The term —official discipline" should be understood as a disciplinary action that results in the placement of a document in an employee's official personnel file (OPF). Specific determinations for eligibility are left to the discretion of the FSS Commander/Director.

1.8.14.7.2. Telework eligibility criteria should be applied impartially and consistently. Supervisors or commanders should allow flexibility for employees to telework to the extent that mission readiness or accomplishment and customer service is not compromised. Regular, routine use of telework programs will allow supervisors, and employees to identify and resolve technology, equipment, communications, workflow, and associated issues that could impact the efficiency of mission accomplishment and inhibit the transparency of remote work.

1.8.14.7.3. Telework is a discretionary workplace flexibility. Employees cannot be ordered to telework, unless the employee's duties are designated as mission-critical or the employee's telework

agreement addresses this requirement. Telework is not an entitlement and not all employees are eligible to telework. Although there may be circumstances when employees in these positions may be considered for telework on a situational basis, employees in the following types of positions are typically not eligible for telework:

1.8.14.7.3.1. Employees in positions that require, on a daily basis, an on-site activity or face-to-face personal contacts that cannot be handled remotely or at an alternate workplace (e.g., hands-on contact with machinery, equipment, or vehicles).

1.8.14.7.3.2. Employees whose performance or conduct warrants more close supervisory direction than telework may provide, whose rating of record is below fully successful (or its equivalent), whose conduct has resulted in disciplinary action within the past 12 months, or who have unresolved security issues.

1.8.14.7.3.3. Employees recently assigned or newly appointed to trainee or entry level positions.

1.8.14.7.3.4. The length of time for which the employee is deemed ineligible for telework is at the commander's/director's discretion and should be based upon criteria identified and addressed in this guidance (e.g., the employee's performance within the first 6 months in the position or at mid-term review is at an acceptable level).

1.8.14.7.3.5. Management is encouraged to review all positions for determining telework eligibility based on the criteria in this guidance.

1.8.14.8. Telework Requirements.

1.8.14.8.1. Telework Agreements.

1.8.14.8.1.1. All employees who telework on a regular and recurring basis or situational basis must complete a DD Form 2946. The DD Form 2946 shall be signed and dated by the employee and supervisor and maintained by the employee's supervisor. Completed DD Form 2946s should address the logistics of alternate workplace arrangements such as the employee's work schedule, security requirements for DoD information, safety requirements for alternate workplace, supplies and equipment used, the supervisor's expectations of a teleworker's performance, and the employee's emergency response telework responsibilities. All telework agreements, regardless of the employee's emergency response status, should address:

1.8.14.8.1.1.1. The employee's telework location (e.g., the employee's home or other approved alternate workplace such as a telework center, when appropriate).

1.8.14.8.1.1.2. Whether the employee will telework when the traditional worksite is closed (e.g., emergency dismissal due to adverse weather conditions such as snow emergencies, floods, hurricanes, or any other type of emergency situation).

1.8.14.8.1.2. If the employee's home is the telework location, it is the responsibility of the employee to make certain that a safe work environment is maintained while teleworking. Employees should designate one section of the home as the telework work station for purposes of the telework agreement and complete and sign a self-certification safety checklist as part of the initial submittal of the DD Form 2946 prior to beginning the telework arrangement.

1.8.14.8.1.3. Telework agreements shall be reviewed by the supervisor and teleworker, re-validated at least every 2 years, and revised when appropriate. A new DD Form 2946 should be completed when a new relationship is established between the employee and their supervisor.

1.8.14.8.1.4. Teleworkers may be required to return to the traditional worksite on scheduled telework days based on operational requirements. A recall to the office for operational reasons is not a termination of the telework agreement. Requests by teleworkers to change their scheduled telework day(s) in a particular week or biweekly pay period should be accommodated by the supervisor where practicable and consistent with mission requirements. A permanent change of the telework agreement must be reflected by approval of a new DD Form 2946.

1.8.14.8.2. Official Worksite. Designation of the official worksite shall be established for an employee on an approved regular telework schedule on a case-by-case basis consistent with the guidance set forth in section 531.605 of title 5, Code of Federal Regulations. The official worksite for an employee covered by a telework agreement is the location of the traditional worksite for the employee's position (i.e., the place where the employee would normally work absent a telework agreement), as long as the employee is scheduled to report physically at least twice each biweekly pay period on a regular and recurring basis to the traditional worksite.

1.8.14.8.3. Security Considerations. Employees are responsible for safeguarding all DoD information, protecting government furnished equipment and government property, and performing assigned duties while teleworking in support of mission requirements. Employees who telework from home must comply with criteria and guidelines established by the installation for keeping Government property and information safe and secure. Restrictions may apply to employees located outside the continental United States (OCONUS).

1.8.14.8.4. Equipment and Office Supplies. Installations may provide the necessary equipment and office supplies (e.g. paper, toner, and printer ink) for use by employees who telework on a regular and recurring basis, within budgetary constraints, based on the nature and type of work performed. Coordination with the Installation Comptroller and/or Resource Manager (in the case of Nonappropriated Funds) is required to determine availability of funds for telework equipment. Equipment and supplies may be furnished for employees who telework on a situational or ad hoc basis upon availability of funds. Employees must comply with equipment usage requirements set forth in the telework agreement. Installations may provide funding to install telephone lines, broadband, or other necessary telecommunications equipment in a private residence for employees that telework on a regular and recurring basis. The Air Force is not responsible for any operating costs associated with employee's personal equipment and residence at alternative worksites. This includes maintenance, insurance, and utilities.

1.8.14.8.5. Emergency Situations. Employees who perform mission-critical duties may be required to work from home or an alternate workplace such as a telework center during an emergency situation. Installations are strongly encouraged to have these employees complete a DD Form 2946. The telework agreement should address the telework location and work expectations. To the extent practicable, supervisors will include a description of emergency duties with the telework agreement if emergency duties are different from the employee's normal duties. In the event of a pandemic health crisis, employees with COOP responsibilities may be asked to telework to prevent the spread of germs. These employees should telework on a regular basis to ensure their proficiency and telework's

effectiveness in continuing operations. Employees in positions not typically eligible for telework should telework on a situational basis when feasible. Employees who may be required to telework in the event of a pandemic should have a signed DD Form 2946 in place.

1.8.14.8.5.1. Employees approved for regular and situational telework who are not able to report to their assigned office location due to office closure or dismissal from a natural or man-made emergency event (e.g., hurricane, earthquake, wild fire, snow storm, flooding, act of terrorism) shall continue to telework each regularly scheduled work day during the emergency situation. Designated employees who are unable to work due to injury or illness or dependent care responsibilities will request leave appropriate for those circumstances. If circumstances permitting excused absence for other non-teleworking employees also prevent the teleworker from working at the telework location (e.g., loss of electrical power; evacuation by local authorities; or the employee cannot access materials necessary to continue work during the emergency), the employee shall attempt to contact a supervisor to be excused from duty. Supervisors may administratively excuse the designated teleworker from teleworking on a case-by-case basis. If the teleworker is unable to communicate with their supervisor to be excused from duty and cannot maintain their remote working status, the teleworker should follow the installation's emergency guidance, orders, and procedures (e.g., outlined in COOP and other applicable emergency management plans). Any requirement that a teleworker continue to work if the installation closes or dismisses employees early should be included in the employee's DD Form 2946.

1.8.14.8.5.2. When an employee's residence or other approved alternate workplace has been designated as a safe haven during an emergency, such as a pandemic health crisis evacuation, the supervisor may assign any work necessary, as long as the employee has the skills to perform the assigned work, without regard to the employee's grade or pay band level. In cases where a safe haven is designated, a DD Form 2946 does not need to be in place.

1.8.14.8.5.3. Employees designated as mission-critical should telework on a regular basis to ensure their proficiency and telework's effectiveness in continuing operations in the event of an emergency or pandemic. Mission-critical employees in positions not typically eligible for telework should telework on a situational basis, when feasible. Such employees should have a signed DD Form 2946 in place.

1.8.14.8.6. Work Schedules and Compensation. Employees who telework must be at their alternate worksite during their scheduled tours of duty. Employees may not use telework as a substitute for dependent care, e.g., child or elder care. Employees who telework may also have alternate work schedules at the discretion of the supervisor.

Employees may work part of the day at their approved alternate worksite and part of the day at the traditional worksite to accommodate work schedules and personal commitments (e.g., to attend a training course or a medical appointment located near the employee's alternate worksite prior to reporting to the traditional worksite). Premium pay provisions that apply to work at the traditional worksite also apply to employees who telework. Employees may work overtime only when specifically ordered and approved in advance by the supervisor. Instances in which employees perform overtime work without prior supervisory approval may be cause for administrative or disciplinary action.

1.8.14.8.7. **Time and Attendance.** Time spent in a telework status must be accounted for and reported in the same manner as if the employee reported for work at the traditional worksite. Supervisors should establish appropriate procedures for documenting hours of work and approved leave for teleworkers to ensure telework hours are appropriately coded as regular and recurring, situational, or medical. Employees must record dates of telework accomplished so installation telework usage can be tracked.

1.8.14.8.8. **Telework Training.** Employees participating in telework should take telework training prior to teleworking. Supervisors should also take part in telework training. Comprehensive OPM telework training courses for supervisors and employees are available at the joint OPM/GSA telework website, http://www.telework.gov/tools_and_resources/training/index.aspx. Employees, supervisors, and leaders shall be permitted to participate in telework training during the work day.

1.8.14.8.9. **Performance Management.** Performance standards for employees that telework should be the same as performance standards for on-site employees. As with any supervisory relationship, work assignments to be performed or training to be accomplished while on telework should be agreed to, and understood, in advance of the telework event. Supervisor expectations of an employees' performance should be clearly addressed in the DD Form 2946. As with on-site personnel, employees shall be held accountable for the results they produce while teleworking. Supervisors shall communicate expectations of telework arrangements, including work assignments, office coverage, and staff communication to teleworking and non-teleworking employees in the workgroup.

1.8.14.8.10. **Telework Denial and Termination.** A telework request may be denied by the supervisor. A telework agreement may be terminated at the discretion of the supervisor or at the employee's request. When an employee's request to telework is denied or an agreement is terminated by the supervisor, the reasons for denial or termination should be documented in writing and given to the employee. Denial or termination of telework agreements should be based on business reasons (e.g., the telework agreement fails to meet the organization's needs or the employee's performance does not meet the prescribed standard). Employees may dispute the denial of telework, the reasons given for a denial, and the termination of an existing telework agreement through the negotiated grievance procedures or administrative procedures per this guide, as applicable.

1.8.14.8.11. **Workers' Compensation and Other Liabilities.** The Government is not liable for damages to the employee's personal or real property while the employee is working at the approved alternative worksite, except to the extent the Government is held liable by the Federal Tort Claims Act. The employee is covered by the Longshore and Harbor Workers' Compensation Act (LHWCA) when injured or suffering from work-related illnesses while conducting official Government business. The employee agrees to notify the supervisor immediately of any accident or injury that occurs at the alternative worksite while performing official duties and to complete any required forms.

1.9. NAF-HR Staffing Guide. Figure 1.2 prescribes the recommended number of NAF authorizations in the NAF-HR. This figure is a guide for planning staffing requirements. It is not a manpower standard for NAF-HRs. Actual staffing requirements are approved by the FSS Commander/Director locally based on workload and resources needed to accomplish the mission.

Figure 1.2. NAF-HR Staffing Guide

Number of NAF Employees Served	Recommended Staffing
0 - 161	1
162 - 312	2
313 - 462	3
463 - 612	4
613 - 761	5
762 - 901	6
902 - 1040	7
1041 - 1180	8
1181 - 1320	9
1321 - 1459	10
1460 - 1599	11
1600 - 1739	12
1740 - 1878	13
1879 - 2018	14

Chapter 2: Personnel Actions and Records Processing

2.1. Purpose. This chapter establishes responsibilities and practices for personnel action processing, and preparing and maintaining personnel records and other documents for NAF employees. Personnel action codes and NOACs to be used to process personnel actions are at **Attachment 2**. Forms used by the NAF-HR to formalize the employment process are at **Attachment 3**. A checklist for NAF-HR staff to use to conduct new employee orientation is at **Attachment 4**.

2.1.1. In compliance with the requirements of the Privacy Act of 1974, MAJCOMs, installations, and NAFIs may not set up personnel records and forms other than those prescribed by this guide to record employment history.

2.1.2. Use DCPDS, an automated personnel data system, to establish and maintain employee and position data, establish suspenses, execute personnel actions, and provide a position control register. Use of this system is mandatory within the AF. Instructions and guidance for the use of the system are found in *Defense Civilian Personnel Data System (DCPDS) Users Guide* located at AFSVC Portal.

2.2. Responsibilities.

2.2.1. The NAF-HR:

2.2.1.1. Maintains central custody of all employees' SF 66, *Official Personnel Folders (OPF)* or its approved electronic equivalent; SF 66C, *Merged Records Personnel Folders (MRPF)* or its approved electronic equivalent; and SF 66D, *Employee Medical Folders (EMF)* or its approved electronic equivalent.

2.2.1.2. Ensures all records and forms used in the personnel administration of NAF employees are maintained in accordance with AFMAN 33-363 and disposed of in accordance with RDS located in the Air Force Records Information Management System (AFRIMS).

2.2.1.3. Ensures standardized forms needed in the NAF personnel records program are available locally.

2.2.1.4. Formalizes the employment process by completing all required forms (refer to **Attachments 3 and 4**) and conducting the in-processing appointment.

2.2.1.5. Provides supervisors with appropriate documentation to maintain employee work folders.

2.2.1.6. To comply with certification and accreditation requirements, and when requested by Child Development/Youth Center Directors, the NAF-HR will provide copies of resumes (or equivalent), college transcripts, documentation of satisfactory completion of Tier 1 investigation (Child Care National Agency Check and Inquiries), Installation Records Check (IRC), and State Criminal History Records Check (SCHRC), physicals and performance evaluations, for the supervisor's employee work folder.

2.2.2. **Managers and Supervisors of NAF Employees:** Supervisors must have access to certain types of information regarding the employees they supervise. The NAF-HR staff provides employee information contained in the OPF or its approved electronic equivalent and DCPDS, and provides instructions for the upkeep and use of the information. The Supervisor's Employee

Work Folder (EWF) is a set of records used in managing the performance of employees. It consists of specific job-related documentation generated throughout the course of the employee's employment. Each first-level supervisor maintains the employee folders in a secured place and ensures records are maintained to protect employee privacy. Maintenance of and access to the folders by administrative or clerical personnel who are not the first-level supervisor is prohibited. In the absence of the first-level supervisor, the next higher-level supervisor may have access to those records. Use a 6-part folder to maintain employee documentation. Managers and supervisors maintain employee records according to AFMAN 33-363. Comply with this guide by initiating actions and keeping the following records:

2.2.2.1. AF Form 971, *Supervisor's Employee Brief (Computer Generated)*. This is the supervisor's automated record on each employee. Upon request, an employee is permitted to review this record. An automated record is generated when certain personnel actions occur and is sent to the supervisor. Types of personnel actions that will generate a new Supervisor's Employee Brief: Appointment, Transfer, Promotion, Change to Lower Grade, and Reassignment. Briefs may be generated more frequently.

2.2.2.1.1. Part A will contain current personal employee data. The supervisor will enter employee's home address, home telephone, and necessary emergency information on each brief as soon as it is received from the NAF-HR by obtaining up-to-date information from the employee.

2.2.2.1.2. Part B of the brief provides an area for supervisors to record comments and remarks occurring during the year. Record discussions with the employee on performance, emergency-essential responsibilities, debt complaints, duty and travel restrictions, conduct of employee and other pertinent data. Record letters of appreciation. Parts A and B are detachable and all discussions which could potential lead to performance or disciplinary actions are retained and attached to new employee's brief. The current AF Form 971 is not destroyed if it contains disciplinary or performance entries.

2.2.2.1.3. Part C contains employee's experience data, education, performance, training, and awards information and is automatically updated when significant changes occur.

2.2.2.1.4. Additional Entries. Part B of the brief may also be used for additional information as determined by applicable guidance.

2.2.2.2. Complaints of Indebtedness. Supervisors may retain debt complaint letters and employee's replies for not more than 2 years from the date of the complaint letter.

2.2.2.3. Leave schedules. Supervisors prepare a tentative leave schedule for their subordinates each year.

2.2.2.4. AF Form 1702, *Nonappropriated Fund (NAF) Position Guide*, or AF Form 1065, *Nonappropriated Fund (NAF) Civilian Position Description*. Supervisors keep a copy of PD and PG for each basic position under their supervision.

2.2.2.5. Pending personnel actions. Supervisor keeps a copy of the document used to recommend or request a personnel action until notified of approval or disapproval, of completion of the action.

2.2.2.6. Copy of employee Performance Appraisal and Backup Information. Copies of appraisal forms and documentation of periodic performance discussions may be maintained. By definition, any records authorized or required by written directives are not personal notes; they are official records and are subject to the Privacy Act.

2.2.2.7. Training records. Supervisors must keep a copy of the training needs and training plans that are approved for employees.

2.2.3. **Safeguarding Records.** All supervisors maintaining these records must be cautioned they are to use discretion when asked to furnish them, and they may be furnished only as authorized by the Privacy Act. Request guidance from the NAF-HR for requests of release of information in these records. Protect employee work folders from unauthorized access.

2.2.4. **Disposition of EWFs.** Use the following procedures to dispose of the supervisor's EWF:

2.2.4.1. When a supervisor leaves the organization, retain the employee work folder for the new supervisor.

2.2.4.2. When an employee moves to a different activity on the same installation, the losing supervisor sends the EWF to the gaining supervisor in a sealed envelope within 10 workdays.

2.2.4.3. When an employee is transferred to another AF installation or another agency, destroy the EWF after 60 days.

2.2.4.4. When an employee is separated for any reason other than for entrance into military service (military furlough) or for any type of adverse action (BBA, performance, or cause), the supervisor destroys the employee work folder after 60 days.

2.2.4.4.1. When an employee is separated as a result of an adverse action, forward the EWF to the NAF-HR pending possible appeal, grievance, Equal Employment Opportunity (EEO) complaints, or unfair labor practice (ULP) charges. Upon resolution of any of the stated charges, the EWF may be destroyed.

2.2.4.4.2. When an employee is separated to enter the military service (military furlough), the supervisor sends the EWF to the NAF-HR, who retains the folder with the OPF, pending the expiration of the period of military furlough.

2.3. OPF. The NAF-HR prepare and maintain an OPF or its approved electronic equivalent for each employee. The OPF contains records that accurately reflect the most essential information from date of employment to date of separation. File OPFs alphabetically. The OPF, MRPF, and EMF require the same type folder label. The position of the label on the right side of the folder is indicated on the folder. The label must have the following items:

NAFI Employee: The label must clearly identify the employee as a NAFI employee.

Name: The employee's name exactly as it is on the AF 2545.

Date of Birth (DOB): Type the DOB, month, day and year in six numerals with dashes between day, month, and year. Example: January 14, 2015 is typed 01-14-15.

Social Security Number (SSN): Type the employee's SSN directly under the name.

Example: NAFI Employee
Doe, Jane E.
SSN: 999-99-9999

DOB: 01-14-15

2.3.1. Contents of OPF. Records are filed in the OPF to document events in an individual's employment history that have long-term consequences for the employee. Care should be exercised in filing documents correctly to ensure all documents pertaining to an employee's rights and benefits are available in the personnel folder when needed. Documents in an employee's OPF are filed according to long-term or temporary retention. Long term documents are records kept for the life of the folder, usually 115 years from the employee's DOB. These documents are filed in chronological order on the right (or in the "Permanent" folder in eOPF) side of the personnel folder. Temporary documents are documents not kept for the life of the personnel folder. These documents are filed on the left side (or in the "Temporary" folder in eOPF) of the folder.

2.3.1.1. Long-term documents, filed in chronological order by effective date, include but not limited to:

Applications/Resumes

Continuation pages to application for positions that require working with children under the age of 18.

AF Form 243, *Statement of Physical Ability – NAF*

OF 178, *Certificate of Medical Examination*

SF 61, *Appointment Affidavits*

OF 306, *Declaration for Federal Employment*

AF Form 2545, *NAFI Notification of Personnel Action*

Documentation, when the employee resigns, separates, or retires

Minor's work permit

SF 1152, *Designation of Beneficiary, Unpaid Compensation of Deceased Civilian Employee.*

Proof of training successfully completed (AF Form 852, *NAF Record of Training or Certification of Equivalency*, if an official certificate is not provided by the training activity.)

AF Form 1098, *Special Task Certification, and Recurring Training.*

Documentation on a separation for cause (i.e., Notice of Termination, Notice of Decision).

Documentation required by AFMAN 34-302, *Air Force Nonappropriated Fund Employee Benefit Plans.*

SF 1150, *Record of Leave Data*.

Documentation of satisfactory completion of Tier 1, IRC, and/or SCHRC.

AF Form 2549, *Statement of Prior DoD NAF Civilian Service*.

Records that document military service creditable for leave accrual, reduction in force, retirement, or veteran's preference DD 214, *Certificate of Release or Discharge from Active Duty*, and SF 813, *Verification of a Military Retiree's Service in Nonwartime Campaigns or Expeditions*.

OPMRI 20-103, *Election of Retirement Coverage as a Result of a Move From a Civil Service Position to a Nonappropriated Fund Position Within the DoD or the Coast Guard, Civil Service Retirement System (CSRS)*.

OPMRI 92-27, *Election of Retirement Coverage as a Result of a Move From a Civil Service Position to a Nonappropriated Fund Position Within the DoD or the Coast Guard, Federal Employees' Retirement System (FERS)*.

OPMRI 38-134, *Election to Retain NonAppropriated Fund (NAF) Retirement Coverage As a Result Of A Move From A NonAppropriated Fund Position To A Civil Service Position On or After December 28, 2001*

OPMRI 38-144, *Election to Retain CSRS, CSRS Offset, or FERS Retirement Coverage as a Result Of A Move From a Civil Service Position To a NonAppropriated Fund (NAF) Position On or after December 28, 2001*

Official notice memorandums notifying an employee of a BBA action.

Official memorandums notifying the employee of a decision to reassign, demote, or remove from employment as a result of declining performance.

Official decision memorandums to demote, terminate, or remove an employee.

Serv Safe/food handler Training.

Notices informing the employee of a management reassignment.

Reconstruction Notice. A memorandum notice that the personnel folder was reconstructed.

Official memorandum notifying an employee of a reduction in guaranteed hours.

Documentation on a separation for cause (i.e., Notice of Termination, or Notice of Decision).

2.3.1.2. Temporary documents, filed in chronological order by effective date, include but not limited to:

AF Form 1065, *Nonappropriated Fund (NAF) Civilian Position Description*

AF Form 1702, *Nonappropriated Fund (NAF) Position Guide*

AF Form 3527, *NAF Employee Performance Evaluation*

RIP NAF-17, *NAF Civilian Employee Data Brief*

Disciplinary Memorandums. An official memorandum of reprimand.

USCIS Form I-9, *Employment Eligibility Verification*

Identification (ID) Card Forms

In-Processing Memorandums

Performance Evaluation Forms

Memorandum signed by the supervisor documenting satisfactory completion of an employee's probationary period.

Official memorandums notifying an employee of a temporary position change, such as a temporary detail, reassignment, and promotion.

2.3.1.3. Place records that have personal information that is not work related, e.g., all forms that pertain to health benefits, life insurance, AF Form 243, OF 178, and security investigation checklist, in an envelope on the right side of the OPF.

2.3.2. **Access to OPF.** The NAF-HR maintains the OPF on each serviced employee. Personnel records must be kept in a secure room or locked cabinet to prevent access by anyone other than official users and the individual concerned. Operating officials, supervisors, and employees may have access to OPFs as follows:

2.3.2.1. Designated Officials. Although operating officials and supervisors may refer to OPFs in considering employees for promotion or other assignments, these folders are restricted; that is, they are not public records and are available to review for official purposes only. Therefore, access to information in these folders is limited locally to designated officials.

2.3.2.2. Employee Access. Employees will have the right to review their record and to add to or amend the record to correct any inaccuracy. An employee may see any of the contents of his or her OPF except for certain examination papers, investigative reports, loyalty and security investigative information, and confidential questionnaires and employment inquiries.

2.3.3.3. Handling the Folder. Each person who uses an OPF is responsible for: (1) safeguarding the confidential nature of the information gained from the folder; (2) not removing or adding any documents; and (3) promptly returning each folder to the secured location.

2.4. Employee Medical Folder (EMF). The EMF contains occupationally related civilian employee medical records created during an individual's employment. Occupational medical records are records that contain employment-related information about an employee's health status, including personal and occupational health histories and the opinions and written evaluations generated in the course of diagnosis and/or employment-related treatment/ examinations by medical health care professionals and technicians. The EMF is created and maintained for any records that are not maintained by the medical facility. The EMF transferred to another agency may not include drug testing records created under Executive Order 12564 or records relating to employee drug and alcohol abuse counseling or treatment or other counseling programs conducted under Title 5, U.S.C., chapter 79.

2.5. Merged Records Personnel Folder (MRPF). The MRPF contains the personnel records of employees moving between NAF and civil service within DoD, who are covered by portability benefits. Once an MRPF is established for an employee, use the folder to retain the employee's records in all subsequent NAF and civil service employment. The ownership, maintenance, and retention of MRPFs are according to the Memorandum of Understanding (MOU) between the OPM, the National Archives and Records Administration, and the DoD NAF Employment System, 7 Aug 1992 at **Attachment 5**.

2.6. Disposition of Personnel Records and Folders. Dispose of personnel records and folders according to the AFRIMS at: <https://www.my.af.mil/afrims/afrims/afrims/rims.cfm>.

2.6.1. Use SF 127, *Request for Official Personnel Folder*, to request the personnel folder of employees with prior federal employment. Forward requests to the National Personnel Records Center (NPRC), or to the servicing personnel office (must be within DoD), if the folders have not yet been forwarded to the NPRC.

2.6.2. Prior to transferring the personnel folder of a NAF employee to the NPRC, or to another servicing personnel office within DoD, Human Resources staff attaches a statement to the folder instructing that NAF records may not be purged from the folder without the approval of AFSVC/SVXH.

2.7. Disclosure of Information in Personnel Folders. The Privacy Act gives employees the right to know what personnel records are collected, maintained, and disseminated by the AF and the right to correct and amend their personnel records. DoD 5400.7-R_AFMAN 33-302, *DoD Freedom of Information Act Program*, and AFI 33-332, *Air Force Privacy and Civil Liberties Program*, apply when releasing information and documents in employee's personnel folders, when amending or correcting those records, and when determining fees to be charged for furnishing such records. Disclosure of any information in an employee's OPF is the responsibility of the servicing NAF-HR Section.

2.8. Personnel Accountability. Emergency contact information for NAF employees will be collected and recorded IAW DoDI 3001.02, *Personnel Accountability in Conjunction With Natural or Manmade Disasters*. Emergency contact information must be reviewed and validated by all NAF employees annually, at a minimum.

Chapter 3: Employment Policies, Requirements and Restrictions

3.1. Equal Employment Opportunity (EEO). The AF is dedicated to the full implementation of federal laws mandating equality of opportunity for NAF employees. Personnel actions are based solely on the principles of merit and qualifications.

3.2. Prohibited Personnel Practices. IAW 5 U.S.C. §2302, which is administratively extended to NAF, any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, engage in any of the following personnel practices:

3.2.1. Discriminate for or against any employee or applicant for employment on the basis of race, color, sex (including pregnancy, gender identity, and sexual orientation), religion, age (40 or older), national origin, disability, or genetic information;;

3.2.2. Solicit or consider any employment recommendations based on factors other than personal knowledge of records or characteristics;

3.2.3. Coerce the political activity of any person;

3.2.4. Deceive or willfully obstruct any person from competing for employment;

3.2.5. Influence any person to withdraw from competition for any position to improve or injure the employment prospects of any other person;

3.2.6. Grant any unauthorized preference or advantage to any person to improve or injure the employment prospects of a current employee or outside applicant;

3.2.7. Engage in nepotism;

3.2.8. Take or threaten reprisal for whistleblowing;

3.2.9. Take or fail to take, or threaten to take or fail to take, any personnel action against any employee or applicant for employment for exercising a complaint or grievance right; testifying for or assisting another in exercising such a right; cooperating with or disclosing to an inspector general (IG) or other designated authority; or refusing to obey an order that would require the individual to violate a law;

3.2.10. Discriminate on the basis of conduct which is not adverse to the performance of an employee, applicant, or the performance of others;

3.2.11. Take or fail to take, recommend, or approve a personnel action if taking or failing to take such action would violate an employment preference requirement; or

3.2.12. Take or fail to take a personnel action, if taking or failing to take action would violate any law, rule, or regulation implementing or directly concerning the merit system principles contained in 5 U.S.C. 2301.

3.3. Employment of Veterans. Applicants who meet the eligibility criteria in Title 5, U.S.C. § 2108 and the minimum service requirements in OPM's Guide to Processing Personnel Actions, Chapter 7, receive employment preference at initial appointment, provided they are equally qualified for the vacant position.

Veterans shall have employment preference over all other applicants, with the exception of military spouse and transition hiring preference (THP) applicants, and applicants on Re-employment Priority Listing (RPL).

3.3.1. Veterans applying for NAF positions are entitled to veteran's preference under 5 U.S.C. 2108(2) if they establish that they:

3.3.1.1. Served on active duty in armed forces, including for training, and

3.3.1.2. Were discharged or released from active duty under honorable conditions; and either

3.3.1.3. Establish the present existence of a service-connected disability, or

3.3.1.4. Are receiving compensation, disability retirement benefits, or pension because of public statute administered by the Department of Veterans Affairs or a military department.

3.3.2. In foreign areas, veterans will have preference over all other applicants with the exception of military spouse and THP applicants, applicants on RPL, family members of military and civilian personnel assigned to the host country, and off-duty military (ODM) personnel.

3.4. Employment of Relatives:

3.4.1. Under 5 U.S.C., §3110, a public official may not appoint, employ, promote, advance, or advocate for appointment, employment, promotion, or advancement, in or to a civilian position in the NAFI in which he or she is serving, or over which he or she exercises jurisdiction or control any individual who is a relative of the public official. An individual may not be appointed, employed, promoted, or advanced in or to a civilian position in the NAFI if such appointment, employment, promotion, or advancement has been advocated by a public official, serving in or exercising jurisdiction or control over the NAFI, who is a relative of the individual.

3.4.2. Public official means an officer, a member of the uniformed service, an APF or NAF employee, or any other individual who has the authority or in whom the authority has been delegated, to appoint, employ, promote, or advance individuals or to recommend individuals for appointment, employment, promotion, or advancement in connection with employment in the NAFI, e.g., FSS commander, FSS deputy, and Operations Officer, Group and Wing commander.

3.4.3. Relative means, with respect to a public official, an individual who is related to the public official as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

3.4.4. An individual appointed, employed, promoted, or advanced in violation of this policy is not entitled to pay and any payments to the individual made in violation of this policy will be recovered by the employing NAFI in accordance with AFI 34-202, *Protecting Nonappropriated Funds Assets*.

3.4.5. When necessary to meet urgent needs resulting from an emergency posing an immediate threat to life or property, or a national emergency, an official may employ a relative to meet those needs without regard to this policy. Where relatives are hired under such circumstances, extreme care must be taken to ensure the employment decision adheres to the principles of ethical conduct in DoD 5500.7-R, *Joint Ethnic Regulation (JER)*. Such employment at installation level requires justification to and approval of AFSVC/SVI; and such employment at AFSVC level requires justification to and approval of Director of Services (HQ USAF/AIS), Deputy Chief of Staff,

Manpower, Personnel and Services. In either case, such employment is limited to 30 calendar days without justification for extension from employing official and approval of HQ USAF/A1S.

3.4.6. This policy shall not be construed to prohibit the appointment of an individual who is a preference eligible in any case in which the passing over of that individual will result in the selection for appointment of an individual who is not a preference eligible.

3.4.7. Relatives are not prohibited from working in the same NAFI; however, such employment is prohibited if it results in a conflict of interest situation. Such employment may also be prohibited for other reasons, which may be disruptive to work, and interfere with the orderly operation of the NAFI. Give consideration to how the employer/employee relationship will be perceived by the work force, as well as the general public.

3.5. Employment of Minors. The law and implementing regulations protect young workers from employment that might interfere with their educational opportunities or be detrimental to their health or well-being. When both State and Federal child labor laws apply, the law setting the more stringent standard must be observed. The employment of persons less than 16 years of age is prohibited. The employment of persons ages 16 and 17 must be in accordance with the following:

3.5.1. The FLSA, federal, state, and local laws that relate to the employment of minors.

3.5.2. Must not be employed in a position requiring the operation of a motor vehicle, unless the minor employee is eligible to obtain a U.S. Government operator's permit and possess a valid state driver's license, where required. Minors shall not be given work declared to be hazardous by the Department of Labor (DOL).

3.5.3. Must furnish a work permit when required by local or state law.

3.5.4. IAW DoDI 1015.10, *Military Morale, Welfare, and Recreation (MWR) Programs*, employees with responsibility to dispense alcohol will meet these criteria:

3.5.4.1. In the U.S., no person under 21 years of age may be employed to dispense, handle, or serve alcoholic beverages unless permitted by the laws of the State in which the installation is located. In such cases, the State minimum age laws may be followed.

3.5.4.2. Outside the U.S., no person under 18 years of age may be employed to dispense, handle, or serve alcoholic beverages. A higher service age will be based on international treaties and agreements and on the local situation, as determined by the installation commander.

3.6. Employment of People with Disabilities. Give full consideration to employing and selectively placing people with disabilities in NAF organizations. The employment and promotion of these persons is based solely on their ability to satisfactorily perform the duties of the position.

3.7. Employment of Retired U. S. Military Personnel:

3.7.1. **Restrictions.** Retired members of the Armed Forces shall be afforded the same rights and considerations as all other applicants for civilian employment in NAFIs. However, their employment shall be subject to the restrictions imposed by Title 5 U.S.C. § 3326, § 5531 and DoD Instruction 1402.1, *Employment of Retired Members of the Armed Forces*. Most notably, these restrictions apply to the timing of an appointment.

3.7.1.1. Avoid the practice and appearance of preferential treatment. This is essential not only in the interest of the public and federal employees, but also to protect such retired personnel from unwarranted allegations that they obtained their positions through influence based on prior military service.

3.7.1.2. Make every reasonable effort to locate other qualified candidates before appointing a retired member of the military services to a NAF position to avoid the appearance of preferential treatment.

3.7.1.3. Do not hold positions open pending the retirement of a member of the military services to provide that person with a preferential opportunity to apply for the position.

3.7.1.4. If the position was last occupied by the proposed appointee or another military incumbent, clearly demonstrate that the proposed change to civilian incumbency is to meet a management need and not for the purpose of affording civilian employment to the proposed appointee.

3.7.2. **Timing.** Appointments or transfers of retired members of the Armed Forces to positions in any DoD Component during the 180 days immediately following retirement may be made only when one of these conditions is met:

3.7.2.1. The appointment is to a position for which the minimum rate of basic compensation has been increased in accordance with title 5, U.S.C. § 5305;

3.7.2.2. A state of national emergency exists; or

3.7.2.3. The proposed appointment is approved by the installation commander and the appointment is to a position for which:

3.7.2.3.1. Candidates are not available for consideration through the DoD Priority Placement Program, the Reemployment Priority List, and the Interagency Career Transition Assistance Plan for Displaced Employees, as described in part 330 of title 5, Code of Federal Regulations (CFR); and

3.7.2.3.2. More highly qualified personnel are not available among the employees being considered.

3.7.2.4. Each appointment of a retired member of the Armed Forces during the 180-day period following retirement from active duty must comply with the spirit and intent of the law and this Instruction. Appointments made pursuant to 5 U.S.C. § 3326(b) (1) must be fully documented unless the criteria in subparagraphs 3.7.2.1 or 3.7.2.2 apply. Documentation shall include the following information, at a minimum, and shall be retained for 2 years from the date of appointment.

3.7.2.4.1. The effective date (YYMMDD) of retirement from the Armed Forces.

3.7.2.4.2. The rank at the time of retirement.

3.7.2.4.3. The pay grade and Armed Force at the time of retirement.

3.7.2.4.4. The application or resume submitted to apply for the position.

3.7.2.4.5. The date (YYMMDD) the position was established.

3.7.2.4.6. The date (YYMMDD) the position was last occupied.

- 3.7.2.4.7. Whether the position was converted from military to civilian status.
- 3.7.2.4.8. The date (YYMMDD) of conversion (if converted).
- 3.7.2.4.9. The reason for conversion.
- 3.7.2.4.10. Whether the proposed appointee was the last military occupant.
- 3.7.2.4.11. A current position description.
- 3.7.2.4.12. Whether the position is permanent, term, or temporary.
- 3.7.2.4.13. The qualification requirements and any selective placement factors used to qualify applicants for the position.
- 3.7.2.4.14. A statement that efforts to fill the position have been continuous since it became vacant and, if not, the reasons for the delay in recruitment.
- 3.7.2.4.15. Include the commander's approval or disapproval of each request for appointment under paragraph 3.7.2 in the return correspondence. Place a copy of the approval correspondence on the right-hand side of the employee's OPF.

3.8. Employment of Off Duty Military Personnel. Subject to the provisions of DoD Directive 5500.07, *Standards of Conduct* and if there is no preferential treatment in the selection process, U.S. enlisted personnel may be hired as NAF employees during their non-duty hours, on less than a full-time basis.

3.8.1. Off-duty enlisted personnel employed as Regular employees (20-34) hours may qualify for benefits earned by other Regular employees. However, they are not eligible for group health insurance, workers' compensation, or retirement.

3.8.2. Off-duty enlisted personnel may not work more than 34 hours a week under any circumstances.

3.8.3. Active duty commissioned and warrant officers are prohibited from receiving compensation in any form except on an intermittent fee basis for services rendered in such capacities as officials at athletic events and participation in miscellaneous recreational and entertainment activities as approved by appropriate authority under an individual services contract.

3.8.4. When hiring off-duty enlisted personnel assigned to FSS organizations as their prime military duty, these additional rules apply:

3.8.4.1. These enlisted personnel must not be hired to perform duties in the same FSS activity to which assigned while carrying out their assigned military duties.

3.8.4.2. The selecting official must prepare a written certification to show there is no violation of DoD 5500.7-R, and there was no preferential treatment in the selection process. The certification is sent to the NAF-HR Section and filed in the OPF.

3.8.5. Active duty military members who are retiring from military service may continue their NAF employment if the employee is currently on the rolls of the employing NAFI at the time of

retirement and also, if the 180-day waiver requirement in accordance with title 5 U.S.C., Section 3326 and DoDI 1400.25, Volume 1403 has been approved before the active duty military members official retirement date.

3.8.5.1. While on terminal leave, pending their retirement from active duty, these employees may be scheduled to work up to 40 hours per week.

3.9. Selective Service Registration. The requirements of 5 U.S.C., § 3328(a) are administratively extended to all individuals selected for a DoD NAF position. Any individual who was required to register with Selective Service and who is not registered or knowingly and willfully did not register before the requirement terminated or became inapplicable to the individual, will not be appointed.

3.10. Military Spouse Preference (MSP). Preference for employment shall be provided in accordance with DoD Instruction 1400.25, Volume 315.

3.10.1. The spouse of an active duty member of the Armed Forces (including the U.S. Coast Guard and full-time Reserve or National Guard), who relocates via a Permanent Change of Station (PCS) move to the military sponsor's new permanent duty station, is entitled to MSP for all positions in the commuting area of the new duty station if he or she:

3.10.1.1. Married the military sponsor prior to the date of the military sponsor's orders authorizing a permanent change of station.

3.10.1.2. Meet all pre-employment criteria and is immediately appointable under the applicable recruitment procedures.

3.10.1.3. Meet basic qualifications and is among the best qualified for the position.

3.10.1.4. Furnish a copy of the PCS order identifying a dependents-authorized move and the sponsor's reporting date to the new duty location.

3.10.1.5. Submit a current application or resume.

3.10.2. Except as provided in para 3.10.2.2, the time period for MSP eligibility begins 30 days before the military sponsor's reporting date to the new duty station, if accompanied, or at any time thereafter during the tour. Eligible spouses retain preference for the duration of the sponsor's tour unless preference terminates sooner under 3.10.4. Military spouse preference does not apply when the military member sponsor's move is a PCS in conjunction with retirement or separation except when that retirement or separation is based upon 100 percent disability.

3.10.2.1. In foreign areas, spouses do not receive preference until arrival at the overseas location.

3.10.2.2. Spouses who do not initially relocate with their sponsors are not eligible for preference until they are actually residing in the commuting area of the new duty station.

3.10.3. Military spouse preference will remain intact until used; however, spouses of military sponsors who are within six months of their tour rotation date may be non-selected for continuing positions without regard to preference. There is no limit to the number of times MSP may be applied to referral and selection for non-continuing positions. Spouses may be simultaneously referred for continuing and non-continuing positions, until such time as eligibility is lost due to acceptance or declination of an offer of a continuing position. Continuing positions are defined as

positions to which appointments are made without time limitation, and which are required to have a fixed work schedule, i.e., part-time or full-time. Non-continuing positions:

3.10.3.1. Any temporary position, regardless of work schedule.

3.10.3.2. Any NAF position for which the employment category is identified as Flexible.

3.10.4. Spouse preference eligibility is terminated upon:

3.10.4.1. Acceptance or refusal of a continuing position in the Federal Service for which the spouse has registered or applied for employment, whether or not preference was applied (*Note: includes management initiated action to change employment category from Flexible to Regular*);

3.10.4.2. Refusal to participate in established recruitment procedures (e.g., interview, responding to evaluation criteria); or

3.10.4.3. Loss of MSP status due to divorce, death of the sponsor, or sponsor's retirement or separation from active duty.

3.10.5. Military spouses may apply for any position in all employment categories in payband NF-III and below, CY positions, and equivalent hourly paid crafts and trades positions. However, preference applies only when the grade/payband for which the spouse has applied is no higher than that previously held in the federal service. On initial appointment in the federal service, MSP applies to all positions in paybands NF-I through NF-III, CY positions, and equivalent hourly-paid crafts and trades positions for which qualified. A qualified military spouse exercising preference for NAF employment will receive preference over a nonpreference eligible spouse.

3.10.6. Spouse preference eligibles apply by submitting an application for NAF employment; a copy of the sponsor's PCS orders identifying a dependents-authorized move and, other written evidence or documentation which verifies appointment eligibility.

3.10.6.1. Verification of MSP eligibility is the responsibility of the NAF-HR staff. The application for NAF employment must be annotated with the military spouse preference eligibility. The application for NAF employment along with documentation verifying spouse preference will be made a part of the employee's official record when appointed, because of exercising MSP entitlement.

3.10.6.2. Spouses seeking appointment based on their military sponsors active duty status must also submit documentation verifying marriage to the Service member (i.e., a marriage license or other documentation verifying marriage);

3.10.6.3. Spouses seeking appointment based on the fact that their military sponsor retired from active duty with a service-connected disability rating of 100 percent while serving on active duty in the Military Services shall submit documentation showing the Service member was released or discharged from active duty due to a service-connected disability; documentation showing the Service member retired, or was released or discharged from active duty, with a disability rating of 100 percent, and documentation verifying the marriage to the Service member (i.e., a marriage license or other documentation verifying marriage); or

3.10.6.4. Spouses seeking appointment based on the fact that their military sponsor was killed while on active duty shall submit documentation showing the Service member was released or discharged from active duty due to his or her death while on active duty; documentation verifying the Service

member was killed while serving on active duty; documentation verifying the marriage to the Service member (i.e., a marriage license or other documentation verifying marriage); and a statement certifying that he or she is the un-remarried widow or widower of the Service member.

3.10.7. Spouses eligible for preference must be included as part of the minimum consideration area in the competitive process. The selecting supervisor reviews all applications for the position and, based on an evaluation of each application, decides which applicants are best qualified as defined in para 3.10.1.3. Normally, a best-qualified determination is not made for entry level and other lower graded positions where relative distinctions are rarely discernible. In foreign areas, off-duty military members and military spouses are given equitable consideration for part-time employment. If, however, selection is made from a group of competitive candidates, the MSP eligible must be selected, without regard to other priorities, if among the best qualified.

3.10.8. Exception may be made to the selection of a MSP eligible. The authority to approve such an exception is delegated to the installation commander where application is made. A request for exception must be justified in writing, and the granting of the exception shall be rare and based on adverse impact to the mission.

3.10.9. Placements of military spouses under this policy shall be documented by having the remark "Military Spouse Appointed Under E.O. 12568," in item 25 of the AF Form 2545.

3.11. Transition Hiring Preference (THP):

3.11.1. Title 10 U.S.C., chapter 58, §1143(d) mandates the Services provide certain categories of involuntarily and certain voluntarily separated military members, and in some cases, their family members, benefits and services to ease the transition process from military to civilian life. AF NAFI's role in implementing the act will be to administer THP by providing employment preference for certain NAF positions for eligible members and their family members.

3.11.2. Eligibility criteria for THP include involuntarily and certain voluntarily separated members i.e., a member of the Armed Forces who separated under the "Special Separation Benefits (SSB)" program or the "Voluntary Separation Incentive," program of the Armed Forces and their dependents. Members of the Armed Forces, and their dependents, who were on active duty on 30 Sep 90, and who were involuntarily separated under honorable conditions on or after 1 Oct 90 are eligible for THP. Eligible THP applicants will possess a transition assistance identification card, DD Form 1173, *United States Uniformed Services Identification and Privilege Card*, over-stamped with "TA." This will give them hiring preference over all other applicants, with the exception of military spouse preference applicants.

3.11.3. Preference may be used for any NAF job open to competition according to merit practices, at CY, NFIII and below and crafts and trades positions. This applies even if there are enough in-house eligibles to limit competition just to them under merit procedures. Preference will not be limited to just those vacancies where it is necessary to hire outside the organization. The following rules apply:

3.11.3.1. A person may receive THP in hiring only once.

3.11.3.2. THP eligibles must apply for employment and be fully qualified.

3.11.3.3. Qualified THP applicants will be referred for selection only if among the best-qualified candidates after being competitively screened.

3.11.3.4. Preference is given for one year and may be used until a position is accepted or declination of a valid offer of employment in a continuing position.

3.11.4. Placements of THP applicants will be documented by the remark "THP Appointment Under P.L. 101-510, in item 25 of the AF Form 2545.

3.12. Family Member Preference.

3.12.1. Overseas NAFIs may locally recruit U.S. citizens and U.S. nationals residing in the host country according to established country-to-country agreements. Except in those instances where placement must be made under the provisions of paragraphs 3.10, 3.11, and 6.7, first priority must be given to the employment of dependents of military and civilian personnel assigned in the host country, without regard to other priorities in this document, when such actions are not at variance with the Status of Forces Agreements (SOFA), treaties or country-to-country agreements. Family member preference shall be applied IAW DoDI 1400.25, *DoD Civilian Personnel Management*, Volume 1232. Preference applies to all DoD positions, with the exception of NF-6 (Senior Executive) positions. The family member preference is separate from other NAF employment preferences such as MSP.

3.12.1.1. Overseas commanders shall ensure that job information is provided in a manner reasonably designed to reach family members of military members and civilian employees whose permanent duty stations are in the same commuting area as the area where the available position is located. Commanders should ensure that family members are advised on arrival in theater of their eligibility for various employment assistance programs.

3.12.1.2. Family members may apply for employment with overseas NAF-HR Sections 30 days before their anticipated arrival within the command. However, family members may not receive preference until arrival at the foreign location.

3.12.1.3. Family members who have less than 6 months remaining in an area are not entitled to family member preference when a position is filled without time limitation.

3.12.1.4. Family member employment preference shall be terminated when a family member receives an appointment without time limitation or a time-limited appointment expected to last more than one year at his or her sponsor’s assigned duty station. Acceptance of a temporary appointment of one year or less does not terminate family member preference. If a family member employed at an overseas location is removed from employment through no fault of his or her own (e.g., BBA), the entitlement to family member employment preference at that location is reinstated.

3.13. Priority Consideration and Preference in Hiring. Applicants will be afforded priority consideration or preference in hiring based on the factors outlined in this instruction. The order in which consideration and preference will be applied is shown in table 3.1.

Table 3.1. Order of Precedence in Hiring

1	NAF Reemployment Priority Lists (RPL) – priority placement at installation where separated
2	Military Spouse Preference (MSP) Off-duty Military Members (part-time positions in foreign areas only)

3	Involuntarily and Certain Voluntarily Separated Service Member Preference (THP)
4	Family Member Preference (FMP) (foreign areas only)
5	NAF RPL – priority consideration within commuting area
6	Veteran’s Preference
7	Applicants who do not fall into one of the categories above, and therefore do not have a hiring preference.

3.14. Entitlements and Benefits of Overseas Service. See Chapter 16.

3.15. Dual Compensation and Dual Employment:

3.15.1. Title 5 U.S.C., §5533(a), states that a civilian employee will not be entitled to receive basic compensation from more than one civilian office or position of the Government of the U.S. for more than an aggregate of 40 hours of work in one calendar week (Sunday through Saturday). The intent of the law is generally to prohibit an individual from holding more than one full-time government position.

3.15.2. A part-time employee may be employed in another position as long as the total hours worked in all jobs do not exceed 40 hours per week. Employees may be employed in a Regular and a Flexible position, or in multiple Flexible positions, however, they may not be employed in two Regular full-time positions. When the positions that an employee holds are with different DoD Components, or different NAFIs within a DoD Component, the supervisors will coordinate to determine which position is the employee’s primary position and will coordinate with respect to work schedules, benefits, and disciplinary matters.

3.15.3. This restriction applies to all positions within the U.S. Government, including APF and AAFES positions. Employment with the U.S. Postal Service does not fall under these dual compensation restrictions.

3.15.4. This also applies to foreign nationals employed and paid by a NAF organization in a foreign area.

3.16. Movement Between NAF Positions:

3.16.1. Reappointment. Any NAFI may reappoint a former employee regardless of which DoD NAFI previously employed the individual. A reappointment may be noncompetitive when to the same or lower grade or payband previously held with a DoD NAFI.

3.16.2. Reemployment. Use NOAC N024 Reemployment to reappoint a prior Regular employee who has been off the NAFI rolls for more than six months but less than one year. A reemployment may be noncompetitive when to the same or lower grade or payband previously held with a DoD NAFI.

3.16.3. Reinstatement. Regular employees who satisfactorily complete a probationary period and who separate voluntarily or who are separated involuntarily, other than for cause, may be reinstated by any DoD NAFI within six months of the date of their separation. Use NOAC N016 Reinstatement for this purpose. Reinstated personnel must be considered to have been in continuous service in LWOP status for the purpose of retaining benefits other than grade or pay retention, retirement, and group life and health insurance benefits. A reinstatement may be noncompetitive when it is to a

position at the same or lower grade or payband level as the position that the individual previously held.

3.16.4. **Transfer.** A transfer is the movement of an employee without a break in service between installations or NAFIs. A transfer may be noncompetitive when to the same or lower grade or payband level. Leave and benefits will be handled IAW DoDI 1400.25, Volumes 1406 and 1408 respectively.

3.16.5. Regular employees who have left NAF employment to fill a like APF position in the same NAFI, and have continually served in the APF position since appointment may be reinstated by any DoD NAFI indefinitely. Such personnel must be considered to have been in continuous service for the purpose of retaining benefits other than grade or pay retention, retirement, and group life and health insurance.

3.16.6. An individual suspended or removed for reasons of national security may be restored to duty only at the discretion of the Secretary of the AF.

3.17. Personal Services Contracts. NAFI personal services contracts are authorized only when there is no employer-employee relationship, such as sports officials, and instructors in educational, recreational, religious, and entertainment activities. They may not be used to effect an appointment to a position that requires employing an individual on a continuing basis. Such positions must be classified and paid under the appropriate pay schedule. Personal Services Contracts are not used to provide services that an individual is obligated to provide the NAFI as a result of his or her military or civilian employee position. Personal Services Contracts are not to be used to provide services where the performance of such service would create a conflict of interest or creates an appearance of impropriety. A NAF employee can sign a personal services contract within the same Squadron in which they are employed, provided the employee is not contracted to perform services that the employee performs in their NAF position.

3.18. Reemployment of NAF Annuitant. If a retired NAF employee is rehired in a Regular employment category, the annuity will be suspended while he or she remains on the active rolls. A reemployed annuitant may elect to be reinstated in the retirement plan to increase the annuity. If an annuitant whose annuity is based on disability is hired, regardless of the employment category, the NAF-HR staff must immediately give written notice to AFSVC/SVXHB. The annuity payments of the retired NAF employee are not affected if the annuitant is hired into a flexible employment category position.

3.19. Veteran Reemployment Rights. Reemployment rights after military service must be administered according to the provisions in 38 U.S.C., Chapter 43. The Uniform Services Employment and Reemployment Rights Act of 1994 (USERRA) provides protection and assistance to military veterans and members of the Reserve Components of the Military Departments. These include:

Protection from discrimination in employment due to military obligations.

Guarantee of prompt reemployment in their civilian jobs on return from military service.

Protection of employment rights and benefits.

Employment and reemployment assistance from the Department of Labor's Veteran's Employment and Training Service for any federal employee or applicant who requires it.

3.19.1. When a Regular or Flexible employee other than those on NTE appointments, enters the U.S. Armed Forces and signifies his or her intent in writing to return to employment within the same Squadron the NAF-HR staff takes these actions:

3.19.1.1. Initiates AF Form 2545, placing the employee in a LWOP status entitled "Military Furlough."

3.19.1.2. Initiates payment of employee's accrued annual leave.

3.19.1.3. Maintains sick leave credits in the employee's account.

3.19.1.4. Counsels the employee about continuing or terminating participation in the NAFI Group Insurance Plan according to pre-established instructions from AFSVC/SVXHB, and informs the employee of his or her reinstatement option upon the employee's return to active status.

3.19.1.5. Requires the employee sign a PD/PG of the position to which assigned on the last day of duty.

3.19.1.6. Retains the employee's OPF in the active files of the NAF-HR Section.

3.19.1.7. Carries the employee on employment rolls for a maximum of five calendar years, from the effective date shown on the personnel action placing him or her in a military furlough status.

3.19.2. If an employee resigns to enter the Armed Forces and indicates that he or she does not intend to return to the employing Squadron on his or her release from active duty, an AF Form 2545, is processed as a voluntary separation. A separation in this case affects only the employee's seniority while gone; it does not affect his or her restoration rights.

3.19.3. Employees who return from service in the U.S. Armed Forces under honorable conditions are given veteran reemployment rights in the Squadron where he or she was employed just before entering military service. The rights of the veteran and the obligation of the employer are limited to the same Squadron. The following rules must be followed when helping the veteran find NAFI employment:

3.19.3.1. The veteran is reemployed by the same Squadron within 30 days after application, subject to those terms in paragraphs 3.19.3.2 through 3.19.3.4.

3.19.3.2. The veteran is restored to his or her former position, if the position still exists, even though a business-based action may be necessary to make the position available for the veteran. If the position has been reclassified to a higher level, without substantial changes in responsibility, he or she is entitled to those benefits of the reclassification.

3.19.3.3. If restoration is not possible because the former position no longer exists, the veteran is placed in an available position of like status and pay in the same Squadron.

3.19.3.4. If reemployment through the above procedures is not possible, the Squadron offers the veteran the next best available position for which the individual qualifies. This means a position that most closely approximates in status and pay the position he or she formerly occupied.

3.19.4. After restoration, a veteran is given full credit for step increases and cost of living allowances to which he or she would have been entitled had he or she not been in the

military. All unused sick leave from the period of previous employment is recredited. The SCD is not adjusted for the period of military furlough.

3.19.5. A veteran restored under those terms in paragraph 3.19.3 may not be separated, other than for cause, within one year after date of reinstatement by the same Squadron.

3.19.6. If the veteran believes he or she was denied reemployment by the same Squadron at the time of his or her return from active military service, he or she may initiate an appeal in accordance with the procedures in Chapter 9.

3.20. Voluntary Service. In accordance with 10 U.S.C., §1588, certain voluntary services may be accepted in programs providing services to military members and their families. Such programs include family support, child development and youth services, library and education, religious, housing referral, employment assistance, and MWR programs. Volunteers may be family members, ODM, or members of the civilian community. They may perform services described in AFI 34-101, *Air Force Morale, Welfare, and Recreation (MWR) Programs and Use Eligibility*. Custodians and managers may use volunteers to perform specific duties, similar to those of established NAF positions.

3.20.1. Volunteers must not perform duties that are recurring in nature and that are usually performed by NAF employees. Volunteers may supplement the established work force. They may not replace or succeed NAF employees.

3.20.2. NAF salary, wage, or other compensation is not authorized for volunteers, nor may any volunteer be appointed retroactively to a NAF position.

3.21. Employment of Civil Service Retirement System (CSRS) and Federal Employees Retirement System (FERS) Annuitants in NAF Positions. Individuals who retired under CSRS or FERS may be employed in a NAF position.

3.21.1. If the NAF position provides retirement coverage, the individual may be covered by the NAF retirement plan, providing the individual did not previously elect, pursuant to 5 U.S.C. § 8347(q) or § 8461(n) to continue CSRS or FERS coverage based on an earlier move to a NAF position.

3.21.2. Individuals who previously elected to remain in a civil service retirement plan pursuant to § 8347(q) or § 8461(n), and who later retired under that retirement plan, will be considered a reemployed CSRS or FERS annuitant if hired into a NAF position.

3.21.2.1. The reemployed annuitant will be subject to the policies and procedures established in DoD 1400.25, Volume 300.

3.21.2.2. The reemployed Civil Service annuitant may not participate in a NAF retirement plan on appointment to a NAF position.

3.21.3. Individuals, who have not had an earlier opportunity to elect to remain in CSRS or FERS on a move to a NAF retirement-covered position, must be given an opportunity to make a retirement portability election pursuant to § 8347(q) or § 8461(n) to either remain in CSRS or FERS or to join the NAF retirement plan. Portability of benefits retirement election regulations in 5 CFR, part 847 apply. If the individual elects not to retain CSRS or FERS coverage as a NAF employee, he or she is not treated as a reemployed annuitant and may participate in the NAF retirement plan. If the individual elects to remain in CSRS or FERS as a NAF employee, he or she is treated as a reemployed CSRS or FERS annuitant.

3.22. Employment of Individuals Who Have Received a Voluntary Separation Incentive Payment (VSIP). Per DoDI 1400.25, Volume 1702, any individual who has received a VSIP and accepts any employment for compensation with the Federal Government, including any employment with a DoD NAFI, within 5 years after the date of the separation on which the payment is based, must repay the entire amount of the VSIP before the individual's first day of reemployment. A DoD employee who receives a buyout may not be reemployed for a 12-month period beginning on the effective date of the employee's separation.

3.23. Agreement for the Movement of Personnel Between the Civil Service System and the NAFI System in the DoD. In accordance with the authority provided in Title V, Section 6.7 of the Civil Service Rules and pursuant to the agreement with the DoD, employees serving in NAFIs may be appointed to positions in the competitive civil service, and employees serving in positions in the competitive civil service may be appointed to NAFI positions, subject to the following conditions:

3.23.1. Type of Appointment Held Before Movement. To be eligible for movement under this agreement, employees must be currently serving under a competitive career or career-conditional appointment or under a NAFI appointment or have been involuntarily separated from such appointment without personal cause within the preceding year. NAFI employees must be or have been serving in continuing NAFI positions under appointments without time limits.

3.23.2. Qualification Requirements. NAFI employees must meet the qualification standards and requirements for the position to which they are to be appointed in accordance with OPM established regulations for transfer of employees within the competitive service. Employees in the competitive service must meet the regular standards and requirements established by DoD for appointment to NAFI positions.

3.23.3. Length of Service Requirement. NAFI employees must have served continuously for at least one-year in NAFI positions before they may be appointed to positions in the competitive civil service under the authority of this agreement. Employees in the competitive civil service must have completed the one-year probationary period required in connection with their career or career conditional appointments in the competitive service before they may be appointed to NAFI positions, without serving a trial period, under the authority of this agreement.

3.23.4. Selection. NAFI employees may be considered for appointment to positions in the competitive civil service in the same manner that employees of the competitive service may be considered for transfer to such positions. Employees in the competitive service may be considered for appointment to any NAFI position on the basis of their qualifications.

3.23.5. Type of Appointment Granted After Movement. NAFI employees who are appointed to competitive positions under the terms of this agreement will have career or career conditional appointments, depending upon whether they meet the three-year service requirement for career tenure. The service, which commences with a permanent NAFI appointment, will be accepted toward meeting the competitive service requirement. Employees of the competitive service who are appointed to NAFI positions under the terms of this agreement will receive appointments without time limit under DoDI 1400.25, *DoD Civilian Personnel Management System*.

3.23.6. Probationary and Trial Periods. Employees appointed under this agreement, who have previously completed a probationary or trial period, will not be required to serve a new probationary or trial period.

3.23.7. **Status.** NAFI employees who are appointed in the competitive civil service under the terms of this agreement will receive competitive civil service status. Thereafter, such employees will be entitled to the benefits and privileges provided by the Civil Service Rules and by OPM's regulations and instructions for persons having competitive civil service status. Employees of the competitive civil service appointed to NAFI positions under the terms of this agreement will have whatever privileges are normally provided to persons who initially receive appointments, under DoDI 1400.25, to continuing NAFI positions.

3.23.8. **Effective Date.** This agreement was effective 21 Sep 91, and shall remain in effect indefinitely. The agreement may be terminated following notice from the DoD or OPM and may be modified at any time with the mutual consent of the DoD and OPM.

3.24. Deployment of NAF Employees. Per DoDI 1400.25, Volume 1412, NAF employees may be used to support deployment operations in foreign areas. NAF employees who volunteer for APF positions in deployed locations have these options:

3.24.1. The employee may remain on the NAF rolls in a LWOP status and be appointed to the APF position. All normal NAF LWOP provisions, as outlined in DoDI 1400.25, Volumes 1406 and 1408 apply.

3.24.2. The employee may resign the NAF position and be appointed to the APF position without a break in service of three days or less. All NAF to APF portability provisions will apply.

Chapter 4: Employment Procedures

4.1. Establishment of Positions. Management establishes a position by writing a new PD and PG to match the duties of the position and forwards it to the Chief, NAF-HR for classification. The Chief, NAF-HR determines the official position title, occupational series, and appropriate grade or payband.

4.2. Qualification Requirements:

4.2.1. Qualification standards are the minimum experience, training, education, and physical requirements needed to perform the duties of the position involved, in a satisfactory manner. Job qualification requirements must be based on factual job duties and established in a manner that encourages competition for the job with the goal of hiring the most qualified person available. Qualifications will include positive education requirements for positions where OPM or DoD guidance have determined the duties of a position cannot be performed by an individual who does not have the prescribed minimum education. Non-merit factors that can be obtained during a normal acclimation period will not be used as minimum qualification requirements. In applying physical standards, the employee must be able to perform his or her duties in a satisfactory manner and without hazard to self or others.

4.2.2. Management decides what job experience and skills are needed for the position and determines qualification requirements. Guidance is provided from the Chief, NAF-HR. OPM and DoD qualification standards may be used as a guide in making determinations. Qualification requirements are annotated on the AF Form 1702.

4.2.3. Waiving Qualifications. When an employee is facing separation by Business Based Action (BBA), waiving qualifications may be considered when there are no other placement offers available. Qualifications may be waived by the supervisor to assign such an employee to a vacant position as long as the employee shows the capacity, adaptability, and special skills needed to satisfactorily perform the duties and responsibilities of the position. Guidelines for the development and use of qualification standards are found at **Attachments 6 and 7**.

4.2.4. Conditions of employment must be treated separately from qualification requirements. Conditions of employment are personnel policies, practices, and matters, whether established by rule, regulation, or otherwise, affecting working conditions. These conditions may include items such as licenses, clearances, shift availability, travel, and working conditions.

4.3. Employment Requirements. To ensure the most suitable and qualified persons work in NAFIs at all levels, installation commanders must ensure established recruiting procedures are followed to the fullest extent practicable. Depending on the nature and extent of responsibilities of the position being filled, employment procedures established include:

4.3.1. Submission of an employment application.

4.3.2. Medical evidence of satisfactory health condition.

4.3.3. Compliance with the dual compensation provisions of 5 U.S.C. §5531, if applicable.

4.3.4. Compliance with Public Law 99-603, "*Immigration Reform and Control Act of 1986*." Employing offices within the United States (including Puerto Rico, Guam, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands) must ensure completion of U.S. Citizenship

and Immigration Services (USCIS) Form I-9, for all U.S. citizens and non-U.S. citizens to document verification of the prospective employee's identity and authorization at the time of hire. The employment eligibility of all new hires required to complete the Form I-9 will be verified using the U.S. Citizenship and Immigration Services Employment Eligibility Verification Program (E-Verify) found at <http://www.uscis.gov>. The OPM Operating guide, "*Federal Wage System – Nonappropriated Fund*", requires that each prevailing rate employee, be a U.S. citizen or a bona fide resident of the United States or the District of Columbia.

4.3.5. Compliance with Air Force Policy for the Domestic Violence Misdemeanor Amendment (Lautenberg Amendment) to the Gun Control Act of 1968.

4.3.6. Appropriate level of security clearance for sensitive positions. The OPM Position Designation tool, found at <http://www.opm.gov/investigations/background-investigations/position-designation-tool/>, will be used in determining the proper level of investigation and screening required for positions based on an assessment of risk and national security sensitivity. The position risk and sensitivity determination shall be recorded with the PD/PG and annotated on requests for personnel action.

4.3.7. Favorably completed Tier 1 if applicable. All new NAF civilian employees are required to complete the OF 306. Investigation forms (SF 86, *Questionnaire for National Security Positions*, for National Security Positions or SF 85, *Questionnaire for Non-Sensitive Positions*, for all others) for initiation of the Tier 1 are required for locally identified positions and all positions requiring access to an automated information system. These forms request background information concerning arrests, violations of the law, employment, and financial history. For those positions where the Tier 1 is required due to access to the automated information system, the Chief, NAF-HR will make a preliminary suitability determination for Federal employment according to DoDI 1400.25, Volume 731, based on the information provided on these forms. Applicants found not suitable are not hired. Employees found suitable for Federal employment are eligible for appointment and may be granted interim access to Federal computer activities pending completion of the Tier 1. When completion of the Tier 1 is not practical prior to entry on duty, the Tier 1 must be initiated on or before the date of appointment. The employee may occupy the position with the prior written approval of the FSS commander/director or designated representative. A copy of the delegation memo must be on file.

4.3.8. Favorably completed Tier 1, IRC, and SCHRC for employees in child and youth programs and other positions that deal with children under 18 years of age in accordance with DoD Instruction 1402.5, *Criminal History Background Checks on Individuals in Child Care Services*. IRCs will be completed prior to entrance on duty and consist of record checks on applicants for a minimum of two years. When it is not possible to complete Tier 1s prior to entry on duty, the Chief, NAF-HR and the manager must carefully review the application and complete pre-employment reference checks. Pending satisfactory completion of the Tier 1, the selectee may immediately be brought on the rolls under carefully regulated direct line of sight supervision. Prospective childcare employees complete an Authority for Release of Information and Records to submit with their applications for employment.

4.3.9. Verification of DD Form 214.

4.3.10. Satisfactory completion of any required physical examination or ServSafe/food handler training. The AF Form 2545 for employees appointed to such positions must show satisfactory completion of the physical examination within the first 60 days as a condition of employment. Physical examinations completed within the three months prior to employment can be used to meet the requirement as long as the physical included the elements described in the PD/PG;

otherwise, the employee must complete a new physical examination that does cover the required areas. Within the first 60 days of employment, the individual must provide a copy of the physical examination results to the NAF-HR staff, which determines whether the individual meets the physical requirements of the position.

4.3.11. Compliance with order of hiring preferences.

4.3.12. Ensure selectees meet the required qualifications of the position.

4.3.13. Ensure suitability of applicants using 5 CFR Part 731, *Suitability*, as a guide.

4.3.14. Ensure preliminary actions of selecting officials are proper.

4.3.15. Ensure selectees for all positions in youth or child development (including those not classified to the CY pay plan) get or have required immunizations prior to employment. As a condition of employment, these employees are administered appropriate vaccines in accordance with AFI 48-110, *Immunizations and Chemoprophylaxis for the Prevention of Infectious Diseases*, against communicable diseases IAW the Advisory Committee on Immunization Practices adult immunization schedule recommendations, unless already immune, based on seroimmunity, physician diagnosed illness, or documented proof of immunization.

4.3.16. Some positions may require mobility as a condition of employment when a legitimate business reason exists. Applicants and employees should be clearly informed of mobility requirements in advance.

4.4. Methods of Filling Positions. Positions may be filled by promotions, reassignments, details, changes to lower grade or payband, or recruitment from outside sources. Job announcements must include information to accurately describe the position and application process. Announcements should include information on salary; pay plan-series-grade; open and close dates, with cutoff(s), if applicable; duties; qualifications; conditions of employment; and instructions explaining how to apply. Job announcements should be posted for a minimum of five work days using methods that provide maximum visibility to a wide variety of job seekers.

4.4.1. Applicants for positions will be screened, and referral lists will be generated after the closing date of an announcement. Applicants who submit complete applications prior to the closing date may be viewed before the final closing date of the announcement. However, the referral certificate may not be generated prior to the closing date of the announcement. For announcements that are open to solicit continuous collection of applications, the cutoff date for that referral certificate will be the date or dates when a request is made to fill the position. The NAF-HR staff evaluates applications received and annotates as “qualified” or “not qualified” for respective positions for which application is made. Management reviews a candidate’s qualifications and selects the best-qualified candidate to fill a position vacancy, being sure to observe preference entitlements (military spouse, transition hiring, veterans, etc.) Management makes its selection without regard to person’s race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information.

4.4.2. Internal hiring procedures must include:

4.4.2.1. Ensuring vacancy announcements include the statement “This agency provides reasonable accommodation to applicants with disabilities where appropriate. If you need a reasonable accommodation for any part of the application and hiring process, please notify the agency. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.”

4.4.2.2. Ensuring vacancy announcements for positions covered by the Lautenberg Amendment include the statement “ The duties, activities, or responsibilities of this position require the employee to do one or more of the following: use firearms or ammunition; sell or dispose of firearms or ammunition; receive, possess, ship or transport firearms; or other duties, activities or responsibilities covered by the Gun Control Act (Title 18, U.S. C. §922). Any person who has been convicted of a misdemeanor crime of domestic violence is not eligible for this position. Candidates selected for this position will be required to certify they have not been convicted of a misdemeanor crime of domestic violence prior to assuming the duties of the position. False or fraudulent information provided by candidates is criminally punishable by fine or imprisonment (Title 18, U.S.C., §1001) and will result in removal from federal service.”

4.4.2.3. Complying with RPL, MSP, and THP order of hiring preference.

4.4.2.4. Generating an RPA, attaching the PD and/or PG, and forwarding to the NAF-HR Section.

4.4.2.5. Obtaining Chief, NAF-HR validation on the selection prior to committing the position. Selecting supervisors may not make firm, tentative, or implied commitment to any applicant without first obtaining clearance from NAF-HR staff.

4.4.2.6. Notifying the losing supervisor and establishing the reporting date.

4.4.3. External hiring procedures include:

4.4.3.1. Ensuring vacancy announcements include the statement “This agency provides reasonable accommodation to applicants with disabilities where appropriate. If you need a reasonable accommodation for any part of the application and hiring process, please notify the agency. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.”

4.4.3.2. Ensuring vacancy announcements for positions covered by the Lautenberg Amendment include the statement “ The duties, activities, or responsibilities of this position require the employee to do one or more of the following: use firearms or ammunition; sell or dispose of firearms or ammunition; receive, possess, ship or transport firearms; or other duties, activities or responsibilities covered by the Gun Control Act (Title 18, U.S. C. §922). Any person who has been convicted of a misdemeanor crime of domestic violence is not eligible for this position. Candidates selected for this position will be required to certify they have not been convicted of a misdemeanor crime of domestic violence prior to assuming the duties of the position. False or fraudulent information provided by candidates is criminally punishable by fine or imprisonment (Title 18, U.S.C., §1001) and will result in removal from federal service.”

4.4.3.3. Complying with RPL, MSP, THP, and veteran’s order of hiring preference guidance.

4.4.3.4. Notifying the NAF-HR staff of selection, sending the NAF-HR Section an RPA, along with the PD and/or PG.

4.4.3.5. Obtaining NAF-HR staff validation on the selection prior to committing the position.

4.4.4. Management Initiated Reassignments. Career program participants may be management reassigned from one Career Program position to another if the following criteria are met:

4.4.4.1. Both positions are covered by the Services NAF Career Program.

4.4.4.2. Both positions must be within the same payband and salary.

4.4.4.3. Once the management reassignment action is processed, a NAF Career Program covered position is left vacant, unless in an installation closure situation.

4.4.4.4. No increase of salary is authorized.

4.4.4.5. Routing Management Reassignment Requests. Management reassignment requests within a MAJCOM are submitted through the local FSS chain of command to AFSVC/SVI for endorsement. AFSVC/SVI submits the request to the Career Program office for submission to USAF/AIC for approval. Management reassignments between MAJCOMs require written approval of AFSVC/SVI. See Force Support Career Program Guide.

4.4.5. Job Swaps. A job swap of registrants may be requested if the following criteria are met:

4.4.5.1. Both positions are covered by the Services NAF Career Program.

4.4.5.2. Both positions are within the same payband and salary.

4.4.5.3. Both registrants meet the qualification requirements for the positions to which they are being moved.

4.4.5.4. No career-covered position is left vacant.

4.4.5.5. No salary increase is authorized.

4.5. Applicant File.

4.5.1. The AF NAF authorized web-based system shall be used for the automated applicant supply file. NAF-HR Section is responsible for ensuring:

4.5.1.1. A Certificate Log is established and each advertised vacancy is assigned a unique announcement number (i.e. 16-001, 16-002, etc.) for each calendar year.

4.5.1.2. Positions are not advertised as “Always Open” unless specifically stipulated by a Collective Bargaining Agreement.

4.5.1.3. All positions open for recruitment are announced via the authorized web-based system. There is no restriction in using other recruitment sources as well; however, applicants must be directed to make application via the authorized website. With the exception of covered positions, any additional recruitment must be coordinated with Air Force Personnel Center (AFPC).

4.5.1.4. Announcements are made for a period of not less than 5 workdays. No selections are made until after the closing date of the advertised vacancy.

4.5.1.5. Entitlements such as MSP, THP, and veteran’s preference (to include ODM and FMP preference in overseas locations) are verified with appropriate documentation attached to the applicant’s profile.

4.5.2. A resume or any other format that contains all the required information is accepted for employment consideration in NAF activities.

4.5.3. Applicants for positions that require working with children under the age of 18 (IRC, SCHRC, and Tier 1 required) must complete DD Form 2981, *Basic Criminal History and Statement of Admission*. Applicants for youth program positions with a requirement to operate a motor vehicle to transport youth must complete “My Driving Information” profile page, which will contain the information in Figure 4.1. A copy of the applicant’s driving record must be included in the applicant’s profile. Review of the driving record is accomplished by the selecting official as part of application review process.

4.5.4. All forms and supporting documents are submitted by applicant through the website.

4.5.5. All current employees applying for any other NAF position must register and apply through the website.

4.5.6. Retention of Applications:

4.5.6.1. Applications, including preference eligible candidates, will be retained IAW the authorized web-based systems retention requirements.

4.5.6.2. Applications of current employees be retained for the same period as other candidates.

4.6. Probationary Period. The probationary period tests the employee's ability, suitability, and fitness for the job, as shown by actual job performance. During this period, the employee's conduct and performance are observed, and he or she may be separated if conditions warrant. A separation may also be considered by management to lessen impact of a proposed BBA during the probationary period. The NAF-HR Section processes a personnel action upon satisfactory completion of the probationary period.

4.6.1. A probationary period is required for all Regular employees with exception of those appointed to limited (NTE) appointments. Exceptions to this requirement are limited to:

4.6.1.1. The appointment of a person who has completed a probationary period, and who is appointed either in the same Force Support Squadron within six months after separation without cause, or as a result of a transfer of function.

4.6.1.2. The transfer-in of an AF NAF employee who has completed a probationary period, and who is transferred in from another AF NAF position at another installation without a break in service of a single workday, when work performed is in the same line of work. The Chief, NAF-HR makes the same line of work determination.

4.6.1.2.1. Prior continuing AF NAF service is creditable toward the probationary period requirement for AF NAF employees who transfer in from another AF NAF position at another installation without a break in service of a single workday, when work performed is in the same line of work.

4.6.1.3. Probationary periods do not apply to employees who have already completed a probationary period in the same field of work with one of the other DoD NAF employers. An exception to this rule is that a probationary period may be applied even if the field of work has not changed, if there has been a break-in-service of more than one year immediately before employment by AF NAF.

4.6.1.4. The length of the probationary period is:

4.6.1.2.1.1. Six months for Payband NFI-NFII employees.

4.6.1.2.1.2. Twelve months for Payband NFIII-NFV employees.

4.6.1.2.1.3. Twelve months for CY employees.

4.6.1.2.1.4. Six months for Crafts and Trades (NA and NL).

4.6.1.2.1.5. Twelve months for initial appointment to any supervisory and/or managerial position. If an employee's initial appointment is in a supervisory capacity, his or her supervisory probationary period will be concurrent with the initial probationary period.

4.6.1.2.1.5.1. Inform the employee about the probationary period in writing before assignment to a supervisory or managerial position. Include information on the entitlement to placement if the employee does not satisfactorily complete the probation and the absence of appeal rights over such placement. Recruitment notices and vacancy announcements must explain these requirements and entitlements.

4.6.1.2.1.5.2. There is no legal prohibition against the supervision of DoD APF employees or active duty members of the military by a DoD NAF employee.

4.6.2. The probationary period is extended by the number of calendar days in excess of 30 when the number of calendar days in a nonpay status exceeds 30. Extension of probationary periods for other circumstances is not permitted.

4.6.3. Employees demoted or reassigned during probation are credited with the time served toward completing probation. The probationary period completion date does not change. An employee who does not satisfactorily complete the probationary period for a supervisory and/or managerial position shall be returned to a position no lower in grade or payband and pay than the one held prior to appointment to the supervisory or managerial position. Such action is not considered a disciplinary action.

4.6.3.1. Give written notice of the reasons for the action to the employee.

4.6.3.2. Such an employee may continue to be considered for assignment to other supervisory or managerial positions. Because position requirements and individual abilities vary, an employee who is unsuited to one supervisory or managerial position may perform satisfactorily in another.

4.6.4. The following NAF service counts toward completing a probationary period:

4.6.4.1. Periods in a pay status, computed on a calendar basis.

4.6.4.2. Periods of LWOP of 30 days or less.

4.6.4.3. Absences of professional school personnel, employed by a NAFI, in a nonpay status during school recess periods such as summer breaks.

4.6.5. Employees moved to a position with a requirement for a longer probationary period, must serve the new probationary period. Time served in a previous probationary period is not creditable toward completion of the new probationary period.

4.6.6. **Separation During Probationary Period.** An employee may be separated during probation if he or she fails to demonstrate that he or she possesses the skills or character traits necessary for

satisfactory performance in the position. Affected employees will be given written notice as to the reasons for the separation and the effective date of the action.

4.6.6.1. The supervisor should start separation action if it becomes apparent that the employee's conduct, general character traits, or performance are not acceptable.

4.6.6.2. The supervisor prepares a memorandum to notify the employee of the reason for termination and the effective date of the action. The memorandum is coordinated with the Chief, NAF-HR prior to giving to the employee. A minimum of 24 hours' notice is required. The notice memorandum will include:

4.6.6.2.1. A statement of the specific action to be taken, for example, "This is to officially notify you that you will be separated from your position of _____."

4.6.6.2.2. A statement containing the specific reasons for the action.

4.6.6.2.3. The effective date of the action. The effective date may not be earlier than 24-hours from the date the employee receives the *Notice of Separation During Probationary Period* memorandum.

4.6.6.2.4. The employee's duty status during the notice period. In most circumstances, the employee is in a normal duty status during the notice period.

4.6.6.2.5. The name, location, and phone number of the person in the NAF-HR Section designated to address any questions the employee may have.

4.6.6.2.6. A statement that separation during the probationary period is not subject to the NAF grievance or appeal procedures.

4.6.6.3. The supervisor forwards a copy of the separation memorandum along with RPA, documenting the action, to the NAF-HR Section for processing. The NAF-HR Section prepares and issues an AF Form 2545.

4.6.7. **Documentation.** The NAF-HR Section maintains the material used to support the action and the separation memorandum in a case file apart from the employee's OPF.

4.6.8. Separation during the probationary period is not subject to the NAFI grievance or appeal procedures; however, complaints that such separation was based, in whole or in part, on discrimination because of race, color, religion, sex, national origin, age, disability or genetic information are processed according to AFI 36-2706, *Equal Opportunity Program Military and Civilian*.

Figure 4.1. Continuation Page for Positions Driving Youth

An applicant for a position involving the operation of a motor vehicle to transport youth must answer the following questions:

- 1. Have you ever been charged with driving while under the influence of alcohol or a controlled substance? Yes No
- 2. If your answer to the preceding question is –yes, please explain. At a minimum, state the date and location of the incident giving rise to the charge; the name of the law enforcement agency which investigated the incident (e.g., XYZ Police Department, or the XYZ County Sheriff’s Office); the name and address of the court which adjudicated the charge; and the disposition of the charge.
- 3. Have you ever refused a law enforcement official’s request to submit to a test (e.g., a blood alcohol test, breath analysis, or urinalysis) related to the official’s suspicion that you were driving while under the influence of alcohol or a controlled substance? Yes No
- 4. If your answer to the preceding question is –yes, please explain. At a minimum, state the date and location of the incident; the name of the law enforcement agency which made the request; the name and address of the court which adjudicated any charge which resulted from the refusal; and the disposition of any charge which resulted from the refusal.
- 5. During the past 10 years, have you been involved in a traffic accident for which you were found to be at fault? Yes No
- 6. If your answer to the preceding question is –yes, please explain. At a minimum, state the date and location of the accident; the name of the law enforcement agency which investigated the accident; the name and address of the court which adjudicated any charge which resulted from the accident; and the disposition of any charge which resulted from the accident.
- 7. During the past 5 years, have you been cited for any moving traffic violations? Yes No
- 8. If your answer to the preceding question is –yes, please explain. At a minimum, state the date and location of the violation; the name of the law enforcement agency which issued the citation; the name and address of the court which adjudicated the citation; and the disposition of the citation.

(Option 1. Use this paragraph if the continuation page is executed outside the United States.) I declare under penalty of perjury under the laws of the U.S. of America that the foregoing is true and correct. I understand the penalty for perjury is a fine of up to \$250,000 or imprisonment for up to 5 years, or both.

(Option 2. Use this paragraph if the continuation page is executed within the United States.) I declare under penalty of perjury that the foregoing is true and correct. I understand the penalty for perjury is a fine of up to \$250,000 or imprisonment for up to 5 years, or both.

A check of your driving record is required as a condition of employment. You are responsible for obtaining a copy of your driving record at your own expense.

Signature _____ Date _____

Chapter 5: Position Changes and Separations

5.1. Details. A detail is a temporary assignment of an employee for a specified period, to a position or set of duties different from the employee's regular assignment, including higher or lower graded positions, without a change in pay. Merit promotion procedures will be used for details to a higher grade or payband for more than 120 days. An employee returns to his or her original position at the end of a detail. Details are used to meet temporary needs, when work requirements cannot be met by other desirable or practical means. The employee's permanently encumbered position will be used for pay and benefits purposes and a detail to a lower-level position or set of duties will not adversely affect the employee's salary, classification, or job standing.

5.1.1. Details are made a matter of record, in writing, because the experience and training gained by the employee may be important for later permanent placement actions. An employee may not be detailed to a higher grade for more than a combined total of 120 days in any 12-month period without competition.

5.1.2. Repeated details of an employee, interrupted by short-term return to the permanent position, are not authorized. NAF employees may not be detailed to positions or to perform duties where use of NAF funding is not authorized as determined by DoDI 1015.15, *Establishment, Management, and Control of Nonappropriated Fund Instrumentalities and Financial Management of Supporting Resources*.

5.1.3. The following are not details:

5.1.3.1. Temporary Duty (TDY).

5.1.3.2. Loan of an employee to another AF NAF organization to meet temporary or limited work situations of less than 120 calendar days, where the position has the same grade or payband, series, and basic duties as his or her regularly assigned duties.

5.1.3.3. Assignment of an employee to perform duties occasionally or for short periods of time that are related to the employee's official duties, responsibilities, and qualifications.

5.1.4. Do not detail an employee for more than 120 consecutive days to a higher grade or payband position. Temporarily promote the employee rather than detail if the need for the detail is known to be for more than 120 days.

5.1.5. Do not detail an employee for more than 120 consecutive days to a lower grade or payband position.

5.1.6. Do not detail an employee for more than 120 consecutive days to a position in the same payband or grade. Temporarily reassign the employee rather than detail if the need for the detail is known to be needed for more than 120 days.

5.1.7. Failure or refusal by an employee to perform the duties of the position to which detailed may be the basis for disciplinary action.

5.1.8. An employee who is improperly detailed to a higher grade or payband position is entitled to retroactive temporary promotion with back pay.

5.1.9. Interim and detailing supervisors have these responsibilities:

5.1.9.1. The interim supervisor:

5.1.9.1.1. Directs the work of the employee.

5.1.9.1.2. Prepares time and attendance records and sends to the detailing office.

5.1.9.1.3. Obtains or disapproves leave and other normal administrative actions.

5.1.9.1.4. Reports to the detailing supervisor any offenses or substandard performances that warrant disciplinary or other corrective action. (Any action should be decided jointly with the detailing supervisor, with advice from the Chief, NAF-HR.)

5.1.9.1.5. Reports to the detailing supervisor any superior or outstanding performance.

5.1.9.1.6. Takes action to terminate or extend the detail.

5.1.9.2. The detailing supervisor:

5.1.9.2.1. Notifies the employee, in writing, of the detail.

5.1.9.2.2. Provides the NAF-HR Section a copy of the written notification for filing in the employee's OPF.

5.1.9.2.3. Obtains time and attendance records from the interim supervisor.

5.1.9.2.4. Assists the interim supervisor in taking any required action (disciplinary or meritorious) during the period of the detail.

5.1.9.2.5. Makes sure the detail is promptly terminated or extended.

5.1.9.2.6. Records detail on AF Form 971 and ensures employee updates experience in the OPF.

5.1.10. Terminate details when the need no longer exists, but in no case later than the expiration date of the approved period.

5.1.11. In the event a BBA occurs, an employee on a detail competes under his or her officially assigned position, not the position to which detailed.

5.1.12. Temporary details into career-covered positions must be coordinated, via memorandum, through the NAF Career Program. The Chief, NAF-HR contacts the Career Program to notify them of the detail and ensure the person being temporarily detailed is qualified. The memorandum request includes a resume, SPG, proposed effective dates, and reason for the detail. The detailed position must be an established position and be Regular employment category. A copy of the memorandum is provided for coordination. No personnel action is processed for a temporary detail.

5.2. Reassignments: Reassignments may be processed noncompetitively to a position with no known promotion potential beyond that of the employee's current position or that which the employee has held on a permanent basis. Reassigned employees must meet basic qualification requirements of the position to which they are reassigned.

5.2.1. Managers may management-initiate reassignment of crafts and trades employees to other positions within the organization without changes in employment category, pay plan, grade, guaranteed hours, and scheduled rate of pay to promote the efficiency of the organization. Managers may management-initiate reassignment of crafts and trades employees to payband positions without changes in employment category and guaranteed hours; pay is set according to table 18.7, rule 7.

5.2.2. Managers may management-initiate reassignment of NAF payband (NF) employees to other positions within the organization without changes in employment category, payband and guaranteed hours to promote the efficiency of the organization. An employee's pay may be adjusted upward based on increased level of responsibility of the new position. An employee's pay may not be reduced on a management-initiated reassignment. BBA procedures must be applied to reassign a payband employee to a position with a lower rate of pay. Managers may management-initiate reassignment of NF employees to crafts and trades positions without changes in employment category and guaranteed hours; pay is set according to table 18.8, rule 7. Managers may management-initiate reassignment of NF to Child and Youth (CY) positions, or vice versa, without changes in employment category and guaranteed hours; pay is set according to table 18.8, rule 7.

5.2.3. Employees may request reassignment to other positions by applying via the website and submitting a resume. This request could result in a decrease or an increase in the scheduled rate of pay due to level of responsibility of the new position. Refer to tables 18.7 and 18.8 for guidance on reassignments between pay systems.

5.2.4. **Temporary Reassignments.** A temporary reassignment is useful when an employee's services are needed temporarily in a NAF position and in the same grade or payband. Accomplish a reassignment by submitting an RPA along with the PD/PG to the NAF-HR Section. Terminate a temporary reassignment when the need no longer exists.

5.2.4.1. A temporary reassignment must be expected to last at least 2 pay periods (4 weeks) and may not extend beyond 6 months. Repeated temporary reassignments of an employee interrupted by short-term return to the permanent position are not authorized.

5.2.4.2. An employee's guaranteed hours cannot be lowered when temporarily reassigned on an involuntary basis.

5.2.4.3. In the event a BBA occurs, an employee on temporary reassignment competes under his or her officially assigned position, not the temporary assignment.

5.2.4.4. An employee returns to his or her previous position at the end of the temporary reassignment unless permanently reassigned.

5.2.4.5. Temporary reassignments into career-covered positions must be coordinated through the NAF Career Program. The Chief, NAF-HR contacts the Career Program, via memorandum, to ensure the person being temporarily reassigned is qualified. The memorandum must include a resume, RPA, proposed effective date, reason for the reassignment, and if reassignment includes a pay adjustment. Once the action is processed, the Chief, NAF-HR provides the Career Program a copy of the AF Form 2545.

5.3. Promotions. A promotion is the change of an employee from one grade or payband to a higher grade or payband within the same pay schedule. A promotion may also result when changing from one pay schedule to another pay schedule. Promotions may occur on a permanent or temporary

basis. Permanent promotions and temporary promotions that will last for more than 180 days must be made in accordance with merit principles.

5.3.1. Temporary Promotions. Temporary promotions for a period of 180 days or less may be made noncompetitively when an employee's services are needed in a higher grade or payband position, and the employee meets the qualification requirements for the position. The supervisor submits an RPA along with the PD/PG to the NAF-HR Section to process the action.

5.3.1.1. A temporary promotion must be expected to last for a minimum of two pay periods (four weeks) and may not exceed six months. Repeated temporary promotions of an employee interrupted by short-term return to the permanent position are not authorized.

5.3.1.2. In the event a BBA occurs, an employee on temporary promotion competes under his or her officially assigned position, not the temporary assignment.

5.3.1.3. An employee's guaranteed hours cannot be lowered when temporarily promoted on an involuntary basis.

5.3.1.4. An employee returns to his or her previous position at the end of the temporary promotion unless permanently promoted through the competitive process.

5.3.1.5. Temporary promotions into career-covered positions must be coordinated through the NAF Career Program. The Chief, NAF-HR contacts the Career Program via memorandum to ensure the employee being temporarily promoted is qualified. The memo must include a resume, RPA, proposed effective date, reason for the promotion, and percentage of any pay adjustment. Once the action is processed, the Chief, NAF-HR provides the NAF Career Program a copy of the AF Form 2545.

5.3.2. Permanent Promotions. All permanent promotions are competitive unless one of the follow applies:

5.3.2.1. The promotion is the result of job growth.

5.3.2.1.1. Job growth occurs when the position is upgraded due to accretion/assignment of additional higher grade duties and responsibilities. The incumbent may be noncompetitively promoted provided there is clear evidence that the employee continues to perform the same basic functions as in the former position, there are no other employees serving in similar or identical positions to which the duties could be assigned, and he or she meets all qualification and legal requirements for promotion. In this case, there must be clear evidence that the newly classified position is a successor to the former and that the higher-graded position has absorbed the major duties of the former position as determined by the Chief, NAF-HR and the former position is abolished.

5.3.2.1.2. The PD and/or PG must be rewritten and submitted to the NAF-HR Section for classification when the duties of a position change significantly. The employee may be noncompetitively promoted when the Chief, NAF-HR determines that the change in duties is due to job growth and the new duties result in a higher grade or payband.

5.3.2.2. The promotion is the result of improper classification.

5.3.2.3. The promotion is required to comply with a new classification standard.

5.3.2.4. The promotion follows competitive assignment to a developmental position.

5.3.2.4.1. A developmental position is a restructured position designed to help employees with potential, but lacking qualifications, to become qualified for current or projected positions through competitive selection for mission-supportive job experience and job-related training and education. It normally occurs when candidates are not available at the full performance grade/payband level.

5.3.2.4.2. Selection for placement into a developmental opportunity position is accomplished through competitive methods. Individuals may be selected for competitive promotions, reassignments, or changes-to-lower grade/payband. Candidates are identified through self-nomination under a vacancy announcement.

5.3.2.4.3. Candidates must meet basic eligibility requirements. Any minimum education, license, or certification requirements must be met and cannot be waived. Promotions that are taken as a result of an employee fulfilling the requirements of a developmental position, merit procedures are considered to be fulfilled by the competition that took place for the initial appointment to that position.

5.3.3. Current employees must apply for open positions via the website for promotional opportunities.

5.3.4. NF employees must receive a minimum pay increase of a 5%, or an increase to the minimum rate of the higher band, whichever is greater; CY employees must receive a minimum of 6% within or between paybands; and CT employees receive a minimum 4% pay increase of the representative rate when promoted, whether temporary or permanent.

5.3.6. All promotions are accomplished by submitting an RPA, the selectee's resume, and the PD/PG, to the NAF-HR Section for processing.

5.4. Change to Lower Grade/Payband. Voluntary change to lower grade/payband actions at employee's request and with management approval may be noncompetitively processed if the employee meets basic eligibility requirements and the position has no known promotion potential beyond the employee's current grade or payband previously held on a permanent basis. A change to lower grade/payband at the employee's request may be taken at any time, provided the employee submits the request, in writing, to the supervisor.

5.5. Change of Employment Category. An employee on a Flexible appointment may be changed to Regular at any time by the manager submitting an RPA to the NAF-HR Section for processing. A change of employment category from Regular to Flexible, unless initiated at the employee's request, is processed as a BBA in accordance with Chapter 6. A change from Regular to Flexible at the employee's request may be taken at any time, provided the employee submits the request, in writing, to their supervisor.

5.6. Interview, Selection, and Release of Employees:

5.6.1. **Interviews.** The selecting supervisor may interview candidates and visit the NAF-HR Section to get information from employee's records. Interviews are a useful tool that management should use to assess personal characteristics and potential for assuming the duties of the position. This is especially important when filling supervisory vacancies, because the success of any organization is directly related to the capacity and skills of supervisors, line managers, and executives who make decisions and direct or lead others in completing the organization's mission. **Attachment 8** contains guidance on interview objectives and techniques.

5.6.1.1. If the selecting official chooses to interview, he or she may interview one or more of the candidates on the referral list. It is not required that all candidates be interviewed but for those who are, the same interview questions will be used.

5.6.1.2. All questions used in a selection interview must be job related. The documentation and interview questions/responses are maintained by the selecting official, as locally determined.

5.6.2. **Number of Considerations.** There is no limit on the number of times an applicant or current employee may be considered for vacant positions.

5.6.3. **Release of Employees.** The selecting supervisor contacts the losing supervisor and arranges for a tentative release date; and notifies the NAF-HR Section, who establishes the effective date. Employees usually are released within 15 calendar days after the losing supervisor is notified of the selection. Losing and gaining supervisors may agree on an extension (of not more than 10 additional days) to train a replacement or other emergency needs; but, in no case is an employee's release date conditioned on the ability to get a replacement.

5.7. Separations:

5.7.1. **Retirement.** Retirement is effected voluntarily, according to AFI 34-302, *Air Force Nonappropriated Fund Employee Benefits Plans*.

5.7.2. **Resignation (Regular and Flexible Employees).** Resignations are voluntary, initiated by the employee who should give sufficient written notice, preferably at least two weeks, to permit his or her supervisor to get a replacement. A forwarding address is required. The effective date of the action is the last day the employee expects to work. In the event of an oral resignation, the supervisor submits an RPA and annotates on the remarks section the date the oral notice was provided, effective date of the resignation, and forwarding address, if provided. A resignation may not be withdrawn without prior approval of the supervisor, in consultation with the Chief, NAF-HR.

5.7.3. **Termination.** A Flexible employee may be terminated for any valid reason other than BBA with a minimum of 24-hours written notice. For BBA terminations, a minimum seven (7) day notice is required. Involuntary terminations are made without regard to race, color, sex, national origin, religion, age, disability or genetic information, political affiliation, or membership in any organization, including a labor organization.

5.7.4. **Separation (Regular Employees).** Management initiated actions will normally be processed under BBA procedures as these actions are used to adjust resources in response to reorganization, realignment of workload, elimination of duties or responsibilities from a position. Prior to processing a separation action for a Career Program employee, the Chief, NAF-HR reviews the employee's records to ensure the transportation agreement has been fulfilled prior to separation. The Career Program must be notified of pending resignation or separation actions. A career-covered employee who resigns during the initial 12-month period must reimburse the central AF fund, through his/her NAF Accounting Office, for all costs expended for their PCS move.

5.7.5. **Removal (Regular Employees).** An action taken by management to separate a Regular employee for cause, which may be used in cases of performance, misconduct, or serious delinquency.

5.7.6. **Resignation-Abandonment (Regular and Flexible Employees).** An employee who fails to report for work or notify management for 3 consecutive workdays without a reasonable explanation is considered to have resigned.

5.7.7. **Other Separations**, e.g., death; loyalty or security reasons; or, other valid reasons, such as conflict of interest, which cannot be resolved except by separation without prejudice.

5.7.8. **Disability**. Separation for disability may be necessary when an employee's physical or mental condition renders him or her incapable of continuing employment. *Employees must not be separated for an on-the-job injury without written approval from AFSVC/SVXHR.*

5.8. Dissolution of a NAFI. BBA procedures are required when a NAFI is dissolved. The NAF-HR Section processes all personnel actions. If an installation is deactivated before all personnel actions have been processed, procedures must be established to ensure continued NAF-HR staff support and any remaining personnel actions are completed.

5.9. Transfer of Function and Movement of Employees Between NAFIs:

5.9.1. A transfer of function is the transfer of the responsibility for the performance of a continuing function from one NAFI to one or more NAFIs within or between DoD components located in the same or another commuting area. An employee has no right to transfer with his or her function regardless of their personal preference, unless the alternative is separation or downgrading.

5.9.2. All transfers of function between USAF NAFIs are subject to case-by-case written agreements between losing and gaining NAFIs and approval by the installation commander or commanders concerned. If the movement includes one or more NAFIs at the MAJCOM level, one of the AF central NAFIs or the Army and Air Force Civilian Welfare Fund, all fund custodians involved must concur with the NAFIs' agreements.

5.9.3. All transfers of function between USAF and non-USAF NAFIs are directed at HQ USAF level.

5.9.4. To provide equity and employment continuity, a Regular NAF employee, whose position is identified in a transfer of function and who has the right to transfer, is afforded the opportunity to transfer with his or her position.

5.9.4.1. If the employee who accepts the transfer offer can be placed in the NAFI to which the function is transferred, either into a vacant position or through BBA procedures, the employee is transferred to the gaining NAFI.

5.9.4.2. If the employee who accepts the transfer offer cannot be placed in the gaining NAFI, either in a vacant position or through BBA procedures, the employee is separated through BBA procedures as if he or she had been employed by the gaining NAFI although the employee is not physically moved nor a transfer action processed.

5.9.4.3. If the employee declines a transfer of function offer, he or she is separated, unless placement into another NAF position is accomplished.

5.9.4.4. If the employee is not placed in the gaining NAFI or does not accept an offer of transfer of function, he or she is offered placement assistance by the NAF-HR Section servicing the losing NAFI.

5.9.5. A Regular DoD component NAF employee who completes his or her probationary period, and hired by a different DoD component NAFI within six months after removal from pay status because of a BBA in the losing NAFI, is considered to have transferred to the gaining NAFI only for purposes outlined in paragraphs 5.9.6, 5.9.8, and 5.9.10.

5.9.6. When a NAF employee who is participating in the losing NAFI's retirement plan terminates employment for reasons other than retirement and is employed by another DoD component NAFI within 90 calendar days, and the gaining NAFI offers a different retirement plan, the employee may carry forward into the gaining NAFI's retirement plan his or her credited service accrued for retirement annuity purposes.

5.9.7. Upon transfer, if otherwise eligible for group health and life insurance coverage offered by the gaining DoD NAFI, the employee must enroll in that group insurance plan within one month from the date employment begins with the gaining NAFI. When applied for within this one month period, coverage is effective with the date of application.

5.9.8. An employee who transfers from one NAFI to another within DoD is given service credit for his or her prior DoD NAFI employment.

5.9.9. A NAF employee shall receive a lump-sum payment for any unused annual leave credited to the employee's leave record when he or she separates from one of the six major NAF employers (the Army, the Navy Personnel Command, the Navy Exchange Service Command, the Marine Corps, the Air Force, or AAFES). However, if a NAF employee is transferring from one NAFI to another NAFI, the employee's annual leave credit and the funds to cover its cost may be transferred from the losing to gaining employer if the two employers agree and the employee elects such a transfer of credit instead of receipt of a lump-sum payment.

5.9.10. All accumulated sick leave credit is transferred by the losing NAFI to the gaining NAFI provided the individual is placed in a pay status in the gaining NAFI within six months. However, no transfer of funds is made from losing to gaining NAFIs for sick leave credits transferred. The gaining activity assumes the financial obligation.

Chapter 6: Business Based Actions (BBAs)

6.1. Definition. BBAs allow NAFIs to make necessary workforce adjustments to streamline operations and improve efficiencies. Use BBAs to adjust resources in response to changes in business revenue, budget, workload, organization, or mission. A BBA may also be used when there is a lack of funding, transfer of function, dissolution of a NAFI, privatization of function, or closures due to construction or renovations. A BBA is a reduction in pay rate, a furlough of a Regular Category, Non-Probationary employee, change to lower grade or payband, change from Regular category to Flexible employment category, change from a Regular full-time work schedule to a Regular part-time work schedule, or a separation action initiated by management for non-disciplinary reasons. Do not use a BBA to address a performance or conduct deficiency, or to downgrade a position because of a change in classification standards, or correction of a misclassification.

6.1.1. Employees are affected by BBAs only if so identified after an objective, fair and equitable ranking against other employees in the same employment category, occupational series, grade or payband, and in the same NAF activity (e.g., Officers' Club, Bowling Center, Enlisted Club, etc.). Employees on details, temporary reassignments, or temporary promotions compete under their officially assigned position, not the temporary assignment.

6.1.2. Exceptions to the ranking procedures contained in paragraph 6.1.1, (i.e., ranking employees against other employees in the same employment category, occupational series, grade or payband), are made only when the Chief, NAF-HR, after review of the PDs/PGs of the affected positions, determines the duties and qualifications when ranked together are so different, the affected employees assigned to them could not move to other positions in the same ranking without an inordinate amount of training, resulting in disruption of the activity. In this case, such positions are ranked separately. For example, club operations assistant, NF-1101-III and a vending manager, NF-1101-III, working in the same facility are not ranked against each other should the Chief, NAF-HR decide the provisions for exception as stated above apply. Normally, exceptions are not granted for lower graded positions where relative distinctions are rarely discernible.

6.2. Coverage. BBA provisions cover both Regular and Flexible employees. However, Flexible employees are not covered by BBA furlough procedures, nor do they have a right to Step 3 of the appeal process (i.e., appeal above the installation level).

6.2.1. Regular category employees who have completed a probationary period as defined in para 4.6. This includes Regular category employees serving in a supervisory or managerial probationary period, provided they completed a qualifying probationary period before the supervisory or managerial assignment.

6.2.2. Flexible employment category employees who have been on the rolls of the NAFI conducting the BBA for at least three continuous years.

6.2.3. Excluded from Coverage.

6.2.3.1. Regular category employees currently serving an initial probationary period.

6.2.3.2. Employees with less than satisfactory ratings.

6.2.3.3. Flexible employees who have been on the rolls of the NAFI conducting the BBA for less than three continuous years. A change in a Flexible category employee's work schedule is not covered by BBA procedures.

6.3. Coordination. The initiation of a BBA requires approval of the FSS commander/director or designated representative. The Chief, NAF-HR has an active role in the BBA process. All proposed BBAs are reviewed by the Chief, NAF-HR prior to finalization. The Chief, NAF-HR determines the order in which employees will be affected by the proposed BBA. All notice memorandums of BBA will be reviewed by the Chief, NAF-HR, and the Chief, NAF-HR is encouraged to coordinate BBA memorandums with the installation legal office before issuance.

6.4. Types of BBAs. The following actions are considered BBAs:

6.4.1. **Reduction in Pay Rate.** Such actions could result from reorganization, realignment of workload, elimination of duties or responsibilities from a position, lack of funds, or from a need to be competitive with pay in other organizations or the local labor market.

6.4.2. **Furlough of a Regular Category, Non-probationary Employee.** Furlough occurs when an organization must reduce costs as a result of downsizing, lack of funding, diminished work, or change in revenues. This may be due to closure of activities because of renovations, constructions, or a government shut down due to lack of funding appropriation. Furloughed employees are placed in a non-duty, LWOP status for the furlough period. Furloughs may be implemented on the basis of consecutive days, 30 days or less, or on an intermittent basis, such as one or two days a week or in a pay period. An employee may be placed on an extended furlough only when management plans to recall the employee to his or her position within one year. A furlough may not exceed one year.

6.4.3. **Change to Lower Grade or Payband.** This reduction could result from a restructure due to technology implementation, change in position responsibilities, or change in business scope.

6.4.4. **Change from Regular Category to Flexible Employment Category.** A change from the Regular employment category to the Flexible category could result from such business needs as reorganization, realignment of workload, change in workload, or change in revenues.

6.4.5. **Change from a Regular Full-Time Work Schedule to a Regular Part-Time Work Schedule.** This reduction in the number of regularly scheduled hours results in an employee in the Regular employment category being changed from a full-time status to a part-time status.

6.4.6. **Separation.** This results in removal from the rolls of the employing NAFI.

6.5. Factors to Consider. Careful planning is necessary to lessen adverse effects, prepare employees, and to avoid administrative and morale problems. It is important to consider whether the cause of the reduction or realignment is a temporary or permanent situation, along with each of the various actions that may be taken. For example, a reduction in hours of work, a reduction in pay rate, or a furlough may be more appropriate than separation. Prior to changing a Regular employee to a Flexible employment category, management must determine whether the benefit derived from the action can be accomplished by first reducing the Flexible employee work force. Other initiatives that may be considered before BBAs are:

Hiring freeze

Freezing of promotion actions

Reassignment to vacant positions in other activities

Limiting conversions of Flexible category employees to Regular category status

Separating Flexible or Regular category employees during probationary period

Reducing employees' work hours at their request

Reducing Flexible category employees' hours

Reducing hours of operations during non-peak periods

6.6. Procedures:

6.6.1. The FSS commander/director or authorized management official approves initiation of BBA actions. The authorizing official submits to the Chief, NAF-HR a statement describing the business case that necessitated the BBA action, accompanied by the proper supporting documentation.

6.6.2. Covered employees are ranked to determine the order in which they are affected (unless all employees are equally affected; separation due to installation closure, for example). The ranking process takes into account both performance and seniority (length of creditable service). Performance is the primary criterion. The Chief, NAF-HR performs the ranking process by using the average of the total scores on the last two performance evaluations completed on the employee and on file in the employee's OPF. The most recent rating must be at least 30 days old at the time the official BBA notice is issued. Employees not working due to a workers' compensation injury or illness are covered employees, and are affected by BBAs on the same schedule as other NAF employees within the same activity as the incapacitated employee.

6.6.2.1. Determining Creditable Service for BBA Purposes. This includes:

6.6.2.1.1. All DoD NAF service as a Regular category employee in one or more DoD NAFIs.

6.6.2.1.2. Permanent DoD civil service employment of an employee who moved between DoD civil service and a DoD NAF position on or after January 1, 1966 without a break-in-service of more than three days.

6.6.2.1.3. DoD NAF service as a Flexible category employee, providing the service was over at least three continuous years in the NAFI implementing the BBA.

6.6.2.2. If only one performance evaluation is on file for the employee, then only that evaluation's total score is used.

6.6.2.3. If no performance evaluations are on file for the employee, then the Chief, NAF-HR assigns a presumptive rating of satisfactory, rating code "3" on each of the Work Behavior Elements on AF Form 3527 after which the total score will be used in the ranking process. The Chief, NAF-HR annotates this rating as presumptive, signs the form, and files it in the BBA case file. Presumptive ratings assigned as part of the BBA process are not grievable.

6.6.2.4. If the group of covered employees to be ranked includes nonsupervisory and supervisory employees, the supervisory elements are not used in the ranking process. If all covered employees to be ranked are supervisors, then the total of all elements is used in the ranking process.

6.6.2.5. Employees are separated into two separate categories. The total score on the Work Behavior Elements on the AF Form 3527 determines the order in which employees are ranked within these categories. To effect the BBA, employees in Category 1 with the lowest total score are affected first, the next lowest total score second, etc., until all Category 1 employees are exhausted. After Category 1, employees in Category 2 are affected in the same order until exhausted. If two or more employees have the same total score, the SCD for seniority for Regular or the length of service for Flexible employees is used to determine the ranking. The two categories are as follows:

6.6.2.5.1. Category 1: Flexible employees on the rolls of the NAFI effecting the BBA for at least three continuous years.

6.6.2.5.2. Category 2: Regular employees who have completed a probationary period. This includes Regular category employees serving in a supervisory or managerial probationary period, provided they completed a qualifying probationary period before the supervisory or managerial assignment.

6.6.2.6. The Chief, NAF-HR maintains the ranking of each covered employee, the process used to determine the ranking, and a copy of the notice given to each employee in a separate BBA file apart from any employee's OPF. Subject to the provisions of the Privacy Act, the BBA file is made available for review upon request only by an affected employee, or by those whose official duties require access.

6.6.3. Notification Requirements.

6.6.3.1. Announcing certain BBA separations, closure of installations, and realignments outside the local commuting area will be coordinated and cleared within DoD before public notification of actions or release of information outside DoD.

6.6.3.2. Congress shall be notified of decisions which include:

Release of 50 or more employees during a fiscal year at an installation, facility, or activity.

Closure or reductions in an installation workforce that may be expected to be of interest to members of the Congress and the public.

Any BBA separation that is of special interest to Congress or the public.

Realignment of 50 or more NAF employees outside the local commuting area.

6.6.3.3. BBA separations reported IAW the above policy must not commence until 45 days after the appropriate coordination and notification. Requests shall include:

The location(s) where the action is being affected.

The reason for the action.

The criteria and methodology used to support this force structure decision.

The number of personnel affected by the action.

The total number of NAF employees.

The actions taken to mitigate the number of reductions (e.g., hiring freezes, terminating temporary employees, reduction in work hours, retraining, curtailing discretionary spending).

The funding impact of the action (e.g., savings, costs, and estimated effect on the local economy).

Anticipated congressional interest, including the names and district(s) of the members to be notified.

A proposed draft press announcement that has been coordinated through the public affairs office or a statement that no press announcement is planned.

Figure 6.1. Sample BBA Notification to Congress Format

Name of activity:

Location:

Gaining Location (if transfer of function or realignment):

Name of action and proposed effective date:

Reason for action:

Criteria and methodology used to support this force structure decision:

Number of civilian employees affected:

Actions taken to mitigate reductions:

(e.g., hiring freezes, terminating temporary employees, reduction in work hours, retraining, curtailing discretionary spending).

Funding impact:

Savings: (salaries and other costs avoided by the proposed action)

Costs: (separation pay, severance pay, unemployment compensation, relocation costs, other)

Estimated effect on local economy:

Anticipated congressional interest, including names and districts of members to be notified:

Proposed unclassified press announcement or statement that no press announcement is planned:

6.6.4. Advance Notice. Management gives an employee affected by a BBA advance notice of the effective date. In some individual cases, DoDI 1400.25, Vol 1417's requirement for extended employment for retirement and health insurance eligibility will affect the determination of the effective date of separation. To enable employees to reach eligibility for a retirement annuity or

retiree health insurance, employees shall be carried in an annual leave status beyond the scheduled separation date to the extent such leave is available in the employee's annual leave account. An employee may not be carried in a leave status to enable the employee to become eligible for optional retirement if the employee is already eligible for early retirement. The length of the advance notice varies, depending on the status of the employee and other factors. BBA notices of separation, other than for cause, must not be issued or made effective on or between December 15 and January 3.

6.6.4.1. Regular Employees. The minimum advance notice period for Regular employees is seven calendar days for a non-separation action and 30 calendar days for a separation action.

6.6.4.2. Flexible Employees. The minimum advance notice period for Flexible employees is 24 hours for a non-separation action and seven calendar days for a separation action.

6.6.4.3. Employees in the NAF Career Program Covered Positions. If the BBA is to separate an incumbent of a NAF career program position, the employee is provided advance notice of a minimum of 60 calendar days. Copy of the advance memorandum must be provided to the NAF Career Program Office.

6.6.4.3.1. Career Program Priority Placement. If Chief, NAF-HR is unable to place the employee, they must notify the Career Program (in writing) and request the employee be placed in the Priority Placement Referral program. Prior to being placed in the PPR program, the MAJCOM must determine if a management reassignment is possible within the MAJCOM. If the MAJCOM is unable to place the employee, they must notify the Career Program (in writing) and request the employee be placed in the PPR program. In addition, if a Career Program employee is offered an equivalent position (i.e., equivalent grade or payband level, employment category, and work schedule) and declines the offer, the employee is not entitled to severance pay (reference para 18.24.1.2).

6.6.4.3.2. LWOP Pending Offer. At the end of the 60-day period, individuals on a PPR certificate, awaiting a job offer are placed on LWOP pending results of the selection to avoid a break in service.

6.6.4.3.3. Election of LWOP. At the end of the 60-day period, individuals who have not received a job offer may elect to be placed in LWOP status for a maximum of 30 calendar days. Those who elect LWOP status will not receive severance pay until the end of the 30-day LWOP period. The losing installation continues the employee's insurance during the 30-day LWOP period provided the employee continues to pay their portion of the premiums.

6.6.4.3.4. Changes During Notice Period. The Chief, NAF-HR must immediately notify AFSVC/SVI and Career Program of any changes (i.e., installation extends the separation date).

6.6.4.4. Installation Closure Actions. Installation closure actions involving incumbents of NAF career program positions are treated as BBAs. Advance notice of at least 60 calendar days is provided. The installation commander reviews the proposed action prior to notifying the employee. After review by the commander, a copy of the action is forwarded to the appropriate MAJCOM/A1, AFSVC/SVI, and the NAF Career Program. NAF Career Program maintains oversight responsibility for program administration. If the employee is not placed in a new position prior to the end of the 60-day notice period, the employee is separated.

6.6.4.5. Emergency Conditions. Under emergency conditions (e.g., breakdown of equipment or other emergency conditions requiring suspension of operations, heightened security conditions

limiting entrance to the facilities or an unanticipated reduction in business such as occurs with a sudden deployment of troops), no advance notice is required. However, management must make every effort to provide a minimum of a 24-hours advance notice for other than separation actions. If advance notice of the action is not possible, management will provide written notice as soon as possible after the action.

6.6.5. Notice Memorandum. The notice to an affected employee is in writing and, whenever possible, hand delivered by the supervisor. The notice memorandum is prepared by the supervisor, and signed after it has been coordinated with the Chief, NAF-HR, and contains at a minimum:

6.6.5.1. The employee's position title, occupational series, grade or payband, and rate of pay.

6.6.5.2. A description of the BBA and the reason (be specific).

6.6.5.3. The effective date, which must comply with the applicable advance notice period prescribed in paragraph 6.6.4.

6.6.5.4. The position title, occupational series, grade or payband, rate of pay, and employment category of the position being offered, if applicable.

6.6.5.5. A statement that the action taken is non-disciplinary.

6.6.5.6. Advice on loss of benefits, (insurance, retirement, 401K, annual or sick leave, or eligibility for retirement, etc.) if applicable.

6.6.5.7. Information on claiming unemployment compensation, if applicable.

6.6.5.8. An explanation of the employee's right to appeal, including how, where, and to whom to send the appeal and the applicable time limits.

6.6.5.9. Additional information required if the action is separation:

6.6.5.9.1. A statement that the action is nondisciplinary and does not preclude reemployment.

6.6.5.9.2. Information on the placement assistance available through the RPL.

6.6.5.9.3. Information regarding hiring preference for certain contractor jobs, if applicable, IAW DoD 1400.25, Volume 1417.

6.6.5.9.4. Information about civilian assistance benefits and eligibility IAW DoD 1400.25, Volume 1417 and 1702.

6.6.5.9.5. Information on eligibility for civil service positions for one year from the date of separation under the terms of the DoD/OPM Interchange Agreement.

6.6.5.9.6. Advice on severance pay entitlement, if applicable (see para 18.24)

6.6.5.9.7. The name, location, and phone number of the person in the NAF-HR Section designated to provide assistance.

6.7. Reemployment Priority List (RPL):

6.7.1. Each NAF-HR Section servicing a NAFI that separates employees by a BBA establishes an RPL to provide placement assistance to those separated by the BBA. Separated employees have priority placement rights in the NAFI from which separated and priority consideration and referral rights at other NAFIs in the local commuting area. Local commuting area means the geographic area that usually constitutes one area for employment purposes. It includes any population center (or two or more neighboring ones) and the surrounding localities in which people live and can reasonably be expected to travel back and forth daily to their usual employment.

6.7.1.1. An employee who is separated by BBA, or per specific notice of a BBA separation, will be advised of his or her RPL registration eligibility.

6.7.1.2. An employee registers for the RPL by submitting an employment application. Registration for the RPL may commence as soon as an employee is given an official BBA notice of separation. The employee must register for the RPL not more than 30 calendar days from the separation date.

6.7.2. The servicing NAF-HR must offer priority placement in the NAFI to qualified RPL candidates before creating an external vacancy announcement. A person on the RPL will be offered employment in a vacant position in the same NAFI from which he or she was separated if:

6.7.2.1. Management is filling the vacancy by other than detail or position change (promotion, demotion, and reassignment).

6.7.2.2. The position is in the same or lower employment category as the position from which the employee was separated.

6.7.2.3. The position is in the same or lower grade or payband as the position from which the employee was separated.

6.7.2.4. The position is at the same work schedule as the position from which separated.

6.7.2.5. The servicing NAF-HR determines the individual is qualified for the vacant position.

6.7.3. Rehiring an individual on the RPL is a noncompetitive recruitment action. Therefore, such individuals shall be rehired before those who receive preference in the competitive recruitment process including military spouse preference.

6.7.4. A person on the RPL will also be offered priority consideration and referral for NAF jobs in other NAFIs (other than the NAFI from which separated, to include NAFIs in a different DoD Component) within the commuting area if:

6.7.4.1. Management is filling the vacancy by other than detail or position change (promotion, demotion, and reassignment);

6.7.4.2. The position is in the same or lower employment category as the position from which separated;

6.7.4.3. The position is in the same or lower grade or payband level as the position from which separated.

6.7.4.4. The position is at the same work schedule as the position from which separated.

6.7.4.5. The servicing NAF-HR determines the individual is qualified for the vacant position.

6.7.4.6. Priority consideration and referral does not mean the registrant must be selected. The selecting official is only required to consider the priority candidate before considering other non-priority candidates. This process may include referring an RPL registrant's information to the selecting official before other non-priority candidates, or including the RPL registrant as a candidate on the standard selection certificate indicating his or her RPL priority status.

6.7.4.7. Management will document selection and reasons for non-selection decisions of RPL registrants during the recruitment process.

6.7.5. A registrant will remain on the RPL until:

6.7.5.1. He or she accepts a continuing DoD NAF position in the Regular employment category, or an APF appointment without time limit in any agency;

6.7.5.2. He or she declines an offer of a position in the same commuting area that is at least comparable (i.e., equivalent grade or payband level, employment category, and work schedule) to the position from which separated or;

6.7.5.3. One year from the date of separation, whichever comes first.

6.7.6. If the first person on the RPL declines or is otherwise removed from the RPL, the next eligible person on the RPL is offered the position, and so on until the RPL is exhausted. Placement and consideration is prioritized in the order of the date placed on the RPL. If such prioritization produces two or more applicants for placement or consideration placed on the RPL on the same date, they are referred simultaneously without any further prioritization.

6.7.7. NAF-HR Section provides a copy of the RPL to all DoD NAF activities within the local commuting area monthly to affect the above requirements.

6.7.8. For installation closures, a final RPL is prepared and issued 30 days prior to final closure of the installation. The RPL is identified as the final RPL to be issued from that particular office.

6.7.9. RPL contain at a minimum: identification of the servicing NAF-HR Section; the employee's name; the employment category, pay plan, series, grade, and position title of the position from which separated by BBA; the employee's rate of basic pay at the time of separation; the date the employee was placed on the RPL (the date of the separation); and the employee's address and telephone number at the time of separation.

6.7.10. RPLs forwarded to other NAF activities within the commuting area will have a current resume attached for each employee added to the RPL during the preceding month.

6.8. LWOP for NAF Career Program Covered Employees:

6.8.1. To avoid a break in service, NAF career program employees issued a 60 calendar day notice of separation as a result of a BBA are placed on LWOP by the installation where employed at the end of the 60-day period, if they are on a priority referral certificate, pending results of the selection.

6.8.1.1. Chief, NAF-HR is notified by the NAF Career Program when an employee is on a priority referral certificate. If at the end of the 60-day notice period, a selection decision has not been made, the employee is placed on LWOP for a period not to exceed 30 calendar days.

6.8.1.2. If the employee is not selected for this position, or for another position before the expiration of the 30 calendar day LWOP period, action is taken immediately to process the BBA separation.

6.8.2. NAF career program employees who reach the expiration of the 60-day notice period, and who have not received a priority referral offer, may elect to be placed in LWOP status for a maximum of 30 days. If at the end of the 30-day LWOP period and the employee has not been selected for another position, action is immediately taken to process the BBA separation.

6.8.3. The notice memorandum of separation under BBA procedures must include the information contained in paragraph 6.6.5, in addition to the following:

6.8.3.1. Information on LWOP procedures.

6.8.3.2. Notification that it is the employee's responsibility to request the 30-day LWOP if they have not received a priority referral offer by the expiration of the 60-day notice period.

6.8.3.3. A statement that severance pay is not paid until after the LWOP period expires.

6.8.4. Chief, NAF-HRs must counsel employees electing LWOP about their participation in the retirement and insurance programs while on LWOP.

6.9. Documentation. The Chief, NAF-HR maintains the material used to support the action in a case file. The documents related to a BBA are maintained in a separate BBA file apart from the employee's OPF. Subject to the provisions of the Privacy Act of 1974, the BBA file shall be made available for review upon request only by an affected employee or by those whose official duties require access. The BBA case file must include:

6.9.1. Management or authorizing official's statement describing the business case that necessitated the action, accompanied by the proper supporting documentation.

6.9.2. Process used to determine the order of the BBA.

6.9.3. Listing of the names of all employees included in the BBA and the actions taken on each.

6.9.4. Copies of the written notices to affected employees.

6.9.5. Copies of the procedures used at the time of the BBA.

6.9.6. Record of any appeals.

Chapter 7: Performance Evaluations, Incentive Awards

7.1. Performance Evaluation of Regular and Flexible Employees. All NAF employees must be aware of what is expected of them in their current position. Supervisors identify work performance standards and fairly and objectively evaluate the work performance of employees under their supervision on a scheduled and continuous basis. Supervisors ensure employees are aware of what their performance standards are, how performance evaluations are performed, and the possible awards available for doing a superior job.

7.1.1. Performance Evaluation Objectives. Objectives of the performance evaluation system are to:

7.1.1.1. Keep employees aware of performance standards expected of them, in terms of quality and quantity of work to be performed and standards of personal conduct and behavior essential to their successful performance in the position.

7.1.1.2. Provide employees with constructive help to identify and correct deficiencies in their performance or conduct, in order to help them achieve full potential in their positions.

7.1.1.3. Identify and resolve points of misunderstanding between supervisors and employees regarding work requirements.

7.1.1.4. Evaluate employees fairly and objectively on a scheduled and continuous basis with the results of the evaluation discussed individually with each employee.

7.1.1.5. Increase the efficiency of employees and supervisors.

7.1.1.6. Develop constructive relationships between supervisors and employees.

7.1.1.7. Advise employees on whether they meet, fail to meet, or exceed the standards for satisfactory performance.

7.1.1.8. Evaluate employees only under reasonable standards that are in effect during the rating period, are known to the employee, and that the employee has had a fair opportunity to meet.

7.1.1.9. Use performance evaluations as a basis for making decisions on training, retention, promotion, reassignment, removal, and other personnel actions.

7.1.2. Performance Standards. Performance standards prescribe the quality, quantity, and timeliness of job performance essential for fully satisfactory performance in a specific position. Performance standards must clearly apprise the employee of the minimum standard of performance required and must be reasonable, sufficient in the circumstances to permit accurate measurement of performance, and adequate to inform the employee of what is necessary to achieve an acceptable performance rating. Standards are defined in measurable, realistic, and reasonable terms for those major tasks and functions specified for the position. They represent a level a competent employee can expect to achieve. The need for specific standards and a common understanding of them is particularly important during an employee's probationary period.

7.1.2.1. First line supervisors will:

7.1.2.1.1. Develop performance standards, in writing, on the PG for each position supervised.

Standards must be measurable and reflective of expected accomplishments and contributions for the appraisal period. Performance standards must be commensurate with the duties and responsibilities assigned to the employee and the salary paid to that employee.

7.1.2.1.2. Continuously evaluate employee's performance. Conduct meaningful progress reviews that address performance progress and developmental opportunities at least once during the performance appraisal period, normally at the midpoint of the appraisal period. The employee should be made aware the progress review is meant to provide feedback on performance that may impact the rating of record at the end of the appraisal period. A copy of the form is provided to the employee. The original is retained by the rating official in the EWF.

7.1.2.1.3. Acquaint each employee with the performance rating system and the performance standards pertinent to the employee's position upon appointment to a new position, and during the performance evaluation meeting.

7.1.2.1.4. Informally discuss with the employee from time to time the degree to which the employee meets, fails to meet, or exceeds the standards. Provide the flexibility to accommodate changing program objectives, as needed and an opportunity for the employee to provide input.

7.1.2.1.5. Counsel employees on how to become more effective members of the team.

7.1.2.1.6. Complete annual performance evaluations, retain copy for EWF, and provide a copy to the employee. The original copy is forwarded to the NAF-HR Section for filing in the OPF.

7.1.2.1.7. Evaluate employees serving a probationary period, and recommend retention or separation.

7.1.2.1.8. Prepare justification to support outstanding and less than satisfactory ratings.

7.1.2.1.9. Initiate memorandums of warning and decision memorandums for unsatisfactory performance.

7.1.2.1.10. Initiate proposals for performance awards

7.1.2.1.11. Ensure performance pay adjustments and awards are linked to the employee's performance rating.

7.1.2.2. Establish performance standards for each major duty essential to successful performance. Standards indicate the quality of satisfactory performance for a specific position. Standards must be reasonable and of such a nature an employee meeting the minimum qualification standards for the position can expect to perform satisfactorily within a reasonable time after assignment to the position. Standards must be sufficiently high to assure an efficient operation, but not so high outstanding performance is beyond the achievement of a competent employee.

7.1.2.3. Establish performance standards for any or all of the following aspects of a position. The aspects listed are not all-inclusive and some may merit greater weight than others for a particular position. They are not mutually exclusive; e.g., the quantity of work cannot be completely separated from the ability to organize and schedule work. Supervisors should add to the following list any aspects pertinent to a position and eliminate any which do not apply:

7.1.2.3.1. Quality of finished work

7.1.2.3.2. Quantity of work

7.1.2.3.3. Adaptability to new assignments and to changes in instructions, work methods, work situations, organization, or staff

7.1.2.3.4. Relationships with other employees

7.1.2.3.5. Relationships with employees of other agencies and outside organizations

7.1.2.3.6. Timeliness

7.1.2.3.7. Cost effectiveness

7.1.2.3.8. Achievement of desired goals

7.1.2.3.9. Leadership and initiative

7.1.2.3.10. Ability to use professional, technical, mechanical, clerical, or supervisory knowledge and skills pertinent to the position

7.1.2.3.11. Courtesy to the public for jobs in which dealing with the public is important

7.1.2.3.12. For supervisors, furthering EEO is an essential element of performance. Factors to be included in performance evaluation for EEO include:

7.1.2.3.12.1. Personal participation in EEO program leadership and administration

7.1.2.3.12.2. Fairness in making selections

7.1.2.3.12.3. Encouragement and recognition of employee achievements

7.1.2.3.12.4. Treatment of minority group employees and women

7.1.2.3.12.5. Training and upward mobility

7.1.2.3.12.6. Discipline--applies like penalties for like offenses

7.1.2.4. For positions in which accountability for property is critical, include effective stewardship of this responsibility as an essential element of performance.

7.1.2.5. Performance standards for managers include internal control responsibilities. The internal control-related content of performance standards must be tailored to their relative importance and other circumstances associated with each manager.

7.1.2.6. For activity manager positions, include success of the total operation in terms of customer satisfaction, participation and interest, profitability of operations, and financial management and compliance with applicable policies, regulations, laws and standards.

7.1.3. **Performance Evaluation Process:**

7.1.3.1. **Annual Evaluations.** The annual performance evaluation cycle is 1 October through 30 September of each year. Performance evaluations are completed at the same time on all employees,

both Regular and Flexible. Evaluations are completed on AF Form 3527 and are due to the NAF-HR Section not later than 30 days after the closeout period. New employees with less than 90 days of employment are not evaluated until they have completed at least 90 days. If the employee’s supervisor leaves within 90 days of the closeout period, supervisor completes the employee’s evaluation prior to departure. If the employee’s supervisor leaves prior to 90 days of the closeout period, the gaining supervisor completes an evaluation after 90 days of supervision (Table 7.1 and Table 7.2). The AF Form 3527 requires a rater and a reviewing official. The FSS commander/director determines the level of the reviewing official, but it must be at least one supervisory level above the rating official (who is the first-level supervisor).

Table 7.1. Management Responsibilities When Employee Changes Positions.

IF EMPLOYEE MOVES WITHIN THE AIR FORCE		BETWEEN THESE DATES	THEN	AND
FROM	TO			
NF, CT, or CY	NF, CT, or CY	Beginning of appraisal period to 1 Jul	Losing supervisor prepares information concerning performance and forwards to new supervisor	New supervisor renders annual rating of record at end of appraisal cycle
NF, CT, or CY	NF, CT, or CY	1 Jul to 30 Sep	Losing supervisor renders annual rating of record	Losing activity pays approved award

Table 7.2. Management Responsibilities When Supervisor Departs.

IF EMPLOYEE IS	AND THE SUPERVISOR DEPARTS BETWEEN	AND THE SUPERVISOR	THEN
NF, CT, or CY	Beginning of appraisal period to 1 Jul	Supervised employee for any length of time	Departing supervisor prepares information concerning performance and leaves it for new supervisor
	1 Jul to 30 Sep	Supervised employee fewer than 90 days	Reviewing official prepares annual rating of record with input from departing supervisor
		Supervised employee for 90 days or more	Departing supervisor prepares annual rating of record and leaves it for processing by reviewing official

7.1.3.2. Performance Ratings

7.1.3.2.1. To maintain the merit system principle of fair and equitable competition, adjective ratings are assigned as outlined in table 7.3.

Table 7.3. Adjective Performance Ratings

	Non-supervisory personnel	Supervisory personnel
Outstanding	25-24 points	35-33 points
Very Good	23-20 points	32-27 points
Satisfactory	19-15 points	26-21 points
Minimally Satisfactory	14-13 points	20-15 points
Unsatisfactory	12 or less points	14 or less points

7.1.3.2.2. Payband employees, including CY payband employees, who are rated less than satisfactory shall not be granted a pay increase.

7.1.3.2.3. Within-grade increases for prevailing rate employees who are rated less than satisfactory are not authorized in accordance with Office of Personnel Management Operating Manual – Nonappropriated Fund.

7.1.3.2.4. In the case of employees who are returning to NAF positions following service in the Military Services, NAF-HR Section will ensure that eligible employees are accorded all reemployment rights provided by the USERRA, chapter 43 of title 38, U.S.C.

7.1.3.2.6. **Salary Review– Payband Employees.** Supervisors must review an employee's salary in conjunction with the annual evaluation to ensure the employee is being compensated commensurate with his or her duties and level of performance.

7.1.3.2.7. **Awards–All Employees.** Performance awards to recognize employees are recommended and processed according to the guidance in paragraph 7.2.

7.1.4. **Declining Work Performance.** Declining work performance occurs when the employee is not performing all requirements of the position in a manner acceptable to the supervisor. Prior to assigning a less than satisfactory performance evaluation, the supervisor must advise the employee with a written warning, called a Performance Improvement Plan (PIP), regarding his or her work performance deficiencies. A PIP is a written plan that communicates the standards governing the employee’s performance and gives the employee adequate instructions on how to perform the essential duties of his or her position. It provides a deadline for performance improvement and specifies an action for unacceptable performance – reassignment, reduction in grade, or removal – will be taken if improvement does not take place by that time. Written warnings may be issued at any time during the evaluation cycle. Employees with performance deficiencies should be made aware of these deficiencies as soon as they occur, so that they have a minimum of 90 days prior to the end of performance rating period to correct the deficiencies. Discussions about performance that may be used as a basis for issuing a written warning about performance must be documented in the AF Form 971. The supervisor must also provide reasonable assistance to help the employee improve. A necessary part of the PIP process is careful monitoring. Management must keep a full record of every incident of unacceptable performance, as well as of the efforts made to help the employee improve.

7.1.4.1. Early counseling regarding declining work performance must include the following:

7.1.4.1.1. Supervisors must be able to express in which performance standard the employee’s performance is falling short or has become unacceptable.

7.1.4.1.2. Employees must be informed of examples and explanations of what is wrong with their work performance.

7.1.4.1.3. Supervisors must be able to explain how the work will be done correctly and must make their expectations clear.

7.1.4.1.4. Supervisors should encourage employee participation in the discussion as a means of discovering the cause of the employee's performance difficulties.

7.1.4.1.5. Supervisors must summarize their comments in writing and provide the employee with a copy of the summary.

7.1.4.1.6. The NAF Career Program must be notified of a PIP on covered employees. Servicing NAF-HR Section must notify the NAF Career Program office of all pending actions affecting career-covered employees.

7.1.4.2. **Written Warning.** The written warning is prepared by the supervisor, reviewed by the next level supervisor, and coordinated through the Chief, NAF-HR before issuing to the employee. The written notice includes:

7.1.4.2.1. A statement explaining the employee's deficiencies. Relate the performance deficiencies to the performance standards of the position, and be specific. Include the language of the performance standard in the performance improvement period notice. Include examples of performance deficiencies to demonstrate what constitutes unacceptable performance.

7.1.4.2.2. A statement explaining assistance will be provided to help the employee meet his or her performance standards. State the specific assistance which will be provided (e.g., training, if appropriate). Make the supervisor's role clear concerning how the employee should seek help. *NOTE:* Formal training is not a requirement when providing an opportunity to improve.

7.1.4.2.3. A statement the employee will be given a performance improvement period of not less than 30 days (in the case of a Regular employee), or not less than seven days (in the case of a Flexible employee) to meet his or her performance standards.

7.1.4.2.4. A statement explaining the employee will be reassigned, demoted, or separated if he or she fails to meet the performance standards within the applicable performance improvement period. Be specific in describing what the intended action will be.

7.1.4.2.5. A statement explaining how the supervisor will monitor performance.

7.1.4.2.6. The notice will explain how the supervisor addressed an employee request for reasonable accommodation, if any such request was made. If reasonable accommodation was made, the notice should explain how that may impact on the opportunity to improve, if at all.

7.1.4.3. **Expiration of the Performance Improvement Period.** At the end of the performance improvement period, the supervisor determines success or failure. If the employee has successfully improved to the acceptable level, the employee will be provided with written notification. If the employee's performance remains unacceptable, the supervisor must take appropriate action to either:

7.1.4.3.1. Reassign the employee (Regular or Flexible) to another position within the organization.

7.1.4.3.2. Prepare written notification to terminate the employee (Flexible only).

7.1.4.3.3. Prepare a notice of proposed demotion or a notice of proposed removal (Regular only).

7.1.4.3.4. If the employee appeals a personnel action, management must be able to show by substantial evidence that it kept its side of the bargain, that the employee was given a genuine chance to improve, and failed to do so.

7.1.4.4. **Reassignment.** If the supervisor decides to reassign the employee, the employee is advised of the reasons the action is being taken. The supervisor prepares an RPA and forwards it to the NAF-HR Section, who in turn processes and issues an AF Form 2545, documenting the reassignment. Use reassignments for both Flexible and Regular employees.

7.1.4.5. **Termination of Flexible Employees.** If the supervisor decides to terminate a Flexible employee, the supervisor notifies the employee in writing. The employee is provided advance notification of at least 24 hours. The Notice of Termination is prepared and signed by the supervisor. The supervisor will enlist the assistance of the Chief, NAF-HR in the preparation of the memorandum. The memorandum must be hand-delivered or otherwise provided to the employee, or a diligent effort to make delivery must be made and documented. The Notice of Termination must be reviewed by the Chief, NAF-HR before issuing to the employee. It includes the following:

7.1.4.5.1. A statement of the action in specific terms, for example, "I have decided to terminate you from AF NAF employment."

7.1.4.5.2. A statement identifying both the specific instances of unacceptable performance by the employee on which the action is based, and the performance standards of the employee's position involved in each instance of unacceptable performance.

7.1.4.5.3. The effective date of the action. The effective date is not earlier than 24 hours from the date the employee receives the Notice of Termination.

7.1.4.5.4. A statement the employee has the right to respond to the Notice of Termination, in writing, and identification of the person designated to receive the response.

7.1.4.5.5. A statement that any response must be received by the designated official, either:

7.1.4.5.5.1. Prior to the effective date of this action (if the notice period given is 24 hours), or

7.1.4.5.5.2. Not later than 24 hours prior to the effective date of the action (if more than 24 hours' notice is given).

7.1.4.5.6. A statement that non-receipt of a response, or a response that does not affect the proposed action, will result in the action-taking place on the effective date stated.

7.1.4.5.7. A statement that if a timely response results in a decision not to proceed, the action will not be taken, or it will be reversed, whichever is applicable.

7.1.4.5.8. An explanation of the employee's right to file a grievance, including how and where to file, and the time limits for filing. If the employee is a member of a bargaining unit subject to negotiated grievance procedures, the employee must follow the bargaining agreement procedures.

7.1.4.5.9. The name, location, and phone number of the person in the NAF-HR Section designated to provide assistance to the employee.

7.1.4.6. **Notice of Proposed Action.** If the supervisor wants to either demote or remove a Regular employee, he or she affords the employee a 15-day advance notice of the proposed action. The

Notice of Proposed Action is prepared and signed by the supervisor who will enlist the assistance of the NAF-HR Section in the preparation of the Notice Memorandum. The Notice of Proposed Action memo, clearly identified with the subject: "Notice of Proposed (Demotion/Removal)," is reviewed by the Chief, NAF-HR and by the installation legal office before issuing to the employee. It includes the following:

7.1.4.6.1. A statement, "The purpose of this letter is to notify you that I propose to (demote you from _____ to _____) *or* (remove you from your NAF employment)".

7.1.4.6.2. A statement that identifies both the specific instances of unacceptable performance by the employee on which the proposed action is based and the performance standards of the employee's position involved in each instance of unacceptable performance. Include examples of unacceptable performance during the opportunity period which form the basis for the proposed action.

7.1.4.6.3. A statement summarizing the performance improvement plan, including any assistance or training provided to the employee.

7.1.4.6.4. A statement explaining how the supervisor addresses an employee request for reasonable accommodation, if any such request was made. If reasonable accommodation was made, the notice will explain how that impacted the opportunity to improve, if at all.

7.1.4.6.5. A statement of the employee's right to review the material relied upon to support the proposed action.

7.1.4.6.6. A statement that the action taken, if any, will be made effective not earlier than 15 days from the date the employee receives the proposed notice.

7.1.4.6.7. A statement that the employee has a right to respond to the Notice of Proposed Action, in writing, and to submit with his or her response any supporting statements or documents.

7.1.4.6.8. The name and location of the person designated to receive the written response. The designated person must be an individual who has the authority to either make or recommend a final decision.

7.1.4.6.9. A statement that any response to the proposed notice must be received by the designated official not later than four calendar days after the employee's receipt of the notice.

7.1.4.6.10. A statement that the action is proposed but a decision has not been finalized, that the employee's response made to the designated official will be considered, and that, regardless of whether or not the employee responds, a final written decision will be issued.

7.1.4.6.11. The name, location, and phone number of the person in the NAF-HR Section designated to provide assistance to the employee.

7.1.4.7. **Notice of Decision.** The supervisor issues a Notice of Decision to the employee regardless of whether or not the employee's response to the Notice of Proposed Action was received, or even if a decision is made to cancel the proposed action or take a lesser action than originally proposed (e.g., reassignment). The supervisor prepares and signs the Notice of Decision. Supervisors will enlist the assistance of the Chief, NAF-HR in the preparation of the Notice of Decision. The memorandum is hand-delivered or otherwise provided to the employee on or before the date the action is to be effective, or a diligent effort to make delivery is made and documented. The Notice of Decision is clearly identified with the subject: "Notice of Decision", and is reviewed by the

Chief, NAF-HR and the installation legal office before issuing to the employee. It includes the following:

7.1.4.7.1. A statement of the decision in specific terms. For example, "I have decided to (demote you) (remove you)." The Notice of Decision can impose a lesser penalty than originally proposed.

7.1.4.7.2. The specific reasons for the decision. The only reasons cited as a basis for the decision are the reasons which were cited in the Notice of Proposed Action. The Notice of Decision may not introduce any new allegations of unacceptable performance. The Notice must reflect consideration of the employee's response, if one was made.

7.1.4.7.3. The effective date of the action.

7.1.4.7.4. Advice on loss of benefits (insurance, retirement, annual or sick leave, etc.), if applicable.

7.1.4.9.5. The name, location, and phone number of the person in the NAF-HR Section designated to provide assistance.

7.1.4.7.6. An explanation of the employee's right to file an appeal, including how and where to appeal, and the time limits for submitting the appeal. If the employee is a member of a bargaining unit subject to negotiated appeal procedures, the employee follows procedures in the negotiated agreement.

7.1.4.8. **Documentation.** The NAF-HR Section maintains the material used to support the action, the proposed notice and the decision memorandum, along with the employee's response (if applicable), in a separate file apart from the employee's OPF. Subject to the provisions of the Privacy Act, the case file is made available for review upon request only by an affected employee or by those whose official duties require access. The original decision memorandum is given to the employee, and a copy is filed on the right side of the employee's OPF. Supervisors prepare an RPA, documenting the action, and forward to the NAF-HR Section for processing. The NAF-HR staff processes the form and issues an AF Form 2545.

7.1.5. **Resolving Evaluation Dissatisfactions.** An employee dissatisfied with his or her assigned performance evaluation may submit a grievance for resolution under the grievance procedures.

7.2. Incentive Awards. NAF employees play an important part in the effective and economical operation of the activity, and should be recognized for exceptional and noteworthy performance. All NAF employees are eligible for consideration for various types of cash awards. Awards recognize, for example, superior accomplishments, productivity gains, length of service, suggestions, special acts or services, or sustained performance.

7.2.1. Supervisors will use a systematic procedure to acknowledge better than expected performance. Providing quick and appropriate recognition for good effort enhances morale and contributes to productivity of the work force.

7.2.2. The commander or director ensures activity managers budget for awards. All activity managers must be aware of how they may use the award money.

7.2.3. **Award Criteria.** Examples of award criteria may include:

7.2.3.1. Displaying initiative, perseverance, and dedication to duty

7.2.3.2. Improving procedures or methods

7.2.3.3. Eliminating or minimizing safety hazards

7.2.3.4. Increased productivity

7.2.3.5. Saving time, money, and other NAF resources

7.2.3.6. Improving customer service

7.2.3.7. Other noteworthy contributions occurring at any time

7.2.4. **Types of Awards:**

7.2.4.1. **Performance Awards.** Performance awards are given to employees to recognize outstanding performance of a continuing nature. These performance awards are given during the annual performance evaluation cycle of each year. The supervisor initiates the award on AF Form 1001, Award Recommendation Transmittal, and forwards through the activity manager and flight chief to the FSS commander or director for approval. Justification is entered on the AF Form 1001. The NAF-HR staff inputs the award into DCPDS to generate an AF Form 2545, which is retained in the employee's OPF. Prepare a separate AF Form 2545 for each approved performance cash award using NOAC N840, *Individual Cash Award*.

7.2.4.2. **Special Act or Service Awards.** A special act or service award may be given to an employee for a specific event that results in a unique contribution to the organization above and beyond the scope of assigned duties. The amount of the award is determined by the actual dollar savings, or intangible benefits. The FSS commander/Director is the approving authority for amounts not exceeding \$2,000. The supervisor completes AF Form 1001, and forwards through the activity manager and flight chief to the FSS commander or director for approval. Justification is entered on the AF Form 1001. The mission support group commander approves awards of \$2,001 up to \$10,000. The NAF-HR staff inputs the award into DCPDS to generate an AF Form 2545, which is retained in the employee's OPF. Prepare a separate AF Form 2545 for each approved performance cash award using NOAC N840.

7.2.4.3. **On-The-Spot Cash Awards.** An on-the-spot cash award may be given to an employee for a specific event or situation that results in a unique contribution to the activity or organization. The maximum of the award is limited to \$250. There is no limit to the number of such awards that may be granted to an employee. The supervisor initiates AF Form 1001, with award justification, and forwards to the appropriate approval authority. Approval for this award should be delegated at the lowest level deemed appropriate by the commander or director. The NAF-HR staff inputs the award into DCPDS to generate an AF Form 2545, which is retained in the employee's OPF. Prepare a separate AF Form 2545 for each approved performance award using NOAC N840.

7.2.4.4. **Service Recognition.** This award reflects recognition of long and faithful service. Use Federal service certificates and pins for all such awards. (See AFI 36-1004, *The Air Force Civilian Recognition Program*). Give recognition to Regular employees for 10, 20, 30, 40, 50, 60 and 70 years of creditable service. Creditable federal service includes all APF and NAF civilian service, and all honorable military service, which are creditable for leave. AF APF certificates and pins are used for all length of service awards. Present AF Form 342, *Retirement Certificate of Civilian Service*, to an employee on retirement. The mission support group commander or a designated

representative signs the AF Form 342. Approval levels for service awards are described in table 7.4.

7.2.4.5. Honorary Awards. NAF employees may receive honorary awards according to and as described in AFI 36-1004. These awards include the Air Force Civilian Achievement Medal, Command or Air Force Civilian Award for Valor, Exemplary Civilian Service Award, Meritorious Civilian Service Award, Outstanding Civilian Career Service Award and the Decoration for Exceptional Civilian Service. They may be granted independently or in addition to a monetary or a time-off award. Cash payments, where applicable, for honorary awards are the responsibility of the recommending NAF activity.

7.2.4.6. Special Employee Recognition Programs. Each installation is encouraged to establish special employee recognition programs (for example, employee of the month or employee of the year awards), if funds are available. Special awards are funded by the NAFI that employs the recipient. The NAF-HR staff inputs the award into the DCPDS to generate an AF Form 2545, which is retained in the employee's OPF. Prepare a separate AF Form 2545 for each approved performance award using NOAC N840.

7.2.4.7. Memorandums of Commendation. These commend employees for superior work performance, special acts, contributions, or special service, which clearly exceed what is normally expected, while on special assignment or during a short emergency type situation. These memorandums are issued and signed by any supervisor or management official.

7.2.5. Processing Awards. All incentive awards are processed through the NAF-HR Section. Completed and approved forms are forwarded to the NAF-HR Section for processing through DCPDS and the NAF payroll system.

7.2.6. Recording Awards. Awards are posted in both the EWF and in the employee's OPF.

Table 7.4. Authority To Approve Service Recognition Awards

R U L E	A If the basis for award is	B then approving authority is the
1	Ten years of service	Installation employees: FSS commander/director HQ AFSVC employees: AFSVC commander HQ USAF employees: HQ USAF/A1S
2	Twenty years of service	Installation employees: Group commander HQ AFSVC employees: AFSVC commander HQ USAF employees: HQ USAF/A1S
3	Thirty years of service	Installation employees: Wing commander HQ AFSVC employees: HQ USAF/A1S HQ USAF employees: Deputy Chief of Staff or designated representative
4	Forty years of service	Installation employees: MAJCOM commander or designated representative HQ AFSVC employees: HQ USAF/A1S HQ USAF employees: the Deputy Chief of Staff, USAF, or designated representative
6	Fifty, Sixty and Seventy years of service (see note)	Secretary of the Air Force

NOTE:

AFSVC/SVI requests a 50/60/70-year certificate by sending the following information, a cover letter, biography, and certification of the service computation date to include employee’s name, organizational address, SCD, and Go-By name, electronically or mail to AF/A1SOU, 1770 Air Force Pentagon, Washington, DC 20330-1770, for staffing to the SecAF for signature. Send to AF/A1SOU at least 60 calendar days before the presentation ceremony.

7.3. Time-Off Incentive Awards. Time-off awards are an alternate means of recognizing the superior accomplishments of employees, Regular and Flexible, with other monetary or non-monetary awards. Decisions to grant time-off awards should be based upon the same criteria or circumstances as for any other incentive award. Time-off awards are not granted to create the effect of a holiday or treated as administrative excusals or leave, e.g. they are not granted in conjunction with a military "down" or "training" day or the like which would grant the entire civilian employee population, or a

majority of the civilian population, a time off award to be used on a specified day. A time-off award can be granted for performance as reflected in the employee's most recent rating of record and can be granted in lieu of, or in conjunction with, a performance award. Though time-off awards do not have immediate budget consequence, supervisors and managers shall consider full wage costs and productivity loss when granting time-off awards and shall ensure that the amount of time-off granted as an award is commensurate with the individual's contribution or accomplishment.

7.3.1. Time-Off Award Determination and Approval. Time-off from duty, called a time-off award, may be granted, without loss of pay or charge to leave, in recognition of superior accomplishment or other personal effort that contributes to the quality, efficiency, or economy of operations.

7.3.1.1. Immediate supervisors may approve a time-off award up to one working day without review and approval of a higher official. An award in excess of one day must be approved by the employee's second-level supervisor. Complete all documentation and processing requirements.

7.3.1.2. Civilian employees forfeiting a time-off award due to activation for Guard or Reserve duty are entitled to reinstatement of their award. A reinstated time-off award must be used within 6 months of deactivation from active service.

7.3.2. Eligibility Criteria. A time-off award is granted in recognition of superior accomplishment or other personal effort which contributes to the quality, efficiency, or economy of operations. A time-off award does not replace existing cash or honorary awards. It is used principally to recognize contributions that are of a one-time, nonrecurring nature. In determining the amount of time-off award, consideration is given to the cost in lost production time and the benefits realized by the AF from the employee's contributions. Recommending and reviewing/approving officials at the organization level also consider other available forms of recognition and cash awards and are consistent in recommending/approving time-off award amounts. Examples of achievements considered for a time-off award are:

7.3.2.1. Making a high quality contribution involving a difficult or important project or assignment.

7.3.2.2. Displaying special initiative and skill in completing an assignment or project before the deadline.

7.3.2.3. Using initiative and creativity in making improvements in a product, activity, program or service.

7.3.2.4. Ensuring the mission of the activity is accomplished during a difficult period by successfully completing additional work or a project assignment while maintaining the employee's own workload.

7.3.2.5. Accomplishing a specific, one-time, or special assignment requiring extra effort or resulting in the activity receiving recognition for responsiveness to unprogrammed requirements.

7.3.2.6. Participating in a quality circle or process action/improvement team resulting in the implementation of significantly improved work processes or products.

7.3.2.7. Submitting a suggestion that is adopted, but because the suggestion is considered to be within the employee's normal job responsibilities, the employee is not eligible for a cash award.

7.3.3. **Limitations on Time-off Awards:**

7.3.3.1. Employees working a typical 80-hour pay period may be awarded a total time-off of 80 hours during any leave year. For employees who work less than 40 hours per week, the total time that may be granted during any calendar year is the average number of hours of work in the employee's biweekly scheduled tour of duty over the previous six-month period. The maximum award for any single contribution is one-half the maximum amount of time that can be granted during the year.

7.3.3.2. The maximum amount of time-off that may be granted for any single contribution is 40 hours. For employees who work less than 40 hours per week, the maximum award for any single contribution is one-half the maximum amount of time that could be granted during the year.

7.3.3.3. Time-off approved as an award is scheduled and used to the extent possible within 90 calendar days from the effective date of the award. Time-off not used within one year from the effective date is forfeited with no further right to restoration.

7.3.3.4. Time-off is granted and scheduled so as not to adversely affect an employee who is in an annual leave "use or lose" situation and is not used as justification to restore forfeited annual leave.

7.3.3.5. Under 5 CFR §451.104, a time-off award does not convert to cash under any circumstances.

7.3.3.6. Approved time-off not used at the time an employee transfers between DoD components cannot be transferred and does not move with an employee to an APF position. In order to avoid loss of the time-off, every effort should be made to allow the employee to use the time-off before the transfer.

7.3.4. **Documentation.** All time-off awards are supported by appropriate written justification. Approved time-off awards are submitted to the NAF-HR Section for processing at least 7 workdays in advance of the proposed effective date and include the following information:

7.3.4.1. Employee name, social security number, and NAFI.

7.3.4.2. Number of hours of time-off granted.

7.3.4.3. Justification briefly explaining how the employee met one or more of the criteria contained in paragraph 7.3.2.

7.3.4.4. Certification from the supervisor or recommending official of the following:

"I have considered the cost of this time-off award in lost production time and have determined the benefits realized by the AF, from the employee's contributions, support the amount of time-off approved. I have also considered the employee's workload and leave projections and certify that this employee will be able to schedule the time-off in addition to other projected leave no later than _____ (date not to exceed 90 days from submission of the time-off award for approval, if possible; otherwise, not to exceed one year). I have also considered other available forms of recognition and cash awards in determining the amount of time-off award."

7.3.4.5. Name, position title, signature and date signed by recommending official.

7.3.4.6. Name, position title, signature and date signed by reviewing official (if applicable), and approving official.

7.3.4.7. Use an AF Form 1001 to provide the information required by paragraph 7.3.4. The justification and certification statement are entered on the AF Form 1001. After the award is approved, it is forwarded to the NAF-HR Section for processing. The NAF-HR staff inputs the award into the DCPDS to generate an AF Form 2545, which is retained in the employee's OPF. Prepare a separate AF Form 2545 for each time-off award approved using NOAC N891, *Time-off Award*. Time-off award personnel actions are effected within 7 workdays after receipt from the official with time-off award approving authority. Send a copy of the AF Form 2545 to the originator and to the employee as confirmation that the time-off is approved and processed.

7.3.5. **Processing a Group Award.** Follow all procedures outlined in paragraphs 7.3.1 through 7.3.4. All documentation outlined in paragraph 7.3.4 must be provided, however, it may be submitted as follows:

7.3.5.1. Prepare only one AF Form 1001. Annotate blocks 3 and 4 to read "see attached listing." The listing reflects: name, social security number, present position, title, grade, step and salary, and number of hours granted for each employee entitled to receive the award. In some cases, there may be employees who are on extended leave, LWOP, Workers' Compensation, or experiencing performance problems that are not eligible for the award. Review the list carefully to ensure eligibility. The supervisor/recommending official signs at the bottom of the list.

7.3.5.2. Prepare only one narrative justification and certification for signature of the supervisor/recommending official.

7.3.5.3. Send the AF Form 1001, with the attached listing and justification to the NAF- HR Section upon approval. The NAF-HR staff processes the award in accordance with paragraph

7.3.5.4. Send a copy of the AF Form 2545 to each employee, and file a copy in each employee's OPF.

7.3.6. **Time and Attendance Reporting and Scheduling Time-off:**

7.3.6.1. Record approval and use of time-off on employee time and attendance reports in accordance with instructions published by the NAF payroll office.

7.3.6.2. The employee is responsible for requesting supervisory approval to schedule and use the time-off award. Employee requests to use time-off are submitted far enough in advance to permit its use without undue interruption to the work of the activity.

7.3.6.3. Time-off is not used and recorded on time and attendance reports until documentation, approval and processing requirements are completed. The AF Form 2545 serves as confirmation that the time-off award has been approved and processed. Time-off is not scheduled prior to receipt of the AF Form 2545.

7.4. **Suggestion Programs.**

7.4.1. Employees are encouraged to suggest improvements resulting in tangible and intangible benefits.

7.4.2. Send a certificate and memorandum to the employee in recognition of an approved suggestion and file a copy of the memorandum as a long-term document in the employee's OPF. Record the approved suggestion on the Supervisor's Record of Employee.

7.4.3. Each installation prepares an operating instruction that includes procedures for review, approval and criteria for determining when cash awards for suggestions are used.

Chapter 8: Disciplinary Actions

8.1. Purpose:

8.1.1. Managers and supervisors set reasonable standards of conduct and maintain a constructive, disciplined work environment in which employees recognize and carry out their responsibilities and comply with the standards of conduct. Discipline is timely, progressive where applicable, and used to promote the efficiency of the service. Corrective actions range from less consequential remedies such as oral admonishments and letters of reprimand, up to the most severe, separations for cause.

8.1.2. Take disciplinary action only when necessary and then promptly and fairly. The purpose of disciplinary action is to correct and rehabilitate the employee's behavior. Discipline must be applied as consistently as possible. Consider the circumstances; like penalties are imposed for like offenses. The seriousness of the offense determines the type of disciplinary action necessary. Use the table of offenses and typical penalties at **Attachment 9** as a guide for determining an appropriate penalty.

8.1.3. Disciplinary actions are personal matters and are administered in private.

8.1.4. The servicing Chief, NAF-HR reviews memorandums of reprimand, notices of termination, notices of proposed action, and decision memorandums before issuing to the employee to ensure that these memorandums are procedurally correct and proper on merit. Supervisors will solicit Chief, NAF-HR assistance in preparing disciplinary action memorandums.

8.1.5. The Chief, NAF-HR will coordinate proposed notice memorandums and will coordinate decision memorandums required for suspensions, demotions, and removals with the installation legal office before issuing.

8.1.6. Do not use suspension and removal actions to discipline Flexible employees.

8.1.7. Oral admonishments and reprimands can be issued under the same conditions and in the same manner for probationary employees as for other employees. If the offense warrants a penalty more severe than a reprimand, supervisors normally will terminate the employee, using procedures applicable to the employee's type of appointment.

8.2. Disciplinary Actions. A disciplinary action is an action taken by management to correct and rehabilitate an employee's delinquency or misconduct. In order to meet the standard for taking an action, managers and supervisors must:

Clearly specify the charges or reasons upon which the action is based.

Be able to prove the specific charges or reasons which form the basis for the action by a preponderance of the evidence.

Be able to show the connection or "nexus" between the charges and the impact on the efficiency of the service. A nexus is a reasonable connection or factual relationship between the reasons for the action taken and the efficiency of the service.

Be able to show that the penalty imposed was appropriate under the circumstances.

8.2.1. Disciplinary actions include:

An oral admonishment

A reprimand

A termination (Flexible employees only)

A suspension (Regular employees only)

A removal (Regular employees only)

In some cases, a demotion (reduction in grade or payband) (Regular employees only)

8.2.2. Disciplinary actions do not include:

8.2.2.1. Application of a revised prevailing rate schedule when there is no change to the position.

8.2.2.2. A BBA.

8.2.2.3. A reduction in the number of guaranteed hours that does not result in a change in the employee's employment category.

8.2.2.4. An action taken against an employee serving a probationary period.

8.2.2.5. A change in duty shifts that result in the loss of differentials or premium pay.

8.2.2.6. An action taken as the result of the termination of a temporary promotion or reassignment.

8.2.2.7. A resignation, change to lower grade or payband, or reduction in pay or hours when voluntarily initiated by the employee.

8.2.3. **Oral Admonishment.** An oral admonishment is a discussion between a first-level supervisor and an employee during which the supervisor informs the employee that he or she is being disciplined by an oral admonishment. It is the least severe disciplinary action and is used to correct misconduct or delinquency and to motivate an employee to improve work habits, work methods, or behavior. Use it to discipline either a Regular or Flexible employee.

8.2.3.1. The supervisor advises the employee of what he or she did wrong, when he or she did it, and the surrounding circumstances. The supervisor gives the employee an opportunity to explain his or her actions.

8.2.3.2. To be the most effective, an oral admonishment is conducted soon after the incident giving rise to the admonishment, in private, and in an informal manner.

8.2.3.3. There is no formal procedure required to effect an oral admonishment. On the date of the admonishment, the supervisor makes a notation on the AF Form 971, which includes the words "oral admonishment", the effective date, and a notation that the employee has been advised of the admonishment. The notation can also be made on plain bond paper that is clearly annotated at the top as "Attachment to the AF Form 971". The employee is asked to initial the entry. The employee's initials do not indicate agreement with the entry content, but only awareness of the entry. If employee refuses, annotate the employee declined to sign entry. This notation is deleted two years after the effective date of the admonishment.

8.2.4. **Memorandum of Reprimand.** A Memorandum of Reprimand is a formal disciplinary memorandum issued by a first-level supervisor to an employee. It is used to correct significant misconduct or delinquency or repeated lesser offenses, and may be the last step in a progression toward suspension or removal. It will give clear warning that subsequent misconduct could result in more severe disciplinary action, including removal. Use it to discipline either a Regular or Flexible employee.

8.2.4.1. Before issuing a Memorandum of Reprimand, the supervisor meets with the employee, tells the employee that he or she is considering a Memorandum of Reprimand due to the employee's

misconduct; tells the employee the specific nature of the misconduct, including date, time, and place; and gives the employee an opportunity to explain his or her actions. After meeting with the employee, the supervisor may decide to take no action, orally admonish the employee (see paragraph 8.2.3), or issue a Memorandum of Reprimand. The supervisor makes a memo of record of what is said during the meeting with the employee.

8.2.4.2. If the supervisor believes that a Memorandum of Reprimand is warranted, the supervisor prepares it. It is clearly identified with the subject: "Memorandum of Reprimand", and includes the following:

8.2.4.2.1. A statement, "The purpose of this memorandum is to officially reprimand you for your conduct on (date) ____."

8.2.4.2.2. The specific reason for the action, including the date, time, and place of the alleged misconduct.

8.2.4.2.3. A statement that further misconduct could result in more severe disciplinary action, including removal.

8.2.4.2.4. A statement that a copy of the Memorandum of Reprimand is placed in the employee's OPF for a period of two years.

8.2.4.2.5. A statement that the employee has a right to file a grievance in accordance with the provisions of Chapter 9, or the negotiated grievance procedure, whichever is applicable.

8.2.4.3. The supervisor ensures the Chief, NAF-HR reviews the memorandum before issuing to the employee. After Chief, NAF-HR review, the supervisor gives the original copy of the memorandum to the employee.

8.2.4.4. The supervisor makes a note of the Memorandum of Reprimand on the employee's AF Form 971, files a copy with the employee's AF Form 971, and gives a copy to the NAF-HR Section for filing in the employee's OPF and updating DCPDS. This note is deleted and the copies removed and destroyed two years after the effective date of the memorandum.

8.2.5. **Termination.** Management initiates involuntary termination to separate a Flexible employee from AF NAF employment. It is the most severe form of disciplinary action for the Flexible employee.

8.2.5.1. If the supervisor decides to terminate a Flexible employee, the supervisor notifies the employee in writing. The employee is provided advance notification of at least 24 hours. The supervisor prepares and signs the Notice of Termination. The supervisor will enlist the assistance of the Chief, NAF-HR in the preparation of the memorandum. The memorandum is hand delivered by the supervisor or otherwise provided the employee on or before the date the action is to be effective, or a diligent effort to make delivery is made and documented. The Chief, NAF-HR reviews the Notice of Termination before issuing to the employee.

8.2.5.2.1. A statement of the action in specific terms, for example, "I have decided to terminate you from AF NAF employment."

8.2.5.2.2. A specific statement of the date, time, and place of the alleged misconduct.

8.2.5.2.3. The effective date of the action (the effective date may not be earlier than 24 hours from the date the employee receives the Notice of Termination).

8.2.5.2.4. A statement that the employee has the right to respond to the Notice of Termination, in writing, and identification of the person designated to receive the response.

8.2.5.2.5. A statement that any response must be received by the official designated in the memo either: prior to the effective date of this action (if the notice period given is 24 hours); or not later than 24 hours prior to the effective date of the action (if more than 24-hour notice is given).

8.2.5.2.6. A statement that non-receipt of response, or a response that does not affect the proposed action, will result in the action taking place on the effective date stated.

8.2.5.2.7. A statement that if a timely response results in a decision not to proceed, the action will not be taken or it will be reversed, whichever is applicable.

8.2.5.2.8. An explanation of the employee's right to file a grievance, including how and where to file, and the time limits for filing. If the employee is a member of a bargaining unit subject to a negotiated grievance procedure, the employee follows that procedure.

8.2.5.2.9. The name, location, and phone number of the person in the NAF-HR Section designated to provide assistance to the employee.

8.2.5.3. Give the original copy of the Notice of Termination to the employee, make a note of the termination on the employee's AF Form 971, file a copy of the memorandum with the AF Form 971, and give a copy of the memorandum to the NAF-HR Section for filing in the employee's OPF. The supervisor prepares an RPA, and forwards it to the NAF-HR Section. The NAF-HR Section prepares and issues an AF Form 2545.

8.2.6. **Suspension.** A suspension is an action that involuntarily places a Regular employee in a non-pay, non-duty status. A significant disciplinary action, it is ordinarily the final step in the disciplinary process before removal action is taken, and is accompanied by a warning to the employee that further misconduct could result in removal. Express periods of suspension in calendar days. Follow the procedures prescribed in paragraph 8.3 to suspend an employee. Do not use suspensions to discipline a Flexible employee.

8.2.7. **Removal.** A removal is an involuntary separation of a Regular employee from AF NAF employment. It is the most severe form of disciplinary action. Normally, removal for misconduct is preceded by a progression of disciplinary measures unless the misconduct is so serious or the violation of rules and regulations so flagrant that removal for a first or second offense is warranted. Follow the procedures prescribed in paragraph 8.3 to remove an employee. Do not use removals to discipline Flexible employees.

8.2.8. **Demotion (Reduction in Grade or Payband).** A demotion is a reduction in a Regular employee's grade or payband. It is imposed as a disciplinary action resulting from an employee's misconduct. Follow the procedures prescribed in paragraph 8.3 to demote an employee. Do not use demotions to discipline Flexible employees.

8.3. Disciplinary Action Procedures for Suspensions, Removals, and Demotions. If a supervisor proposes to suspend, remove, or demote a Regular employee, he or she adheres to the following procedures (i.e., he or she presents the employee with a Notice of Proposed Action, gives the employee an opportunity to respond to the proposal, and then presents the employee with a Notice of Decision).

8.3.1. **Notice of Proposed Action.** The purpose of this notice is to give the employee notice of the charges on which the proposed action is based, a brief explanation of the evidence supporting the charges, and an opportunity to present reasons why the proposed action should not be taken. The supervisor prepares and signs the Notice of Proposed Action. Supervisors will enlist the assistance of

the Chief, NAF-HR in the preparation of the Notice Memorandum. The Notice of Proposed Action is clearly identified with the subject: "Notice of Proposed Suspension/Removal/Demotion)," is reviewed by the Chief, NAF-HR, and will be reviewed by the installation legal office before issuing to the employee. It includes the following:

8.3.1.1. A statement, "The purpose of this memorandum is to notify you that I propose (to suspend you from duty, without pay, for a period of calendar days) (to remove you from NAF employment) (to demote you from ___to___)."

8.3.1.2. The specific reason for the proposed action, including a specific statement of the date, time, and place of the alleged misconduct.

8.3.1.3. A statement of the employee's right to review the material relied on to support the proposed action.

8.3.1.4. A statement that the action taken, if any, will be made effective not earlier than 15 days from the date the employee receives the proposed notice.

8.3.1.5. A statement that the employee has a right to respond to the Notice of Proposed Action, in writing, and to submit with his or her response any supporting statements or documents.

8.3.1.6. The name and location of the person designated to receive the written response. The designated person must be an individual who has the authority to either make or recommend a final decision.

8.3.1.7. A statement that any response to the proposed notice must be received by the designated official not later than four calendar days after the employee's receipt of the notice.

8.3.1.8. A statement that the action is proposed but not yet finally decided, that the employee's response made to the designated official will be considered, and that, regardless of whether or not management receives an employee's response, a final written decision will be issued.

8.3.1.9. The name, location, and phone number of the person in the NAF-HR Section designated to provide assistance to the employee.

8.3.1.10. The employee's duty status during the notice period. In most circumstances, the employee is in normal duty status during the notice period. (See paragraph 8.3.3.3 for exceptions.)

8.3.2. Notice of Decision. A written notice of decision is issued to the employee regardless of whether or not management receives an employee's response to the notice of proposed action, or even if a decision is made to cancel the proposed action or take a lesser action than originally proposed. The same supervisor who issued the notice of proposed action prepares and signs the Notice of Decision. Supervisors will enlist the assistance of the Chief, NAF-HR in the preparation of the Notice of Decision. The memorandum is hand-delivered or otherwise provided to the employee on or before the date the action is to be effective, or a diligent effort to make delivery is made and documented. The Notice of Decision is clearly identified with the subject: "Notice of Decision", and is reviewed by the NAF-HR and the installation legal office before issuing to the employee. It includes the following:

8.3.2.1. A statement of the decision in specific terms; for example, "I have decided to (remove you) (suspend you for ___calendar days) (demote you from ___to___)." The Notice of Decision can impose a lesser penalty than what was originally proposed however, it cannot impose a greater penalty than that which was originally proposed.

8.3.2.2. The specific reason for the decision. The only reason cited as a basis for the decision is the reason that was cited in the Notice of Proposed Action. The Notice of Decision may not introduce any new charge that was not included in the proposal.

8.3.2.3. The effective date of the action. For a suspension, include the first and last day of the suspension and the date and time the employee is to return to duty.

8.3.2.4. A statement that a copy of the memorandum is placed in the employee's OPF and remains there for a period of two years if the Notice of Decision imposes a suspension or reprimand.

8.3.2.5. Advice on loss of benefits (insurance, retirement, annual or sick leave, etc.), if applicable.

8.3.2.6. An explanation of the employee's right to file an appeal (for removals and demotions) or a grievance (for all other actions), including how and where to file, and the time limits for filing. If the employee is a member of a bargaining unit subject to a negotiated grievance procedure, the employee follows that procedure.

8.3.2.7. The name, location, and phone number of the person in the NAF-HR Section designated to provide assistance to the employee.

8.3.2.8. NAF Career Program employees separated or allowed to resign/retire in lieu of separation for performance and/or conduct must be notified at the time of separation that they will no longer be eligible for referral for other NAF Career Program positions. Include a statement that they will not be referred for any other career program covered positions. NOTE: A copy of the letter must be sent to HQ AFPC/DP2LSP, 550 C Street West, JBSA Randolph AFB TX 78150.

8.3.3. **Advance Notice Period:**

8.3.3.1. For an oral admonishment or reprimand, there is no minimum notice period.

8.3.3.2. For a suspension, demotion, or removal, the minimum notice period is 15 calendar days. That is, the action may not take effect earlier than 15 days following the date the employee receives the Notice of Proposed Action.

8.3.3.3. A reduction of the 15-day notice period, to an advance notice of as little as 24 hours, is authorized with FSS commander/director approval if retention of the employee during the notice period will:

8.3.3.3.1. Result in damage to or loss of property or funds.

8.3.3.3.2. Be detrimental to the interests of the government.

8.3.3.3.3. Impose an undue risk to the safety or welfare of the employee, other employees, or the general public.

8.3.3.3.4. A reduction may also be made if there is reasonable cause to believe the employee has committed a crime for which a prison sentence may be imposed.

8.3.4. **Documentation.** The NAF-HR Section maintains the material used to support any disciplinary action beyond an oral admonishment in a case file apart from the employee's OPF. The documentation must be sufficient to support the action, and may include copies of AF Form 971, training documentation, and previous disciplinary actions for similar incidents within two years. Information in the case file should be filed in chronological order, and in such a manner to provide a clear picture of the actions taken. If the action taken is a suspension, removal, or termination, a copy of an RPA and AF Form 2545 should be filed in the case file. Subject to the provisions of the Privacy

Act, the case file is made available for review, upon request only by the employee and their representative, or by those whose official duties require access.

8.3.4.1. If the Notice of Decision imposes a lesser penalty than was in the Notice of Proposed Action, and if that penalty is:

8.3.4.1.1. An oral admonishment, the supervisor gives the original copy of the Notice of Decision to the employee and makes a note of the admonishment on the employee's AF Form 971. A copy of the Notice of Decision is not filed with the employee's AF Form 971, nor is it filed in the employee's OPF. A copy is, however, forwarded to the NAF-HR Section for filing in the case file. The note on the employee's AF Form 971 is deleted two years after the effective date of the memorandum.

8.3.4.1.2. A reprimand, the supervisor gives the original copy of the Notice of Decision to the employee; makes a note of the reprimand on the employee's AF Form 971; files a copy of the memorandum with the employee's AF Form 971; and gives a copy of the memorandum to the NAF-HR Section for filing in the employee's OPF. The note on the AF Form 971 is deleted, and the copies of the memorandums destroyed two years after the date of the memorandum.

8.3.4.2. If the decision is a suspension, the supervisor gives the original copy of the Notice of Decision to the employee; makes a note of the suspension on the employee's AF Form 971; files a copy of the memorandum with the employee's AF Form 971; and gives a copy of the memorandum to the NAF-HR Section for filing in the employee's OPF. The supervisor records on the employee's time and attendance card the date and hour the suspension begins and the date and hour it ends. The supervisor prepares an RPA documenting the action, and forwards it to the NAF-HR Section for processing. The NAF-HR Section prepares and issues an AF Form 2545.

8.3.4.3. If the decision is a removal or demotion, the supervisor gives the original copy of the Notice of Decision to the employee; makes a note of the removal or demotion on the employee's AF Form 971; files a copy of the memorandum with the AF Form 971; and gives a copy of the memorandum to the NAF-HR Section for filing in the employee's OPF. The supervisor prepares an RPA documenting the action, and forwards it to the NAF-HR Section for processing. The NAF-HR Section prepares and issues an AF Form 2545.

8.4. Government Issued Credit Cards. Title 10, U.S.C., §2784 requires penalties for the misuse or abuse of the DoD Government Charge Card. Additionally, Title 41 U.S.C. §1909 requires appropriate adverse personnel actions, including dismissal, for government employees who violate requirements for the use of purchase cards. It is DoD policy that improper, fraudulent, abusive, or negligent use of a government charge card is prohibited. This includes any use of government charge cards at establishments or for purposes that are inconsistent with the official business of DoD or with applicable regulations. DoD policy continues to require supervisors, who receive information indicating that a civilian employee has engaged in any misuse of a government charge card, to take appropriate action, including an investigation if indicated. The supervisor of the responsible individual(s) will be informed in a timely manner so that appropriate corrective or disciplinary/adverse action may be taken. In addition, civilian personnel who fail to satisfy an indebtedness arising from the use of a government travel charge card or those who fail to do so in a timely manner may be subject to corrective or disciplinary/adverse action. Refer to **Attachment 9** for appropriate penalties. NAF-HR Sections are required to document such actions in DCPDS.

8.5. Uniform Code of Military Justice Jurisdiction. Per enactment of section 552 of P.L. 109-364, and IAW with General Counsel of the DoD memorandum, "Policies and Procedures Applicable to DoD and United States Coast Guard Civilian Personnel Subject to Uniform Code of Military Justice Jurisdiction in Time of Declared War or a Contingency Operation," January 20, 2012, DoD civilian employees, including NAF employees, are subject to UCMJ jurisdiction during a declared war or a

contingency operation when accompanying the Military Services in the field. Employee misconduct may result in disposing of an offense in accordance with Manual for Courts-Martial.

8.6. Lautenberg Amendment. NAF employees who are working in positions requiring possession of firearms or ammunition are subject to Title 18, U.S.C., §922, also known as the “Domestic Violence Misdemeanor Amendment (Lautenberg Amendment) to the Gun Control Act of 1968”. Employees are required to disclose to management if they have a qualifying conviction of domestic violence. Providing false information will result in disciplinary action, to include separation from Federal Government employment.

8.6.1. The Lautenberg Amendment makes it a felony for anyone who has been convicted of a "misdemeanor crime of domestic violence" to ship, transport, possess or receive firearms or ammunition, and prohibits sales or other dispositions of firearms and ammunition to such individuals. Violations may result in a maximum punishment of 10 years of imprisonment and \$250,000 fine. It is incumbent upon commanders and supervisors to ensure compliance with the law.

8.6.2. Installations will ensure they inform their personnel annually of the Lautenberg Amendment, its consequences, and this policy. Each installation will provide constructive notice about the Lautenberg Amendment by posting information in all facilities in which government firearms or ammunition are stored, issued, disposed of, or transported per **Attachment 10**.

Chapter 9: Appeals and Grievances

9.1. General Information on Appeals and Grievances:

9.1.1. Employees dissatisfied with matters relating to conditions of employment are entitled to express that dissatisfaction by filing an appeal or grievance. The prompt and objective review of employee appeals and grievances is essential to a productive and mutually beneficial employee management relationship.

9.1.2. Filing an appeal or grievance does not reflect unfavorably upon either the employee's standing in the organization or the employee's loyalty or value to the organization. An employee is free to use these procedures without fear of penalty or reprisal. No supervisor or other person acting in an official capacity for the AF may take, or threaten to take, any act of reprisal against an employee because that employee has exercised or expressed an intention to exercise any right under these procedures.

9.1.3. Whenever appropriate, all parties are encouraged to discuss and resolve disputes informally at the lowest levels. Policies regarding alternate dispute resolution techniques are addressed in DoDD 5145.5, *Alternative Dispute Resolution (ADR)*, April 22, 1996, as amended. These practices are designed to help parties resolve conflicts as an alternate to administrative proceedings and adjudication. They include problem solving, mediation, facilitation, conciliation, and third-party settlements. ADR techniques should be utilized to the maximum extent possible with the consent of the grievant and deciding official or supervisor. ADR may be attempted at any stage of the grievance process; however it is most successful when initiated early or when the dispute is raised.

9.2. Publicity. At least once a year, the NAF-HR Section will:

9.2.1. Bring the appeal and grievance procedures to the attention of employees.

9.2.2. Notify employees where the appeal and grievance procedures are available for review.

9.3. Related Directives.

9.3.1. **EEO.** AFI 36-2706 provides policies and procedures pertaining to investigation and settlement of complaints of discrimination.

9.3.2. **FLSA Violations.** Supervisors ensure employees alleging FLSA violations are made aware of their right to file complaints directly with the OPM.

9.4. Definitions.

9.4.1. Appeal means a written request by an employee to contest a removal for cause, demotion for cause, BBA, or a demotion based on position classification. It is also used by a veteran who believes he or she was denied reemployment by the same FSS at the time of his or her return from active military service. NAF employees or applicants may appeal unfavorably suitability or fitness determinations.

9.4.2. Day means calendar day.

9.4.3. Grievance, except as provided in paragraph 9.6, means a request by an employee, or a group of employees acting collectively, for personal relief in a matter of concern or dissatisfaction relating to the employment of the employee(s) that is subject to the control of AF management.

9.4.4. Personal relief means a specific remedy directly benefiting the employee and may not include a request for disciplinary or other action affecting another employee.

9.4.5. Time Limits mean, when calculating time limits, the day of an action or receipt of a document is not counted. The next day begins the calculation of the time limit. The last day of the time limit is counted unless it is a Saturday, a Sunday, a government holiday, or a day on which the employee is not regularly scheduled to work. In those cases, the last day of the time limit will be moved to the next regularly scheduled work day. The parties may agree to extend timeframes or the deciding official may extend timeframes when warranted by special circumstances (e.g., geographically separated units). All time limits are counted in calendar days.

9.5. Matters Covered by These Procedures.

9.5.1. Except as provided in paragraph 9.6, the grievance procedure in this chapter is used to review a grievance as defined in paragraph 9.4.3.

9.5.2. An employee may appeal a BBA, as defined in paragraph 9.4.1, or a demotion based on position classification, as defined in paragraph 17.14, but only to the extent that the appeal alleges a failure by management to follow regulations or procedures which govern these actions. Management decisions that form the basis for BBAs, e.g., decisions regarding budget, workload, organization and mission are reserved to management and are not appealable. If an employee alleges that the action resulted from an act of discrimination, the action may only be contested through the discrimination or retaliation complaint procedure.

9.6. Matters Excluded from Coverage by the Administrative Procedure. The administrative procedures do not apply to:

- 9.6.1. Any matter that is subject to final administrative review or decision outside the AF or for which other authorized complaint or appeal systems are prescribed.
- 9.6.2. The content of published AF publications applicable to NAF employees. However, the application or impact of such AF publications on the employee may be grievable if not otherwise excluded by this paragraph.
- 9.6.3. Any allegation of discrimination based on race, color, religion, sex, national origin, age, or handicap subject to final administrative review by the Equal Employment Opportunity Commission (EEOC) under law or regulations of the EEOC. Such matters are referred to the chief EEO counselor.
- 9.6.4. A Notice of Proposed Action.
- 9.6.5. Separation of a Regular category employee during the probationary period.
- 9.6.6. Separation of a Flexible category employee.
- 9.6.7. Content of performance standards.
- 9.6.8. Non-selection for appointment, promotion, or relating to reassignment to a position at the same or higher rate of pay.
- 9.6.9. Termination of a temporary promotion or limited term appointment.
- 9.6.10. Any matter relating to management's decision to:
- 9.6.10.1. Grant or refuse to grant a performance award, an honorary award, or any other discretionary award.
- 9.6.10.2. Adopt or refuse to adopt a suggestion.
- 9.6.10.3. Increase or refuse to increase an employee's basic rate of pay.
- 9.6.11. Any matter covered by a negotiated grievance procedure.
- 9.6.12. Any matter relating to the basis for a management decision that creates the need for a BBA. Refer to paragraph 9.5.2.
- 9.6.13. Any issue previously decided as a result of a prior grievance, appeal, or any other formal complaint system.
- 9.6.14. Any matter relating to wage or salary rates or schedules.
- 9.6.15. Any matter relating to informal disciplinary counseling and oral admonishments.
- 9.6.16. Matters subject to, or that the employee or applicant has also raised in, other dispute resolution procedures, (e.g., EEO discrimination complaints, IG complaints, and BBA appeals).

9.7. Allegations of Discrimination.

- 9.7.1. If an employee alleges discrimination based upon race, color, religion, sex, national origin, age, or handicap in connection with an appeal or grievance, the official then considering the appeal or

grievance terminates the proceedings, refers the allegation of discrimination to the Chief EEO Counselor, and notifies the employee of the referral in writing.

9.7.2. NAF employees are covered by Executive Order 11478, "Equal Employment Opportunity in the Federal Government", August 8, 1969 (as amended by Executive Orders 11590, 12106, 13087, and 13152), which prohibits employment based on an individual's status as a parent. As this form of discrimination is not enforced by the EEOC, it is not processed through that complaints process. NAF employee claims of employment discrimination based on status as a parent may be filed IAW with these administrative procedures.

9.8. Representation.

9.8.1. An employee may be accompanied, represented, and advised by a representative of the employee's choice at any stage of the procedure provided the person is willing and free to do so. The employee shall designate his or her representative in writing. A written designation is changed only by the employee's written notification to the official then considering the appeal or grievance. The employee bears all costs of representation.

9.8.2. An employee may present an appeal or grievance without representation. However, if a bargaining unit employee chooses self-representation, the labor organization still retains the right to attend meetings and hearings convened to process the appeal or grievance.

9.8.3. A member of the NAF-HR staff may not serve as a representative.

9.8.4. In the U.S., a judge advocate may not represent an employee. Overseas, a judge advocate may serve as a representative, but only if he or she is personally requested by an employee and his or her supervisor determines that he or she is reasonably available.

9.8.5. The FSS commander/director may disallow the employee's choice of representative if activities of the individual as representative would cause a conflict of interest or position; release of an employee from his or her official position to serve as representative would give rise to unreasonable costs to the government; or, priority work assignments of the individual preclude his or her release to serve as representative.

9.9. Official Time.

9.9.1. An employee is entitled to a reasonable amount of official time, if the employee requests time and is otherwise in a duty status, to prepare and present an appeal or grievance under the procedures prescribed by this chapter. What is reasonable depends on the facts and circumstances of each case. Additional time may be granted to the employee, upon request, when it is shown that circumstances are beyond the employee's or management's control (e.g., illness, complex issues, workload).

9.9.2. If the employee's representative is an AF employee in a duty status, the representative is also entitled, upon request, to a reasonable amount of official time to assist or act for the employee in the preparation and presentation of an appeal or grievance.

9.9.3. An employee serving as a union representative at a hearing or other formal discussion related to the appeal or grievance is normally entitled to official time. However, if the employee's representative is a bargaining unit member on official time, the union representative is charged with annual leave or LWOP.

9.9.4. Employees and their representatives make advance arrangements with their supervisors for the use of official time. If there is a disagreement, the supervisor refers the matter to the NAF-HR Section for resolution.

9.10. Cancellation of an Appeal or Grievance.

9.10.1. An appeal or grievance is cancelled by the official then considering it for the following reasons:

9.10.1.1. Upon receipt of the employee's written request to cancel.

9.10.1.2. Upon notification that the requested relief has been granted to the extent authorized, whether or not the employee requests cancellation.

9.10.1.3. If the employee, or the employee's representative, does not furnish required information to proceed with the advancement of the case after having been warned, in writing, of the possibility of cancellation.

9.10.1.4. Upon the death of the employee, or upon the employee's separation from AF employment for reasons not connected with the appeal or grievance, provided there is no question of pay involved or other personal relief that could be granted to the employee.

9.10.1.5. Upon notification that the same matter or a directly related matter has been accepted for adjudication by some other agency or under some other complaint system authorized to review it.

9.10.2. The official cancelling the appeal or grievance notifies the employee promptly, in writing, of the cancellation and the reasons for it.

9.11. Remedial Action.

9.11.1. An employee is made whole when an appeal or grievance is resolved in favor of an employee. The employee is entitled to restoration to duty and to all pay and benefits he or she would have received had the action not taken place.

9.11.2. An employee who successfully appeals a BBA is also entitled to a make whole remedy. However, if it is clear that the same action would have been taken against the employee even if the regulatory or procedural error had not been made, then there is no "make whole" entitlement.

9.11.3. Special provisions for restoration of pay and benefits are in paragraph 17.13.15.

9.12. Appeal or Grievance File.

9.12.1. The NAF-HR Section establishes a file containing all documents pertinent to the case when an appeal or grievance is accepted under these procedures. The case file, as augmented during the processing of the appeal or grievance, becomes the official record of the appeal or grievance.

9.12.2. The party initiating correspondence relating to the case is responsible for providing copies to the other party and to the NAF-HR Section for the official file.

9.12.3. The file contains original documents whenever possible. It must not contain documents that are not available to the employee and his or her representative. Upon request, the grievance file shall be made available to the employee and/or employee's representative for review unless to do so would be unduly burdensome or contrary to law or regulation.

9.13. Appeal Procedures. If the incident giving rise to the appeal is for one of the reasons described in paragraph 9.4.1, the appeal is processed in accordance with the procedures prescribed by this paragraph. All appeal decision memorandums are reviewed by the Chief, NAF-HR before issuing to the employee.

9.13.1. Step 1:

9.13.1.1. The employee presents the appeal to the NAF-HR Section not later than seven days after the effective date of the action giving rise to the appeal. If the appeal is mailed, it is postmarked no later than 7 days after the effective date of the action.

9.13.1.2. The appeal is in writing, signed by the employee, and dated. It includes:

9.13.1.2.1. The employee's name, grade, organization, duty phone, home address, email address, and home phone.

9.13.1.2.2. The name, organization, duty phone, home address, email address, and home phone of the employee's representative, if any.

9.13.1.2.3. A clear indication that the memorandum is a Step 1 appeal.

9.13.1.2.4. A statement of the specific action giving rise to the appeal (i.e., BBA, removal, demotion, denial of reemployment by a veteran), including the date on which the action was effective.

9.13.1.2.5. A statement of the employee's reasons for believing that the action is improper. If the action giving rise to the appeal is a BBA or demotion based on position classification, this statement must specifically state the manner in which the action violated regulations or procedures governing the action.

9.13.1.2.6. A statement describing the specific personal relief sought by the employee, i.e., what does the employee want management to do?

9.13.1.3. The Chief, NAF-HR reviews the appeal to determine whether it (1) arises from a matter within the scope of the appeal procedure, (2) is timely, and (3) includes the information required by paragraph 9.13.1.2. Not later than seven days after receipt of the Step 1 appeal, the Chief, NAF-HR does one of the following:

9.13.1.3.1. Notifies the employee, in writing, that the appeal is rejected and the reason for the rejection if the appeal is not within the scope of the appeal procedure or is not timely.

9.13.1.3.2. Returns the appeal and notifies the employee, in writing, of the reason for the rejection if the appeal does not include the required information. The Chief, NAF-HR instructs the employee to correct the deficiency and resubmit the appeal within seven days, otherwise the appeal is rejected.

9.13.1.3.3. Forwards it to the FSS commander/director for action. If the official to whom the appeal would ordinarily be submitted is a party to the issue, it will be submitted to the next higher level in the chain of command.

9.13.1.4. The deciding official discusses the appeal with the employee and his or her representative. The deciding official may also consult with whomever he or she believes has information relevant to the appeal. The deciding official consults with the Chief, NAF-HR before issuing a decision. Not

later than seven days after receipt of the Step 1 appeal, the deciding official renders, in writing, a Step 1 decision which includes the following:

9.13.1.4.1. A summary of the issues.

9.13.1.4.2. A statement informing the employee of whether the remedy requested in the Step 1 appeal is granted.

9.13.1.4.3. A statement informing the employee that if he or she is not satisfied with the Step 1 decision, he or she may file a Step 2 appeal not later than 7 days after receipt of the Step 1 decision to the installation commander.

9.13.2. **Step 2:**

9.13.2.1. If the employee wants the matter considered further, he or she delivers or mails the appeal to the NAF-HR Section not later than seven days after receipt of the Step 1 decision. If the appeal is mailed, it is postmarked no later than seven days after the date of the Step 1 decision.

9.13.2.2. The appeal is in writing, signed by the employee, and dated. It includes:

9.13.2.2.1. A clear indication that the memorandum is a Step 2 appeal.

9.13.2.2.2. A summary of the employee's reason(s) for believing that the Step 1 decision is in error.

9.13.2.2.3. A statement describing the specific personal relief sought by the employee, i.e., what does the employee want management to do?

9.13.2.3. The Chief, NAF-HR reviews the appeal to determine whether it (1) is timely and (2) includes the information required by paragraph 9.13.2.2. Not later than seven days after receipt of the Step 2 appeal, the Chief, NAF-HR complies with paragraph 9.13.1.3, if applicable, and forwards it to the installation commander for action.

9.13.2.4. The installation commander may delegate the authority to render Step 2 decisions no lower than the mission support group commander. The commander either (1) renders a decision on the basis of the existing appeal record or (2) appoints an impartial third party to investigate the appeal. The fact-finder must not have been involved in or have a direct interest in the matter being appealed. The commander may also consult with whomever he or she believes has information relevant to the appeal. The commander consults with the Chief, NAF-HR before issuing a decision.

9.13.2.4.1. If the installation commander opts to render a decision on the basis of the existing appeal record, the decision is issued no later than 14 days after his or her receipt of the Step 2 appeal. The decision includes the information required by paragraph 9.13.2.4.3.

9.13.2.4.2. If the installation commander opts to appoint an investigator, the investigator completes the investigation and submits a report of that investigation not later than 14 days following his or her appointment. The Report of Investigation includes four sections, entitled (1) Authority and Scope, (2) Background and Allegations, (3) Finding, Analysis and Conclusions, and (4) Appointing Authority Approval. See AFI 90-301, *Inspector General Complaints Resolution*, for guidance regarding the content of each of these sections.

9.13.2.4.3. No later than seven days after receipt of the investigator's report, the installation commander renders, in writing, a Step 2 decision which includes the following:

9.13.2.4.3.1. A summary of the issues.

9.13.2.4.3.2. A statement informing the employee of whether the remedy requested in the Step 2 appeal is granted.

9.13.2.4.3.3. If the employee is a Regular employee, a statement informing him or her that if he or she is not satisfied with the Step 2 decision, he or she may file a Step 3 appeal not later than seven days after receipt of the Step 2 decision to MAJCOM/A1. (Flexible employees are not entitled to take the appeal to Step 3.)

9.13.3. **Step 3:**

9.13.3.1. If the employee is a Regular employee and wants the matter considered further, he or she delivers or mails the appeal to the NAF-HR Section not later than seven days after receipt of the Step 2 decision. If the appeal is mailed, it is postmarked no later than seven days after the date of the Step 2 decision.

9.13.3.2. The appeal is in writing, signed by the employee, and dated. It includes:

9.13.3.2.1. A statement or clear indication that the letter is a Step 3 appeal.

9.13.3.2.2. A summary of the employee's reasons for believing that the Step 2 decision is in error.

9.13.3.2.3. A statement describing the specific personal relief sought by the employee, i.e., what does the employee want management to do?

9.13.3.2.4. A copy of the Step 1 appeal, the Step 1 decision, the Step 2 appeal, and the Step 2 decision.

9.13.3.3. The Chief, NAF-HR reviews the appeal to determine whether it (1) is timely and (2) includes the information required by paragraph 9.13.3.2. Not later than seven days after receipt of the Step 3 appeal, the Chief, NAF-HR complies with paragraph 9.13.1.3, if applicable, and forwards the entire appeal record to the AFSVC/SVIRF for MAJCOM/A1 action.

9.13.3.4. Not later than 14 days after receipt of the Step 3 appeal and the appeal record, the MAJCOM/A1 renders, in writing, a Step 3 decision on the basis of the existing appeal record. If the MAJCOM/A1 believes that the record is deficient to the extent that he or she is unable to render an informed decision, he or she sends the appeal back to the installation commander with a request to gather specific additional facts. The MAJCOM/A1 sends the Step 3 decision directly to the employee. MAJCOM/A1 also sends a copy of the decision and the appeal record to the installation NAF-HR Section. The Step 3 decision includes the following:

9.13.3.4.1. A summary of the issues.

9.13.3.4.2. A statement informing the employee of whether the remedy requested in the Step 3 appeal is granted.

9.13.3.4.3. A statement informing the employee that the Step 3 decision represents the final decision with respect to the employee's appeal.

9.14. Grievance Procedures. If the incident giving rise to the grievance is other than those for which the appeal procedures apply, and is otherwise not excluded by the provisions of paragraph 9.6, the grievance is processed according to the procedures in this paragraph. All grievance decision memorandums are reviewed by the Chief, NAF-HR before issuing to the employee.

9.14.1. Step 1:

9.14.1.1. The employee presents the grievance to the NAF-HR Section not later than seven days after either (a) the date of the action or incident upon which the grievance is based or (b) the date the employee knew or should have known of such action or incident, whichever is later.

9.14.1.2. The grievance is in writing, signed by the employee, and dated. It includes:

9.14.1.2.1. The employee's name, grade, organization, duty phone, home address, email address, and home phone.

9.14.1.2.2. The name, organization, duty phone, home address, email address, and home phone of the employee's representative, if any.

9.14.1.2.3. A clear indication that the memorandum is a Step 1 grievance.

9.14.1.2.4. A statement of the specific action or incident giving rise to the grievance, including the date on which the incident occurred or action took effect, and the date on which the employee became aware of such action or incident.

9.14.1.2.5. A statement of the employee's reason for believing that the action or incident is improper.

9.14.1.2.6. A brief explanation of any attempt by the employee to resolve the grievance informally.

9.14.1.2.7. A statement of the specific personal relief sought by the employee, i.e., what does the employee want management to do?

9.14.1.3. The Chief, NAF-HR reviews the grievance to determine whether it (1) arises from a matter within the scope of the grievance procedure, (2) is timely, and (3) includes the information required by paragraph 9.14.1.2. Not later than 4 days after receipt of the grievance, the Chief, NAF-HR does one of the following:

9.14.1.3.1. Notifies the employee, in writing, that the grievance is rejected, and the reason for the rejection if the grievance is not within the scope of the grievance procedure or is not timely.

9.14.1.3.2. Returns the grievance and notifies the employee, in writing, of the reason for the rejection if the grievance does not include the required information. The Chief, NAF-HR instructs the employee to correct the deficiency and resubmit it within four days, otherwise the grievance is rejected.

9.14.1.3.3. Forwards it to the supervisor for action. If the official to whom the grievance would ordinarily be submitted is a party to the issue, it will be submitted to the next higher level in the chain of command who can grant the relief requested.

9.14.1.4. The deciding official to whom the grievance is presented discusses the grievance with the employee and his or her representative. The deciding official should also consult with his or her immediate supervisor, and may conduct whatever investigation is necessary to gather information

relevant to the grievance. The deciding official consults with the Chief, NAF-HR before issuing a decision. Not later than seven days after receipt of the Step 1 grievance, the deciding official renders, in writing, a Step 1 decision which includes the following:

9.14.1.4.1. A summary of the issues.

9.14.1.4.2. A statement informing the employee of whether the remedy requested in the Step 1 grievance is granted.

9.14.1.4.3. A statement informing the employee that if he or she is not satisfied with the Step 1 decision, he or she may submit a Step 2 grievance to the FSS commander/director not later than seven days after receipt of the Step 1 decision.

9.14.2. **Step 2:**

9.14.2.1. If the employee wants the matter considered further, he or she delivers or mails the grievance to the NAF-HR Section not later than seven days after receipt of the Step 1 decision. If the grievance is mailed, it is postmarked no later than seven days after the date of the Step 1 decision.

9.14.2.2. The grievance is in writing, signed by the employee, and dated. It includes:

9.14.2.2.1. A clear indication that the letter is a Step 2 grievance.

9.14.2.2.2. A summary of the employee's reasons for believing that the Step 1 decision is in error.

9.14.2.2.3. A statement describing the specific personal relief sought by the employee, i.e., what does the employee want management to do?

9.14.2.2.4. A copy of the Step 1 grievance and the Step 1 decision.

9.14.2.3. The Chief, NAF-HR reviews the grievance to determine whether it (1) is timely and (2) includes the information required by paragraph 9.14.2.2. Not later than seven days after receipt of the Step 2 grievance, the Chief, NAF-HR complies with paragraph 9.14.1.3 and forwards it to the FSS commander/director for action. *Note:* If the FSS commander/director rendered the Step 1 decision, the grievance will be submitted to the next higher official in the chain of command.

9.14.2.4. Upon receipt of the Step 2 grievance, the FSS commander/director discusses the grievance with the employee and his or her representative. The FSS commander/director should also consult with the employee's supervisor, may conduct whatever investigation is necessary to gather information relevant to the grievance, and consults with the Chief, NAF-HR before issuing a decision. Not later than seven days after receipt of the Step 2 grievance, the FSS commander/director renders, in writing, a Step 2 decision which includes the following:

9.14.2.4.1. A summary of the issues.

9.14.2.4.2. A statement informing the employee of whether the remedy requested in the Step 2 grievance is granted.

9.14.2.4.3. A statement informing the employee that if he or she is not satisfied with the Step 2 decision, he or she may submit a Step 3 grievance to the installation commander not later than seven days after receipt of the Step 2 decision.

9.14.3. Step 3:

9.14.3.1. If the employee wants the matter considered further, he or she delivers or mails the grievance to the NAF-HR Section not later than seven days after receipt of the Step 2 decision. If the grievance is mailed, it is postmarked no later than seven days after the date of the Step 2 decision.

9.14.3.2. The grievance is in writing, signed by the employee, and dated. It includes:

9.14.3.2.1. A statement or clear indication that the letter is a Step 3 grievance.

9.14.3.2.2. A summary of the employee's reasons for believing that the Step 2 decision is in error.

9.14.3.2.3. A statement describing the specific personal relief sought by the employee, i.e., what does the employee want management to do?

9.14.3.2.4. A copy of the Step 1 grievance, the Step 1 decision, the Step 2 grievance, and the Step 2 decision.

9.14.3.3. The Chief, NAF-HR reviews the grievance to determine whether it (1) is timely and (2) includes the information required by paragraph 9.14.3.2. Not later than seven days after receipt of the Step 3 grievance the Chief, NAF-HR complies with paragraph 9.14.1.3 and forwards it and the entire grievance record to the installation commander for action or next higher level in the chain of command if the installation commander rendered the Step 2 decision.

9.14.3.4. The installation commander may delegate the authority to render Step 3 decisions no lower than the mission support group commander. The deciding official either (1) renders a decision on the basis of the existing grievance record or (2) appoints an impartial third party to investigate the grievance. The fact-finder must not have been involved in or have a direct interest in the matter being grieved. The deciding official may also consult with whomever he or she believes has information relevant to the grievance, and consults with the Chief, NAF-HR before issuing a decision.

9.14.3.4.1. If the deciding official opts to render a decision on the basis of the existing grievance record, the decision is issued no later than 14 days after receipt of the Step 3 grievance. The decision includes the information required by paragraph 9.14.3.4.3.

9.14.3.4.2. If the deciding official opts to appoint an investigator, the investigator completes the investigation and submits a report of that investigation not later than 14 days following his or her appointment. The report includes 4 sections, entitled (1) Authority and Scope, (2) Background and Allegations, (3) Finding, Analysis and Conclusions, and (4) Appointing Authority Approval. See AFI 90-301 for guidance regarding the content of each of these sections.

9.14.3.4.3. No later than seven days after receipt of the Step 3 grievance, the deciding official renders, in writing, a Step 3 decision which includes the following:

9.14.3.4.3.1. A summary of the issues.

9.14.3.4.3.2. A statement informing the employee of whether the remedy requested in the Step 3 grievance is granted.

9.14.3.4.3.3. A statement informing the employee that the Step 3 decision represents the final decision with respect to the employee's grievance.

9.14.3.4.4. The deciding official sends the Step 3 decision directly to the employee. The deciding official also sends a copy of the decision and the entire grievance record to the NAF-HR Section.

9.15. Source of Funding for Settlements and Judgments. If an appeal, grievance, EEO complaint, or similar action filed by a NAF employee is settled, the source of funds (APFs or NAFs) for payments required by the settlement, whether the payments are for back pay, other damages, or attorney fees and costs, shall be determined by the status (APF or NAF) of the person (military member or civilian employee) whose conduct gave rise to the potential for liability.

9.15.1. If the potential for liability results from the conduct of both a person (military member or civilian employee) paid with APFs and a person paid with NAFs, the payments required by the settlement are apportioned between APFs and NAFs in amounts approximating the degree of such persons' contributions to the potential liability. When determining the apportionment of APFs and NAFs, do not consider allegations that are obviously frivolous or that do not motivate settlement.

9.15.2. These principles also apply to the funding of a judgment rendered by a third-party neutral such as an arbitrator, a Federal agency decision-maker, or a Federal court judge.

9.16. Merit System Protection Board (MSPB) Jurisdiction. NAF employees possess no MSPB appeal rights for actions such as separations for cause and unfavorable suitability determinations. However, statutes do authorize MSPB review for NAFs in the following situations:

9.16.1. Appeals related to CSRS and FERS retirement portability elections.

9.16.2. Complaints regarding violation of employment rights IAW 38 U.S.C., chapter 43, also known as USERRA.

Chapter 10: Employee Management Relations

10.1. Employee Conduct. Employees must display the highest standards of personal conduct and integrity. DoD 5500.07-R is the governing directive. Supervisors ensure employees are briefed on the requirements of standards of conduct at the time of appointment and at least once a year after that. A person is neither employed nor continued in employment who:

10.1.1. Advocates the overthrow of the U.S. Government.

10.1.2. Knowingly is a member of an organization that advocates the overthrow of the U.S. Government.

10.1.3. Participates in any strike against the U.S. Government including a NAFI of the U. S. Government.

10.2. Work Performance. All employees are expected to:

10.2.1. Discharge assigned duties conscientiously and effectively and meet established performance requirements.

10.2.2. Be present for scheduled duty unless he or she is authorized to be absent.

10.2.3. Follow regulations and comply in a timely manner with proper instructions or orders given by competent authority.

10.2.4. Confer with line management (starting with the immediate supervisor) to discuss matters, obtain information, or solve problems related to the job. This does not limit the right of employees to contact EEO without first going through supervisors regarding matters of equal employment opportunity. This also does not limit the right of employees to contact the IG to report fraud, waste, and abuse, or the NAF-HR Section or union representative to file grievances or complaints, without going through supervisors.

10.2.5. Comply with safety and health standards set for the job environment.

10.2.6. Not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.

10.2.7. Treat other employees and stakeholders with respect and consideration. Maintain high standards of honesty, responsibility, and accountability as well as adhere to the Air Force Core Values of “*Integrity First, Service Before Self, and Excellence in All We Do*”.

10.3. Employee Safety and Health. Employees comply with all safety and health directives set for the job environment and promptly report on-the-job accidents and injuries to their supervisor. The supervisor promptly reports all on-the-job injuries to the NAF-HR Section and ground safety office. Medical, safety, NAFI, and NAF-HR officials evaluate health and safety practices to correct any adverse trends. The accident reporting requirements in AFI 34-302, *Air Force Nonappropriated Fund Employee Benefit Plans* applies.

10.3.1. **Dress and Appearance.** Employees are expected to comply with reasonable dress and grooming standards based on comfort, productivity, health, safety, and type of position occupied. Due to the diversity of work functions and locations, appropriate dress standards may vary

significantly. Employee attire will be in good repair and should not be considered offensive, disruptive, or unsafe. Management disagreement with styles, modes of dress, and grooming currently in fashion is not an adequate criterion for making such a determination. Commanders/directors may establish and publish civilian dress standards. Such standards should be consistent with the provisions of this paragraph.

10.3.2. Violence in the Workplace. The Air Force is committed to working with employees to maintain a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. All employees are responsible for promoting a safe work environment.

10.3.2.1. Workplace violence can be any act of physical violence or threat of physical violence, including harassment, intimidation, or other threatening, disruptive behavior. It can affect or involve employees, visitors, contractors, and other non-Federal employees. Workplace violence can be inflicted by an abusive employee, manager, supervisor, co-worker, customer, family member, or even a total stranger. Whatever the cause or whoever the perpetrator, workplace violence is not to be accepted or tolerated.

10.3.2.2. Installations must develop local workplace violence awareness and response plans and ensure employees are aware of plans. A workplace response plan should address key situations that can give rise to violence or potential violence. Violence, threats, harassment, intimidation, and other disruptive behavior will not be tolerated in the workplace; all reports of incidents will be taken seriously and will be dealt with appropriately.

10.3.2.2.1. When a supervisor becomes aware of a situation or behavior indicating potential violence they must assess the situation and, in consultation with Security Forces, the NAF-HR Section, the legal office, and installation medical staff, as appropriate, take steps to reduce the risk of violence. Supervisors must:

10.3.2.2.1.1. Inform employees of workplace violence policies, plans and procedures. (T-3)

10.3.2.2.1.2. Ensure employees know specific procedures for dealing with workplace threats and emergencies, and how to contact police, fire, and other safety and security officials. (T-3)

10.3.2.2.1.3. Respond to potential threats and refer situations to entities such as law enforcement, medical services, protective services, and human resources staff as necessary. (T-3)

10.3.2.2.1.4. Take all threats seriously. (T-3)

10.3.2.2.1.5. Inform FSS commander/director of potential or actual workplace violence. (T-3)

10.3.3. Wellness Programs. Wellness programs promote a healthy lifestyle, such as physical activity, nutrition, healthy choices, and prevention approaches to health care. Wellness strategies include worksite flu vaccinations; work-life balance/life-skills programs; training for managers on identifying and reducing workplace stress-related issues; training on dealing with employee depression, etc. Each installation will develop a policy that allows employees to use flexible scheduling or excused absence to participate in worksite health and wellness activities.

10.4. Political Activities. Title 5 U.S.C. §7321 through §7326, referred to as the “Hatch Act” governs the political activities of employees. These principles are administratively extended to NAF employees. Guidance on the application of the Hatch Act Amendments is provided by the Office of Special Counsel at www.osc.gov/Pages/HatchAct.aspx. The U.S. Office of Special Counsel enforces compliance with the Hatch Act, but has no jurisdiction over the NAF workforce.

Management will investigate and take appropriate actions if it is determined that alleged violations of Hatch Act principles have occurred. Employees are generally permitted to engage in a wide array of political activities, however, such activity is done on the employee's own time, and away from the worksite. According to the principles of 5 U.S.C. § 7323 through § 7325 no employee shall:

10.4.1. Use official authority or influence for the purpose of interfering with or affecting the result of an election which includes: using their official titles while participating in a permitted political activity; using their authority to coerce anyone into participating in a political activity; soliciting or receiving uncompensated volunteer services from a subordinate; and soliciting or discouraging the participation in a political activity of anyone with official matters before DoD.

10.4.2. Participate in the following political fundraising activities: soliciting or receiving political contributions (except under limited circumstances in relation with certain local elections or Federal labor organizations); employees may not solicit contributions anonymously over the telephone; allowing the use of their official titles in relation with political fundraising; and hosting or sponsoring a political fundraiser. An employee's spouse may host or sponsor a fundraiser, and the employee may attend it.

10.4.3. Run for partisan office (except as independent candidates in certain local elections).

10.4.4. Participate in a permitted political activity while on duty, while in a government office or building, or using a government vehicle.

10.4.5. NAFI employees retain the right to vote as they choose; express their opinions on all political subjects and candidates; and participate in nonpartisan political activity. In addition, an employee may hold a state, territorial, and local office if it does not conflict with duties, laws, or executive orders. No inquiries shall be made concerning the political affiliation of an employee or applicant for employment, and any disclosures of political affiliation shall not be considered in the employment process of the employee or applicant for employment.

10.4.6. **Permissible Activities.** Under the law, employees generally may participate in political organization activities such as being members of a political party or partisan group; serving as officers of a political party or partisan group; attending and participating in a political convention, caucus, or rally; and serving as delegates to a political party convention.

10.4.6.1. They may take an active part in a political campaign, which includes displaying a political sign, sticker, button, or similar material; initiating or circulating a partisan nominating petition; canvassing for votes; endorsing or opposing a candidate in a political advertisement, broadcast, or campaign literature; addressing a political convention, caucus, or rally on behalf of a candidate; managing a political campaign; and distributing campaign literature (but not while on duty, in a government office or building, or using a government vehicle).

10.4.6.2. They may participate in the following election-related activities: voting, acting as recorders, watchers, or challengers at a polling place; serving as election judges or clerks; driving voters to a polling place; and running for non-partisan office (that is, an office to which political parties may not designate candidates). Employees who run for non-partisan office may not seek the endorsement of a political party or print partisan campaign literature.

10.4.6.3. They may participate in the following political fundraising activities: making a financial political contribution; attending, addressing, or being featured guests at a political fundraiser (but refraining from soliciting contributions personally); soliciting or receiving uncompensated volunteer

services (but not from a subordinate or anyone with official matters before DoD); and managing or organizing a political fundraiser hosted or sponsored by others (but refraining from soliciting contributions personally).

10.4.6.4. They may use work email to discuss political subjects in a manner similar to water-cooler conversations. Employees may not use work email to send messages to a high number of people with whom they have a minimal relationship for the purpose of encouraging the recipients to support or oppose a candidate, political party, or partisan group.

10.5. Entitlement to Government Quarters and Facilities on AF Installations. In isolated situations or areas where the only suitable quarters and facilities available are on the installation, the commander may authorize their use by key personnel if he or she decides that the mission will be better accomplished. If NAF employees live on the installation, they are given the privilege of using those facilities available to APF employees. As DoD civilian employees, NAF employees are authorized to use FSS facilities, according to AFI 34-101. While traveling on official business, a NAF employee is authorized to occupy government quarters on a temporary basis and is authorized limited Base Exchange, motion picture service, and emergency medical facility privileges.

10.6. Death of a NAF Employee.

10.6.1. The installation commander is responsible for the official notification of the next of kin of an AF civilian employee assigned to that installation when the employee dies while on the job or while traveling on official business. This responsibility is carried out with the cooperation of the NAF-HR staff, the employee's supervisor, and other commanders. Prompt notification is essential so that the family will not learn about the loss from outside sources. When possible, notification is made by a representative of the AF in person, especially when the death occurs overseas under hostile circumstances. At the request of the installation commander, the Chief, NAF-HR and the supervisor assist in making the personal notification.

10.6.2. Responsibilities.

10.6.2.1. **Supervisor.** The immediate (or next immediately available higher level) supervisor:

10.6.2.1.1. Notifies the servicing NAF-HR Section and the FSS commander/director of the employee's death.

10.6.2.1.2. Furnishes to the NAF-HR Section the name, relationship, address, and telephone number of the emergency addressee designated on the AF Form 971.

10.6.2.1.3. Initiates RPA and forwards to the NAF-HR Section.

10.6.2.1.4. Prepares the final time and attendance report and submits with normal payroll processing.

10.6.2.1.5. Secures the employee's personal property for later disposition.

10.6.2.1.6. Arranges for turn in of government property charged to the employee.

10.6.2.1.7. Prepares Workers' Compensation forms if the employee's death resulted from a work related injury or illness, and forwards to the NAF-HR Section.

10.6.2.1.8. Notifies the president or secretary of the appropriate union so that, if the deceased was a member, the union may take the proper action to obtain any insurance or other benefits to which the survivors are entitled.

10.6.2.2. **NAF-HR Section.**

10.6.2.2.1. When the employee dies as a result of a work-related injury or illness, the NAF-HR Section notifies (1) the local safety office; (2) AFSVC/SVXHW; and (3) AFSVC/SVI, either by telephone or electronically describing the details surrounding the death, and processes workers' compensation forms.

10.6.2.2.2. Completes the Civilian Death Report Worksheet and provides to the Military Personnel Flight Casualty Assistance Representative (CAR) within 24 hours of reported death. If the installation does not have a co-located CAR, contact AFPC/DPFCS, Casualty Services Branch, to report the death and immediately follow up with an email that includes the Civilian Death Report Worksheet.

10.6.2.2.3. Upon receipt of public record of death or International Death Certificate, the NAF-HR Section processes a Separation-Death action using the NOAC, N045.

10.6.3. **Public Announcement of Death.** The NAF-HR Section notifies the local public information officer of the death, and if requested, provides biographical information from the personnel folder for use in making a public announcement. Public announcement is not made before the next of kin has been told of the death. In an overseas area, the NAF-HR Section also notifies the American Embassy in the host nation.

10.6.4. **Memorandums of Condolence.** The FSS commander/director sends an official memorandum of condolence to the next of kin within one week after the death occurs. This memorandum need not be sent if the FSS commander/director convey condolences in person.

10.6.5. **Assistance to the Next of Kin.** The NAF-HR Section advises the next of kin, or other beneficiaries, about any benefits they are entitled to from the decedent's employment, and assists them in making the necessary claims. At the earliest appropriate date after the death occurs, the NAF-HR staff does the following:

10.6.5.1. Contacts or writes the next of kin, offering assistance.

10.6.5.2. Counsels the survivors on their entitlements, including any unpaid compensation, benefits under the NAF Retirement Plan, NAF Group Life Insurance Plan, and health benefits coverage; and, if death resulted from a work related injury or illness, on possible benefits from the NAF Workers' Compensation Program.

10.6.5.3. Gives survivors the proper claim forms and assists in completing and processing their claims expeditiously.

10.6.5.4. Notifies survivors as soon as possible that they may need as many as 6 certified copies of the public record of death. For OCONUS, an International Death Certificate obtained through the American Embassy may be required.

10.6.5.5. Advises survivors to investigate any possible benefits due them under the Social Security Program, Veteran's Administration, federal credit union, or membership in an employee union (or social or religious organization).

10.6.6. Preparing and Transporting Remains. When an employee dies while traveling on official government business away from the official duty station or while permanently serving outside the 50 States and the District of Columbia, the remains are prepared and transported according to AFI 34-501, *Mortuary Affairs Programs*, and the *Joint Travel Regulation (JTR)*.

10.6.7. Travel and Transportation of Family Members and Personal Property. When an employee stationed OCONUS dies, travel and transportation of family members, household goods, and personal effects is provided as specified in the JTR. Appropriate travel orders are required before such travel and transportation are provided.

10.7. Equal Employment Opportunity.

10.7.1. NAF employees are covered by the Federal Government's EEO laws and regulations. These prohibit employment discrimination based on race, color, religion, sex (including pregnancy), national origin, disability, age (40 and over), prior EEO activity, and genetic information. NAF-HR Sections shall comply with the EEO requirements of 29 CFR, §1614 and DoD Directive 1440.1, *The DoD Civilian Equal Employment Opportunity (EEO) Program*, and Acting Assistant Secretary of Defense (Force Management Policy) memorandum, Amendment to Executive Order 11478, *Equal Employment Opportunity in the Federal Government*, 14 Jul 98, which adds sexual orientation to nondiscrimination requirements. It requires any statements regarding EEO and/or job vacancy announcements to include sexual orientation to the list of characteristics, which will not factor in hiring decisions. Employees shall receive fair, impartial, and timely investigation and resolution of complaints of discrimination in employment, including complaints of sexual harassment.

10.7.2. AFI 36-2706 provides policies and procedures pertaining to investigation and settlement of complaints of discrimination.

10.8. FLSA Violations. An employee who believes the FLSA was violated may file a complaint. **Attachment 11** contains detailed complaint procedures. Employees with complaints should make every effort to resolve complaints through supervisory channels before filing an FLSA complaint.

10.9. Personnel Actions Based on Medical Qualifications.

10.9.1. If an employee's conduct or performance is suspected to be adversely affected by the abuse of alcohol or drugs, the procedures contained in AFI 90-508, *Air Force Civilian Drug Demand Reduction Program*, are utilized. No personnel action is taken against an employee prior to completing the requirements of AFI 90-508.

10.9.2. Management is not precluded from advising an employee to seek medical attention or counseling. When an employee raises his or her health status as an issue, the employee bears the burden to demonstrate the nature and impact of the condition. If the employee fails to provide adequate evidence to conclude that a medical condition exists, the supervisor may proceed with the management decision or personnel action.

10.9.3. If an employee has a conduct or a performance problem, it is the employee's responsibility to raise a medical condition which may be connected with the misconduct or deficient performance. The employee is responsible for bringing the medical condition to the attention of management and

providing supporting documentation. After review of the medical information supplied by the employee, the supervisor may order a medical examination, or at the supervisor's option, offer a medical examination.

10.9.3.1. When the employee is in a job that requires physical or medical standards, and the medical information provided by the employee indicates a question about the employee's ability to meet the job's physical or medical requirements, the supervisor may require the employee to report for a medical examination. Management may, at its option, offer a medical examination in any situation where management needs additional medical documentation to make an informed management decision.

10.9.3.2. When the employee is not in a position that requires physical or medical standards, and the medical information provided by the employee provides no basis to act on the employee's request for consideration of a medical condition, the supervisor may offer a medical examination to verify current medical status.

10.9.3.3. When the supervisor requires or offers a medical examination, the employee is told, in writing, of the reasons for the requirement or offer and the consequences of non-cooperation. Management designates the examining physician or other appropriate practitioner, but must offer the individual an opportunity to submit medical documentation from his or her personal physician or practitioner. All examinations ordered or offered, whether conducted by management's physician or the applicant's or employee's physician is paid for by the NAFI.

10.9.4. Management is not obligated to determine if a medical condition is the cause of a conduct or performance deficiency before proposing an action. However, if the employee provides validated medical documentation, which is accepted as the cause of the deficiency after receipt of a proposed action, management can, after considering the information:

10.9.4.1. Restructure the duties of the position to accommodate the employee's medical condition.

10.9.4.2. Reassign the employee to a position with duties the employee is medically qualified to perform.

10.9.4.3. Separate the employee under procedures described in Chapter 8. If the supervisor believes that there is a medical problem contributing to an employee's performance or conduct problem and the employee does not acknowledge it, provide medical documentation or refuses to take an ordered medical examination, the supervisor should proceed as if there were no suspected medical problems.

10.10. Evaluation of Pregnant Civilian Employees. NAF-HR Sections shall observe procedures contained in AFI 44-102, *Medical Care Management*, Chapter 4, paragraphs 4.17. - 4.17.3.

10.10.1. When a civilian who is employed by the Air Force presents confirmation of pregnancy to the supervisor, the supervisor refers the employee to Public Health.

10.10.2. Bio-Environmental Engineering evaluates workplace risks in conjunction with Public Health and Aerospace Medicine, advises the employee of any identified risks, and reports the risks with any recommended techniques for avoiding the risks to the employee and supervisor.

10.10.3. When the obstetrical healthcare provider is a civilian, recommendations will be reviewed by a military medical provider through the Force Health Management section, who will make a final duty recommendation to the civilian employee and supervisor. (T-1)

10.11. Reprisal Protection for NAFI Employees/Applicants. DoDD 1401.03, *DoD*

Nonappropriated Fund Instrumentality (NAFI) Employee Whistleblower Protection, establishes protection against reprisals for NAFI employees, former employees, or applicants for NAFI positions who have made protected disclosures. The Directive sets forth responsibilities and authorities for providing such protection and prescribes requirements for filing complaints of reprisal by NAFI employees, former employees, or applicants.

10.11.1. Employees and applicants will not be impeded from disclosing information to the appropriate authority, will be free from reprisal in making protected disclosures, and will be informed of the right to report directly to the Office of the Inspector General of the DoD such incidences that they reasonably believe evidence:

A violation of any law, rule, or regulation, or

Mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific damage to public health or safety.

10.11.2. The Defense Hotline Program as described in DoDI 7050.01, *Defense Hotline Program*, applies to NAF employees. It encourages personnel to report suspected fraud, waste, abuse, and mismanagement without fear of reprisal.

10.12. Related Directives.

10.12.1. **Substance Abuse.** NAF employees are covered by the Air Force drug abuse testing programs contained in AFI 90-508. AFI 90-508 explains how to identify and rehabilitate drug and alcohol abusers and establishes program responsibilities for AF managers.

10.12.2. **Discipline.** Chapter 8 of this guide prescribes the policies and procedures which are applicable in considering disciplinary action for violation of a requirement outlined in this guide.

10.12.3. **Appeals and Grievances.** Chapter 9 of this guide provides principles and instructions which apply in considering and resolving employee dissatisfactions presented in appeals and grievances.

10.13. Employee Assistance Program (EAP). An EAP is a voluntary, work-based program that offers free and confidential assessments, short-term counseling, referrals and follow-up services to NAF employees who have personal and/or work-related difficulties. EAPs address a broad and complex body of issues affecting mental and emotional well-being, such as alcohol and other substance abuse, stress, grief, family difficulties and psychological disorders. The EAP works in partnership with managers and supervisors to complement and enhance strengths to address employee and organizational challenges and needs.

10.13.1. EAPs optimize human capital by helping employees and their dependents resolve personal issues that negatively affect job performance, productivity and/or health and by consulting with organizational leaders to identify and resolve risk factors that negatively affect the work environment. While EAPs were originally developed by statute to address the negative effects of drug and alcohol abuse in the workplace, EAPs now also cover a wide range of behavioral, mental health and organizational issues. Participation in EAPs is always voluntary.

10.13.2. The Federal Occupational health's (FOH) work/Life program, WorkLife4You, helps employees better manager their work and personal responsibilities and reach higher levels of personal achievement and satisfaction – both on and off the job. Employees can call 1-800-222-0364 (TTY: 1-888-262-7848) from anywhere in the United States to receive immediate assistance, 24 hours-a-day, 365 days a year. Program specialist have expertise in numerous fields including child development, gerontology, education, finance, and law, and will provide personalized guidance to meet each employee's specific needs.

10.13.3. Duty Status. Periods of excused absence may be granted to an employee for participation in an EAP for problem identification and referral to an outside source. Management may grant excused absence for general employee orientation or education activities (e.g., program briefings, general orientations, seminars, etc.). During any period(s) of treatment and rehabilitation through an outside resource, consider the use of annual or sick leave or leave without pay.

Chapter 11: Employee Education and Training

11.1. Education and Training and Career Development. Air Force leadership recognizes education and training are wise investments that enhance both job efficiency and individual career development. Training is usually more specific in nature and provides trainees with specific skills to perform a current task or job. Education includes a broad spectrum of knowledge that will facilitate growth and development both now and well into the future. Each fiscal year, numerous related classes, workshops, and conferences are scheduled at various locations. Interested personnel should contact their supervisor and Unit Training Manager (UTM) regarding eligibility and funding for these opportunities. The AF also provides, when practical, career and executive development programs within NAFIs, to attract and retain a well-qualified work force.

11.1.1. U.S. AF Programs and Facilities. AF programs and facilities are used to the maximum extent possible for training and developing NAF employees.

11.1.2. Training Responsibilities.

11.1.2.1. Please refer to AFI 36-401, Civilian Training, Education, and Professional Development to review specific training requirements.

11.1.2.1.1. Annual Total Force Awareness Training. General awareness-level training for the “Total Force” mandated by Congress, DoD or USAF combined into concise, Computer Based Training. Training in these courses is required annually for all Airmen (Regular AF, Civilian, Guard and Reserve).

11.1.2.2. First-line supervisors are responsible for job induction and, with the help of the unit training manager, as required; they identify, document, and evaluate training; provide required on-the-job training (OJT); inform employees of self-development opportunities, and encourage their participation in these activities.

11.1.2.3. The NAF-HR Section conducts new employee orientation; identifies NAF supervisors for the on-line NAF Human Resources Supervisor’s Course; coordinates all training over 80 hours; and otherwise helps first-line supervisors in fulfilling their training needs. The UTM coordinates with the Civilian Personnel Section all course completion information for APF employees who complete the NAF Human Resources Supervisor’s Course.

11.1.2.4. Employees should keep informed of changes that occur in their career fields, take part in self-development activities, keep their supervisor and the unit training manager informed of self-development accomplishments, and share newly acquired skills with their fellow employees.

11.2. Funding for Education and Training.

11.2.1. Each NAF Council and applicable FSS commander/director approves the authorization to expend NAFs for tuition, per diem, and travel for the education and training of NAF personnel. Such proposed expenditures are included in NAF operating budgets. When travel funds are involved, expenses for the essential travel of NAF employees may be authorized not to exceed those amounts authorized in the JTR for employees paid from APFs. Operational managers, with the help of the unit training manager approve self-study courses, employee orientation, and supervisory instruction in basic policies for administering NAF employees.

11.2.2. AFMAN 34-201, *Use of Nonappropriated Funds (NAFS)*, addresses the use of NAFs for education, training, per diem, and travel allowances for NAF employees.

11.2.3. Regular employees may be reimbursed for costs incurred for education courses at nongovernment facilities when funds are available. Tuition Assistance reimbursement for nongovernment training is not authorized for the sole purpose of getting a degree, but rather for the purpose of developing those skills, abilities, and knowledge that best qualify the employee for the performance of official duties.

11.3. Scope and Definitions. Training for Flexible employees (including off-duty military members) is limited to orientation sessions, job inductions, self-study courses, OJT and skill-level training directed or conducted by higher headquarters, or installation (not to exceed 80 hours duration). Regular employees are also eligible for this training. Regular employees (other than ODM members) are eligible for the required training offered through off-installation facilities, by AF, interagency, and nongovernment sources, if they meet established prerequisites and if funds have been approved.

11.3.1. Self-development is education, training, and other development activities that the employee participates in to be better qualified for work or a profession, and that contribute to general growth and enlightenment.

11.3.2. On-the-Job training is planned and designed by the supervisor to ensure that the employee is proficient in all elements of his or her present position, and contributes to the employee's development.

11.3.3. Training and career development, provided by NAFIs, supplement both self-development and OJT. They are provided through AF, other government, or nongovernment courses. When possible, training and career development are met through locally conducted programs. Off-installation facilities are used only when they can be justified on the basis of economy, feasibility, and needs.

11.3.4. Other training activities include, but are not necessarily limited to:

11.3.4.1. **Employee Orientation.** Employee orientation is a planned and systematic program to familiarize new employees with the employing NAFI mission and organization. The NAF-HR staff conducts the orientation during the in-processing of a new employee. New employee orientation training and job induction includes specific job related duties and is conducted by the first-level supervisor within the employee's first week of assignment.

11.3.4.2. **NAF Human Resources Supervisor's Course.** This on-line course provides the necessary instruction in those basic aspects of supervising NAF employees under the AF NAF personnel system. The course covers HR legal and regulatory requirements and HR processes. It consists of modules designed to teach FSS supervisors of NAF civilian employees about their responsibilities for NAF human resources management. Supervisors of NAF employees are required to complete the course no later than 6 months after assignment and supervisor refresher training is mandatory every three years.

11.3.4.3. **Human Resources Management In-Residence Course.** New incumbents appointed as the Chief, NAF HR are required to attend the Human Resources Management in-residence course within one year of appointment. Attendance at a refresher course is highly encouraged every five years.

11.4. Training and Development Procedures. Supervisors determine, document, and report training and development needs. Each supervisor analyzes the skill and knowledge required for each job, and compares them with the capabilities of each person under his or her direct supervision. The supervisor discusses performance requirements with each employee to determine individual training needs.

11.4.1. When NAFs are used for tuition, travel, and per diem costs for training that will exceed 80 hours, the employee receiving the training must agree to continue in the service of the employing AF NAFI for a prescribed period of time or to reimburse the NAFI the cost of the training. For this purpose, the NAF-HR Section completes, and the employee signs, the AF Form 2547, *NAF Service and Reimbursable Agreement*. The original is filed in the employee's OPF and the duplicate is given to the employee. When an employee continues to receive a salary and full benefits during the training period, the employee must agree to continue in the service of a NAFI for a period 4 times the period of the training, up to a maximum of 24 months of obligated service (refer to table 11.1). However, when the employee receives no salary or benefits during the training, but does receive payment of additional expenses (such as tuition, books, travel, per diem, etc.), the employee must agree to continue in the service of a NAFI for a period two times the period of the training, up to a maximum of 24 months of obligated service.

11.4.2. The period of obligated service begins the first workday after the education and training ends. Periods in a paid leave status; in a nonpay status, when the employee is receiving Workers' Compensation benefits; in a military leave status; and in a forced leave or furlough status, count towards an employee's obligated service. The period of obligated service ends when the required number of hours of obligated service are worked or at the end of 24 calendar months, whichever is earlier.

11.4.3. The employee who fails to fulfill his or her obligated service commitment pays back the prorated share to the NAFI that funds the cost of the training. The amount due is proportionate to the percentage that the remaining service obligation bears to the original total service obligation. Payback expenses include such items as travel, per diem, tuition, books, classroom and laboratory fees, and other fees. They do not include regular pay or benefits. When the employee does not make reimbursement for amounts due before separation, proper deductions are made from any pay or other financial entitlements due the employee.

11.5. AF Form 852, NAF Record of Training or Certification of Equivalency. This form is a permanent record of training received (or equivalency credit granted), which is significant to the employee's future assignment. The training manager:

11.5.1. Completes AF Form 852, (unless a comparable training record has been issued by another government agency), in duplicate, within 30 days after the completion of the training or after the grant of an equivalency credit. When the equivalency credit is granted, the training manager records the basis for granting credit in the remarks section.

11.5.2. Sends one copy to the employee's supervisor, who posts the information to the employee's AF Form 971. The supervisor gives the AF Form 852 to the employee for his or her personal use.

11.5.3. Provides one copy of AF Form 852 to the NAF-HR Section for filing in the employee's OPF. Does not file in the OPF any AF Forms 852 or comparable records of training for short training periods that would not materially enhance the employee's qualification or have any bearing on employment elsewhere, such as training in correspondence practices, files maintenance and disposition, or orientation training.

Table 11.1. Service Obligation

Length of Training	with additional expenses, salary, and benefits	with additional expenses only (no salary and benefits paid)
80 hours or less	no obligation	no obligation
More than 80 hours	Four times the total number of hours of training, not to exceed 4,160 hours (the hourly equivalent of 24 months) of obligated service.	Two times the total number of hours of training not to exceed 4,160 hours (the hourly equivalent of 24 months) of obligated service.

Chapter 12: Labor Management Relations

12.1. Labor Management Relations. Title 5, U.S.C., Chapter 71 established the statutory labor-management relations program for Federal Government employees. NAF employees are included in the statute's coverage and thus, eligible employees, where applicable, are subject to provisions of locally negotiated collective bargaining agreements. DoDI 1400.25, Volume 1471 establishes policies, principles, and procedures that apply to labor management relations for the NAF work force.

12.2. Definitions.

12.2.1. Bargaining Unit. A bargaining unit is a group of employees recognized by the employer or designated by the Federal Labor Relations Authority as appropriate to be represented by a labor organization for purposes of collective bargaining.

12.2.2. Official Time. Official time is duty time that is granted to employees acting on behalf of the exclusive representative to perform representational duties without loss of pay or charge to an employee's leave account. Official time may not be granted for internal union business.

12.2.3. Condition of Employment. A condition of employment is any personnel policy, practice, and matter whether established by rule, regulation or otherwise, affecting working conditions. It does not include policies, practices and matters relating to prohibited political activities, to the classification of any position, or to the extent the matters are specifically provided for by Federal statute.

12.2.4. Formal Discussion. A formal discussion is a discussion between one or more representatives of management and one or more employees in the unit concerning any grievance or any personnel policy or practice or other condition of employment which affects bargaining unit employees. The exclusive representative must be given the opportunity to be represented at these meetings. Discussions about work assignments, performance appraisals, and/or performance or conduct counseling are not considered formal discussions.

12.2.5. Weingarten Rights. Weingarten Right refers to the right of a bargaining unit employee to be represented by the union when (1) the employee is examined in an investigation (investigatory examination) conducted by a management representative; (2) the employee reasonably believes disciplinary action against him or her may result; and (3) the employee requests union representation.

12.3. NAFI Managers:

12.3.1. Recognizes that employees have the right to form, join, or assist any labor organization, or to refrain from any such activity, freely and without fear of penalty or reprisal, and that each employee is protected in the exercise of such right.

12.3.2. Administers the negotiated agreement with the local labor organization in the day-to-day work relationship with local union officials and bargaining unit members and deals with labor organization representatives on appropriate matters. Administration of the agreement includes responding to union and employee concerns, complaints, and grievances.

12.3.3. Notifies the Chief, NAF-HR Section of any changes in working conditions prior to implementation of changes.

12.4. Chief, NAF-HR:

12.4.1. Coordinates in the final step of the negotiated grievance procedures with the installation Labor Relations Officer (LRO).

12.4.2. Informs employees and NAFI managers at least annually of their rights and obligations to include notifying bargaining unit members of their statutory “Weingarten” rights under 5 U.S.C 7114(a)(2).

12.4.3. Maintains a constructive relationship with local union officials, which fosters resolution of issues by means of collective bargaining.

12.4.4. Serves as the NAF subject matter expert during contract negotiations with the LRO.

12.5. Negotiating NAF Employee Fringe Benefits:

12.5.1. Fringe benefit provisions of DoDI 1400.25, Volume 1406 (Attendance and Leave) and Volume 1408 (Insurance and Annuities for Nonappropriated Fund Employees (NAF) Employees), not required by law or government-wide regulation, may be waived by DoD on a case-by-case basis.

12.5.2. Such waivers would apply at activities with NAF bargaining units where such matters are negotiated under 5 U.S.C. Chapter 71. The waiver request should be forwarded to AFSVC/SVXH through AFSVC/SVI, and must indicate the timing of negotiations.

12.5.3. Inform AFSVC/JA and AFSVC/SVXH through AFSVC/SVI of the content of all proposals dealing with pay and benefits presented by a union for negotiation.

12.6. Send AFSVC/JA through AFSVC/SVI:

12.6.1. A copy of the unit certification, upon approval by the Federal Labor Relations Authority, in the case of a newly certified bargaining unit.

12.6.2. Three copies of any new collective bargaining agreement and any supplement, immediately following signature by each party.

12.7. Civilian Personnel Section: Civilian Personnel Section through their LROs assist the Chief, NAF-HR with the processing of grievances of NAF employees under the negotiated grievance procedure when such grievances reach the final step prior to arbitration. Civilian Personnel Section also provides guidance and assistance on matters such as arbitrations, contract negotiations, and unfair labor practices.

12.8. Agency Head Review: Agency Head Review is the statutory requirement under 5 USC §7114(c) (1) that all agreements between the Air Force and its exclusive representatives be reviewed for legal sufficiency by the Agency. In Air Force, the Agency is the DoD through the Defense Civilian Personnel Advisory Service (DCPAS).

12.8.1. DCPAS will review agreements for legal sufficiency, meaning the agreements do not contradict law, rule, or regulation. Unions may have a similar review process in place, known as Ratification, though it’s not required by statute. The ratification process must be completed prior to Agency Head Review. By law, review must be accomplished within 30 days from the date the agreement is executed IAW 5 U.S.C. §7114(c)(2). If not approved or disapproved within that time,

the agreement goes into effect the 31st day after execution (to the extent it is considered with law and government-wide rule or regulation) IAW 5 U.S.C. §7114(c)(3).

12.8.2. Agreements subject to Agency Head Review include: Master Labor Agreements; Collective Bargaining Agreements; Ground Rules; Memorandums of Understanding; and Memorandums of Agreement. DoDI 1400.25, Volume 711 prescribes procedures for processing labor-related actions.

12.8.3. Submit finalized agreements for Agency Head Review to DCPAS at dodhra.mc-alex.dcpas.mbx.hrops-lerd-labor-relations@mail.mil, with a copy to AF/A1PC at af.a1pc.workflow@pentagon.af.mil and AFPC/DPIEP at afpc.dpiep.workforce.eff.br@us.af.mil. When submitting your agreement, include the following:

The agreement in MS Word (preferred format) or Adobe PDF

An Adobe PDF of the completed signature page with date of execution and all signatures required to finalize the agreement

Agency point of contact information, including mailing address, email address and phone numbers number

Union's point of contact and OFFICIAL mailing address

12.8.4. Provide a brief description of the agreement to be reviewed, including background on highly contentious proposals relevant to the review.

12.8.5. Agreements are executed the day all parties have signed and dated the agreement. To be properly executed, a collective bargaining agreement must include signatures and dates from Commanders and Union representatives.

Chapter 13: DoD Employee Benefit Portability Program

13.1. Purpose. This chapter implements Public Law 101-508, *Portability of Benefits for Nonappropriated Fund Employees Act of 1990*.

13.2. Applicability. Because of the unique requirements of the DoD Employee Benefit Portability Program, this chapter is applicable to both NAF and APF civilian employees. It contains personnel requirements for both systems.

13.3. Coverage and Effective Date. The DoD Employee Benefit Portability Program applies to DoD civilian employees who move between NAF and APF employment systems within DoD without a break in service of more than three calendar days. The program applies regardless of whether the move is *involuntary* (employee is moved with position from one system to the other) or *voluntary* (employee initiates the move by applying for and receiving employment in the other system). However, many provisions are applied differently depending on whether the move is involuntary or voluntary. The program is effective retroactively to 1 Jan 87. DoD employees (individuals currently in an employee status) who have moved on or after that date will have their benefits adjusted as though the program were in existence on the date of their move. Employees who retire from one employment system to accept employment in the other system (voluntary or involuntary moves) will receive only service credit for RIF and annual leave accrual under the Portability Act.

13.4. Appointments.

13.4.1. Involuntary Move:

13.4.1.1. A NAF employee may be eligible for noncompetitive conversion to career or career conditional employment if the employee was serving in a NAF position on the date that the position was brought into the competitive service and the Agency determines that this is a "continuing" position. Criteria in 5 CFR §315.201, *Career and Career- Conditional Employment*, must be met.

13.4.1.2. An APF employee whose position is abolished and reestablished as a NAF position will be afforded RIF rights according to 5 CFR, §351. Employees who are converted to NAF status will be appointed noncompetitively.

13.4.2. **Voluntary Move.** Regardless of the direction of the move, the normal appointment procedures of the gaining employment system apply.

13.5. Pay Provisions for Moves from NAF to APF Positions.

13.5.1. General Applicability:

13.5.1.1. **Rate of Basic Pay.** The Portability Act amended 5 U.S.C., to include pay setting provisions of NAF employees moving to APF positions. The pay provisions of OPM Operating Manual Federal Wage System—Appropriated Fund continue to apply to APF wage schedule positions. The paragraphs below describe how to set pay for employees, based upon the pay plan of the position the employee left and the pay plan of the position to which the employee moves. For the purpose of this section, the term “NAFI highest previous rate” means the highest rate of basic pay received by the employee during service in a NAFI position, as described in 5 U.S.C. 2105(c).

13.5.1.2. Grade and Pay Retention. The Portability Act authorized grade and pay retention for all NAF employees who are involuntarily moved to an APF position. The application of grade and pay retention is described under paragraphs 13.5.2.1.2, 13.5.3.1.3, and 13.5.3.1.2.

13.5.2. Setting Basic Pay upon Movement from any NAF Position to a GS Position:

13.5.2.1. Involuntary Move:

13.5.2.1.1. When an employee is moved **involuntarily** from a NAFI position in DoD or the Coast Guard to a GS position in DoD or the Coast Guard, respectively, with substantially the same duties and without a break in service of more than three calendar days, the employee is **entitled** to an initial payable rate of basic pay (including any locality pay or special rate supplement) at the lowest step of the GS grade that is equal to or greater than the employee's rate of basic pay in the NAFI position immediately before the move. Compare the employee's former NAFI rate to the highest applicable rate range for the employee's GS position of record and official worksite in effect immediately prior to the move. For purposes of this paragraph, "moved involuntarily" means the movement of the incumbent of a NAFI position in the DoD or the Coast Guard with the position when it is moved to the civil service employment system of the DoD or the Coast Guard, respectively.

13.5.2.1.2. For an employee covered by paragraph 13.5.2.1.1, an agency may choose one of the following methods to set the initial payable rate of basic pay of an employee who is moved involuntarily at a higher rate of pay:

13.5.2.1.2.1. Using the employee's NAFI highest previous rate;

13.5.2.1.2.2. Using the GS maximum payable rate rule in 5 CFR 531.221 based on a non-NAFI rate of basic pay; or

13.5.2.1.2.3. Using the authority to grant pay retention in 5 CFR 536.302(a).

13.5.2.1.3. Grade and pay retention benefits apply where the involuntary move resulted in a reduction in grade or pay.

13.5.2.1.4. A reduction in grade occurs when the representative rate of the position to which the employee is converted is lower than the representative rate of the position from which the employee moved. For paybanded employees, the employee's current existing rate of basic pay is the representative rate.

13.5.2.1.5. Prior to moving an employee from NAF Payband V to a GS position, the NAF activity determines if an adjustment in NAF pay is necessary. Adjustments in NAF pay are effected, where necessary, to ensure that the maximum rate of pay retained in the move will not exceed the rate of pay for a GS-15, Step 10 for the position and geographical area to which moved.

13.5.2.2. Voluntary Move. When a DoD or the Coast Guard employee moves **voluntarily**, without a break in service of more than 3 days from an NAFI position in the DoD or the Coast Guard to a GS position in the same agency, pay may be set at the employee's initial payable rate of basic pay at the minimum rate of the highest applicable rate range for the employee's GS position. Alternatively, the agency, at its discretion, may choose one of the following methods to set the employee's rate of basic pay at a higher rate:

13.5.2.2.1. Based on the employee's NAF highest previous rate, or

13.5.2.2.2. Using the maximum payable rate rule in 5 CFR 531.221 based on a non-NAFI rate of basic pay if that rule produces a higher rate than using the employee's NAFI highest previous rate.

13.5.3. Setting Basic Pay upon Movement from an NA, NL, or NS NAF Crafts and Trades Position to a WG, WL, or WS APF Wage Schedule Position.

13.5.3.1. Involuntary Move:

13.5.3.1.1. Basic pay may be set at either:

13.5.3.1.1.1. The employee's existing scheduled rate of pay; or,

13.5.3.1.1.2. At any rate which does not exceed his or her highest previous rate of pay. If the highest previous rate falls between two rates of the new grade, the higher rate may be paid. The highest previous rate of pay is computed according to OPM, *Operating Manual Federal Wage System-Appropriated Fund, S8-3e*.

13.5.3.1.2. In either of the above, the employee's pay cannot be less than the minimum rate of the grade of the position.

13.5.3.1.3. Grade and pay retention benefits apply where the involuntary move resulted in a reduction in grade or pay. Grade and pay retention benefits will be administered according to OPM, *Operating Manual Federal Wage System – Appropriated Fund, Subchapter S9*.

13.5.3.1.4. A reduction in grade occurs when the representative rate of the position to which the employee is converted is lower than the representative rate of the position from which the employee moved.

13.5.3.2. Voluntary Move. Basic pay may be set at either:

13.5.3.2.1. The minimum step rate of the grade of the position; or,

13.5.3.2.2. At any rate of the new grade which does not exceed the employee's highest previous rate of pay. If the highest previous rate falls between two rates of his or her grade, the higher rate may be paid. The highest previous rate of pay is computed according to OPM, *Operating Manual Federal Wage System-Appropriated Fund, S8-3e*.

13.5.4. Setting Basic Pay Upon Movement From a Payband NAF Position to an APF Wage Schedule Position.

13.5.4.1. Involuntary Move:

13.5.4.1.1. Basic pay is set according to OPM, *Operating Manual Federal Wage System-Appropriated Fund, Subchapter S8*, provisions for new appointments. Under these provisions, pay is set at the minimum rate of the grade of the position, except as provided by exceptions for recognition of special qualifications and hard-to-fill occupations.

13.5.4.1.2. Grade and pay retention benefits apply where the involuntary move resulted in a

reduction in grade or pay. Grade and pay retention benefits are administered according to OPM, *Operating Manual Federal Wage System—Appropriated Fund, Subchapter 9*.

13.5.4.1.3. A reduction in grade occurs when the representative rate of the position to which the employee is converted is lower than the representative rate of the position from which the employee moved. For paybanded employees, the employee's current existing rate of basic pay is the representative rate.

13.5.4.2. **Voluntary Move.** Basic pay is set according to OPM, *Operating Manual Federal Wage System-Appropriated Fund, Subchapter S8*, provisions for new appointment. Under these provisions, pay is set at the minimum rate of the grade of the position, except as provided by exceptions for recognition of special qualifications and hard-to-fill occupations.

13.6. Pay Provisions for Moves from APF to NAF Positions.

13.6.1. General Applicability:

13.6.1.1. **Rate of Basic Pay.** The NAF payband pay setting provisions have been adjusted to parallel the pay setting provisions provided by the Portability Act for movements to the GS. NAF crafts and trades positions are covered by the pay provisions of OPM, *Operating Manual Federal Wage System—Nonappropriated Fund*. Paragraphs 13.6.2 and 13.6.3 describe how to set pay for employees, based upon the pay plan of the position the employee left and the pay plan of the position to which the employee moves.

13.6.1.2. **Grade and Pay Retention.** There are no NAF provisions for grade retention for payband employees. An APF employee involuntarily moved to a payband position will be eligible for pay retention. An employee involuntarily moved from any APF position to a NAF crafts and trades position is covered by the grade and pay retention provisions of OPM, *Operating Manual Federal Wage System—Nonappropriated Fund*. Instructions for applying grade and/or pay retention are found in paragraphs 13.6.2.1 and 13.6.3.1.2.

13.6.2. Setting Basic Pay Upon Movement from any APF Position to a Payband NAF Position.

13.6.2.1. **Involuntary Move.** Pay is set at a rate within the NAF grade or payband level that is not less than the employee's rate of basic pay immediately prior to the move. In determining the employee's last rate of basic pay, a saved pay rate to which the employee was entitled under the APF system will apply, as well as pay received in an APF special rate position. Additions to pay such as night shift, environmental differential, and other premium payments are excluded from consideration as basic pay. Basic pay is not set above the maximum of the grade to which moved unless the employee's last rate of basic pay is above the maximum rate of the grade or payband level to which moved. Then, pay retention provisions are applied according to DoDI 1400.25-V1405.

13.6.2.2. **Voluntary Move.** Basic pay may be set at either:

13.6.2.2.1. The minimum step rate of the grade of the position or payband level; or,

13.6.2.2.2. At any step of that grade or any rate within that payband level which does not exceed the employee's HPR of basic APF pay.

13.6.3. Setting Basic Pay Upon Movement from any APF Position to an NA, NL, or NS

NAF Crafts and Trades Position.**13.6.3.1. Involuntary Move:**

13.6.3.1.1. Basic pay may be set at either:

13.6.3.1.1.1. The employee's existing scheduled rate of pay; or,

13.6.3.1.1.2. At any rate which does not exceed his or her highest previous rate of pay. If the employee's highest previous rate falls between two rates of the new grade, the higher rate is paid. The highest previous rate of pay is computed according to OPM, *Operating Manual Federal Wage System-Nonappropriated Fund, S8-3e*.

13.6.3.1.2. Grade and pay retention benefits apply where the involuntary move resulted in a reduction in grade or pay. Grade and pay retention benefits are administered according to OPM, *Operating Manual Federal Wage System-Nonappropriated Fund, Subchapter 9*.

13.6.3.1.3. A reduction in grade occurs when the representative rate of the position to which the employee is converted is lower than the representative rate of the position from which the employee moved.

13.6.3.2. Voluntary Move. Basic pay may be set at either:

13.6.3.2.1. The minimum step rate of the grade; or,

13.6.3.2.2. At any rate of the new grade which does not exceed employee's highest previous rate of pay. If employee's highest previous rate falls between two rates of his or her grade, the higher rate is paid. The highest previous rate of pay for an employee is computed according to OPM, *Operating Manual Federal Wage System- Nonappropriated Fund , Subchapter 8-3e*.

13.7. Crediting of Service in Waiting Periods for Within-Grade Increases (WGI).

13.7.1. NAF to APF GS Moves. NAF service is credited toward the period of service required for WGIs in the GS. The service of a former NAF employee, who moves under the provisions of the Portability Act, is creditable in the computation of the waiting period for one WGI. When crediting the service of a former NAF employee, the waiting period for the next WGI begins at the time the employee is deemed to have received his or her last equivalent increase.

13.7.2. NAF to APF Wage Schedule Moves:

13.7.2.1. NAF NA, NL, and NS service is credited toward the period of service required for WGIs according to OPM, *Operating Manual Federal Wage System-Appropriated Fund*.

13.7.2.2. NAF service in UA, AS, PS, or payband positions is not creditable.

13.7.3. APF to NAF Moves. APF service is credited in the same manner as NAF service.

13.7.3.1. APF service will be credited toward the period of service required for WGIs in AS, PS, and NAF crafts and trades positions according to DoDI 1400.25, Volume 1405.

13.7.3.2. As there are no WGIs in the NAF payband system, there is no creditable

service.

13.8. Crediting of Service Towards Time-In-Grade Requirement for Promotion.

13.8.1. **NAF to APF Moves.** NAF service is credited in the GS according to 5 CFR Part 300, Subpart F, *Time-in-Grade Restrictions*.

13.8.2. **APF to NAF Moves.** There is no time-in-grade requirement for promotion in the NAF personnel system.

13.9. Crediting of Time-In-Service in Computing Severance Pay (Involuntary and Voluntary Moves):

13.9.1. **NAF to APF Move.** NAF service is creditable service for purposes of determining an APF employee's entitlement to severance pay. Criteria for meeting the requirement for twelve months of continuous employment for eligibility for severance pay under the GS credits an appointment to a position in a NAFI of the DoD or the Coast Guard that precedes the current qualifying appointment in the DoD or the Coast Guard, respectively. Creditable service is defined as service by an employee of a NAFI of the DoD or the Coast Guard, who moves, within the civil service employment system of the DoD or the Coast Guard, respectively, without a break in service of more than three calendar days, to a position classified and paid under the GS.

13.9.2. **APF to NAF Move.** Employees who move from civil service to NAF positions shall receive credit for APF employment for purposes of severance pay.

13.10. Retirement. Under current retirement portability law, eligible employees who move with a break in service of no more than one year between DoD or Coast Guard NAF positions and retirement covered civil service positions in any agency may elect to continue retirement coverage in the losing employment system's retirement plan. Additionally, P.L. 107-107, section 1132, permits employees in CSRS and FERS to use prior NAF service to qualify for an immediate retirement. Credit for NAF service under this law will not result in higher CSRS or FERS annuity benefits. All retirement portability provisions are applied exactly the same regardless of whether the move is involuntary or voluntary. Also, except for the areas of employer and employee contributions addressed below, all provisions are applied exactly the same regardless of the direction of the move, NAF to APF or APF to NAF.

13.10.1. **Employee Election of Retirement Plan.** An employee need not be vested in the plan of the losing employment system at the time of a move in order to elect to remain in that retirement system when moving between civil service and NAF positions. However, employees who moved prior to 28 Dec 01 had to be vested in the retirement plan of the position they were leaving. The employee may elect to enter the plan of the gaining employment system without transfer of credited service from the losing plan (5 U.S.C. 8347 (q) and 8461 (n); 5 CFR Part 847 and Part 1620, Subpart D). Once an employee is given an opportunity to retain membership in either FERS or CSRS, he or she is never again given an opportunity to retain membership in that same plan. Once an employee is given an opportunity to retain coverage in a NAF plan, he or she is never again given an opportunity to retain membership in any NAF plan.

13.10.1.1. **Election to Retain Coverage in Plan of Losing Employment System.** If an employee elects to retain active membership in the plan of the losing employment system, the election is irrevocable. Therefore, regardless of future moves between NAF and APF

employment, in or out of DoD, breaks in service, and retirement status, the employee's retirement coverage remains with the plan in which the employee elects to retain membership. Those employees who qualify for retroactive adjustment of NAF plan coverage will be given a reasonable opportunity to repay any previously withdrawn contributions and/or contributions for credited service for which deductions have not been made. Repayment procedures contained in AFI 34-302 that apply to reinstatement of prior participation credit also apply in situations described in this paragraph.

13.10.1.2. Election to Enter Plan of Gaining Employment System. If an employee elects to enter the plan of the gaining employment system, the election is irrevocable. Moreover, the employee's credited service under the losing plan does not transfer to the gaining plan. Therefore, the SCD used by the gaining employment system for the purpose of determining credited service is the date the employee enters the plan of the gaining employment system (unless the employee already has service credited in that plan). For example, if a NAF employee moves to APF status and enters FERS, the employee will receive no service credit in FERS for time spent in the NAF plan. Time spent in the NAF plan will not count for FERS annuity computation or retirement eligibility. The employee may not purchase such service credit by paying money into the FERS plan to cover the NAF service.

13.10.2. Standard Election Form. Two standard election forms have been issued--one covering CSRS, CSRS Offset or FERS to NAF, and one covering NAF to either CSRS or FERS. The *Notice of NAF Election, Retirement Coverage Election Under Section 1131 of Public Law 107-107* found in the *Portability of Benefits Reference Guide* at http://www.cpms.osd.mil/Content/Documents/Attch2_NAF%20to%20Civil%20Service.pdf will be placed in the OPF when an employee elects to retain membership in a NAF retirement plan. Use of election forms *RI 38-134*, *RI 38-144*, are covered in *CSRS and FERS Handbook for Personnel and Payroll Offices*. AF personnel offices will use the appropriate election form and explain its purpose to the employee. The gaining employment system personnel office must fill in Part 1 of the appropriate election form. This requires assistance and cooperation from the losing employment system, which must provide timely information.

13.10.3. Time Limit for Making Election. If the move occurs on or after 7 Apr 91, the time limit for making the election is 30 days after the effective date of the move. If the move occurred on or after 1 Jan 87, but before 7 Apr 91, the time limit for making the election was 6 May 91. For moves occurring on or after 28 Dec 01, employees have 30 days to make their decision. If the employee fails to return the standard election form to the personnel office by the appropriate deadline, the employee, in effect, elects to enter the plan of the gaining employment system without transfer of losing plan service credit.

13.10.4. Waiver of Time Limit for Making Election. An employee is granted a waiver of the deadline for making an election if he or she can show that (1) he or she exercised due diligence to make the election prior to the deadline, and (2) due to circumstances beyond his or her control he or she was unable to do so. An employee will be deemed to have exercised "due diligence" if he or she can show that he or she made a good faith effort to notify the agency of his or her election prior to the deadline. "Circumstances beyond his or her control" includes, by way of example, the following: (1) on the date of the deadline the employee was in an extended leave or temporary duty status away from his or her home or duty station; or (2) on the date of the deadline the employee was unable, due to physical or mental incapacitation, to exercise his or her option. An employee's failure to make a timely election due to his or her error in judgment or failure to read information provided by the Agency is not "circumstances beyond his or her control." If an employee fails to make an election within the applicable time limit, he or she may file a request for waiver of the time limit. Under normal

circumstances, a request for waiver is submitted within 10 calendar days of the expiration of the time limit. The request for waiver is in writing and includes an explanation of the employee's good faith effort to notify the agency of his or her election prior to the deadline and the circumstances beyond his or her control which prevented him or her from doing so. APF employees submit the request for waiver to the Civilian Personnel Section, and NAF employees submit the request for waiver to the FSS commander/director. The decision to grant or deny the request is made in writing within 10 calendar days from the date of receipt of the employee's request. If the request for waiver is denied, the employee may appeal the denial. The appeal is submitted, in writing, to the Civilian Personnel Section or FSS commander/director, as applicable, within seven calendar days from the date the employee receives the denial. Within seven calendar days from the date of receipt of the appeal, management forwards the appeal to the MAJCOM/A1K or AFSVC/SVI, as applicable, where MAJCOM/A1K and AFSVC/SVI jointly rule on the appeal. If AFSVC/SVI does not reverse the installation-level decision, it has seven calendar days to forward the appeal to HQ USAF/A1K or HQ USAF/A1C, as applicable, where HQ USAF/A1K and HQ USAF/A1C will, within 14 calendar days of receipt of the appeal, jointly render a final decision. In computing the time limits prescribed above, if the last day of the time limit falls on a nonduty day, the time limit is extended to the next duty day. The procedures for waiving the time limit must not allow reviews under any employee grievance procedures, including the negotiated and administrative grievance procedures.

13.10.5. Effective Date of Election. The election is retroactive to the date of the move.

13.10.6. Employee Contribution to Plan when an Employee Elects to Retain Coverage in the Plan of the Losing Employment System. If an employee elects to retain coverage in the plan of the losing employment system, the employee's contribution to the plan is determined in the same manner as it is determined for the other employees in the plan, and the gaining employer remits the employee's contribution to the plan, including FERS Thrift Savings Plan contributions, if applicable.

13.10.7. Employer Contribution to Plan When an Employee Elects to Retain Coverage in the Plan of the Losing Employment System:

13.10.7.1. NAF Employer Contribution to Defined Benefit Part of FERS. The employer contribution is the "normal cost percentage" of basic pay determined by OPM under Title 5 U.S.C. § 8423. Also, social security payments are made for employees in FERS.

13.10.7.2. NAF Employer Contribution to FERS Thrift Savings Plan. The employer contribution is a minimum of 1 percent of basic pay regardless of whether the employee contributes; and, additionally, if the employee does contribute, the employer matches the employee's contribution dollar for dollar for the first three percent of pay contributed and \$.50 on the dollar for the next two percent of pay contributed. (Note: While a CSRS participant contributes up to five percent of basic pay to the FERS Thrift Savings Plan, no employer matching contribution is permitted.)

13.10.7.3. NAF Employer Contribution to CSRS. The employer contribution for the NAF employee in the CSRS is calculated in exactly the same way as the agency contribution for an APF employee in CSRS. Also, social security payments are not made for employees in CSRS, but are made for employees in CSRS offset.

13.10.7.4. APF Employer Contribution to a NAF Retirement Plan. The employer contribution for an APF employee in the NAF plan is calculated in exactly the same way as the

contribution for a NAF employee in the NAF plan.

13.11. Annual, Sick, and Home Leave. All provisions are applied exactly the same regardless of whether the move is involuntary or voluntary, and regardless of the direction of the move, NAF to APF or APF to NAF.

13.11.1. Transfer of Leave Balance. All leave hours transfer without limit. The employee is credited with the full amount of leave even in those cases where the employee receives a higher rate of pay from the gaining employment system. The employee may not cash in any portion of the leave balance and be paid for accumulated hours. Leave is administered according to the rules of the gaining system.

13.11.2. Transfer of Funds. There is no transfer of funds between APF and NAF.

13.11.3. Annual Leave Accrual Rate. Service in the losing employment system is credited in determining the appropriate leave accrual rate.

13.12. Health and Life Insurance.

13.12.1. NAF to APF (Involuntary and Voluntary Moves):

13.12.1.1. Employee Coverage. Employees may not elect to remain in NAF health or life insurance plans. Employees may enroll in the Federal Employees Health Benefits (FEHB) Program and/or the Federal Employees Group Life Insurance (FEGLI) Program according to the requirements of 5 CFR Part 890 and 5 CFR Part 870, respectively. The employee's NAF health benefits coverage is extended without charge to the employee for 31 days or until the employee becomes covered by FEHB, whichever comes first.

13.12.1.2. Retiree Coverage. Refer to 5 CFR Parts 890 and 870. Participation in the FEHB after retirement does not depend on retirement from FERS or CSRS if the employee retires from a NAF plan because the portability law includes the NAF retirement plans as qualifying plans.

13.12.2. APF to NAF Move:

13.12.2.1. Employee Coverage:

13.12.2.1.1. Involuntary Move. Employees may not elect to retain membership in the FEHB or FEGLI programs. Employees participating in the FEHB program and/or the FEGLI program at the time of the move would automatically qualify for participation (including family coverage) in the respective NAF health and/or life insurance program regardless of preexisting medical conditions and the NAF employment category to which the employee has been involuntarily moved. Normal NAF coverage rules would apply if there was not participation in the FEHB program and/or the FEGLI program at the time of the move.

13.12.2.1.2. Voluntary Move. Employees may not elect to retain membership in the FEHB program and/or the FEGLI program. Normal NAF coverage rules apply. Employees are advised before actual employment whether or not they will be eligible for health and life insurance benefits.

13.12.2.2. Retiree Coverage:

13.12.2.2.1. **Involuntary Move.** If an employee qualifies for health and/or life insurance coverage under paragraph 13.12.2.1.1, the employee, upon retirement from either an APF or NAF plan, is eligible for NAF health and/or life insurance coverage, provided that the employee has been continuously enrolled in the NAF group insurance plan since the employee's first opportunity to enroll, and, provided further, that the employee satisfies any other qualifying periods or age requirements imposed by the NAF plan. Continuous time enrolled in the FEHB Program and/or the FEGLI Program immediately before the move is credited toward satisfying any qualifying period required by a NAF plan.

13.12.2.2.2. **Voluntary Move.** If an employee qualifies for health and/or life insurance coverage under paragraph 13.12.2.1.2, the employee, upon retirement from either an APF or NAF plan, is eligible for NAF health and/or life insurance coverage, provided that the employee has been continuously enrolled in the NAF group insurance plan since the employee's first opportunity to enroll, and, provided further, that the employee satisfies any other qualifying periods or age requirements imposed by the NAF plan. Continuous time enrolled in the FEHB Program and/or the FEGLI Program immediately before the move is credited toward satisfying any qualifying period required by a NAF plan.

13.13. RIF.

13.13.1. **NAF to APF Move.** NAF employment is credited in addition to APF employment in determining APF retention registers. See the OPM's *Guide to Processing Personnel Actions* for details. Regarding the use of performance ratings in determining retention rights, NAF employees who are converted to APF positions are entitled to RIF credit for their NAF performance ratings for the purpose of determining their retention rights. Prior to movement of a NAF employee to an APF position, an AF Form 3527 is accomplished if a current AF Form 3527 is not on file. This rating is necessary to ensure a NAF employee is given proper credit in APF RIF action. The last three appraisals are used for this action; therefore, the newly accomplished AF Form 3527 and appraisals on file for the two previous years are used. If none are on file for the preceding 2 years, a presumptive rating of fully successful is used. The NAF rating of outstanding equates to 20 points, very good is sixteen points and satisfactory receives 12 credit points.

13.13.2. **APF to NAF Move.** APF employment is credited in addition to NAF employment in determining retention where NAF employment is credited for these purposes under normal NAF rules.

13.14. Probation Status. In the following provisions, reference is made to the terms *same agency* and *same line of work*. The same agency is considered to be the same military department. Positions are considered to be in the same line of work when the duties performed are similar in nature and character and require substantially the same or similar qualifications.

13.14.1. **NAF to APF Move.** All AF NAF service immediately preceding the move, which is in the same line of work as the new position is credited in determining probation status. See 5 CFR Part 315 for details.

13.14.2. **APF to NAF Move.** All AF APF service immediately preceding the move, which is in the same line of work as the new position is credited in determining probation status.

13.15. Tenure.

13.15.1. **NAF to APF Move.** See 5 CFR Part 315 for details.

13.15.1.1. **Involuntary Move.** All continuous regular NAF service immediately preceding the move is credited in determining career tenure.

13.15.1.2. **Voluntary Move.** No credit for NAF service is granted.

13.15.2. **APF to NAF Move (Involuntary and Voluntary Moves).** Credit for APF employment is not required.

Chapter 14: Attendance and Leave

14.1. General Leave Information. Leave is an employee benefit that contributes to the overall effectiveness, productivity, and morale of the employee. All Regular employees accrue annual and sick leave. The first-level supervisor approves or disapproves leave. They must not make arbitrary decisions to deny leave. Decisions to deny leave requests and cancellation of approved leave must be based on the necessity for the employee's services. Denial or cancellation of leave is not disciplinary in character and must not be used as a punitive measure. However, the final determination as to the scheduling and the amount of annual leave granted at any specific time is made by the supervisor authorized to approve leave. Supervisors authorized to approve leave:

14.1.1. Establish appropriate administrative procedures for requesting and approval of leave. Ensure employees under their supervision are informed of procedures which must be followed in requesting and using leave.

14.1.2. Ensure all absences from duty are appropriately charged according to applicable laws and regulations.

14.1.3. Identify and promptly correct sick leave abuse.

14.1.4. Request advice and assistance from the NAF-HR Section when there is a question concerning employee entitlements and type of leave appropriate to the situation.

14.1.5. Approve annual leave requests or projected annual leave when work schedules permit. When a request for annual leave cannot be initially approved or is subsequently denied, they make every effort to reschedule the annual leave commensurate with the needs of the organization and the desires of the employee.

14.2. Annual Leave. Annual leave is approved leave of absence with pay for personal, emergency, and other purposes. Annual leave shall be authorized and scheduled when the workload allows and at the convenience of the employee whenever possible. A leave year begins on the first day of the first FULL bi-weekly pay period in a calendar year. A leave year ends on the day immediately before the first day of the first FULL biweekly pay period in the following calendar year.

14.2.1. **Creditable Service.** The amount of annual leave earned depends on the employee's total length of creditable service. The leave SCD is usually the date of appointment or conversion to Regular employment. Fractional parts of months are included in determining length of service. An employee with prior service, or prior active duty military service, has the SCD adjusted in accordance with **Attachment 12**, and as follows:

14.2.1.1. **Prior DoD NAFI Service.** All prior DoD NAFI service, including service with the current employer, as a Regular employee is creditable. Use AF Form 2549 to document prior DoD NAFI employment, both regular and flexible employment.

14.2.1.2. **Active Uniformed Service.** All active uniformed service, except for certain retired members of the uniformed services as outlined below, terminated by honorable discharge under honorable conditions, or by transfer to inactive reserves under honorable conditions is creditable for determining the annual leave accrual rate. A member of a uniformed service appointed to a Federal civilian position while on terminal leave pending retirement from the uniformed service is entitled to credit for his or her years of active military service for the purpose of determining his or her leave accrual rate, but only during that period of terminal leave. After the member retires from the uniformed service, his or her annual leave accrual rate must be recalculated to reflect his or her reduced years of creditable service. That is, after retirement from the uniformed service, he or she is

no longer entitled to receive credit for prior active military service, except under certain limited conditions as provided in 5 U.S.C 6303(a)(A)-(C) or (e). For an employee who is a retired member of any of the uniformed services, credit is restricted to the actual active service in the Armed Forces during wartime or in any campaign or expedition for which a campaign badge has been authorized.. If the retired member meets one or more of the following conditions, all of his or her active service is counted for leave accrual:

14.2.1.2.1. The retirement was based on disability resulting from injury or disease received in the line of duty as a direct result of armed conflict.

14.2.1.2.2. The retirement was based on disability caused by an instrumentality of war and incurred in the line of duty during a period of war (as defined by Vet info Guide and Vet Guide).

14.2.1.2.3. On 30 Nov 64, the retired member was employed in a civilian office to which the annual and sick leave law applied, and continues to be employed in an office of this kind without a break in service of more than 30 days. (**NOTE:** The above provisions were effective as of 16 Feb 83. The leave accrual rate had to be adjusted as of that date. Re-computation of leave for employment periods before 16 Feb 83 is not authorized.)

14.2.1.3. **Credit for Military Training.** Civilian employees of NAFIs called to active duty for short periods of time (NTE 6 weeks) with Reserve components of the U.S. Armed Forces continue to accrue annual leave hours during such periods. Nonduty time while in Reserve components is not creditable.

14.2.1.4. **Exemptions.** Under no circumstances must an employee who is currently in a leave category as a result of more liberal provisions of the separate DoD components prior to 6 Sep 74, be penalized by being placed in a lower category for leave accrual or accumulation purposes.

14.2.1.5. **Portability of Benefits for NAF Employees Act of 1990.** Periods of APF civilian federal service are creditable for leave under the provisions of the Portability Act.

14.2.1.6. **Other Creditable Service.** Employees receiving benefits under the Longshore and Harbor Workers' Compensation Act; employees on military furlough; and employees reinstated within 6 months, carried on the rolls of the employing NAFI in a LWOP status do not accrue annual leave, but the time spent in this status is creditable service. Service credit is granted during other periods of time on the rolls in a nonpay status that does not exceed 6 months in the aggregate in any calendar year; for example, LWOP, suspensions, furloughs, forced leave, etc.

14.2.2. **Eligibility Time Period.** An employee must have served under a regular appointment for a continuous period for 90 calendar days before leave can be credited to the employee's account. Although leave does accrue during the 90-day period, leave cannot be used during the 90-day qualifying period. Only one 90-day qualifying period is required during a period of continuous service.

14.2.3. **Annual Leave Accrual.**

14.2.3.1. **Accrual.** Annual leave is accrued by Regular employees on the total number of hours in a pay status that does not exceed 40 hours in the administrative workweek. Employees receiving compensation for work injuries and carried on the rolls in a leave without pay status do not accrue annual leave. Annual leave accrual is based on the appropriate percentage (accrual rate) times a maximum of 40 hours per week, or 80 hours per biweekly pay period in accordance with the following:

0-3 years service 5 percent of hours in a pay status

3-15 years service 7½ percent of hours in a pay status

15+ years service 10 percent of hours in a pay status

Note: Between 3-15 years' service, annual leave earned during the final biweekly period of the leave year will accrue at the rate of 12½ percent of the total hours in the basic workweek.

14.2.3.2. Time of Crediting. The accrued leave is credited to the employee's individual leave record upon completion a continuous 90-calendar day qualifying period; thereafter, leave shall be credited at the end of the period in which it is earned.

14.2.3.3. Changes in Rates of Accrual.

14.2.3.3.1. Changes in the rates of accrual are effective at the beginning of the first pay period following the completion of the prescribed service.

14.2.3.3.2. When a change from a 7 ½ percent to a 10 percent leave category occurs at the beginning of the last full biweekly pay period in the leave year, the employee's leave credit for that period is computed at 12½ percent of hours in a pay status.

14.2.4. Accumulation of Annual Leave. The maximum amount of accumulated annual leave that may be carried over from one leave year to the next is 30 days (240 hours), except in the following instances:

14.2.4.1. Employees who were directly recruited or transferred by a NAFI from the U.S. or its territories or possessions, including the Commonwealth of Puerto Rico, for employment overseas or from which transferred and whose condition of employment provide for their return transportation to the U.S. or its territories or possessions, may accumulate 45 days (360 hours). Upon return to the U.S. or its territories or possessions, annual leave accumulated under this provision remains to the credit of the employee until used. Upon return from overseas, the maximum annual leave accumulation is 30 days (240 hours) or the amount carried over from the previous leave year, whichever is greater, not to exceed 45 days (360 hours).

14.2.4.2. On a case-by-case basis and on approval by the FSS commander/director, employees may carry leave in excess of 240 or 360 hours, as appropriate, forward into the next leave year. The employee must have requested annual leave early in the leave year and circumstances beyond the control of management and the employee precluded its use before the end of the leave year. Written leave requests will be used to certify proper scheduling had been accomplished when requesting restoration of forfeited annual leave. Any amount of excess leave carried into the next leave year is used within the first 19 pay periods of the leave year or forfeited.

14.2.4.3. At installations identified for closure, employees may carry forward all earned annual leave in excess of 240 hours in accordance with DoDI 1400.25, Volume 1417, *Civilian Assistance and Re-employment (CARE) for NAF Employees Affected by Workforce Reductions*. An installation is considered identified for closure when it appears on the Base Realignment and Closure list signed by the President and approved by Congress.

14.2.5. Payment for Accumulated Annual Leave.

14.2.5.1. An employee must serve in a Regular appointment for a continuous period of 90 calendar days before the annual leave he or she earns is available for use. If an employee separates before completing 90 days, no leave credit for this period is granted or paid as a lump sum.

14.2.5.2. An employee who has 90 or more calendar days of continuous Regular employment is paid for all accrued and accumulated annual leave when separating from NAF employment. This lump sum payment is normally included in the employee's final paycheck.

14.2.5.3. Authority to grant annual leave immediately prior to separating from service, when separation is known in advance, is limited to cases where the exigencies of the employer require such action, or where the employee substantially worked the entire final pay period and worked part of the last day of that period in accordance with Decisions of the Comptroller General, Volume 34, page 61, 1954. This restriction largely eliminates the cost, during employment termination, of employees continuing to accrue leave while using leave, and therefore receiving compensation greater than lump-sum payment of the unused leave balance. Annual leave that can be included in the lump-sum leave payment is not granted when it is known that the employee will not return to duty, except when the employee:

14.2.5.3.1. Is being separated because of a BBA.

14.2.5.3.2. Has made an application for disability retirement.

14.2.5.4. Employees may not be paid for any part of their leave balance at any time while employed unless they are transferred to a position and/or employment category status that is ineligible to accrue leave.

14.2.6. **Leave Schedules.** Activity managers establish a tentative annual leave schedule during January of each year. If possible, employees are allowed to use annual leave according to personal desires. Employees should take action before the beginning of the third full pay period prior to the end of the leave year to schedule or reschedule canceled leave so as to avoid situations where employees approach end of leave year with a significant amount of annual leave that must be used or forfeited.

14.2.7. **Requesting Annual Leave.**

14.2.7.1. Except in cases of emergency, annual leave is requested by the employee and approved in advance of the absence. Supervisors must ensure that all employees are informed of the procedure to be followed in requesting and obtaining approval of leave. Employees submit requests for annual leave on the OPM Form 71, *Request for Leave or Approved Absence*. Annual leave will be authorized and scheduled when the workload allows and at the convenience of the employee whenever possible without negative impact to the mission. An employee who takes leave without approval is considered Absent Without Approved Leave (AWOL).

14.2.7.2. Annual leave is taken in increments of 15 minutes, up to 8 hours per day, and 40 hours per week with exception of those working AWS. For AWS, leave is charged at the same number of hours that an employee is scheduled to work.

14.2.7.3. The use of annual leave other than on those days and for those hours that the employee would otherwise work and receive pay is prohibited.

14.2.8. **Advancing Annual Leave.** Under usual conditions, advancement of annual leave is not granted. However, if conditions warrant, an employee may be granted all annual leave which will be earned during the current leave year. In advancing an employee annual leave, the supervisor authorized to approve such leave must have reasonable assurance the employee will be in a duty status long enough to earn the leave granted before the end of the leave year. Supervisors coordinate their decisions to approve or disapprove requests for advanced annual leave with the Chief, NAF-HR to ensure consistent application of leave policies. Employees submit requests for advanced annual leave on the OPM Form 71.

14.2.9. Refund for Unearned Annual Leave. When an employee is separated before earning all the annual leave that has been advanced, usually the value of the unearned leave is refunded by the employee or deducted from any compensation due. A refund is not required if the employee is separated for reasons of death, disability retirement or resignation for physical disability which is evidenced by acceptable medical documentation.

14.2.10. Substitution of Annual Leave for LWOP. When LWOP is charged pending receipt of an employee's leave record from the former employing installation or agency, credited annual leave is substituted for the LWOP upon receipt of the leave record. For employees transferring in from another DoD NAFI or federal agency, the leave balance on the last leave and earnings statement are acceptable evidence to transfer leave. If necessary, the SSC will request an employee's leave balance by telephone or email from the losing agency. If an employee requests leave and the leave record has not been received, the absence will be charged to LWOP pending receipt of leave records.

14.2.11. Substitution of Annual Leave for Sick Leave. An employee on extended sick leave (including sick leave for maternity reasons) may be granted annual leave to cover any part of the absence, provided the request is made in advance. Annual leave cannot be substituted retroactively for sick leave previously taken as a means of avoiding a forfeiture of annual leave at the end of the leave year. Advanced sick leave is liquidated at the employee's request by a substitution of annual leave, provided the substitution is requested before the time the annual leave is forfeited.

14.2.12. Transferring Annual Leave. When a Regular employee transfers to another AF NAFI, without a break in service, the losing NAFI transfers the total accrued and accumulated annual leave balance, together with the funds to cover the dollar value to the gaining NAFI. Should the dollar value of the transferred leave balance increase as a result of a higher pay rate, the gaining NAFI absorbs the increase. An employee's annual leave hours are not adjusted downward to accommodate the transferring dollar value from the losing NAFI. If a NAF employee is transferring from one DoD NAFI to another DoD NAFI, the employee's annual leave credit and the funds to cover its cost may be transferred from the losing to gaining employer if the two employers agree and the employee elects such a transfer of credit instead of receipt of a lump-sum payment.

14.2.12.1. Employees, including Reservists and National Guard members, entering long-term active duty in the Armed Forces may elect to have their accumulated leave remain to their credit until they return from active duty or receive lump-sum payment.

14.2.12.2. A DoD NAF employee who moves to a DoD APF position, without a break in service of more than three days, shall not be paid lump-sum annual leave. The employee's NAF annual leave balance transfers to the credit in the APF leave system in accordance with 5 USC, Chapter 63, Section 6308(b). Leave shall be administered in accordance with the rules of the gaining employment system.

14.2.13. Requiring Employees To Take Leave. No employee may be placed on annual leave as a disciplinary measure:

14.2.13.1. Pending issuance of a notice of proposed action, unless requested by the employee.

14.2.13.2. During the notice period before adverse action, unless requested by the employee.

14.3. Sick Leave. Sick leave is for absences due to illness, injury, examinations, and treatment by a physician, exposure to a contagious disease, or illness of a family member with a contagious disease or for purposes relating to the adoption of a child.

14.3.1. Eligibility. Sick leave is earned by all Regular employees while in a pay status, excluding overtime. There is no qualifying period for the crediting of sick leave.

14.3.2. **Sick Leave Accrual.** Sick leave is earned at the rate of five percent times the hours in a pay status, excluding overtime, up to a maximum of 40 hours per week, or 80 hours per biweekly pay period.

14.3.3. **Time of Crediting.** Sick leave is credited to the employee's individual leave record at the end of the period in which it is earned.

14.3.4. **Accumulation of Sick Leave.** There is no limit on the amount of sick leave an employee may accumulate and carry forward from year to year. All accumulated sick leave is carried in the employee's leave record until it is used by the employee or until the employee separates from employment.

14.3.5. **Payment for Accumulated Sick Leave.** Payment for unused sick leave is not made to an employee under any circumstances. Unused sick leave hours that an employee has accumulated at the time of his or her retirement shall be added to the employee's period of creditable NAF service for retirement purposes under the NAF retirement program.

14.3.6. **Requesting Sick Leave.**

14.3.6.1. Employees submit requests for sick leave on OPM 71.

14.3.6.2. Sick leave is taken in 15-minute increments, not to exceed eight hours per day, or 40 hours per week with exception of those working AWS. For AWS, leave is charged at the same number of hours that an employee is scheduled to work.

14.3.6.3. An employee is paid sick leave only for those hours scheduled to work for the day or week during which the absence occurs.

14.3.7. **Granting Sick Leave.**

14.3.7.1. Sick leave for examinations and treatment by a physician that can be prearranged, is requested in advance. Sick leave for other absences, which are not known in advance, is requested as soon as possible after an employee's scheduled shift begins (within the first two hours). Supervisory approval must be granted before it is taken.

14.3.7.2. Sick leave of more than three consecutive workdays should be supported by a medical certificate. If the employee was not attended by a physician, the employee's certification showing satisfactory evidence of incapacitation for duty may be accepted. In cases of extended illnesses, medical certificates are not required more frequently than every two weeks. Where evidence does not justify the approval of sick leave, the absence may be charged to annual leave, LWOP with the employee's consent, or absent without leave (AWOL).

14.3.7.3. If there is reason to believe an employee is abusing sick leave, the supervisor advises the employee that he or she has a questionable sick leave record, why the employee is suspected of abuse, and if the record does not improve, a medical certificate may be required for each future absence on sick leave. If this does not bring about an improvement in the record, the employee is notified in writing that all future requests for sick leave must be supported by a medical certificate. A written notice of abuse of sick leave cannot be issued when the absences claimed on sick leave are documented with medical certificates showing incapacity to perform duties of the position.

14.3.7.4. Sick leave due to exposure to a contagious disease must be supported by a medical certificate. An employee who requests sick leave because a family member has a contagious disease must present evidence to show that the family member requires the employee's care and attendance, as well as the fact that the disease is one that requires quarantine or isolation.

14.3.8. Advancing Sick Leave. Except in cases of serious illness or disability, advanced sick leave is not granted. It will be granted only after all circumstances have been carefully weighed. In cases of serious disability, illness, incapacitation, or for childbirth or adoption, full-time employees may be advanced up to 30 work days (240 hours) of sick leave. Equivalent amount for part-time employees are based on each individual instance. To determine the maximum amount of sick leave that can be advanced for a part-time employee, multiply 240 hours by weekly hours in the tour of duty and divide by 40 ($240 \times \text{weekly tour}/40 = \text{maximum hours}$).

14.3.8.1. In granting advanced sick leave, consider the employee's prior sick leave history; annual leave versus sick leave balance history; length of continuous employment; and whether all accumulated sick leave to the employee's credit is exhausted. Also, consider requiring the employee to use any annual leave which is subject to forfeiture.

14.3.8.2. Employees submit applications for advanced sick leave on OPM 71. Applications must be supported by medical documentation signed by a physician, and must include a statement indicating the date the employee is expected to return to normal duties.

14.3.8.3. When it is known that the employee is to be retired or otherwise separated, the total advance may not exceed an amount which can be liquidated by accrual before separation.

14.3.8.3.1. Advanced sick leave is not granted if it is considered likely that the employee will not return to duty for a sufficient period of time to repay the advanced leave.

14.3.8.3.2. Advanced sick leave is liquidated automatically, but repayment is not required when separation is because of death, resignation for disability supported by acceptable medical documentation, or disability retirement.

14.3.8.4. An unliquidated advance is carried forward from pay period to pay period and from one leave year to the next until liquidated by subsequent accrual. Upon employee request, advanced sick leave is liquidated by a charge to an equivalent amount of annual leave. When an employee separates from federal service before liquidating the advance, the balance is liquidated in the following order by:

14.3.8.4.1. Charge against available annual leave.

14.3.8.4.2. Offset against earned salary.

14.3.9. Supervisors coordinate their decisions to approve or disapprove requests for advanced sick leave with the Chief, NAF-HR to ensure consistent application of leave policies.

14.3.10. Substitution of Sick Leave for Annual Leave. If illness occurs during a period of annual leave, approved sick leave may be substituted for annual leave.

14.3.11. Transferring Sick Leave. On transfer of an employee to another DoD NAF employer, the employee's sick leave credits shall be transferred between the NAF employers without a transfer of funds, provided that the employee did not receive service credit for unused sick leave in the computation of an annuity.

14.3.12. Recrediting Sick Leave. Employees who change employment category to an ineligible category, and then are changed back to an eligible category have sick leave hours recredited without time limitation.

14.3.12.1. When an employee changes from Regular to Flexible employment category, the number of sick leave hours to the employee's credit are recorded on the SF 1150 and filed on the right-hand side of the employee's OPF.

14.3.12.2. If at a later date, this employee changes back to a Regular employment category with the same or different NAFI, all sick leave recorded in the OPF on the SF 1150 from the previous change to Flexible, is recredited to the employee's leave record.

14.3.12.3. The AF Form 2545 documenting the change to Regular employment category includes the remark, "Employee entitled to recredit of _____ hours of sick leave." A copy of the SF 1150 documenting the recreditable sick leave hours, is attached to the AF Form 2545 and is forwarded to the SSC.

14.3.12.4. The employing NAFI after the change to Regular employment category is effective, absorbs all costs associated with the recredited sick leave.

14.3.12.5. If a former DoD NAF employee returns to DoD NAF employment (regardless of employer) after a separation, his or her sick leave balance at the time of such separation shall be restored.

14.3.12.6. Sick leave used in the computation of an annuity is charged against an employee's sick leave account and may not thereafter be used, transferred, or recredited. All sick leave to the credit of an employee as of the date of his or her retirement (or death) and credited towards the calculation of an annuity is considered used.

14.3.13. **Sick Leave for Adoption.** Sick leave is justified for an activity that is necessary to allow an adoption to proceed. The following adoption-related activities are covered:

14.3.13.1. Appointments with adoption agencies, social workers, and attorneys.

14.3.13.2. Court proceedings.

14.3.13.3. Required travel to and from justified adoption-related activities.

14.3.13.4. Any other activities necessary to allow the adoption to proceed.

14.3.13.5. Any periods of time the employee is ordered or required by the adoption agency or by the court to take time off from work to care for the adopted child.

14.3.13.6. There is no specific limitation on the number of sick leave hours that can be requested and taken for adoption purposes. Sick leave for adoption-related purposes does not count towards the 104-hour (13-day) limit of sick leave each leave year for family care and bereavement purposes or the overall limit of 12 weeks of sick leave each leave year for all family care purposes. Advanced sick leave may be requested when required by the exigencies of the situation for purposes related to the adoption of a child.

14.3.13.7. Requests for sick leave for adoption purposes are made using OPM 71 submitted in advance, and are subject to the approval of the supervisor or designated leave-approving official.

14.4. On-the-Job Injury. An employee covered by Workers' Compensation Insurance may be granted sick leave payments from the employee's accumulated sick leave balance in an amount which, when added to workers' compensation benefits, approximates but does not exceed the employee's basic salary. Annual leave may be substituted in the absence of sick leave.

14.4.1. **Leave Without Pay (LWOP).** LWOP is a temporary nonpay status and absence from duty granted upon employee's request. Such leave may be granted instead of annual or sick leave. An

employee does not have to exhaust annual leave before requesting LWOP. LWOP cannot be imposed as a penalty, nor can an employee be required to apply for LWOP in lieu of suspension. It must not be confused with AWOL, which is charged for unauthorized absence. The granting of LWOP is a matter of administrative discretion. The NAF-HR staff must counsel the employee requesting LWOP, who is enrolled in the group health and life insurance plans, on his/her responsibility for remitting his/her share of the contribution during the period of LWOP (see paragraph 14.4.3.8.1.3.)

14.4.1.1. Requesting and Approving LWOP. Even though LWOP is a nonpay status, it is still approved leave and must be requested by the employee and approved by the supervisor. Employees submit requests for LWOP on OPM 71. Activity managers approve LWOP up to and including 30 days. The FSS commander/director approves LWOP over 30 days. LWOP for more than 30 consecutive days must be made a matter of record in the OPF. Supervisors are required to submit an RPA to the NAF-HR Section prior to start of LWOP of more than 30 days. LWOP is charged in 15-minute increments. LWOP shall not be granted for a period exceeding 1 year except for military service and other circumstances considered appropriate.

14.4.2. Refer to Chapter 6, for procedures for LWOP for career program employees affected by a BBA separation.

14.4.3. LWOP for Regular Employees Moving With Head of Household.

14.4.3.1. A Regular employee is entitled to LWOP for up to 150 calendar days in order to avoid a break in service when resigning from his or her position due to an employer's transfer of the head of household if the Regular employee is the family member of either:

14.4.3.1.1. A military member who is head of household;

14.4.3.1.2. A federally employed person who is the head of household; or,

14.4.3.1.3. A non-federally employed person who is the head of household, (hereinafter referred to as "sponsor").

14.4.3.2. These provisions do not apply to an employee relocating with their spouse who is separating or retiring from active duty.

14.4.3.3. An employee granted LWOP according to these procedures, receives no special employment consideration as a result of this LWOP status. The losing installation may fill the employee's position immediately, and no other installation is obligated to hire the employee by virtue of the employee's LWOP status.

14.4.3.4. An employee returning from an overseas assignment for separation, at the NAFIs expense, is not entitled to LWOP under these procedures.

14.4.3.5. Requests for LWOP under these procedures must be approved by the FSS commander/director, documented by an AF Form 2545, and made a matter of record in the OPF.

14.4.3.6. Employee Responsibilities.

14.4.3.6.1. Employees submit request for LWOP to his or her supervisor on OPM 71. The employee also submits evidence acceptable to the approving authority, that the employee's sponsor is being transferred by the sponsor's employer.

14.4.3.6.2. After the approving authority approves the request, the employee submits to his or her supervisor, his or her written resignation. The resignation takes effect on the last day of the LWOP period, unless the employee is appointed to another position prior to the expiration of the

LWOP period, in which case, the resignation does not take effect. The employee must include a forwarding address on the resignation.

14.4.3.6.3. If, during the LWOP period, the employee seeks other NAF employment, the employee submits a copy of the AF Form 2545, documenting the LWOP status, with his or her application for employment. (The employee receives the AF Form 2545 from the losing NAF-HR Section. Refer to paragraph 14.4.3.8.2).

14.4.3.7. **Supervisor Responsibilities.**

14.4.3.7.1. Upon receipt of an employee's OPM 71 request for LWOP, the supervisor forwards the request, through the appropriate channel to the FSS commander/director for approval.

14.4.3.7.2. After the FSS commander/director approves the request, the supervisor ensures the employee submits a resignation.

14.4.3.7.3. Upon receipt of the Resignation, the supervisor completes an RPA and submits it with the LWOP RPA to the NAF-HR Section.

14.4.3.8. **Losing NAF-HR Section Responsibilities.** Upon receipt of the two RPAs, one documenting the resignation and one documenting the LWOP, the losing NAF-HR Section takes the following actions:

14.4.3.8.1. Counsel the employee about the following matters:

14.4.3.8.1.1. The LWOP period will not be creditable toward any of the age, service, or participation requirements for benefits of the retirement, 401(k), or group insurance plans if the employee is not appointed to another position in which he or she is eligible for participation, and continues his or her participation, in the appropriate benefit plan.

14.4.3.8.1.2. **Retirement and 401(k) Savings Plans.**

14.4.3.8.1.2.1. **Retirement Plan.** Both the employer and employee contributions are discontinued during the LWOP period. The employee's eligibility for retirement plan benefits and options is determined and AF Form 2391, *Termination Information (Air Force Nonappropriated Fund Retirement Plan)*, is completed reflecting the employee's election in the event he or she is not appointed to another NAF position prior to expiration of the LWOP. If the employee elects either retirement or the deferred annuity option, AF Form 2395, *Evidence of Age (USAF Nonappropriated Fund Retirement Plan)*, must be completed. If the employee is under age 62, AF Form 1528, *Authorization to Obtain Social Security Earnings Information*, is also completed.

14.4.3.8.1.2.2. **401(k) Savings Plan.** Both the employer and employee contributions are discontinued during the LWOP period. The termination distribution form should be completed reflecting the employee's election in the event he or she is not appointed to another NAF position prior to expiration of the LWOP.

14.4.3.8.1.3. **Group Health and Life Insurance Plans.**

14.4.3.8.1.3.1. If the employee is participating in either the group health insurance plan or the group life insurance plan, and if the employee wishes to continue such participation during the LWOP period, the employee must, during the LWOP period, continue to remit the employee's share of the contributions required by such participation to the losing NAF AO. If the employee does not wish to continue participation during the LWOP period, the NAF-HR Section prepares AF Form 2545 to terminate the coverage prior to processing the LWOP action. In this case, complete the carrier

change form according to pre-established procedures furnished by AFSVC/SVXHI. Send the change form to the carrier. Maintain a copy of the form in the employee's OPF.

14.4.3.8.1.3.2. If the employee fails to pay his or her share of the contribution, and the employee's account is not current at the end of the pay period following the pay period in which insufficient funds were received, the NAF-HR staff processes the deduction arrearages report obtained through Air Force Services Financial Management System Reporting Tool to identify employees with insufficient funds and prepares AF Form 2545 to terminate the coverage. The effective date of termination is the first day of the pay period immediately following the pay period in which insufficient funds were received from the employee. A copy of the AF Form 2545 must be sent to AFSVC/SVXHI and to the employee at the forwarding address provided on the resignation. If the employee was enrolled in the NAF group health benefits program, complete the carrier change form according to pre-established procedures furnished by AFSVC/SVXHI. Send the change form to the carrier; maintain a copy of the form in the employee's OPF.

14.4.3.8.1.3.3. The employee must also be counseled on the different group insurance conversion and continuing coverage options for which he or she would be eligible upon termination of his or her LWOP.

14.4.3.8.1.4. **Annual Leave.** Normally, annual leave is not granted in conjunction with LWOP. An employee who is granted LWOP has to perform duty on the last duty day prior to the start of the LWOP. It is not appropriate to exhaust annual leave before LWOP in cases where the basis for LWOP is that the employee must relocate because of the transfer of the head of household. This means they are not expected to return to work. Annual leave is only appropriate in instances where the employee is expected to return to work. If, on the effective date of the resignation, the employee has annual leave to his or her credit, the losing NAF-HR Section either (1) ensures payment of lump sum annual leave or (2) if the employee is subsequently hired into an eligible position, transfers the leave balance to the employee's account with the new position. If the LWOP period will potentially extend into a new leave year, and if the employee's annual leave balance exceeds that which may be carried from one leave year to the next, the NAF-HR staff informs the employee how to avoid the loss of accrued annual leave.

14.4.3.8.2. **Process the Request for LWOP.** Upon receipt of the LWOP RPA, the losing NAF-HR Section prepares an AF Form 2545 documenting the LWOP period and gives a copy of the form to the employee prior to the employee's departure from the area. If the employee is participating in the NAF retirement plan, or either of the NAF group insurance plans, the NAF-HR Section forwards a copy of the LWOP AF Form 2545 to AFSVC/SVXHB. The employee remains an active employee at the losing installation until either the effective date of the Transfer Out or Resignation/Retirement action. The NAF-HR staff suspenses the LWOP action to ensure the required subsequent actions are taken in a timely manner.

14.4.3.8.3. **Process the Resignation.**

14.4.3.8.3.1. If the losing NAF-HR Section is notified that the employee has obtained other employment prior to the expiration of the LWOP period, the losing NAF-HR Section prepares an AF Form 2545, indicating that the employee transferred, effective the day before the effective day of the new appointment. The appropriate NOAC to be inserted in Blocks 11a and b is N049, Transfer Out. Refer to the DCPDS Users Guide for guidance regarding the appropriate remarks to be included in Block 25. The remarks vary depending upon the new appointment. For example, if the new appointment is to a Regular NAF position, block 25 includes the remark that all annual and sick leave account balances transfer; but if the appointment is to a Flexible NAF position, Block 25 indicates that any annual leave balance is paid lump sum. A copy of the AF Form 2545 is sent to the employee at the forwarding address provided by the employee.

14.4.3.8.3.1.1. The NAF-HR Section processes this transfer action through the DCPDS immediately upon notification of the new appointment. The gaining NAF-HR Section cannot process the appointment action in DCPDS until the transfer out action processes.

14.4.3.8.3.1.2. The NAF-HR Section prepares an SF 1150 for the employee's OPF.

14.4.3.8.3.1.3. If the employee is participating in the NAF retirement plan, or either of the NAF group insurance plans, AFSVC/SVXHB will be notified through DCPDS.

14.4.3.8.3.2. If the LWOP period expires, and the losing NAF-HR Section has *not* been notified that the employee obtained other employment prior to the expiration of the LWOP period, the losing NAF-HR Section prepares an AF Form 2545, indicating the employee resigned or retired, effective the last day of the LWOP period. The appropriate NOAC for blocks 11a and b is N030, Resignation or N043, Retirement-Voluntary. Insert in Block 25 all appropriate remarks required for processing the resignation or retirement of any Regular employee. Refer to the DCPDS Users Guide for guidance. A copy of the AF Form 2545 along with SF 8, *Notice to Federal Employee about Unemployment Compensation*, is sent to the employee at the forwarding address provided by the employee.

14.4.3.8.3.2.1. If the employee was a participant in the NAF retirement plan, forward a copy of the AF Form 2545 and other appropriate documentation (see paragraph 14.4.3.8.1.2.) to AFSVC/SVXHB. If the employee has elected retirement or the deferred annuity option, include copies of all AF Forms 2545 required to document the employee's high three earnings, along with the number of hours of unused sick leave upon retirement. If the employee was a participant in the NAF 401(k) plan, forward a copy of the termination distribution form according to AFMAN 34-302.

14.4.3.8.3.2.2. If the employee continued participation in one or both of the NAF group insurance plans during the full period of the LWOP, forward a copy of the AF Form 2545, with documentation pertaining to the employee's eligibility for continuing coverage along with Aetna Form GR-65989-1, to AFSVC/SVXHB.

14.4.3.9. **Gaining NAF-HR Section Responsibilities.**

14.4.3.9.1. Obtain a copy of the AF Form 2545 documenting the LWOP status of the employee. The employee should be able to provide such copy.

14.4.3.9.2. If the LWOP period has expired before the effective date of the new appointment, treat the employee as you would any former employee being rehired with a break in service, and prepare the AF Form 2545 appropriately.

14.4.3.9.3. If the LWOP period has *not* expired before the effective date of the new appointment, prepare AF Form 2545, indicating the employee transferred. The appropriate NOAC to be inserted in Blocks 11a and b is N021, Transfer In. Refer to the DCPDS Users Guide for guidance regarding the appropriate remarks to be included in Block 25. These remarks will vary depending upon the new appointment. For example, if the new appointment is to a Regular NAF position, Block 25 includes the remarks that all annual and sick leave balances transfer; that participation in the NAF retirement plan and group insurance programs, if applicable, continues; and that no 90-day waiting period for annual leave usage is required.

14.4.3.9.4. If the employee elected to continue participation in either or both of the group insurance plans during the LWOP period, verify with the losing NAF-HR Section that the employee continued to remit his or her share of the contribution, and that their account is current and insurance coverage is not terminated.

14.4.3.9.5. Request the employee's OPF from the losing NAF-HR Section.

14.4.3.9.6. Do not process the Transfer In action through DCPDS until notified that the losing NAF-HR Section has processed the Transfer Out action.

14.5. Absence Without Leave (AWOL). AWOL is an unauthorized absence from duty or for which leave is denied. This is a non-pay status. These unauthorized absences may form the basis for disciplinary action.

14.6. Military Leave. Military leave is absence from duty in the employee's NAF position without loss of pay to perform military duty. Regular employees and Flexible employees are entitled to time off with pay for certain types of active and inactive duty in the National Guard or the Reserves of the Armed Forces. Military leave is prorated for eligible Flexible employees based on the number of hours in the employee's regularly scheduled bi-weekly pay period. Eligible employees must, upon request, be granted military leave to which entitled for performance of active duty or active duty for training. If an employee is ordered to an initial period of active duty for training with the Reserve or National Guard for a period of not less than three months, the employee may be granted annual leave or LWOP as requested, after first exhausting military leave. Additional information may be found at www.opm.gov.

14.6.1. Eligibility Criteria. Employees entitled to military leave must be:

14.6.1.1. A member of a Reserve or National Guard component;

14.6.1.2. A full-time, part-time or Flexible employee who does not have an intermittent work schedule; and

14.6.1.3. Serving in an appointment that is not limited to 1 year or less.

14.6.2. Entitlement to Military Leave.

14.6.2.1. Eligible employees are entitled to an excused absence up to a maximum of 15 days/120 hours (15 days x 8 hours) per fiscal year without loss of pay, leave, or performance rating when called to active duty, active duty for training, and inactive duty training. Eligible employees accrue 15 days of military leave per fiscal year. If the full 15 days is not used in any fiscal year, the balance of the unused leave (up to a maximum of 15 days) is carried forward into the next fiscal leave year. Therefore, an eligible employee could have a maximum total of 30 workdays credited for use during a fiscal year. Inactive Duty Training is authorized training performed by members of a Reserve component not on active duty and performed in connection with the prescribed activities of the Reserve component. It consists of regularly scheduled unit training periods, additional training periods, and equivalent training. An employee, who is a member of the Reserve or National Guard who is not eligible for, or who has exhausted his or her military leave, must be granted annual leave, time off award earned, credit hours, or LWOP, as requested, in order to perform active or inactive duty for training. An employee on military duty cannot use sick leave. Sick leave may only be used when orders are issued specifically for a member to receive medical treatment/exams/attend a medical evaluation board or are incapacitated for either military or civilian duty due to a line of duty incident. Title 5 USC §6323(b) provides 22 workdays per calendar year for emergency duty as ordered by the President, the Secretary of Defense, or a State Governor. This leave is provided for employees who perform military duties in support of civil authorities in the protection of life and property or who perform full-time military service as a result of a call or order to active duty in support of a contingency operation as defined in Title 10, U.S.C., §101(a)(13). Title 5 U.S.C., §6323(c) provides unlimited military leave to members of the National Guard of the District of Columbia for certain types of duty ordered or authorized under title 39 of the District of Columbia Code.

14.6.2.2. Regular employees called into active duty for the purpose of performing military duties in support of civil authorities in the protection of life and property are granted leave upon presentation of

official orders. Compensation (other than for travel, transportation, or per diem allowance) received is turned in to the NAFI to be credited toward the pay received from the employee's NAF position, during the employee's absence to perform this military duty. This leave is granted only for workdays, and the employee's NAF pay is reduced only by the amount received for military service performed on a workday. Part-time employees who are on a regularly scheduled tour of duty of 16 to 32 hours a week accrue military leave at a rate determined by dividing 40 into the number of hours in the regularly scheduled workweek during the fiscal year and multiplying by 15. (Example: A regularly scheduled part-time employee works 20 hours per week. That employee's entitlement to military leave is 20 divided by 40 x 15.) NOTE: Part-time employees who work less than 16 hours per week are not entitled to military leave.

14.6.2.3. Employees are paid by the NAFI while on military leave as provided in para 14.6.2.1. An employee's civilian pay remains the same for periods of military leave including any premium pay (except Sunday premium pay) an employee would have received if not on military leave. For military leave under 5 U.S.C. 6323(b) and (c), an employee's pay is reduced by the amount of military pay for the days of military leave. However, an employee may choose not to take military leave and instead take annual leave, compensatory time off for travel, or sick leave, if appropriate, in order to retain both civilian and military pay.

14.6.3. **Granting Military Leave.** An eligible employee is granted any available military leave, annual leave, compensatory time off earned, earned credit hours, or time off award earned when they perform active duty or inactive duty. Requests for military leave are supported by a copy of the orders, which is forwarded to the NAF AO with the time and attendance card on which the absence is first reported. The employee submits a certification by the appropriate military officer as evidence that the active military duty was performed. This certification is forwarded to the NAF AO for coordination with the paying office.

14.6.4. **Charging Military Leave.** Military leave is charged only for hours during which a civilian employee would otherwise have been scheduled to work and receive pay. The minimum charge for leave is one hour. Hours in the civilian workday that are not chargeable to military leave must be worked or charged to another leave category, as appropriate. No charge is made for nonworkdays at the beginning and end of a period of absence on active military duty. Neither is there a charge for weekends and holidays that occur within the period of military service.

14.6.5. **LWOP Criteria.** LWOP may be granted for:

14.6.5.1. Employees who are members of the Reserve or National Guard who are not eligible for, or who have exhausted his or her military leave, as requested, for active or inactive duty for training.

14.6.5.2. Summer training as members of Reserve Officers Training Corps.

14.6.5.3. Temporary Coast Guard Reserve Duty.

14.6.5.4. Participation in parades by members of a state National Guard. Members of the National Guard in the District of Columbia are entitled to military leave with pay for participation in parades.

14.6.5.5. Training with a state Guard or other state military organization.

14.6.5.6. Civil Air Patrol duty.

14.7. Excused Absence for Employees Returning from Active Duty. When employees return to duty from Military Service, they shall have the same leave accrual entitlements they should have enjoyed had they remained at work in accordance with the USERRA, codified in Title 38 U.S.C., §4316. Additionally, as directed in the Presidential Memorandum, Return of Activated Military Members to Federal Civilian Employment, dated November 14, 2003, employees returning from

active Military Service in connection with Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, New Dawn, or any other military operation subsequently established under Executive Order 13223 shall be granted five workdays of excused absence without charge to leave regardless of the number of active duty activations. Employees who were not appointed in their NAF position at the time of military activation are not eligible for the excused absence. The period of excused absence is prorated according to the number of hours in the employee's regularly scheduled workweek. Flexible employees are entitled to the average number of hours in their weekly work schedule prior to being activated. The excused absence is granted prior to the employee's resumption of their civilian duties.

14.7.1. Minimum Service Requirements. Since the intent of the five days of excused absence is to aid employees in their readjustment to civilian life, employees must have served a significant period of time on active duty before being eligible for the five days of excused absence. Therefore, an employee may be granted five days of excused absence only after he or she returns from at least 42 consecutive days of active military service in connection with the continuing Overseas Contingency Operations (formerly the Global War on Terrorism).

14.7.2. Multiple Deployments. For subsequent periods of active duty in support of the OCO, employees may not be granted more than five days of excused absence within a 12-month period. The 12-month period begins on the first day of excused absence and ends 365 days later. An employee called to active duty on multiple occasions is therefore entitled to receive five days of excused absence as long as the service meets the 42 consecutive days standard and the employee has not received 5 days of excused absence during the previous 365 days.

14.7.3. Timing. The five days of excused absence must be granted as soon as an eligible employee reports back for duty or notifies management of his or her intent to return to duty, except in the following situations:

14.7.3.1. If the employee had received five days of excused absence following a period of active duty, but was not granted the five days of excused absence for a second or subsequent period of active duty, he or she may take the five days of excused absence at a time mutually agreeable to the employee and management.

14.7.3.2. If, for any reason, the employee was not granted the five days of excused absence upon return, he or she should be granted the five days of excused absence at a time mutually agreeable to the employee and management.

14.7.4. Additionally, the five days of excused absence must be used for a continuous period immediately upon return. The days may not be "stockpiled" for use at a later date. The commencement of the five days of excused absence represents a return to employment (i.e., to pay and duty status), and the employee is obligated to report for work at the end of the five-day period.

14.8. Military Furlough. Military furlough is granted to all employees for induction or recall to active duty in one of the Armed Forces. An employee returned to duty from military furlough has the same seniority, status, pay and, if appropriate, leave accrual entitlements that the employee would have enjoyed had he or she remained on the job. Refer to Chapter 3 for the procedures for this type of absence.

14.9. Court Leave. Court leave is an authorized absence from duty without loss of pay or charge to annual leave to perform jury duty in a federal, state, or municipal court or to serve in an unofficial capacity as a witness on behalf of the U.S. Government, the District of Columbia, or state or local government. For the purpose of granting court leave, a military court is considered the same as a federal court. All Regular employees are eligible for court leave.

14.9.1. Granting Court Leave. Court leave is granted for absence during an employee's regularly scheduled tour of duty. It is granted only for those days and hours the employee would otherwise be in a pay status. An employee is not granted court leave for jury or witness duty performed within a period of nonpay status. If an employee is on annual leave when called for jury duty or witness service, court leave shall be substituted. No charge shall be made to annual leave for the court service. Employees assigned to night shifts are granted court leave comparable with employees assigned to Regular day shift work. Since jury duty generally requires an employee's presence in court during daytime hours, an employee scheduled to work at night is granted court leave during the days on which the night shift begins or ends. If he or she works during part of the regularly scheduled night shift, only that part of the regularly scheduled shift during which the employee is absent is charged to court leave. If he or she works his or her regular night shift, no court leave is charged.

14.9.2. Return to Duty Upon Release by Court. An employee properly summoned to serve on a jury is under the jurisdiction and control of the court for the term of the jury service. However, an employee is expected to return to duty during periods when he or she is excused from jury duty unless this would be impractical. An employee excused or discharged by the court either for an indefinite period or for a definite period in excess of 1 day or a substantial portion thereof, is not entitled to court leave, but must report to duty. As a general rule, if there are 4 or more hours remaining in the employee's workday, exclusive of reasonable travel time, the employee reports for duty. If the employee fails to report for duty as directed, annual leave, previously earned compensatory time off, LWOP, or AWOL is charged for the excess time involved.

14.9.3. Witness and Jury Fees and Expenses. An employee is entitled to receive and retain expenses paid for services rendered and reimbursement for travel expenses. When a state or local court characterizes jury and witness fees as expenses, there is no requirement for the employee to turn in such fees to the agency. The employee cannot retain fees received in most circumstances. The certificate of attendance should separately identify fees and expenses/allowances. Fees received by the employee are collected while the expenses are not. If the certificate of attendance does not identify expenses separately, all monies are considered fees and shall be collected. The employee must submit fees received for jury or witness services by money order or personal check to the servicing NAF AO. The employee may keep reimbursements for expenses received from the court, authority, or party that caused the employee to be summoned and may keep fees that exceed the employee's compensation for the days of service. An employee serving on a jury in a state or local court who waives or refuses to accept fees is still liable to the NAFI for the fees he or she would have received. Fees not submitted in a timely manner are subject to payroll deduction. Payroll deductions to collect the fees will be made in the next regular pay period. If fees are erroneously paid to an employee by the court, the fees paid cannot be retained by the employee and must be turned in to the employing activity. When a holiday occurs during the time an employee is on jury duty or witness service, the employee can keep the jury duty or witness service fee for the holiday. If an employee is called to jury duty on a non-workday, or during a non-pay status, the employee may keep the fees paid.

14.10. Administrative Group Dismissal. Administrative group dismissal is an absence from duty when employees are released from duty because all or part of an activity is closed or it is in the public interest. Employees affected by these actions are usually excused without charge to leave and without loss of pay.

14.10.1. Installation commanders may suspend some or all NAFI operations and consistent with that closure, administratively excuse non-emergency employees when severe weather conditions or other emergency situations dictate such action as being in the best interest of the AF. Employees, who are notified of suspended operations well enough in advance to permit the scheduling of leave, normally 24 hours in advance, are not released without charge to leave.

14.10.1.2. It is Air Force policy that during adverse weather conditions or other emergencies that result in the regular worksite being closed or closed to the public, telework-ready employees, i.e., those on a signed telework agreement, will work from their approved alternate worksites. This means that telework-ready employees who are permitted to use unscheduled telework are required to telework on closure days. This includes employees who are regularly scheduled to telework on the day of a closure and those who were not scheduled in advance to telework but are required to do so by virtue of the telework agreement (i.e., employees who will telework only on an occasional, situational basis). Supervisors are responsible for ensuring employees are aware of this policy.

14.10.1.3. **Absence Due to Hazardous Weather Conditions or Disasters.** Group dismissals of employees without charge to leave because of severe storm, snow or icing conditions, or disasters occurring during or outside regular duty hours may be authorized IAW the guidelines in DoD 1400.25, Volume 610.

14.10.1.3.1. **Early Dismissal.** Only employees who are in a duty status (not on leave), or who are expected to return from leave to duty status at the time the early dismissal takes effect, are excused without charge to leave. Employees who are absent on leave that day continue to be charged leave. Employees on approved telework agreements are expected to work their full duty day.

14.10.1.3.2. **Late Reporting.** Depending on hazardous weather conditions, tardiness not in excess of 2 hours may be excused. Tardiness in excess of two hours may also be excused because of an unavoidable delay resulting from adverse weather or from disruption of public or private transportation in individual cases which are personally reviewed by appropriate supervisors. In case of employees who do not report for duty during hazardous weather, annual leave is charged for the full duty day, unless the supervisor concerned determines, after personal review of the facts in each case, that the employee made every reasonable effort to get to work, but was unable to do so because of the weather conditions. Determining factors for consideration in the decision include: Distance between the employee's residence and place of work, and mode of transportation. Employees on approved telework agreements are expected to begin their duty day at the regularly scheduled time.

14.10.1.3.3. **Base Closure.** Workdays in which federal activities are closed for hazardous weather conditions or disasters are non-workdays for employees, to include Flexible employees, not on an approved telework agreement or in an approved leave status. All Regular employees who are not on an approved telework agreement or in an approved leave status are excused without charge to leave. Employees who are absent on leave that day continue to be charged leave. Teleworking employees are expected to follow their approved telework agreement. Employees with mission essential duties are expected to perform those duties or request leave. Employees in a non-pay/LWOP status on the days immediately before and after the day(s) the activity was closed will remain in a non-pay/LWOP status. In addition, it does not apply to employees on military duty or suspension on the day of the closure. Employees who are assigned to other activities but are TDY at the closed activity are entitled to excusal without charge to leave. Employees assigned to the affected activity but are TDY elsewhere, are not entitled to excusal without charge to leave.

14.10.1.4. **Emergency Situations Occurring During the Workday.**

14.10.1.4.1. When an activity remains open and employees are expected to complete the day's tour, they may be granted annual leave, credit hours, compensatory time earned, or LWOP.

14.10.1.4.2. When the activity closes and employee leaves after receiving official word of the pending dismissal but before the time set for dismissal (with supervisory approval) in a situation not involving a hardship, annual leave, credit hours, compensatory time earned, or LWOP may be charged as appropriate for the period remaining until the employee's official departure time (i.e., the authorized dismissal time).

14.10.1.4.3. Emergency-essential employees who do not report for work as required may be charged annual leave, sick leave, credit hours, compensatory time earned, LWOP, or AWOL if appropriate.

14.10.1.4.4. Non-emergency employees who are scheduled to report for work before the dismissal but who do not report should be granted use of leave, compensatory time earned, or credit hours or charged AWOL, if appropriate, for the entire workday. Use of annual leave, credit hours, compensatory time earned, or LWOP may be granted, or AWOL may be charged, if appropriate, to employees who leave before official notice of dismissal for the period remaining until the end of the regular workday.

14.10.1.4.5. When an employee was scheduled to return from leave during the dismissal period, the supervisor should continue to charge leave for the absence until the time set for dismissal, then charge any continuing absence due to the emergency in the same manner as absences of other employees who were on duty at the time of dismissal.

14.10.1.4.6. Employees on LWOP pending disability retirement or while in receipt of Workers' Compensation, on military leave, suspension, or in a non-pay status the workday before and after a closure shall be continued in that status.

14.11. Administrative Leave. Administrative leave is an administratively authorized absence from duty without loss of pay or without charge to other paid leave. The leave approving supervisor may excuse employees for brief periods. A "brief period" normally means not more than 4 hours per day. Administrative leave differs from administrative dismissal in that it normally addresses individual employees being excused for non-mission related emergency reasons, or for reasons the government encourages such as voting.

14.11.1. Employees seeking to participate in installation or command sponsored team and morale building events may be excused for brief periods to attend such events subject to mission needs and workload. Administrative leave is not authorized for local organizational activities and club social activities (e.g., food drives or sporting events).

14.11.2. Commanders may assign employees to an alternative duty location for organizational activities requiring extended absence.

14.11.3. Management officials may not use administrative leaves or dismiss employees in a manner that effectively creates a paid non-duty day without charge to leave. Supervisors should approve requests for annual leave on Air Force Family days. Family days are those days connected to Federal holidays when military personnel are usually given the day off.

14.11.4. Absence for Brief Periods or Tardiness. Unavoidable absence of less than one hour, and brief periods of tardiness may be excused by the supervisor for adequate reasons or he or she may provide the employee opportunity to request approved leave, earned credit hours, or previously-earned compensatory time off. If the leave charged exceeds the period of absence or tardiness, the employee is not required to work the additional time covered by the leave charge. Unauthorized absence during the workday also may be charged to AWOL if the circumstances do not justify excusing the absence or approving leave. The charge of AWOL is not, itself, a disciplinary action. However, tardiness or an unauthorized absence that is charged to AWOL may serve as a basis for disciplinary action.

14.11.5. **Absence for Voting or Registration.** Activities maintain up-to-date information as to voting hours in all political subdivisions in which their employees reside. This information is made available to employees, because it is used as the basis for determining the amount of excused absence granted to employees.

14.11.5.1. Employees requesting time off to vote are excused without charge to leave for the amount of time necessary to permit them to report to work three hours after the polls open or to leave work three hours before the polls close, whichever requires the least amount of time off. No time off is granted if the polls are open either three hours before or three hours after the employee's regular duty hours.

14.11.5.2. Employees voting in jurisdictions where registration in person is required are granted time off to register on substantially the same basis as for voting. However, no time off is granted without charge to leave if the employee can register on a non-workday and round trip travel can reasonably be accomplished in one day.

14.11.6. **Blood Donations.** Employees are encouraged to volunteer as blood donors for unpaid donations. An employee is excused without charge to leave for the time necessary to donate blood, or blood products, such as platelets or plasma for recuperation following the donation, and for necessary travel to and from the donation site. The maximum time allowed without charge to leave is four hours. Employees who volunteer but are rejected as donors for that visit must return to duty or elect paid leave.

14.11.7. **Consultation With Operating Officials, EEO Counselor and NAF Employment Interviews.** Do not charge an employee leave:

14.11.7.1. For the time required to consult with operating officials or with the staff of the NAF-HR on matters relating to their employment provided that arrangements satisfactory to the supervisor and the official to be consulted with are made in advance.

14.11.7.2. Who is specifically requested to report for an interview in connection with an application or referral through the centralized referral system for a position within the FSS. If the interview is at another Air Force activity, within the local commuting area, leave is not charged for the time required to make the trip for the interview.

14.11.7.3. When an individual is employed by an activity scheduled for closure or reduction or under notice of separation or change to lower grade for any reason, except personal cause, may be excused without charge to leave for any placement interview. Such a placement interview may be with another federal agency, a local organization, or a private business concern in the commuting area. Except as provided above, absence for placement interviews is charged to annual leave, previous-earned compensatory time off, or LWOP.

14.11.8. **Medical Examinations for Employment.** An employee required to take a medical examination or obtain documentation as a condition of employment to determine his or her fitness for employment, or who obtains other medical services administered as a part of the health program of the activity, is considered in duty status during the time necessary to obtain the examination or treatment. When an employee is absent because of administratively required vaccinations or immunizations, the absence is considered an excused absence without charge to leave or loss of pay, provided the medical officer administering the vaccinations or immunizations certifies to the necessity for the absence.

14.11.9. **Attending Meetings and Conferences.** Absence, including required travel time, during normal duty hours to attend meetings or conferences determined to be training, or absence to attend other meetings for which travel is authorized at government expense is considered official duty and no charge is made to leave. Employees are not excused to attend conferences or conventions of political parties or partisan political groups or committees. **Note:** When spouses, who are also Air Force NAF employees, attend conferences as the official escort/guest of a military or civilian official, excused absence is not appropriate and leave must be charged.

14.11.10. Volunteer Activities Excused absence may be granted to employees participating in management-sponsored volunteer projects (e.g., adopt a school). This provision does not cover volunteerism in general. Such activity should be promoted through established leave programs and the flexibility offered through alternative work schedules.

14.11.11. Holiday Observance.

14.11.11.1. Legal Holidays. Employees are not required to work on a legal holiday unless their services are required to carry out essential operations. However, unauthorized absence on a holiday on which the employee was required to work results in loss of pay for that day, and could result in disciplinary action.

14.11.11.2. Religious Observance. There are no official observances of religious holidays outside of established federal holidays. Employees who request to observe religious holidays may be allowed time off for that purpose and the absence charged to annual leave, compensatory time off, religious compensatory time, or LWOP. If circumstances permit, work schedules may be rearranged to provide substituted work time. An employee may also request to perform compensatory overtime work for the purpose of compensatory time off in lieu of annual leave, when his or her personal religious beliefs require them to be absent from work during certain periods of the workday and/or workweek.

14.11.12. Military Funerals.

14.11.12.1. An employee who is a veteran of the Armed Forces and who participates as a pall bearer, a member of a firing squad, or a member of an honor guard in funerals for members of the Armed Forces who lost their lives on active duty is excused from duty without charge to leave, but not in excess of four hours in one day.

14.11.12.2. An employee is excused without charge to leave for not more than three workdays to make arrangements for, or to attend the funeral or memorial service of an immediate relative (spouse, son, daughter, mother, father, brother, or sister) who dies while on active duty as the result of wounds, disease, or injury incurred while serving in the Armed Forces in a combat zone.

14.11.13. Absences in Connection With Permanent Duty Travel. An employee with PCS orders may be granted administrative leave to make personal arrangements and transact personal business directly related to the permanent change in duty station, provided that such business or arrangements cannot be transacted outside regular working hours. An employee is not charged leave for any absence necessary to comply with requirements imposed in connection with a PCS. This includes such things as closing and opening personal bank accounts, or obtaining a driver's license and auto tags. This provision does not cover time involved in complying with PCS requirements such as obtaining passport and vaccinations, adhering to government housing authority requirements, or being present for packing and receiving of household goods. Such tasks required by the PCS are considered to be official duties. For an assignment to or return from, overseas employment, official duties further include time spent to deliver or reclaim privately owned vehicle (POV) to or from the port facility, obtain required physical examination, vaccination and inoculation, or passport, or to comply with other special requirements imposed because of the overseas assignment, including absence to obtain travel orders. An employee required to report to another activity to comply with overseas processing requirements is not charged leave for any absence necessary to make the trip. Administrative leave or official duty time only applies to the employee for whom PCS orders has been authorized and not to any civilian employees who may be listed on the orders as dependents.

14.11.13.1. When extensive permanent change of duty travel outside of regularly scheduled hours of duty is required, employees are authorized to be absent from work without charge to leave or loss of pay for a reasonable time to recuperate from fatigue or loss of sleep. In determining "reasonable

time” the supervisor considers the adverse effect on work performance, health, or well-being, and any safety hazard which might result from working while fatigued. Normally, this should not exceed 4 hours. When the total elapsed travel time exceeds 20 consecutive hours, as in the case of travel between the continental United States and either Pacific or European installations, up to 8 hours of duty time may be excused for recuperation.

14.11.14. Bone-Marrow, Stem Cell or Organ Donations. An employee may use up to seven days of paid leave each calendar year (in addition to annual or sick leave) to serve as a bone-marrow or stem cell donor. Such additional leave is granted without loss of or reduction in pay, leave to which otherwise entitled, credit for time or service, or performance rating. An employee also may use up to 30 days of paid leave each calendar year to serve as an organ donor. Leave for bone marrow and organ donation is a separate category of leave that is in addition to annual and sick leave.

14.11.14.1. Bone-marrow or organ donor leave may be used, but is not limited to, such situations as blood testing, tissue testing, counseling, physical examinations, travel time, surgery, and recuperation. Employees who are screened, but not accepted as donors, are entitled to bone-marrow or organ donor leave for their absences in conjunction with their attempt to be donors. Record this type of leave on the time and attendance documentation under administrative or other leave category.

14.11.14.2. The minimum charge for this type of paid leave is the same minimum charge that applies to sick leave (minimum incremental charge of 15 minutes NTE 8 hours per day, or 40 hours per week with exception of AWS). The authorized days of paid leave shall be converted to hours (i.e., 56 hours for an employee working 80 hours in a biweekly pay period and serving as a bone-marrow donor or 240 hours for an employee working 80 hours in a biweekly pay period and serving as an organ donor).

14.11.14.3. An employee having bone-marrow removed and stored for future use is not a "donor," and the benefit of seven days of paid time off was not intended for someone who is undergoing such a procedure for his or her own needs. Sick leave, annual leave, and advanced annual and sick leave are available to an employee facing this type of medical procedure. In addition, leave donated under the Voluntary Leave Transfer Program (VLTP) and LWOP under the Family and Medical Leave Act may be used if the condition meets the requirements of these programs.

14.12. Parental Leave. Parental leave covers absences for pregnancy and confinement, leave for adoptive parents, and paternity leave. Management should be responsive and compassionate in leave policies for working parents. Requests for such leave should be granted to the extent that normal work requirements permit. Refer to paragraph 14.16. for guidance on the FMLA.

14.12.1. **Absence for Maternity Reasons.** Absence from duty for reasons related to pregnancy and confinement is charged to sick leave, annual leave, or LWOP, depending on the circumstances and availability of each type of leave. The employee is responsible for providing notice substantially in advance of the anticipated leave dates. Requests for sick leave are treated the same as any request for leave to cover a medically certified temporary disability. All sick leave requests are supported by medical documentation showing the employee is incapacitated to perform the duties of his or her position for the period covered by the certificate. Sick leave is not authorized for absence due solely to the employee's responsibility for care of the infant. Any additional absence not supported by medical documentation is charged to annual leave or LWOP. If the employee requests additional annual leave or LWOP following confinement in order to care for the infant, supervisors should make every effort to approve the request.

14.12.2. **Absence for Paternity Reasons.** A male employee may use sick leave, annual leave, or LWOP for the purpose of caring for his minor children or the mother of his newborn child during confinement or incapacitation due to complications arising from the delivery. Requests of this nature should be handled in accordance with paragraphs 14.2., 14.3., and 14.4.1.

14.12.3. **Childbirth and Newborns.** Pregnant employees are entitled to use sick leave for prenatal and postnatal medical appointments and any periods of incapacitation as a result of pregnancy and childbirth. A biological mother or father cannot use 12 weeks of sick leave to care for a healthy newborn, but only for one with a serious health condition. A parent may use annual leave or LWOP to care for a healthy newborn.

14.13. Forced Leave. Management uses forced leave when reduced or suspended business operations result in temporarily reduced or suspended work schedules. It is usually LWOP, which temporarily places an employee in a nonwork, nonpay status; however, Regular employees may take annual leave instead of LWOP.

14.13.1. Reasons for forced leave include lack of business, slow business or facility repair or remodeling. Forced leave may also be required when business operations are temporarily reduced or suspended due to facility damage, breakdowns in equipment, power outage, or other unforeseeable curtailment of activities, excluding those circumstances explained in paragraph 14.11.

14.13.2. When an employee's work hours are temporarily reduced for one workday or more, the procedures in Table 14.1 are used. When an employee's work schedule is suspended temporarily, the procedures in Table 14.2 are used. Coordinate notices with the Chief, NAF-HR.

14.13.3. When a written notice is required, it is coordinated with the Chief, NAF-HR and includes:

14.13.3.1. A statement that the employee's work hours or work schedule is temporarily reduced or suspended.

14.13.3.2. The number of hours reduced, or the length of time the work schedule is temporarily suspended.

14.13.3.3. If the work schedule is suspended, the date the suspended work schedule begins and the date the employee is to return to work.

14.13.3.4. The specific reason for the suspended schedule.

14.13.3.5. A statement to Regular employees that annual leave may be taken instead of LWOP.

14.13.3.6. A statement advising the employee if he or she considers the action to be unfair or disagrees with the reasons for the action, he or she may file a grievance.

Table 14.1. Temporary Reduction of Daily Work Hours

R U L E	A If an employee is	B and the number of hours in the workday is reduced for	C then the employee is placed on	D and the employee is given
1	any employee	One day and employee is already on duty or just reporting for duty	LWOP after a minimum of two hours in a work or pay status, for the balance of the workday (see note 1)	no advance notice.
2	any employee	One through seven calendar days	LWOP for the number of reduced hours (see note 1)	verbal notice no later than the end of the previous workday (see note 2).
3	any employee	Eight through fourteen calendar days	LWOP for the number of reduced hours (see note 1)	written notice seven calendar days in advance of the action (see note 3).
4	a Flexible employee	Fifteen or more calendar days	LWOP for the number of reduced hours	written notice seven calendar days in advance of the action (see note 3).
5	a Regular employee	Fifteen or more calendar days	LWOP for the number of reduced hours (see note 1)	written notice fifteen calendar days in advance of the action (see note 3).

Notes:

1. Regular employees may take annual leave instead of LWOP.
2. If proper notice is not given, employee is excused with pay, without charge to leave for the number of reduced hours in the first work shift.
3. If proper notice is not given, employee is excused with pay, without charge to leave for the number of reduced hours during the required notice period.

Table 14.2. Temporary Suspension of a Daily or Weekly Work Schedule

R U L E	A	B	C	D
	If an employee is	and no work is available for	then the employee is placed on	and the employee is given
1	any employee	One full workday but not to exceed seven calendar days	LWOP for the number of suspended hours (see note 1)	verbal notice no later than the end of the previous workday (see note 2).
2	a Flexible employee	Eight or more calendar days	LWOP for the number of suspended hours	written notice seven calendar days in advance of the action (see notes 3 and 4).

Notes:

1. Regular employees may take annual leave instead of LWOP.
2. If proper notice is not given, employee is excused with pay, without charge to leave for the first workday.
3. If proper notice is not given, employee is excused with pay, without charge to leave for the number of scheduled workdays in the required notice period.
4. Business based action procedures are used for Regular employees whose schedules are suspended for eight or more calendar days.

14.14. Voluntary Leave Transfer Program (VLTP).

14.14.1. **Scope and Applicability.** VLTPs are established on an installation-wide basis and operate under the jurisdiction of the FSS commander/director. Only Regular NAF employees, who earn sick and annual leave, are eligible to participate. Leave cannot be donated to Flexible employees, who are ineligible to earn paid leave. Also, the transfer of leave between APF and NAF employees for the purpose of donating leave is prohibited.

14.14.2. **Description of the Program.** The VLTP permits AF NAF employees to donate annual leave to other AF NAF employees at the same installation who suffer a substantial loss of income because they have insufficient sick and annual leave to cover a period of absence caused by a medical emergency. A leave recipient may use annual leave received under this program in the same manner and the same purposes as if the leave recipient had accrued the leave, except that any annual leave, and any sick leave, accrued or accumulated by the leave recipient and available for the purpose involved must be exhausted before any transferred annual leave may be used. **Note:** An employee is entitled to a total of 12 weeks of sick leave each year for all family care purposes. This means if the employee is applying to the VLTP for a medical emergency affecting a family member and the employee has already exhausted his or her entitlement to 12 weeks of sick leave for family care in that leave year, any remaining sick leave is not considered available paid leave and he or she would not be required to exhaust his or her sick leave balance before being eligible for donated leave. The requirement relating to exhaustion of annual and sick leave shall not apply in the case of a leave recipient who (1) sustains a combat-related disability while a member of the armed forces, including a reserve component of the armed forces; and (2) is undergoing medical

treatment for that disability. This is applicable only so long as the member continues to undergo medical treatment for the disability, but in no event for longer than 5 years. Affected employees submit an application through the first-level supervisor to the approving official. The VLTP is not used to cover absences of 23 work hours or less; such absences can be covered by advancing leave to the affected employee, or by LWOP.

14.14.3. Definitions.

14.14.3.1. **Approving Official.** The individual who has final authority to approve or disapprove VLTP applications. The FSS commander/director at installation level, or the higher headquarters equivalent at AFSVC/SVI, DRUs, and FOAs.

14.14.3.2. **Family Member.** An individual with any of the following relationships to the employee: spouse, and parents thereof; sons and daughters, and spouses thereof; parents and spouses thereof; brothers and sisters, and spouses thereof; grandparents and grandchildren, and spouses thereof; domestic partner and parents thereof, including domestic partners of any individual previously listed; and any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

14.14.3.3. **Leave Donor.** A Regular employee who submits a voluntary written request to transfer a specific number of accrued annual leave hours to the annual leave account of a leave recipient.

14.14.3.4. **Leave Recipient.** A Regular NAF employee whose application to receive annual leave from leave donors is approved.

14.14.3.5. **Medical Emergency.** A documented medical condition of either the employee or the employee's family member that is likely to require an employee's absence from duty and to result in a substantial loss of income because of the employee's lack of available paid leave. *Note:* OPM defines the threshold for "a substantial loss of income" as an absence (or expected absence) from duty without available paid leave for at least 24 work hours for a full-time employee. The absence may be consecutive or intermittent. For a part-time employee or an employee on an uncommon tour of duty, the period of absence without paid leave is prorated. At least 30 percent of the average number of hours in the employee's bi-weekly scheduled tour of duty will be the determining factor.

14.14.3.6. **VLTP Eligible Employee.** A Regular NAF employee who accumulates sick and annual leave.

14.14.4. Employee Application Procedures.

14.14.4.1. An employee makes written application to the first-level supervisor to become a leave recipient. If the employee is not capable of making application on his or her own behalf, a personal representative of the potential leave recipient may make written application for the employee. The application is submitted on OPM 630, *Application to Become a Leave Recipient Under the Voluntary Leave Transfer Program*.

14.14.4.2. Additional documentation will include:

14.14.4.2.1. The employee's relationship to the family member; e.g., spouse, child, parent, etc., if the medical condition pertains to a family member.

14.14.4.2.2. If the exact amount is not known, an estimate of the amounts of leave. A copy of the latest leave record can be attached to the memorandum, if available.

14.14.4.2.3. Certification from one or more physicians, or other appropriate experts, with respect to the medical emergency, or any additional information that is required to support the request.

14.14.4.2.4. If there is any information in the application or the attachments that the employee wants kept private, this should be mentioned in the application. The supervisor advises the employee whether withholding the information will adversely affect efforts to solicit leave donations.

14.14.4.2.5. A statement that the employee understands that he or she must use all existing annual and sick leave before any donated leave from other employees is used, and that donated leave is not used to compute a lump sum leave payment if the employee is separated.

14.14.5. **Supervisory Action on Applications.** The first-level supervisor will verify and validate the employment information contained in the application. The application must be returned to the applicant if correction or additional information is required. The supervisor must determine that the employee's absence from duty without available paid leave because of the medical emergency is or is expected to be at least 24 hours and is likely to result in a substantial loss of income to the employee because of the unavailability of paid leave. *Note:* In the case of a part-time employee or an employee with an uncommon tour of duty, at least 30 percent of the average number of hours in the employee's bi-weekly scheduled tour of duty will be the determining factor. Once the application receives supervisory endorsement, it is forwarded to the VLTP approving official within 5 workdays from the date of receipt of the application.

14.14.5.1. If approval is recommended, the endorsement reads: "Recommend approval. The information is correct to the best of my knowledge. Current leave balances have been verified with the NAF-HR Section. I understand I must verify each pay period whether the employee's medical emergency is continuing as far as I am able to determine. I understand it is my responsibility to properly annotate time and attendance records to ensure that all available paid leave is exhausted before any transferred annual leave is used by the applicant. I will notify the SSC to take the employee off paid leave status as soon as the employee returns to work, resigns, or is otherwise separated, or as soon as the medical emergency ends, whichever occurs first."

14.14.5.2. If disapproval is recommended, the endorsement describes the reasons for the recommendation.

14.14.6. **Approving Official Action on Applications.**

14.14.6.1. The approving official or designee notifies the leave recipient in writing within 10 calendar days after receipt of the application from the supervisor.

14.14.6.2. If approved, a copy of the OPM 630, is provided to the supervisor, the NAF- HR Section, and the SSC. The OPM 630 serves as notification that the application is approved, authorizes the NAF-HR Section to proceed with appropriate publicity, and authorizes the payroll office NAF AO to coordinate with the paying office and to accept leave donations.

14.14.6.3. If the application is disapproved, the approving official writes a memorandum to the employee explaining the reasons for disapproval. A copy of the memorandum is sent to the first-level supervisor. Disapproval is not a matter subject to NAF grievance or appeal procedures.

14.14.7. **NAF-HR Section Action on Applications.** The NAF-HR Section issues publicity to solicit donations from eligible employees through appropriate publicity channels (informational bulletins, circulars, bulletin board notices, etc.) as determined locally. Publicity releases explain the nature of the medical emergency; e.g., "chemotherapy treatments which will completely incapacitate the employee for X length of time," but are not needlessly graphic, clinically detailed,

or phrased in medical jargon not generally understood. Do not disclose medical information that the leave recipient has indicated he or she wants private.

14.14.8. **Donor's Action.** Eligible employees volunteer to donate leave by submitting an OPM 630A, *Request to Donate Annual Leave to Leave Recipient Under the Voluntary Leave Transfer Program, (Within Agency)* request in writing to their first-level supervisor.

14.14.9. **Processing Leave Donation Requests.**

14.14.9.1. **General.** A potential leave donor must have a sufficient number of hours of accrued annual leave in order to donate leave. Donating leave earned in future pay periods is prohibited.

14.14.9.1.1. The maximum leave donation is limited to no more than one-half of the total amount of annual leave the donor is entitled to accrue during the leave year in which the donation is made; e.g., an employee who earns 104 hours of annual leave may donate a maximum of 52 hours. An employee with “use or lose” annual leave may donate the lesser of one-half of the annual leave he or she would accrue in a leave year or the number of hours remaining in the leave year for which he or she is scheduled to work and receive pay.

14.14.9.1.2. Leave is transferred on an hour for hour basis in whole hours only. The VLTP leave recipient is credited with the full amount of leave hours donated, even in those cases where the VLTP leave donor has a different basic rate of pay.

14.14.9.1.3. Leave, once transferred, becomes available to the leave recipient for retroactive credit to periods of LWOP, and to liquidate indebtedness for advanced leave granted as a result of the medical emergency, and for usage in the same manner as if it had been accrued by the individual. Leave recipients accrue sick and annual leave for all time covered by donated leave at the same rate as for normal leave accrual.

14.14.9.1.4. The establishment of a pool or bank of transferred annual leave is not authorized except in situations of natural disasters per paragraph 14.15.

14.14.9.1.5. If the employee's medical emergency terminates, the amount of unused leave previously credited remains in the recipient's leave account. However, no further donation of leave is credited beyond the termination date of the emergency.

14.14.9.2 **Procedures.**

14.14.9.2.1. The supervisor verifies accuracy and completeness of leave donation requests and forwards them to the NAF-HR Section.

14.14.9.2.2. The NAF-HR Section verifies employment information in the requests and forwards them to the NAF AO.

14.14.9.2.3. The NAF-HR Section validates leave balances, ensures compliance with the policies in paragraph 14.15.9.1., and forwards to the SSC.

14.14.10. Termination of the Medical Emergency. Based on medical documentation or other appropriate action, the entitlement to receive transferred leave shall terminate as follows

14.14.10.1. When the leave recipient's employment is terminated by the same installation which approved the application to become a leave recipient.

14.14.10.1.2. At the end of the bi-weekly pay period in which the leave recipient's approving official or designee determines that the leave recipient is no longer affected by a medical emergency

14.14.10.2. The leave recipient's first level supervisor or leave approving official shall continually monitor (each pay period) the nature and extent of medical emergency affecting the leave recipient. Senior management officials must develop and maintain internal procedures to ensure supervisory biweekly review of the medical emergency.

14.14.10.3. When it is determined the medical emergency or hardship affecting the leave recipient has terminated, the NAF-HR Section discontinues soliciting leave donations and notifies donors and potential donors that the emergency is over, using the same publicity avenues used to attract donors. Donations already in process are continued if a negative leave balance remains in the leave recipient's account.

14.14.10.4. Restoration of Transferred Annual Leave. The NAF AO takes the employee off paid leave status and places the employee in the appropriate status, i.e., duty, LWOP, etc. Excess donated leave is used to offset shortfalls in prior pay periods due to absences not covered by leave caused by the same medical emergency. Any unused annual leave remaining to a leave recipient's credit on termination of the medical emergency must be restored to the annual leave accounts of the donors. Once transferred leave is restored to a leave donor's account, the leave is treated the same as other annual leave in the account and becomes subject to the annual leave "use or lose" carryover limitation.

14.15. Emergency Leave Transfer Program (ELTP).

14.15.1. AF NAF employees are allowed to make leave donations of annual leave to employees at any AF installation who are affected by major disasters and other emergencies (e.g., floods, earthquakes, hurricanes, bombings). Employees affected by major disasters may also be able to use leave donated under the VLTP. This also allows employees receiving such donated leave to use it before exhausting their own accumulated annual and sick leave.

14.15.2. Once an emergency or disaster has been declared by the President, the Chief, NAF-HR works with the FSS commander/director to (a) determine whether, and how much, donated annual leave is needed by affected employees; (b) approve leave donors and leave recipients; (c) facilitate the distribution of donated annual leave from approved leave donors to approved leave recipients, (d) determine the period of time for which donated annual leave may be accepted for distribution to approved emergency leave recipients, and (e) work with their resource management organizations to determine, based on need, the order of distribution of donated leave under this program. OPM 1637, *Application to Become a Leave Recipient Under the Emergency Leave Transfer Program*, and OPM 1638, *Request to Donate Annual Leave under the Emergency Leave Transfer Program*, may be used for receiving donated annual leave or donating annual leave under this program.

14.15.3. Processing Leave Donation Requests.

14.15.3.1. In order to be approved to receive donated annual leave, an employee must make written application to become an emergency leave recipient. If an employee is not capable of making written application, a personal representative may make written application on behalf of the employee. An employee or the family member is considered to be adversely affected if the disaster or emergency has caused him or her severe hardship to such a degree that his or her absence from work is required. An emergency leave recipient may use donated annual leave to assist an affected family member, provided that the family member has no reasonable access to other forms of assistance.

14.15.3.2. The NAF-HR Section will provide applications to employees requesting leave donations as well as to those employees interested in donating leave.

14.15.3.3. Following completion, employees will submit their applications to the NAF-HR Section to verify leave balances and program eligibility. A leave donor may not contribute less than one hour or more than 104 hours of annual leave in a leave year to an ELTP. Annual leave donated to an ELTP may not be applied against the limitations on the donation of annual leave under the VLTP.

14.15.3.4. After review and if insufficient donated leave is unavailable at the installation, the Chief, NAF-HR submits a request through AFSVC/SVI to AFSVC/SVXHR to expand leave donation solicitation to other NAF employees Air Force wide. Requests should include number of hours of leave needed by affected employees.

14.15.3.4.1. In addition, the Chief, NAF-HR will notify AFSVC/FM through AFSVC/SVI of leave requirements and/or donations and provide a copy of the approved documents.

14.15.3.4.2. AFSVC/SVXHR will initiate publicity to all AF installations of the declared disaster and solicit donated annual leave on behalf of affected installation from other AF NAF employees.

14.15.3.4.3. NAF-HR Sections will publicize the need for leave donations at their respective installation due to the declared disaster and provide applications to employees wishing to donate leave. Donated leave forms will be collected, validated, and submitted through AFSVC/SVI to AFSVC/FM.

14.15.3.4.4. AFSVC/FM will notify installation-level NAF-HR and NAF AO of the availability of donated leave by pay period. The NAF-HR Section at the affected installation will submit the proposed order of distribution of donated leave. The order of distribution will list:

Names of approved recipients

Number of approved hours, by recipient, by pay period

14.15.3.5. AFSVC/FM will maintain records of all leave donations by employee name and employing NAFI as well as records of the employees receiving the donated leave, name of the person receiving the donated leave, and number of hours received. An emergency leave recipient may receive a maximum of 240 hours of donated annual leave at any one time from an ELTP for each disaster or emergency.

14.15.3.6. When leave is donated, the number of donated hours will be reduced at the losing installation. Donated hours received will be added to the annual leave of the gaining installation.

14.15.3.7. The paying office will decrease hours at losing installation and increase hours at the gaining installation per employee with a clear audit trail of all transactions.

14.15.3.8. Annual leave transferred under the ELTP to a leave recipient may be substituted retroactively for any period of LWOP used because of the disaster or emergency or used to liquidate an indebtedness incurred by the emergency leave recipient for advanced annual or sick leave used because of the disaster or emergency.

14.15.3.9. Annual leave transferred under the ELTP to a leave recipient may not be included in a lump-sum payment, recredited to a former employee who is reemployed by another NAFI or used to establish initial eligibility for immediate retirement or acquire eligibility to continue health benefits into retirement.

14.15.3.10. Restoration of Unused Donated Annual Leave. Upon termination of a disaster or emergency, any unused annual leave donated to the ELTP must be returned to the emergency leave donors. AFSVC/FM will determine the amount of annual leave to be restored to each of the

emergency leave donors who, on the date leave restoration is made, is employed. The amount of unused annual leave to be returned to each emergency leave donor must be proportional to the amount of annual leave donated by the employee for the disaster or emergency. Any unused annual leave remaining after the distribution will be subject to forfeiture and annual leave donated to an ELTP for a specific disaster or emergency may not be transferred to another ELTP established for a different disaster or emergency.

14.15.3.11. The installation affected by the natural disaster absorbs the additional expense, if any, which results from a higher pay rate when transferred hours are credited to the recipients' annual leave balance.

14.15.4. **Prohibition of Coercion.** An individual may not directly or indirectly intimidate, threaten, or coerce any other individual for the purpose of interfering with any right an employee may have with respect to donating, receiving, or using annual leave.

14.15.4.1. Adequate publicity will be provided by NAF-HR Section when an application to receive transferred annual leave is approved. Therefore, the leave recipient is discouraged from expressing any personal solicitations to procure transferred annual leave from other employees.

14.15.4.2. For the purposes of this program the term "intimidate, threaten, or coerce" includes a prohibition of promise to confer any benefit associated with employment (such as appointment, promotion, compensation) or effecting or threatening any reprisal for not donating leave or donating leave to a specific employee is strictly forbidden.

14.16. Family Medical Leave Act (FMLA).

14.16.1. Background. The FMLA was enacted into law on 5 Feb 1993 with an effective date of 5 Aug 1993.

14.16.2. Purpose. The FMLA established a family and medical leave program for Federal employees. An employee is entitled to a total of 12 administrative workweeks of unpaid leave during any 12-month period for certain family and medical needs as specified in 5 CFR 630.1203(a).

14.16.3. Coverage. The FMLA applies to all NAF employees, Regular and Flexible, who are otherwise eligible under these provisions.

14.16.4. Leave Entitlement. A covered employee is entitled to a total of 12 administrative workweeks of unpaid leave (i.e., LWOP) during any 12-month period for: (1) the birth of a son or daughter and care of the newborn and the care of such son or daughter; (2) the placement of a son or daughter with the employee for adoption or foster care; (3) the care of a spouse, son, daughter, or parent of the employee with a serious health condition; (4) a serious health condition of the employee that makes the employee unable to perform any one or more of the essential functions of his or her position or (5) any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces. Federal employees are entitled to use FMLA leave to care for a same-sex spouse with a serious health condition (including care for a same-sex spouse who gives birth to a child), to care for a same-sex spouse who is covered service member with an injury or illness incurred or aggravated in the line of duty on active duty or for qualifying exigencies while a same-sex spouse is on covered active duty or has been notified of an impending call or order to covered active duty status IAW 5 U.S.C chapter 63, subchapter V and 5 CFR part 630, subpart L. However, the term "spouse" does not include unmarried domestic partners unless they meet the requirements of being spouses in a common-law marriage in States where such marriages are recognized.

14.16.5. Serious Health Condition. As defined in 5 CFR 630.1202, the serious health condition of the employee that makes the employee unable to perform duties of his or her position. **NOTE:** An employee must provide written medical documentation of a serious health condition, signed by the health care provider no later than 15 calendar days after the date requested by management. Form WH-380, *Documentation of Health Care Provider*, from the U.S. Department of Labor, may be used by employees to satisfy this mandatory requirement to furnish a medical documentation from a health care provider, including second or third opinions and documentation. This form is available for use on the OPM website.

14.16.5.1. A serious health condition has the same meaning as used in the OPM's regulations for administering the FMLA. This definition includes, but is not limited to, such conditions as cancer, heart attacks, heart conditions requiring heart bypass or valve operations, back conditions requiring extensive therapy or surgical procedures, kidney dialysis, physical therapy, strokes, severe injuries, severe respiratory conditions, spinal injuries, appendicitis, pneumonia, emphysema, severe arthritis, severe nervous disorders, injuries caused by serious accidents on or off the job, clinical depression, recovery from major surgery, final stages of a terminal illness, Alzheimer's disease, pregnancy, and childbirth. This may include "emotional" support for a family member receiving nursing care or medical care in a medical facility. A serious health condition is not intended to cover short-term conditions for which treatment and recovery are very brief. The common cold, flu, earaches, upset stomach, headaches (other than migraines), routine dental or orthodontia problems, etc., are not serious health conditions unless complications arise. Medical documentation is required for a serious health condition.

14.16.5.2. Medical Documentation. An employee must provide written medical documentation to document the use of FMLA leave for a serious health condition. Requests shall be submitted to the approving official on an OPM Form 71. The employee must provide written medical documentation of a serious health condition, signed by the health care provider no later than 15 workdays after the date requested by management. An additional written statement must be provided from the health care provider concerning the family member's need for psychological comfort and/or physical care. The statement must certify that the family member requires psychological comfort and/or physical care, the family member would benefit from the employee's care or presence, and the specific length of time the employee is needed to care for the family member.

14.16.5.3. An employee faced with a family medical emergency who has exhausted his or her entitlement to 12 weeks of leave (or a lesser amount if the employee has not accrued 12 weeks of leave) may receive donated annual leave. In addition, an employee who is using donated annual leave on the effective date of new sick leave accrual is required to use all of his or her available sick leave for family care purposes before he or she can continue to use donated annual leave.

14.16.5.4. Childbirth and Newborns. Pregnant employees are entitled to use sick leave or FMLA leave for prenatal and postnatal medical appointments and any periods of incapacitation as a result of pregnancy and childbirth. A biological mother or father cannot use 12 weeks of sick leave to care for a healthy newborn, but only for one with a serious health condition. A parent may use annual leave or FMLA leave to care for a healthy newborn.

14.16.6. Requirements for Invoking FMLA. An employee must invoke his or her entitlement to family or medical leave subject to proper notification and medical documentation requirements. Request for FMLA must be supported by evidence that is administratively acceptable to the supervisor, consistent with the regulations. If an employee does not comply with the request for sufficient medical documentation, the employee is not entitled to leave under FMLA. However, if the employee is unable to provide the requested medical documentation before leave begins, or if

there is a question about the validity of the original documentation provided by the employee and the medical treatment requires the leave to begin, provisional leave will be granted pending final written medical documentation.

14.16.6.1. Barring emergency situations not known in advance, an employee must provide a 30 calendar day's advance notice of intent of the need for FMLA and may not retroactively invoke his or her entitlement to FMLA. If events beyond the control of the employee require an employee to begin family or medical leave before the full 30-day notice can be provided, the employee remains responsible for providing as much notice as is practical. However, if an employee and his/her personal representative are physically or mentally incapable of invoking the employee's entitlement to FMLA leave during the entire period in which the employee is absent from work, the employee may retroactively invoke his/her entitlement to FMLA leave within 2 workdays after returning to work.

14.16.6.2. An employee may take up to 12 administrative work weeks of family and medical leave necessary for the circumstances that prompted the need for FMLA. This leave may be taken intermittently. If an employee who is in a LWOP status (even to accompany a military spouse or civilian sponsor) invokes FMLA, the employee still has the entitlement to FMLA. Since the supervisor allowed the employee to go on LWOP instead of separating the employee, the employee is still on the roles of the NAFI and has the entitlement to FMLA.

14.16.7. **Effective Date of FMLA.** The 12-month period begins on the date an employee first takes leave for a family or medical need and continues for 12 months. An employee is not entitled to 12 additional workweeks of leave until the previous 12-month period ends and an event occurs that entitles the employee to another period of family or medical leave. (This may include a continuation of a previous situation.)

14.16.8. **Covered Employees.** FMLA is available to Regular and Flexible employees. An employee must have completed 12 months of service (not required to be recent or consecutive). Employees serving in Flexible appointments with a stated time limitation or "not-to-exceed" date of one year or less are subject to the provisions of Title I of the FMLA. Title I is regulated by the DOL. A total of 12 administrative workweeks will be made available equally for employees in direct proportion to the number of hours in the employee's regularly scheduled administrative workweek. The 12 administrative workweeks of leave will be calculated on an hourly basis and will equal 12 times the average number of hours in the employee's regularly scheduled administrative workweek. If the number of hours in an employee's workweek varies from week to week, a weekly average of the hours scheduled over the 12 weeks prior to the date leave begins will be used as the basis for the calculation.

14.16.9. **Protection of Employment and Benefits.** Upon return from FMLA leave, the employee must be returned to the same position held when the leave began or an equivalent position with equivalent benefits, pay, status, and other terms and conditions of employment. An equivalent position must be in the same commuting area and must have the same or substantially similar duties and responsibilities of the position held when the leave began.

14.16.10. **Substitution of Paid Leave.** An employee may choose to substitute annual leave for unpaid leave under the FMLA. Substitution of paid leave for FMLA cannot be done retroactively. An employee may also substitute sick leave in those situations in which the use of sick leave is permitted and made in advance. Advanced annual or sick leave and/or leave made available to an employee under the VLTP may also be available.

14.16.11. Expanded Family and Medical Leave Policies. Employees may schedule and take up to 24 hours of LWOP each leave year for participation in school activities, routine family medical appointments, and elderly relatives' health needs.

14.16.12. Qualifying Leave for an Exigency. This provision provides eligible employees up to 12 administrative workweeks of unpaid leave under the FMLA for qualifying exigency purposes during any 12-month period. This provision helps employees manage family affairs when their family members are on covered active duty to a *foreign country*. State-side active duty does not qualify for exigency leave.

14.16.12.1. Qualifying exigencies arise when the spouse, son, daughter, or parent of an employee is on covered active duty in the Armed Forces, or has been notified of an impending call or order to covered active duty. Covered active duty includes duty of a member of a regular component of the Armed Forces during deployment to a *foreign country* and duty of a member of a reserve component of the Armed Forces during deployment to a foreign country under a call or order to active duty in support of specified contingency operations.

14.16.12.2. Covered military member means the employee's spouse, son, daughter, or parent on covered active duty or call to covered active duty status. Son or daughter on covered active duty or call to covered active duty status means the employee's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stood in loco parentis, who is on covered active duty or call to covered active duty status, and who is of any age.

14.16.12.3. In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty (or notification of an impending call or order to active duty).

14.16.12.4. In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation pursuant to any of the following sections of title 10, U.S.C., or any other provision of law during a war or during a national emergency declared by the President or Congress: Section 688, Section 1230(a), Section 12302, Section 12304, Section 12305, Section 12406, and Chapter 15.

14.16.12.5. Requirement to invoke FMLA for qualifying exigency leave. An employee must invoke his or her entitlement to family and medical leave. An employee's notice of his or her intent to take leave under the qualifying exigency provision may suffice as the employee's confirmation.

14.16.13. Categories of Qualifying Exigencies.

14.16.13.1. Short-notice Deployments. To address any issue that arises from the fact that a covered military member is notified of an impending call or order to covered active duty 7 or fewer calendar days prior to the date of deployment. Leave taken for this purpose can be used for a period of up to 7 calendar days beginning on the date a covered military member is notified of an impending call or order to covered active duty.

14.16.13.2. Military Events and Related Activities. (1) To attend any official ceremony, program, or event sponsored by the military that is related to the covered active duty or call to covered active duty status of a covered military member; and (2) to attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the covered active duty or call to covered active duty status of a covered military member.

14.16.13.3. Childcare and School Activities. 1) To arrange for alternative childcare when the covered active duty or call to covered active duty status of a covered military member necessitates a change in the existing childcare arrangement for a child; 2) to provide childcare on an urgent, immediate need basis (but not on a routine, regular, or everyday basis) when the need to provide such care arises from the covered active duty or call to covered active duty status of a covered military member for a child; 3) to enroll in or transfer to a new school or day care facility or a child, when enrollment or transfer is necessitated by the covered active duty or call to covered active duty status of a covered military member; and 4) to attend meetings with staff at a school or a daycare facility, such as meetings with school officials regarding disciplinary measures, parent-teacher conferences, or meetings with school counselors, for a child when such meetings are necessary due to circumstances arising from the covered active duty or call to covered active duty status of a covered military member.

14.16.13.4. Financial and Legal Arrangements. 1) To make or update financial or legal arrangements to address the covered military member's absence while on covered active duty or call to covered active duty status, such as preparing and executing financial and health care powers of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System (DEERS), obtaining military identification cards, or preparing or updating a will or living trust; and 2) to act as the covered military member's representative before a Federal, State, or local agency for purposes of obtaining, arranging, or appealing military service benefits while the covered military member is on covered active duty or call to covered active duty status, and for a period of 90 days following the termination of the covered military member's covered active duty status.

14.16.13.5. Counseling. To attend counseling provided by someone other than a health care provider for oneself, for the covered military member, or for a child, provided that the need for counseling arises from the covered active duty or call to covered active duty status of a covered military member. Counseling may be provided by a military chaplain, pastor, or minister, or counseling offered by the military or a military service organization.

14.16.13.6. Rest and Recuperation. To spend time with a covered military member who is on short-term, temporary, rest and recuperation leave during the period of deployment. Eligible employees may take up to five days of leave for each instance of rest and recuperation.

14.16.13.7. Post-deployment Activities. 1) To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of 90 days following the termination of the covered military member's covered active duty status; and 2) to address issues that arise from the death of a covered military member while on covered active duty status, such as meeting and recovering the body of the covered military member and making funeral arrangements.

14.16.13.8. Additional Activities. To address other events that arise out of the covered military member's covered active duty or call to covered active duty status, provided that the supervisor and employee agree that such leave qualifies as an exigency, and that they agree to both the timing and duration of such leave.

14.16.13.9. Qualifying exigency leave may be taken intermittently or on a reduced leave schedule. An employee may elect to substitute annual leave for unpaid FMLA leave consistent with regulations governing use of annual leave. An employee must notify management of his or her intent to substitute annual leave for FMLA LWOP prior to the date the leave commences. An employee may not retroactively substitute annual leave for previously-taken FMLA LWOP.

14.16.13.10. **Verification of Exigency.** Employee is required to provide a copy of the service member's active duty orders and any documentation issued by the military that indicates the covered military member is on covered active duty or call to covered active duty status, and the dates of the covered military member's active duty service. This documentation need only be provided the first time an employee requests leave because of a qualifying exigency. If an employee submits a complete and sufficient certification to support his or her request for leave because of a qualifying exigency, management may not request additional information from the employee.

14.17. Sick Leave for Family Care or Bereavement

14.17.1. An employee is entitled to use sick leave to:

14.17.1.1. To give care or otherwise attend to a family member who is incapacitated as a result of physical or mental illness, injury, pregnancy, or childbirth;

14.17.1.2. Attend to a family member receiving medical, dental, or optical examination or treatment,

14.17.1.3. Provide care for a family member who would, as determined by the health authorities having jurisdiction or a health care provider, jeopardize the health of others by that family member's presence in the community because of exposure to a communicable disease; or

14.17.1.4. Make arrangements necessitated by the death of a family member or attend the funeral of a family member.

14.17.2. General Definitions.

14.17.2.1. The term "family member" covers a wide range of relationships, including spouse; parents and spouses thereof; parents-in-law; children and spouses thereof; brothers; sisters; grandparents; grandchildren and spouses thereof; step parents; step children; foster parents; foster children; guardianship relationships; same sex and opposite sex domestic partners and spouses or domestic partners of the aforementioned, as applicable. The list of family members for whom an employee may request sick leave for family care or bereavement purposes (as well as important associated definitions for the terms son or daughter, domestic partner, and committed relationship) may be found in OPM's fact sheet *Definitions Related to Family Member and Immediate Relative*.

14.17.2.2. The term domestic partner means an adult in a committed relationship with another adult, including both same-sex and opposite-sex relationship.

14.17.2.3. The term committed relationship means one in which the employee, and the domestic partner of the employee, are each other's sole domestic partner (and are not married to or domestic partners with anyone else); and share responsibility for a significant measure of each other's common welfare and financial obligations. This includes, but is not limited to, any relationship between two individuals of the same or opposite sex that is granted legal recognition by a State or by the District of Columbia as a marriage or analogous relationship (including, but not limited to, a civil union).

14.17.3. **Limitation on Use of Sick Leave for Family Care or Bereavement.** A full-time employee is entitled to use of up to 104 hours (13 days) of his or her sick leave each leave year for family care or bereavement purposes. There is no minimum balance sick leave requirement.

14.17.4. Calculation of Sick Leave Hours for Family Care or Bereavement.

14.17.4.1. For the employee who works 40 non-overtime hours per week consistently and regularly throughout the leave year, the number of sick leave hours that may be used for family care and bereavement are those authorized paragraph 14.17.3.

14.17.4.2. For all other employees, the basic amount of sick leave that may be used for family care and bereavement shall be equal to the average number of non-overtime hours of work in the employee’s scheduled workweek. To determine the employee’s average number of non-overtime hours in a workweek, a weekly average of the number of non-overtime hours scheduled over the 12 workweeks prior to the date leave commences is used as the basis for calculation. As the number of hours in the employee’s workweeks may vary, entitlement to any remaining sick leave must be recalculated for each subsequent request for sick leave throughout the leave year.

Example of calculation. A Regular employee, who works a different number of non-overtime hours each week, has requested sick leave for family care.

Total non-overtime hours worked preceding 12 workweeks	395
Average number of non-overtime weekly hours (395 divided by 12)	32
Number of basic sick leave hours for family care authorized	32
Number of sick leave hours normally accrued during leave year (32 hours x 52 weeks x 5%)	83
Number of additional sick leave hours for family care authorized (83 minus 32)	51
Total sick leave hours for family care	83

14.17.4.3. Granting Sick Leave. Sick leave for family care and bereavement must be requested and approved in the same manner as sick leave for personal illness or medical care, and the same documentation requirements apply. Sick leave is granted only when supported by administratively acceptable evidence. For absences in excess of three days, management may require a medical certificate or other administratively acceptable evidence. Management may consider an employee’s self-certification as to the reason for his or her absence as administratively acceptable evidence, regardless of the duration of the absence. An employee must provide administratively acceptable evidence or medical certification within 15 days of management’s request. If the employee is unable to provide evidence, despite the employee’s diligent, good faith efforts, he or she must provide it within a reasonable period of time, but no later than 30 calendar days after management makes the request. If the employee fails to provide the required evidence within the specified time period, he or she is not entitled to sick leave.

14.17.4.4. Sick Leave for Exposure to Communicable Disease. An employee is entitled to use sick leave if health authorities or a health care provider determine that the employee's family member's presence in the community would jeopardize the health of others because of exposure to a communicable disease. The use of sick leave would be appropriate in these circumstances even if the family member is not sick but would be limited to circumstances where exposure alone would jeopardize the health of others and would only arise in cases of serious communicable diseases, such as communicable diseases where Federal isolation and quarantine are authorized, which currently includes: cholera, diphtheria, infectious tuberculosis, plague, smallpox, yellow fever, viral hemorrhagic fevers, Severe Acute Respiratory Syndrome, and influenza that causes or has the potential to cause a pandemic. For more information, visit the Center for Disease Control website at: <http://www.cdc.gov/quarantine/AboutLawsRegulationsQuarantineIsolation.html>

which provides an illustrative, but not exhaustive, list of the types of serious communicable diseases where exposure alone would jeopardize the health of others. Although the employee does not need to be the sole provider of care, the employee must be providing care actively to the family member in order to use sick leave to care for a family member exposed to a communicable disease. Since the employee would not be providing care for a sick family member, but one who is asymptomatic, the employee may request sick leave only if the exposed family member could not otherwise care for himself or herself (e.g., a minor child or elderly relative). In contrast, it would not be appropriate for the employee to use sick leave to care for an able-bodied family member who has been exposed to a communicable disease, but is not exhibiting any symptoms, since the employee would not need to provide care actively to the family member. If the employee's family member actually contracts the communicable disease and becomes ill, sick leave for general family care or sick leave to care for a family member with a serious health condition, depending on the severity of the family member's illness, would be appropriate.

14.17.4.5. School Closures. The fact that schools have closed due to an emergency health situation (e.g., pandemic influenza or other serious communicable disease) should not be the sole factor in determining the type of leave an employee may use. For example, when the school is closed and-

an employee's child is healthy and has not been exposed to a communicable disease, the employee may not take sick leave.

an employee's child has been exposed to a communicable disease but is not sick, the employee may take up to 13 days of sick leave only if it has been determined that the child's presence in the community would jeopardize the health of others because of that exposure.

an employee's child is sick, due to a communicable disease or otherwise, the employee may use up to 13 days of sick leave to care for that child. If the child's illness rises to the level of a serious health condition, the employee may use up to 12 weeks of sick leave and/or may invoke leave under the FMLA, which would provide up to an additional 12 weeks of unpaid leave (with substitution of annual or sick leave, according to the appropriate regulations).

14.17.4.6. Interaction with VLTP. An employee who applies to become a leave recipient under the VLTP to care for a family member is required to use the sick leave available to him or her before he or she is eligible to become a leave recipient of donated annual leave.

14.17.4.7. Recordkeeping Requirements. All supervisors will be required to maintain information manually on employees who use sick leave for family care or bereavement. The NAF-HR Section will issue periodic reminders about the need to maintain the required information, including the need to transfer the information whenever another supervisor within the organization assumes leave-approving duties for an employee. When an employee resigns, or transfers to another installation, all sick leave hours used for family care and bereavement in the current leave year is submitted to the NAF-HR Section to record on the SF 1150 and filed in the employee's OPF.

14.18. Volunteer Activities. Presidential Memorandum dated April 22, 1998 directed the Heads of Executive Departments and Agencies to review their work scheduling practices and be flexible, when possible, to allow Federal employees to plan and take time off to do community service as allowed by public business.

14.18.1 The Federal personnel system provides departments and agencies with considerable flexibility in scheduling hours of work and time off. Departments and agencies are encouraged to make appropriate use of this flexibility in responding to requests for changes in work schedules or time off to allow employees to engage in volunteer activities, while giving due consideration to the effect of the employee's absence or change in duty schedule on work operations and productivity.

14.18.2. Flexible or compressed work schedules may be established for employees who wish to engage in volunteer activities during normal working hours. Employees represented by an exclusively recognized union may participate in a flexible or compressed work schedule "only to the extent expressly provided under a collective bargaining agreement between the agency and the exclusive representative." (See 5 U.S.C. 6130(a)(2).) To review the extent to which AWS programs have already been applied, installations should review their internal AWS policies and practices and collective bargaining agreements. To determine how additional AWS flexibilities may be implemented, installations may also consult subchapter II of chapter 61 of title 5, United States Code; regulations in 5 CFR part 610, subpart D, Flexible and Compressed Work Schedules; and the Handbook on Alternative Work Schedules. Information is also available in the Labor-Management Relations Guidance Bulletin: Negotiating Flexible and Compressed Work Schedules.

14.18.3. **Scheduling Time Off from Work.** Employees seeking to participate in volunteer activities during basic working hours may be granted annual leave, LWOP, compensatory time off, or, in very limited and unique circumstances, excused absence, as discussed below.

14.18.3.1. When employees request annual leave to perform volunteer service, management should be as accommodating as possible in reviewing and approving such requests consistent with AF guidance and applicable collective bargaining agreements.

14.18.3.2. At the discretion of the management, LWOP may be granted to employees who wish to engage in volunteer activities during normal working hours. As with annual leave, management is encouraged, whenever possible, to act favorably upon requests by employees for LWOP to perform volunteer services. However, LWOP is appropriate for extended periods only if the employee is expected to return to his or her job at the end of the LWOP.

14.18.3.3. Management may approve requests from employees for compensatory time off in exchange for performing an equal amount of time in irregular or occasional overtime work. For employees under flexible work schedules, management may approve employee requests for compensatory time off for both regularly scheduled and irregular or occasional overtime work.

14.18.3.4. FSS commanders/directors have discretion to excuse employees from their duties without loss of pay or charge to leave. It is advised that the granting of excused absence for volunteer activities should be limited to those situations in which the employee's absence, in management's determination, is not specifically prohibited by law and satisfies one or more of the following criteria: (1) the absence is directly related to the department or agency's mission; (2) the absence is officially sponsored or sanctioned by the commander/director; (3) the absence will clearly enhance the professional development or skills of the employee in his or her current position; or (4) the absence is brief and is determined to be in the interest of the agency. Ultimately, it is the responsibility of each commander/director to balance support for employees' volunteer activities with the need to ensure that employees' work requirements are fulfilled and that agency operations are conducted efficiently and effectively. Chief, NAF-HRs should review their internal guidance on excused absence and applicable collective bargaining agreements.

14.18.4. **Labor Management Relations.** Management is reminded that conditions of employment (such as work schedules) of bargaining unit employees may not be changed without notifying the exclusive representative and bargaining unit on the matter to the extent required

and/or permitted by laws, regulations, and collective bargaining agreements. Moreover, bargaining unit employees may participate in flexible or compressed work schedules "only to the extent expressly provided under a collective bargaining agreement between the agency and the exclusive representative."

14.18.5. Prohibition of Coercion. While managers, supervisors, and other agency officials may encourage employees to become more involved in volunteer activities, 5 U.S.C. §6132 provides that employees may not be coerced for the purpose of interfering with their legal rights under flexible and compressed work schedules.

14.18.6. Conflict of Interest and Hatch Act Restrictions. Employees are reminded that conflict of interest laws and related regulations governing outside employment for compensation also apply to Federal employees who engage in volunteer activities. Hatch Act restrictions apply to employees who are on duty, as well as to those on paid or unpaid leave.

14.18.7. Use of Government Facilities and Equipment. Employees may not use Government facilities and equipment for other than authorized purposes. (See 5 CFR 2635.704.) Employees may consult their agency ethics officials or Office of General Counsel for information about what may be authorized by their agency or department.

14.18.8. Liability for Work-Related Injuries. Commanders/directors need to be aware of liability issues related to employee participation in volunteer activities. The Department of Labor advises that, in most instances, employees who perform mission-related agency sponsored/sanctioned, or skills-enhancing volunteer activities while they are on excused absence are covered by 5 U.S.C. Chapter 81, Compensation for Work Injuries. Other kinds of absences would most likely not be covered.

14.18.9. Awards for Volunteerism. Commanders/directors are encouraged to recognize their employees who volunteer their skills to help others. However, providing cash or paid time off undermines the volunteer spirit in which these individuals donate their personal time and efforts for the benefit of others. Nevertheless, granting appropriate citations and letters of appreciation, or small mementos such as a "You Make a Difference" pin or mug, would demonstrate the agency's pride in the various beneficial services its employees render to the community. In addition, commanders/directors can publicize employee volunteer activities in internal publications, such as newsletters, bulletins, and magazines. Commanders/directors should make the effort to acknowledge and say "Thank You" to those whose personal efforts make their communities a better place to live and work and who contribute something extra to the well-being of others.

14.19. Record of Leave Data. The SF 1150 is completed whenever an employee leaves, for any reason, a Regular position. The NAF-HR Section completes SF 1150 when a Regular employee separates from NAF employment (i.e., a removal, separation, termination, resignation, retirement or transfer out), as well as, when a Regular employee is changed to a Flexible employment category. The NAF-HR Section utilizes the Air Force Services Financial Management System Reporting Tool to obtain information to complete SF 1150. Record the balance of sick leave and annual leave hours; any lump sum leave paid, and the hourly rate at which it was paid; and record any family or medical leave taken in the past 12-month period. The original copy of the SF 1150 is filed in the employee's OPF.

Chapter 15: Benefits Programs

15.1. Coverage. This chapter covers the benefits programs provided eligible NAF employees including the retirement, group life and health insurance, and flexible benefits plans. It also provides basic information concerning other entitlements for NAF employees, including those statutory entitlements in the Old Age, Survivor and Disability Insurance Program (social security), the Hospital Insurance Program for Aged and Disabled Persons (Medicare), Workers' Compensation Program, and the Federal Unemployment Compensation program. Details of the contents, and procedural guidance for administering the AF sponsored programs in this chapter, are outlined in AFMAN 34-302, *Air Force Nonappropriated Fund Employee Benefit Plans* publication, and in other publications prepared and distributed by AFSVC/SVX. Employees may obtain detailed information pertaining to Social Security and Medicare from their local Social Security Administration office.

15.2. AF NAF Employee Retirement Plan. There are two plans under which AF NAF employees may accrue benefits to provide income after their retirement from active employment: the Federal Social Security Program and the AF NAF Retirement Plan. The NAF Retirement Plan is the sponsor for eligible AF NAF employees. Employing NAFIs contribute to this plan on behalf of AF NAF employees. Generally, to be eligible to participate in the AF NAF Retirement Plan, an employee must be a Regular civilian employee (excluding ODM) and employed by an AF NAFI in the U.S., or if employed outside the U.S., the employee must be a U.S. citizen, permanent resident of the U.S., or non-citizen national paid on the U.S. dollar payroll. The employee may enroll upon completion of 12 months of regular Air Force service. If the employee enrolls within 30 days of the one year eligibility date, those 12 months are included in credited service. The basic provisions for administering the plan and for enrolling, terminating, and retiring employees are in AFMAN 34-302, *Air Force Nonappropriated Fund Employee Benefit Plans*.

15.2.1. Joint Basing Provisions for Retirement.

15.2.1.1. AF NAF Employees Transferring to Other NAF as Supporting Service. Under Joint Basing, AF NAF employees may elect to remain in the AF NAF retirement plan when they are moved to a Supporting NAF employer. The Supporting employer will deduct the appropriate AF NAF employee contribution and forward to the AF NAF retirement plan. The Supporting employer will also make the appropriate AF NAF employer contribution and forward to the AF NAF retirement plan. For employees who are participating in the FERS or CSRS, AF NAF will deduct the appropriate employee contributions, make employer contributions and forward to the APF system.

15.2.1.2. NAF Employees Transferring to AF NAF as the Supporting Service. Under Joint Basing, eligible employees who become AF employees may elect to retain their Supported retirement plan. AF NAF will deduct the appropriate employee contributions and forward to the Supported employer. AF NAF will also make the appropriate employer contribution and forward to the Supported employer. For employees participating in the FERS or CSRS, the Supporting employer will deduct the appropriate employee contributions, make employer contributions and forward to the APF system.

15.2.2. 401(k) Savings Plan. This plan provides eligible employees with an employee and employer contributory retirement savings plan. To be eligible to participate, an employee must be a Regular civilian employee with 30 days of service as a Regular employee. Eligible employees must also be a U.S. citizen, U.S. national or permanent resident alien of the U.S. ODM are not eligible to participate. The basic provisions for administering the AF NAF 401(k) retirement plan

and for enrolling, terminating, and retiring employees are in AFMAN 34-302, *Air Force Nonappropriated Fund Employee Benefit Plans*.

15.2.2.1. Joint Basing Provisions for 401(k) Savings Plan.

15.2.2.1.1. AF NAF Employees Transferring to Other NAF as Supporting Service. Under Joint Basing, AF NAF employees who are moved to another NAF component may elect to remain in the AF NAF 401(k) Savings Plan. The Supporting employer will deduct the appropriate AF NAF employee contribution and forward to the AF NAF 401(k) Savings Plan. The Supporting employer will also make the appropriate AF NAF employer matching contribution and forward to AF NAF 401(k) Savings Plan. For employees who are participating in FERS or CSRS, AF NAF will deduct the appropriate employee contributions, make employer matching contributions and forward to the APF system.

15.2.2.1.2. NAF Employees Transferring to AF NAF as the Supporting Service. Under Joint Basing, eligible employees who become AF NAF employees may elect to retain their former Supported 401(k) retirement plan. AF NAF will deduct the appropriate employee contributions and forward to the Supported employer. AF NAF will also deduct the appropriate employer matching 401(k) contribution and forward to the Supported employer. For employees participating in the FERS or CSRS, the Supporting employer will deduct the appropriate employee contributions, make employer matching contributions and forward to the APF system.

15.2.2.1.3. Under Joint Basing, all employees must keep their retirement plan and 401(k) savings plan with one NAF (either the Supporting service or the Supported service). For example, if an employee elects to retain the AF NAF retirement plan then he or she must also retain the AF NAF 401(k) savings plan.

15.3. Disability. There is no separate program for disability retirement income for AF NAF employees. Primary benefits are available under social security. In addition, although the NAF Retirement Plan does not have provisions for disability retirement, plan participants who become totally and permanently disabled may be eligible for disability annuity payments. Disability annuity payments from the NAF Retirement Plan are only available for Retirement Plan participants.

15.4. Group Life, Accidental Death and Dismemberment, and Health Insurance Programs.

These programs provide eligible employees with life, accidental death and dismemberment, and health insurance protection at a moderate cost to the employer and employee. This is the only AF-sponsored plan for which employing NAFIs are authorized to contribute on behalf of NAF employees. The programs may also include a qualified health maintenance organization alternative plan. The basic provisions for administering these programs are in AFMAN 34-302, *Air Force Nonappropriated Fund Employee Benefit Plans*

15.4.1. Participation is optional. The plan is a joint contributory one in which both the enrolled employee and employing NAFI share the costs. Generally, to be eligible to participate, an employee must be a Regular civilian employee, and be employed by an AF NAFI in the U.S., or if employed outside the U.S., the employee must be a U.S. civilian (citizen, permanent resident, or non-citizen national of the U.S.) paid on the U.S. dollar payroll. Regular off-duty enlisted U.S. military personnel may not participate in the group health plan. Refer to AFMAN 34-302, *Air Force Nonappropriated Fund Employee Benefit Plans* for specific participant eligibility.

15.4.2. Newly hired Regular employees are eligible to enroll anytime during the first 30 days of employment. Coverage is effective as of the first day immediately following the completion of the 30-day period after their date of hire, or reclassification to an eligible employment status. If an

employee does not enroll during the 30 days of Regular employment, they may request to enroll at a later date, by submitting evidence of insurability to the NAF-HR Section.

15.5. Flexible Benefits Plan (FBP). The AF NAF FBP allows NAF employees, and retirees, who are enrolled in the NAF Group Health Insurance Plan, to include the Stand Alone Dental Plan, the option to pay their health plan contributions with pre-tax earnings. The basic provisions for administering the FBP are in AFMAN 34-302, *Air Force Nonappropriated Fund Employee Benefit Plans* .

15.5.1. Only employees enrolled in the NAF health plan and Stand Alone Dental plan are eligible to participate. If an employee is a participant in a health maintenance organization or a personal civilian health insurance plan, the employee is not eligible to participate in the FBP. Air Force NAF Group Life Plan participants and former employees/retirees enrolled in continuing coverage under the Post-Retirement Medical and Dental Programs are excluded.

15.5.2. An employee who enrolls in the health plan during the initial 30-day period following eligibility, may also enroll in the FBP. The effective date of FBP coverage is the same as the effective date of health plan coverage. If an employee enrolls in the health plan at some date after the 30-day period, he or she may not always be able to begin participation in the FBP at the same time he or she begins participation in the health plan. Employees enrolled in the FBP may not discontinue their health coverage until open season.

15.6. Social Security and Medicare.

15.6.1. U.S. civilian NAF employees, with the exception of those participating in the CSRS through a portability election, must participate in social security. Both the employee and the employing NAFI contribute to the program, which provides employees with their primary retirement and disability insurance coverage. For eligible employees, the NAF Retirement Plan supplements the coverage provided by social security, with the benefits of the retirement plan being coordinated with the social security benefits.

15.6.2. All U.S. civilian NAF employees must participate in the Hospital Insurance Program for Aged and Disabled (Medicare). Both the employee and the employing NAFI contribute to the program, which provides medical insurance benefits to persons age 65 or older, and persons receiving social security disability benefits for 24 months or more. Active employees, otherwise eligible, may continue to participate in the NAF group health plan while employed, regardless of their age. Retired and former employees may not participate in the group health plan after age 65. Individuals who are receiving Medicare benefits based on disability may not participate in the group health plan.

15.7. NAF Employee Workers' Compensation Program. NAF civilian employees in the 50 states, the District of Columbia, Puerto Rico, Guam and other territories of the U.S., and U.S. citizens, U.S. nationals, or permanent residents of the U.S. in overseas areas, are eligible for workers' compensation disability income and authorized medical expense benefits according to the Longshore and Harbor Workers' Compensation Act. ODM personnel are excluded from coverage. Local national (LN) employees are provided workers' compensation benefits according to local law, treaty, agreement, or custom. Third-country national (TCN) employees are provided workers' compensation benefits according to established local policy. Refer to AFMAN 34-302, *Air Force Nonappropriated Fund Employee Benefit Plans* for details on handling workers' compensation claims, including specific instructions on filling out mandatory AF and DOL forms in processing employee job-related accidents or illnesses.

15.8. NAF Employee Unemployment Compensation Program. The Unemployment Compensation for Federal Employees, a part of the Social Security Act, became effective 1 Jan 55 and is administered by the Secretary of Labor. The Secretary entered into agreements with state employment security agencies (SESA) under which they, as agents of the U.S., pay certain compensation to federal employees according to their respective unemployment compensation laws. Included in the program are the 50 states, the District of Columbia, Puerto Rico, and the Virgin Islands. For the purpose of this program, federal service includes service as a NAF employee. SESAs are reimbursed from NAF funds. The DOL bills federal agencies quarterly. Federal agencies reimburse the Federal Employees Compensation Account for benefits paid out to NAF claimants by the SESAs. AFSVC/SVXHI is responsible for overall administration of the Unemployment Compensation Program for NAF employees. AFPC/DP2SSC is responsible for day-to-day operation of the Unemployment compensation Program for NAF employees and directs the Unemployment Compensation and Appeals Program for all AF APF and NAF employees as well as former service members.

15.8.1. AFPC/DP2SSC will ensure proper administration at installation level on components of the program and communicate with their local SESA and NAF-HR Section as necessary to efficiently operate the program. NAF-HR Sections remain an integral part of this program. Installation NAF-HRs complete and provide all NAF employees who are separated for any reason, or who are placed in a non-pay status of seven or more consecutive days, Standard Form (SF) 8 on or before their last duty day. Separated employees apply at SESA offices with the completed SF 8; their social security card and AF Form 2545. Employee may appeal or grieve separation action IAW chapter 9.

15.8.2. The appropriate activity manager is responsible for appealing SESA determinations. AFPC/DP2SSC provides technical and administrative assistance as needed. SESAs should send all determinations and hearing notices to the AFPC/DP2SSC address listed on the SF 8. NAF-HR Sections must immediately forward incorrectly addressed or misrouted SESA determinations and notices to AFPC/DP2SSC for appropriate action. When an unfavorable SESA determination is received, AFPC/DP2SSC will contact the NAF activity manager to determine if an appeal warranted.

15.8.3. Refer to AFI 34-302, *Air Force Nonappropriated Fund Employee Benefit Plans* , for additional information about processing unemployment compensation claims.

Chapter 16: Employment of NAF Personnel in Foreign Areas

16.1. Terms Explained:

16.1.1. **Direct Hire System.** This system ensures that U.S. forces are, in fact, the official employer and, as such, assume the responsibility for all administrative and management functions in connection with the employment.

16.1.2. **Foreign Area.** That area (including the Trust Territory of the Pacific Islands) located outside the U.S., the Commonwealth of Puerto Rico, the Republic of Panama, and U.S. possessions.

16.1.3. **Host Country.** For the purpose of this guide, host country means a nation in which representatives or organizations of another state are present because of government invitation and/or international agreement.

16.1.4. **Host Government.** The political authority of the foreign country where U.S. forces are stationed, under provisions of a treaty or agreement.

16.1.5. **Indirect Hire System.** This system ensures that the host government assumes the responsibility of meeting the needs of U.S. forces for local national personnel and that the host government is in fact, the official employer of such personnel.

16.1.6. **Local Hires.** U.S. Citizens residing in the host country may be recruited locally by NAFIs in foreign areas in accordance with established status of forces agreements.

16.1.7. **Local Nationals (LNs).** Citizens and permanent residents of the host country.

16.1.8. **Local Prevailing Rates.** Those rates, determined by wage surveys, paid to local national personnel.

16.1.9. **Non-U.S. Citizen.** Any person who is not a U.S. citizen.

16.1.10. **Ordinarily Residents.** An individual who is a local resident in an overseas location and who has legal, permanent resident status within the host country. Specific criteria for determining “Ordinarily Resident” established in status of forces agreements or similar sources.

16.1.11. **Resident Aliens.** People who are foreign-born living in the host country and who have not become naturalized citizens.

16.1.12. **Third Country Nationals (TCNs).** Citizens of a country other than the U.S. or the host country who are employed in the host country, in accordance with established status of forces agreements.

16.1.13. **U.S. Hire.** A person who physically resided permanently in the United States or the Commonwealth of the Northern Mariana Islands from the time he or she applied for employment until and including the date he or she accepted a formal offer of employment.

16.1.14. **U.S. National.** Any person who was born:

16.1.14.1. In an outlying possession of the U.S.

16.1.14.2. Of parents who are nationals of the U.S. in any outlying possession of the U.S.

16.1.14.3. Of unknown parents in an outlying possession of the U.S.

16.2. Staffing.

16.2.1. To staff NAFI activities overseas adequately, commanders employ or assign a mixture of personnel, in accordance with established status of forces agreements. These include:

16.2.1.1. LNs.

16.2.1.2. TCNs.

16.2.1.3. U.S. citizens and U.S. nationals recruited from the U.S. (usually for executive and managerial positions).

16.2.1.4. U.S. citizens, U.S. nationals, and other resident aliens who reside in the host country and are recruited locally, or who are recruited outside the local area but not from the U.S.

16.2.1.5. Military spouses and family members of military and civilian personnel stationed overseas.

16.2.1.6. Part-time ODM personnel.

16.2.2. AF policies for employing NAF personnel in the U.S. basically apply to U.S. citizens or U.S. nationals in foreign areas, but must agree with existing treaties or agreements with host countries. Locally hired non-U.S. citizen employees are employed according to customs and practices in those areas, and terms of country-to-country agreements and implementing directives.

16.2.3. DoDD 1400.6, *DoD Civilian Employees in Overseas Areas*, February 15, 1980, DoDI 1400.25, Volume 1231, *Employment of Foreign Nationals* and Volume 1412, *Nonappropriated Fund (NAF) Overseas Allowances and Differentials, and Employment in Foreign Areas* prescribe the policies governing civilian personnel employed by DoD components in the U.S. and overseas, and have been administratively extended to NAF employees. This chapter summarizes the essential elements in the volume.

16.3. Specific Entitlements.

16.3.1. U.S. Citizens or U.S. Nationals Recruited Locally.

16.3.1.1. U.S. citizens and U.S. nationals residing in the host country are recruited locally by overseas NAFIs in accordance with established country-to-country agreements. Except in those instances where placement is made under the provisions of MSP, THP and reemployment priority, first priority must be given to the employment of family members of military and civilian personnel assigned in the host country, when such actions are not at variance with the status of forces agreements, country-to-country agreements, treaties, or as prescribed by DoDI 1400.25, Volume 1232, *DoD Civilian Personnel Management System: Employment of Family Members in Foreign Areas*.

16.3.1.1.1. Family members are the spouse, domestic partner, or unmarried dependent children, or an unmarried dependent child of the employee's spouse or domestic partner not more than 23 years

of age, residing with a member of the U.S. Armed Forces or a U.S. citizen civilian employee of a U.S. Government Agency.

16.3.1.1.2. NAF-HR Sections and supervisors will afford family member preference (FMP) to those applicants who meet the definition of a family member, when filling NAF positions competitively through external placement procedures. Family member preference eligibles will be given priority for appointment in the absence of a RPL, MSP, or THP candidate. This priority applies only to initial employment and can be used only once at each duty location. Family member employment preference shall be terminated when a family member receives an appointment without time limitation or a time-limited appointment expected to last more than one year at his or her sponsor's assigned duty station. Acceptance of a temporary appointment of one year or less does not terminate FMP. If a family member employed at an overseas location is removed from employment through no fault of his or her own (e.g., BBA), the entitlement to family member employment preference at that location is reinstated. Family members shall not be given employment preference on the basis of sponsor's rank or position. Preference shall apply in foreign national positions to family members who are not U.S. citizens. However, such family members shall be employed under employment terms and conditions prescribed in host country legislation or agreements.

16.3.1.1.2.1. Family members may file applications for employment with overseas NAF-HR Sections 30 days before their anticipated arrival within the command. However, family members may not receive preference until actually arriving at the overseas location. Family members who have less than six months remaining in the area are not entitled to FMP when a position is filled without time limitation.

16.3.1.1.2.2. The appointment of FMP eligibles must comply with statutes, regulations, and restrictions on employment of relatives.

16.3.1.1.2.3. Installation commanders may approve exceptions to the selection of a FMP eligible. Exceptions will be rare, and must be based on compelling hardship to the mission.

16.3.1.1.2.4. Selecting supervisors prepare requests for exceptions and submit them to the NAF-HR Section.

16.3.1.1.2.5. The NAF-HR Section staffs the request and obtains necessary coordination and approval. Documentation on exceptions is retained according to the AF RDS in AFRIMS.

16.3.1.1.2.6. Verification of FMP is the responsibility of the NAF-HR Section. Entitlement to family member preference is verified with appropriate documentation included with the application. Documentation required to establish preference are the sponsor's PCS orders naming the family member as a dependent, or a copy of the commander's letter of approval of command sponsorship together with a copy of the sponsor's PCS orders. NAF-HR staff includes the documentation verifying FMP as part of the employee's OPF when appointed.

16.3.1.1.2.7. Family member preference does not apply to the family members of locally hired Federal civilian employees or to family members of foreign nationals.

16.3.1.1.2.8. Family member preference applies to all DoD NAF positions, with the exception of NF-6 (Senior Executive) positions.

16.3.1.1.2.9. Family member preference is separate from other NAF employment preferences such as spouse preference.

16.3.1.1.3. The employment of a family member of a military or civilian sponsor assigned to a host country may extend no longer than 60 days following the transfer of the sponsor from the commuting area of his or her duty station, the separation of the appointee's sponsor, or beyond the time the employee ceases to be a family member. This time limit applies to the employment of all family members, regardless of whether they used any preference to obtain NAF employment.

16.3.1.1.3.1. Once appointed, unmarried dependent children may be retained until their sponsor departs from the foreign duty station or commuting area of his or her duty station or completes the current period of service requirement, whichever occurs first. A family member must physically reside with his or her sponsor to receive family member preference.

16.3.1.1.3.2. NAF employees who are relocating to a new duty station because of a sponsor's transfer, and are on LWOP may be retained on the NAFIs rolls until the expiration period of the LWOP.

16.3.1.1.3.3. Installation commanders may approve extensions to the 60-day period for a period no longer than one year, when it is in the best interest of management or for humanitarian reasons, where there are no qualified and available military/DoD civilian family members in the local area, and when such action complies with the provisions of applicable SOFA, treaties or country-to-country agreements. Supervisors submit requests for extensions to the NAF-HR Section. Extensions must be fully documented, and filed on the left side of the OPF. When possible, employees should initiate requests for extensions through their supervisor at least 60 days in advance to allow for necessary processing and approvals.

16.3.1.1.3.4. Extensions are not approved beyond the expiration of the employee's entitlement to return transportation.

16.3.1.1.4. The NAF-HR Section includes the following remark on appointment AF Form 2545, "This appointment will be terminated within 60 days following the date the employee ceases to be a dependent, or following the sponsor's transfer from the commuting area or separation from service."

16.3.1.1.5. Employees will submit a resignation from NAF employment when he/she is no longer eligible for appointment as a family member. LWOP may be requested for employees relocating with head of household. NAF-HR Sections will terminate employees who refuse to resign in the following manner:

16.3.1.1.5.1. Provide a minimum of 20 hours advance, written notice of termination action.

16.3.1.1.5.2. Include a statement that the termination is not grievable as the appointment is considered time-limited.

16.3.1.1.5.3. Process Termination action for flexible employees and Separation - Without Prejudice action for Regular employees. Include the following remark on AF Form 2545 separation action: "Separation due to loss of status as a (dependent)."

16.3.2. U.S. Citizens Recruited in the U.S.

16.3.2.1. When it has been determined that local nationals, U.S. citizens, or U.S. nationals residing in the host country do not possess the necessary training or experience for a particular NAFI position, civilian personnel may be recruited from the U.S. to fill these positions. In general, such

personnel are limited to key management or supervisory positions and those positions regarded as essential for security reasons.

16.3.2.2. Rates of pay for U.S. citizen NAFI employees who are recruited in the U.S. and its territories and possessions for overseas assignments are fixed in conformity with rates paid for work of a comparable level, difficulty, and responsibility to that of NAFI employees in the U.S.

16.3.2.3. Family Members with Special Needs Traveling Overseas.

16.3.2.3.1. Family members of NAF employees appointed to an overseas position who meet criteria outlined in DoDI 1315.19, *Authorizing Special Needs Family Members Travel Overseas at Government Expense*, shall be identified as a family member with special medical needs.

16.3.2.3.2. When recruiting for an overseas position, NAF-HR Sections shall include the following statements in recruitment information:

16.3.2.3.2.1. “If an employee brings a child to an overseas location and that child is entitled to attend the Department of Defense Dependents Schools (DoDDS) on a space-required basis under DoD Education Activity Regulation (DoDEA) 1342.13, *Eligibility Requirements for Education of Elementary and Secondary School-Age Dependents in Overseas Areas*, the DoDDS and the Military Department responsible for providing related services shall ensure that the child, if eligible for special education under DoDI 1342.12, *Provision of Early Intervention and Special Education Services to Eligible DoD Dependents*, receives a free appropriate public education, including special education and related services.”

16.3.2.3.2.2. “If an employee brings an infant or toddler (birth through two years of age) to an overseas location, and that infant or toddler, but for the child’s age, is entitled to attend the DoDDS on a space-required basis under DoDEA 1342.13, the Military Department responsible for providing Early Intervention Services (EIS) shall ensure that the infant or toddler, if eligible for EIS under DoDI 1342.12, receives the required EIS.”

16.3.2.3.2.3. “If an employee brings a family member to an overseas location that requires medical or dental care, the employee will be responsible for obtaining and paying for such care. Access for civilian employees and their families to military medical and dental treatment facilities is on a space-available and reimbursable basis only.”

16.3.2.3.3. Selection for specific positions will be based on job requirements and merit factors under Section 2302 of title 5, United States Code. The selection for an overseas position must not be affected by the special needs of an employee’s family member(s).

16.3.2.3.4. Emphasis shall be placed on providing the employee or selectee with comprehensive medical, dental, and educational information on the community in the overseas area where the position is located to allow the employee or selectee to make an informed choice of accepting the position.

16.3.2.3.5. Employees assigned to positions overseas are responsible for obtaining medical and dental services and paying for such services, except services provided pursuant to DoD Instruction 1342.12, *Provision of Early Intervention and Special Education Services*.

16.3.2.3.6. NAF employees and their family members have access to the military healthcare system on a space-available, reimbursable basis only, except for services provided under DoDI 1342.12, *Provision of Early Intervention and Special Education Services*.

16.3.2.3.7. Family members of NAF employees appointed to an overseas position shall be identified as a family member with special educational needs and eligible for Early Intervention Services (EIS) or special education or if they meet criteria outlined in DoDI 1315.19, E4.

16.3.2.3.7.1. The DoDDS and the receiving military installation are required to provide school-aged children (ages three through 21 years) with necessary evaluations and the special education and related services stipulated in their Individualized Education Program (IEP), expeditiously and regardless of cost as prescribed in DoDI 1315.19.

16.3.2.3.8. Military installations are required to provide infants and toddlers (birth through two years of age) with the EIS stipulated in their Individualized Family Service Plan (IFSP), expeditiously and regardless of cost as prescribed in DoDI 1315.19.

16.3.2.3.9. The NAF-HR will provide information on the availability of medical and educational services, including a point of contact for the applicant to query about specific special needs. This information must be contained in any document used for recruitment for overseas positions.

16.3.2.3.10. When the gaining NAF-HR Section processes an employee for an overseas position where family member travel is authorized at government expense, they shall:

16.3.2.3.10.1. After notifying a selectee of his or her pending appointment for an overseas position, query him or her to determine whether a family member has special needs, using the criteria provided in enclosure 4 of DoDI 1315.19. It is unlawful to choose to query some selectees, but not others. All selectees must be so queried only after notification of their selection under the Rehabilitation Act, as amended and Title 29 CFR, part 1630.14. If the selectee indicates that a family member has special needs:

16.3.2.3.10.1.1. The NAF-HR Section shall not subject the selectee to coercion or any other form of pressure to decline the job offer because he or she has a family member(s) with a special need(s).

16.3.2.3.10.1.2. The selectee may voluntarily forward the following information, by the fastest method available, to the gaining NAF-HR Section.

16.3.2.3.10.1.2.1. Completed DD Form 2792, *Family Member Medical Summary*, for each family member with special medical needs, to provide information on the availability of medical services.

16.3.2.3.10.1.2.2. Completed DD Form 2792-1, *Special Education/Early Intervention Summary*, for each family member with special educational needs, to provide information on the availability of educational services. DD Form 2792-1 must be completed if the selectee intends to enroll his or her child in a school funded by the DoD.

16.3.2.3.11. The gaining NAF-HR Section responsible for processing the selectee to the overseas position shall obtain the information about the availability of required medical and dental care from the local military medical treatment facility(ies) and in the host nation community; the availability of special education programs from the DoDDS for children (3 through 21 years of age) with disabilities; and the availability of EIS for infants and toddlers, birth through two years of age, with developmental disabilities from the Educational and Developmental Intervention Services.

16.3.2.3.11.1. When the information is received, the gaining NAF-HR Section shall inform the selectee, in writing, of the availability of medical, educational, and early intervention resources and

services to allow the employee to make an informed choice of accepting the position. The notice shall include information about medical and dental care available in the local military medical treatment facility(ies); a description of the local DoDDS facility(ies) and programs, specifying the established programs for children with educational disabilities; and a description of the local EIS available for infants and toddlers with developmental delays. The notice must also include a statement indicating that the lack of EIS or special education resources (including related services assigned to the Military medical departments) cannot serve as a basis for the denial of family travel at government expense, and shall be provided even if a local program is not currently established.

16.3.3. Employment of Non-US Citizens. The employment of non-US citizens by the Armed Forces overseas is covered by DoDI 1400.25, Volume 1231, *DoD Civilian Personnel Management System: Employment of Foreign Nationals*. DoDI 1400.25, Volume 1230, *DoD Civilian Personnel Management System: Employment in Foreign areas and Employee Return Rights*, is the basic DoD policy governing civilian personnel of the DoD in overseas areas.

16.3.3.1. LNs. Local laws and customs are followed in the employment and administration of local nationals to the extent that such laws and customs are compatible with the basic management needs of the Armed Forces.

16.3.3.2. TCNs. The importation of workers from another country by a NAFI is only made when personnel requirements cannot be met by local hire. When it becomes necessary to do so, arrangements are made with the host government to permit importation of workers who are acceptable to the host country.

16.3.3.3. Resident Aliens. Resident aliens are employed in accordance with the host country agreements.

16.3.4. Allowances and Differentials Other Than Post Allowance. Overseas allowances and differentials (except the post allowance) are not automatic salary supplements, nor are they entitlements. They are specifically intended to be recruitment incentives for U.S. citizen civilian employees living in the U.S. to accept Federal employment in a foreign area. If a person is already living in the foreign area, that inducement is normally unnecessary. Individuals shall not automatically be granted these per DoDI 1400.25, Volume 1250, *DoD Civilian Personnel Management System: Overseas Allowances and Differentials* and DoDI 1400.25, Volume 1412, *DoD Civilian Personnel Management System: Nonappropriated Fund (NAF) Overseas Allowances and Differentials, and Employment in Foreign Areas*. Where an overseas allowance or differential, or family member employment preference, is provided to the spouse of a NAF employee and their children, that allowance or differential or family member employment preference shall also be provided, at an equivalent level wherever permitted by law, to the same-sex domestic partners of NAF employees and their children.

16.3.4.1. Allowances and differentials are paid to NF-III through NF-VI employees recruited in the U.S. who meet the eligibility requirement contained in section 030 of the Department of State Standardized Regulations (Government civilians, Foreign Areas) and whose rates of basic compensation are fixed in conformity with rates paid for work of a comparable level of difficulty and responsibility to that of employees stationed in the U.S., exclusive of Alaska and Hawaii.

16.3.4.2. The types of allowances and differentials that are prescribed are the same as those provided for DoD APF, U.S. citizen DoD employees in the locality, except that education may be provided for eligible dependents, or an education allowance may be paid, as authorized in DoDI 1400.25, Volume 1250 and Volume 1412.

16.3.4.3. Part I of Executive Order 11137, "Certain Allowances and Benefits for Civilian Employees of Nonappropriated Fund Instrumentalities of the Armed Forces," January 7, 1964, as amended, authorizes the DoD to prescribe regulations providing allowances and differentials in foreign areas to DoD NAF employees. With exception of post allowance, it is DoD policy that the payment of allowances and differentials to NAF employees in foreign areas shall be made on the same basis as such allowances and differentials are paid to DoD APF employees under DoDI 1400.25, Volume 1250 and Volume 1412.

16.3.4.4. **Post Allowance.** "Post allowance" means a cost-of-living allowance granted to an employee, as defined in para 16.3.4.4.1., officially stationed at a post in a foreign area where the cost of living, exclusive of quarters costs, is substantially higher than in Washington, D.C. The post allowance is designed to permit employees to spend the same portion of their basic compensation for current living as they would in Washington, D.C., without incurring a reduction in their standard of living because of higher costs of goods and services at the post.

16.3.4.4.1. Eligibility. Per DoD 1400.25, Volume 1412, Enclosure 3, to be eligible for post allowance, a NAF employee must be a U.S. citizen living in a foreign area and employed in a Regular full-time NAF position. Regular part-time employees, Flexible employees, and seasonal (summer or winter) hire employees are not eligible for post allowance.

16.3.4.4.2. Post Allowance is granted to eligible locally hired NAF employees, those recruited outside of the U.S., under the same eligibility criteria and in the same amounts provided for DoD APF employees.

16.3.5. **Travel and Transportation.** Travel of NAF employees and their family members, renewal agreement travel, and transportation of household goods and personal effects, including privately owned vehicles, in connection with assignments, PCS, and separation are authorized at the NAFI expense. Career program moves are centrally funded. These expenses are paid according to those eligibility requirements and rates of payment, limitations, and conditions prescribed by the JTR, for U.S. citizen employees in the same locality who are paid from APFs.

16.3.6. **Entitlement to Government Quarters and Facilities.**

16.3.6.1. NAFI employees in positions for which it is necessary to recruit from the U.S. are accorded full membership in the joint overseas military and civilian team to which they make a significant support contribution. Each overseas military commander provides facilities under his or her jurisdiction, including government quarters and family housing, to NAFI personnel in accordance with the policies set forth in DoDI 1400.25, Volume 1230, AFI 32-6001, *Family Housing Management*, and AFI 32-6005, *Unaccompanied Housing Management*. The principle of equal treatment of NAFI personnel with APF personnel at equivalent grade levels is followed.

16.3.6.2. U.S. citizen and U.S. national NAFI personnel traveling on official business may occupy temporary government quarters, including guesthouses, under the same terms and with the same eligibility as APF personnel.

16.3.7. **Medical and Health Services.** U.S. citizen and U.S. national NAFI employees have access to the same medical and health service provided APF personnel.

16.3.8. **Privileges.** U.S. citizen and U.S. national NAFI personnel are afforded the same privileges provided their counterparts who are APF civilian personnel in the same overseas areas, to the extent permitted by country-to-country agreements. These include commissary, exchange, laundry, transportation, postal services (APO and FPO), recreation, and religious facilities. The basis for

extending the privileges of clubs will be according to grade and position responsibility, as determined by installation commanders.

16.3.9. Home Leave Entitlement. The purpose of home leave is to ensure employees who live OCONUS for an extended period undergo reorientation and re-exposure in the U.S. on a regular basis. The provisions of DoDI 1400.25, Volume 1260, *DoD Civilian Personnel Management System: Home Leave*, govern home leave for eligible NAFI employees recruited in the U.S. and employed in overseas areas. Home leave is authorized after an employee has completed 24 months of continuous service abroad. Service abroad means service at an OCONUS post of duty. The 24 months of continuous service abroad is a one-time requirement; when the initial 24-month threshold is achieved, the employee may use accrued home leave at any time subsequent OCONUS tours. Home leave is earned and credited on a monthly basis. Earning rates range from 5 days to 15 days every 12 months IAW 5 CFR §630.604. The minimum charge for home leave is one day. There is no limit on accumulation of home leave.

16.3.9.1. Subsequent Service Abroad. In accordance with 5 CFR §630.606(c) and DoDI 1400.25, Volume 1260, home leave may be granted only when an employee has completed 24 months of continuous service abroad. Home leave not granted during an employee's period of service abroad, or within a reasonable period after returning from service abroad when it is contemplated that the employee will return to service abroad immediately or on completion of an assignment in the United States, may be granted only when the employee has completed a further substantial period of service abroad. This further substantial period of service abroad may not be less than the tour of duty prescribed for the employee's post of assignment, except when the responsible Wing/Installation commander, or designee, determines that an earlier and shorter grant of home leave is warranted on a case-by-case basis.

16.3.9.2. Refund for Home Leave. An employee is indebted for the home leave used by him or her when he or she fails to return to service abroad after the period of home leave, or after the completion of an assignment in the U.S. However, a refund for this indebtedness is not required when (1) the employee has completed not less than six months' service in an assignment in the U.S. following the period of home leave; (2) the agency determines that the employee's failure to return was due to compelling personal reasons of a humanitarian or compassionate nature, such as may involve physical or mental health or circumstances over which the employee has no control; or (3) the agency which granted the home leave determines that it is in the public interest not to return the employee to his overseas assignment.

16.3.10. Leave Accumulation. Authorized NAF employees accumulate and carry over to another leave year a maximum of 360 hours of annual leave, according to those rules that apply to U.S. citizens paid from APFs.

16.3.11. Renewal Agreement Travel. Employees who have completed the agreed period of continuous creditable service outside the U.S., and outside the employee's place of residence if such residence is in the Commonwealth of Puerto Rico, or in any of the possessions of the U.S.; and who agree in writing to serve an additional tour of duty at the same or another overseas NAFI, are authorized renewal agreement travel at the expense of the employing NAFI. Renewal agreement travel is centrally funded for career program employees. For more information about RAT refer to the JTR.

16.3.11.1. Renewal agreement travel is authorized for eligible employees and dependent(s) (including transportation to and from common carrier terminals) from the OCONUS permanent duty station to the employee's actual residence at the time of assignment to the OCONUS permanent duty station.

16.3.11.2. Time is not charged to leave while in a travel status as long as the travel is by the most direct route.

16.3.11.3. Upon reaching place of actual residence, the employee is charged annual leave, home leave, or LWOP, as appropriate.

16.3.12. **Leave and Travel for Emergencies.** Emergency leave may be granted to U.S. citizen and U.S. national NAFI employees assigned outside the U.S. and entitled to return transportation in cases of emergencies, such as serious injury, illness, or death in the employee's family located in the U.S. The period of emergency leave may be requested under FMLA procedures contained in Chapter 14. If the employee has no accrued leave, he or she may be placed in a LWOP status. Such employees are provided government transportation on a space-available basis at no cost to the NAFI. Red Cross confirmation of the emergency must be secured prior to the approval of the leave and transportation. For more information about emergency travel, refer to the JTR.

16.3.13. **Local Holidays in Foreign Countries.** Foreign national NAFI employees may be authorized time off to observe certain local national holidays. Such authorization is subject to country-to-country agreements. When all or part of an installation is closed in observance of a local holiday and, as a result, U.S. citizens and U.S. nationals and third country nationals are thereby prevented from working, they shall be assigned to other work if possible. Otherwise, such employees are excused without charge to leave or loss of pay.

16.3.14. **Employee Benefits.** Insurance, retirement, medical, and other employee benefits for local national NAFI employees are established by agreements with the host country.

16.3.15. Employees funded by APF and NAF are entitled to certain mortuary entitlements. Civilian employees eligible for mortuary entitlements include those employees who die while:

16.3.15.1. Serving with or without a transportation agreement to include locally hired employees at an overseas duty station.

16.3.15.2. On a temporary duty assignment or while enroute to a temporary duty assignment within or OCONUS. (NOTE: The member must be on official travel orders to be eligible for entitlements under this category.)

16.3.15.3. Assigned at a permanent duty station outside the 50 states, or traveling to or from such station.

16.3.15.4. NAF Employee in OCONUS are entitled to Search and Recovery, identification, preparation, restoration, cosmetics, cremation, dressing, casket, urn, outer shipping container and transportation to the place of interment at a point no further distant than the last place of residence or assigned station within continental United States (CONUS) on a reimbursable basis as authorized by AFI 34-501, *Mortuary Affairs Program*. All items and expenses to be furnished by the government on a reimbursable basis will be billed to and funded by the employing NAFI. These benefits are not provided to NAF employees who are family members of U.S. military or civil service employees who would otherwise be entitled to such care and disposition of remains from APFs.

16.3.15.5. Dependents of NAF Employees who die while residing at or traveling to or from the employee's permanent duty station outside the CONUS are entitled to transportation, to include the outside shipping container, from place of death to the place of interment or a point no further

distant than the employee's last place of residence or assigned station within CONUS and consulate fees for shipping documents and sealing the caskets. Expenses will be billed to and funded by the employing NAFI. The sponsor or person authorized to direct disposition of remains must pay the cost for care and preparation of the remains.

16.3.16. **Evacuations.** The policies and procedures in AFI 10-216, *Evacuating and Repatriating Air Force Family Members and Other U.S. Noncombatants*, apply to NAF employees moved from one overseas area to another, or from one overseas area to the CONUS.

16.3.16.1. Locally hired U.S. citizens and third-country nationals who do not have an agreement for return transportation at government expense are not entitled to evacuation at government expense. However, they (including family members) may be evacuated if transportation is available. No travel entitlements are payable.

16.3.16.2. NAF employees who have travel agreements, and their family members are entitled to evacuation travel and financial assistance according to criteria established in the State Department Standard Regulations, Chapter 600.

Chapter 17: Position Classification

17.1. Purpose. This chapter establishes AF procedures and responsibilities for supporting and maintaining the NAF Position Classification Program and the Job Grading Review and Appeals System.

17.2. Classification Authority. NAF positions are classified according to those pay categories identified in paragraph 17.3, consistent with the intent of Public Law 92-392, DoDI 1400.25, Volume 1407, OPM directives, and other applicable DoD instructions, policies, and directives.

17.3. Systems for Classifying and Paying Positions. NAF positions are classified into one of three major pay setting systems. These are the only occupational categories authorized for DoD NAF positions.

17.3.1. Crafts and Trades (CT) Federal Wage System (FWS).

17.3.2. NAF Payband System for White-Collar NAF Employees (NF).

17.3.3. Child and Youth Payband System (CY).

17.4. NAF Crafts and Trades (CT):

17.4.1. The CT category covers positions in a recognized craft or trade or in an unskilled, semiskilled, or skilled manual labor occupation, commonly known as the FWS. Leader and supervisory positions having craft, trade, or laboring experience and knowledge as a paramount requirement are also categorized as CT positions. Employees in NAF CT positions are classified and paid according to FWS policies, systems, practices, and standards administered by OPM. Positions in this pay system typically include food service worker, maintenance worker, cook, mechanic, bartender, etc.

17.4.2. There are three pay schedules under the NAF CT pay plan which covers nonsupervisory (NA), leader (NL), and supervisory (NS) positions. The NA and NL pay schedules consist of 15 grades with five steps in each grade. The NS pay schedule consists of 19 grades with five steps in each grade. New employees normally start at Step 1 and progress through the five steps after completion of specific waiting periods.

17.5. NAF Payband (NF). The NF category covers a wide range of clerical, administrative, recreational, resale, or managerial functions performed in settings such as an office or a service or retail operation. The NAF payband system provides for six paybands. Each payband has a minimum and maximum salary. Employees are paid any salary within the payband in which their position is classified. There are no automatic WGIs in this system. Pay adjustments may be granted at any time as deemed appropriate by management. The NF payband system includes three general categories of positions.

17.5.1. Positions responsible for secretarial, clerical, or administrative functions in an office environment. This includes positions in inventory management, accounting, procurement, personnel, payroll, etc. Positions in this category may include clerks, clerk-typist, secretary, accounting clerk, office automation, cashier, etc.

17.5.2. Positions responsible for retail selling, providing recreation, amusement, and personal services, protecting facilities and merchandise, etc. Positions in this category may include recreation aid/assistant, sales clerk, club operations assistant, etc.

17.5.3. Managerial, executive, technical or professional positions responsible for the development and implementation of management policies or general business operations when administering, managing, or performing work in an office, business, or fiscal operation. Positions in this category may include caterer, activity managers, accountant, restaurant manager, human resources specialist, etc.

17.6. Child and Youth (CY). The CY category covers assistants, leaders, and technicians in DoD child care centers and youth programs. The CY payband system provides for two paybands. Payband CY-I covers entry- and intermediate-level CY program assistant (CYPA) positions. Band CY-II covers the positions of CYPA at the target and leader levels as well as CY program technicians. Each of the two bands has a minimum and maximum salary. There are no automatic WGs in this system. Pay adjustments may be granted at any time deemed appropriate by management. Standardized AF NAF PGs are mandatory for use in the classification of CY positions.

17.7. Terms Explained. Terms used in the NAF Personnel Position Classification Program include:

17.7.1. Audit. An audit is a fact-gathering interview by an NAF-HR specialist competent in the classification process to verify or gather information about the current duties and responsibilities of a position and the accuracy of the description of duties and responsibilities. The purpose of an audit is to gain as much information as possible about the position. This information, combined with an analysis of other available material about the job and the organization, can help to verify details and resolve questions. Audits may be conducted with employees and/or supervisors, both individually or in groups. Guidance on conducting a position audit may be found in OPM's *"The Classifier's Handbook"*.

17.7.2. Evaluation Statement. An evaluation statement is a thorough analysis of a specific position in comparison to all applicable position classification standards, guides, and other applicable classification guidance. Evaluation statements must be prepared for positions where there is no single standard by which a position may be classified (e.g., positions with mixed duties), for supervisory positions, when an occupied position is downgraded, and for any other position deemed appropriate by the Chief, NAF-HR. A well thought-out evaluation statement provides a clear picture of how the position was classified to include specifics about the selected series, and why it was assessed at a certain grade and title. The statement will normally include some structured comparison matching the position against the criteria provided in the standard(s). Evaluation statements must be maintained with the original PD/PG. An evaluation statement must contain a documented record of the classification judgments made. At a minimum the evaluation statement should concentrate on those aspects of the job that were crucial in determining the final pay plan, occupational series, and grade.

17.7.2.1. Pay Plan. The pay system is the first decision to make when classifying a position. Positions are exempt from coverage by the NF pay plan if the position has trade, craft, or laboring experience and knowledge as the paramount requirements. The CT system covers these positions. The CY pay plan is limited to child and youth positions. As a general rule, decisions regarding the pay system are not difficult to make and are virtually automatic.

17.7.2.2. Series and Title Determination. This area of the evaluation statement provides information as to how the series and title of the position are determined. As a minimum, a statement, which expresses the essence of the kind of work performed by the incumbent, is given, and linked to sufficient language from the series definitions to demonstrate the work

of the position belongs in the series. For example: “This position involves assisting in sports and/or outdoor recreation activities. The Position Classification Series, NF-0189 covers all positions which...” If there is any reasonable question as to whether the position belongs in one series versus another, the reasons for the conclusion reached are given. If there is a decision between two closely related series, there is an explanation as to why the position fits one better than the other. If the leader or supervisory guide is used, it is referenced and an explanation of how it was applied is provided. For example: Does the position require supervising employees? If so, how many employees are supervised? Why is the leader guide or the supervisory guide being used? How does the position meet the criteria for the leader or supervisory guide? How was the title determined? Is a title prescribed by the standard? If a title is not prescribed by the standard, how was the title determined; is it descriptive of the type of work performed? **Attachment 13** provides a list of commonly used and authorized NAF position titles and occupational series.

17.7.2.3. Grade/Payband Determination. This area of the evaluation statement provides information about the job-grading standard used to determine the grade/payband of the position. It should show step by step the intermediate conclusions which became a basis for the final conclusion and must clearly show the reasons for those conclusions. It is not enough to state, “The position matches NA-06 with respect to the factors –Skill and Knowledge, Responsibility, Physical Effort, and Working Conditions; therefore it is a NA-06.” How and why does the position match the NA-06 characteristics? (What are the NA-06 characteristics? How are they different from NA-05? How do they match NA-06? How does it fail to meet NA-07?). The discussion shows by excerpts from, or honest digests of, the standards why, for each factor, the position exceeds the level below, and falls short of the level above, the level which it is intended to match. This discussion is the heart of the evaluation; to be useful it must be more than conclusions. The statement “the skill and knowledge exceeds the NA-07 level, and falls short of the NA-10 level skill and knowledge” may be perfectly true, but it is a conclusion. Where cross-series comparisons must be used, a similar requirement applies. Treat the position, factor by factor, against the standard(s) selected, but recognize and point out differences and similarities in the general nature of the two occupations involved.

The same analysis is used for payband positions. How does the chosen payband match the characteristics of the work chosen? Any available OPM, DoD or AF guidance on classification may be used as appropriate.

17.7.2.4. The length of an evaluation statement will vary with the complexity of the job, the standard, and the comparisons involved. Ordinarily, it should not be more than 1 or 2 pages long. It must clearly and persuasively, with enough factual data from the position and from the standards, document the classification decision and substantiate the conclusion.

17.7.3. Position Descriptions (PD). A PD is a written statement that describes the functional location, purpose, primary duties and responsibilities, supervisory guidance and relationship, and significant facts concerning the position. Use AF Form 1065 for this purpose. The position description is not intended to spell out in detail every possible activity during the workday. A PD is prepared for all CT positions.

17.7.4. Position Guide (PG). AF Form 1702 is a multipurpose form which records the major duties and responsibilities, qualifications, performance standards, and training requirements of NAF positions. The position guide is not intended to spell out in detail every possible activity during the workday. A PG is prepared for all NAF positions.

17.7.5. AF NAF Standardized Position Description (SPD)/Standardized Position Guide

(SPG).

17.7.5.1. SPDs/SPGs applicable to common NAF positions across the Air Force have been developed for use. The SPD/SPG library is located on the Services Installation Support Portal web site. The library facilitates classification consistency, saves time classifying new positions, and expedites the recruitment process.

17.7.5.2. The AF NAF SPDs/SPGs are not designed to represent all work found in a specific occupational series; but, work most commonly found in the series throughout AF NAF activities. To ensure the SPDs/SPGs represent common work situations, each SPD/SPG has been coordinated by representatives in the AFSVC/SV functional community where the work is typically found. Since the SPDs/SPGs are designed to represent typical work situations, you may find them to be more generic than you see in individually prepared PDs and PGs. The SPD/SPG will be used as written or with minor modification to fit local requirements provided they do not alter the classification or staffing pattern. If there is an impact to the classification or staffing pattern, the SPD/SPG is no longer valid and a local PD/PG must be developed with a local position number. SPDs/SPGs are not meant to upgrade or downgrade existing positions; but to describe positions as they currently exist across the Air Force. Implementation of a SPD/SPG that results in a change in classification of an existing position should be carefully reviewed. The use of SPDs/SPGs does not relieve the supervisor or Chief, NAF-HR of the responsibility to ensure the SPD/SPG accurately describes the position under review. The application of SPDs/SPGs to specific positions can occur at any time mutually agreed upon by the supervisor and the Chief, NAF-HR.

17.8. Responsibilities for Position Classification.**17.8.1. Managers and Supervisors.**

17.8.1.1. Determine the duties and responsibilities assigned to a position to achieve optimum balance of economy, effectiveness, productivity, and skill.

17.8.1.2. Use AF SPDs and SPGs when major duties of positions are substantially identifiable with those in the SPD or SPG. When a SPD or SPG is not applicable, prepare accurate and adequate PDs or PGs for subordinate positions and forward to the Chief, NAF-HR for classification. A PD or PG describes the regular and recurring duties to be performed in a position. It is not intended to cover every minor duty, whether temporary or permanent in nature. Other incidental tasks or duties may be required of an employee in order to operate the organization successfully. The responsibility for accuracy and adequacy of the description of duties are critical and serve as a basis for setting pay and the commitment of NAF funds.

17.8.1.3. Maintain current PDs and PGs for subordinate positions and provide PDs and PGs to employees. Promptly report significant changes in duties and responsibilities of positions to the Chief, NAF-HR.

17.8.1.4. At least annually, advise employees of their assigned duties and responsibilities and their right to review classification standards and of their grievance and appeal rights.

17.8.1.5. At least annually, review PDs and PGs to ensure the PD/PG contains an accurate and adequate statement of each major duty currently assigned and performed.

17.8.1.6. Promptly advise the NAF-HR Section of proposed organizational and position changes and furnish organization charts and other material pertinent to the change.

17.8.1.7. Support the classification program by explaining and supporting classification decisions to employees.

17.8.2. Chief, NAF-HR;

17.8.2.1. Classify positions in conformance with standards and guides issued by OPM, DoD and/or Air Force.

17.8.2.2. Apply new standards and guides within six months of receipt, unless otherwise specified.

17.8.2.3. Audit positions as determined necessary to clarify work assignments and ensure classification accuracy. Audits are required in classification appeals.

17.8.2.4. Prepare evaluation statements when there is a need for clarification of the classification decision.

17.8.2.5. Provide classification and position management advisory services to management.

17.8.2.6. Conduct organization or occupational studies and reviews as requested by management or to maintain position classification accuracy.

17.8.2.7. Assist managers and supervisors with application of SPDs/SPGs.

17.8.2.8. Assist supervisors in resolving employee disputes pertaining to SPDs/SPGs or classification accuracy.

17.8.2.9. Maintain official classification records to include current PDs/PGs, evaluation statements, and organizational information.

17.8.2.10. Retain canceled PDs/PGs and associated evaluation statements for a minimum of one year.

17.8.2.11. Ensure PDs/PGs covered by the Domestic Violence Misdemeanor Amendment include the following statement on the PD/PG: "This position is covered by the Domestic Violence Misdemeanor Amendment (30 Sep 96) of the Gun Control Act (Lautenberg Amendment) of 1968. An individual convicted of a misdemeanor crime of domestic violence may not perform the duties of this position."

17.9. Writing PDs and PGs.

17.9.1. The duties and responsibilities for CT positions are recorded on AF Form 1065. Standardized AF PDs are used to the maximum extent possible. Standardized PDs are available on the Services Installation Portal website. In addition to the AF Form 1065, an AF Form 1702 is developed and attached to each CT PD. The duties and responsibilities block of the PG is not completed. Refer to the PD by annotating "SEE ATTACHED" in this block. All other blocks on the PG are completed.

17.9.2. Record the duties and responsibilities for payband positions on the AF Form 1702. In addition to duties and responsibilities, the supervisor completes the qualifications, performance standards and training blocks on the PG. Standardized AF NAF PGs are available on the

Services Installation Portal website and are used to the maximum extent possible. Standardized PGs are mandatory for all CY positions and career program positions. Prior coordination of the Career Program is required to make changes to the SPG of a career program covered position.

17.9.2.1. **Qualifications.** The PD/PG should reflect the basic qualifications needed to perform the work and they should be obvious from its content. If for some reason those specialized requirements are not readily apparent, they should then be specifically noted.

17.9.2.2. **Conditions of Employment.** If the incumbent in a position must meet certain licensing requirements (e.g., commercial driver's license or pesticide applicator's license) or undergo any type of medical screening (e.g., drug testing or physical requirements), those special demands must be addressed in the PD/PG.

17.9.2.3. **Training.** If the incumbent of the position must receive specific training, it must be identified in the Training block. To cover the various types of ancillary training all employees received, this block may contain the statement "All training as deemed necessary by the supervisor."

17.10. The Classification Process.

17.10.1. Position classification is the systematic process of assigning the proper title, occupational series codes, and grades/paybands to positions. The classification process includes:

17.10.1.1. Obtaining the facts about a position, primarily through an audit technique, and obtaining copies of organizational charts and PDs/PGs of other positions in the work area.

17.10.1.2. Studying these facts critically.

17.10.1.3. Determining the pay plan, series, and grade or payband in the classification standards or guides that apply.

17.10.1.3.1. The OPM "*Handbook of Occupational Groups and Families*" shall be used as a guide when determining the occupational series and title to assign to a NAF position. Part I of the Handbook defines occupations and lists the series names and codes used to classify white-collar positions; Part II of the Handbook provides that information for CT positions. Once the series is determined, the standard for the appropriate series may be found at the www.opm.gov website.

17.10.1.3.2. *The Classifier's Handbook* may be used as another resource to assist in the classification process. Each position should be classified to the appropriate series and grade according to standards issued by OPM. If no directly applicable standard has been issued, the positions must be classified consistent with OPM standards covering other occupations. For most positions, the published standard for the series in which the position is classified will provide the best grade level criteria for evaluating the position. Other standards would be primarily to confirm the initial evaluation. When no directly applicable grade level criteria is published, the classifier must select other standards for cross series comparison. Select standards that cover work as similar as possible to the work being evaluated with respect to:

17.10.1.3.2.1. The kind or work process, function, or subject matter involved;

17.10.1.3.2.2. The qualifications (knowledge, skills, and abilities) required;

17.10.1.3.2.3. The level of difficulty and responsibility; and

17.10.1.3.2.4. The combination of classification factors that have the greatest influence on the grade level.

17.10.1.4. Determining the FLSA status of the position by applying the instructions in **Attachment 14**.

17.10.2. The person analyzing and classifying a position must understand:

17.10.2.1. The function of the organization in which it is located.

17.10.2.2. The reason for the position's existence; that is, management's intent as to the purpose of the position assignment.

17.10.2.3. The relationship of the position to others in the organization, by obtaining copies of organizational charts, and reviewing PGs or PDs of subordinate and/or next level positions.

17.10.2.4. Performance requirements of the position.

17.10.2.5. Any other significant characteristics which contribute to its value.

17.10.3. Classifying CT Positions:

17.10.3.1. Basic methods for grading NAF CT positions are in the *OPM Operating Manual, Federal Wage System –NAF*, Subchapter S6 and *OPM Job Grading Standards for Trades and Labor Occupations*.

17.10.3.2. **Noncovered Positions.** Individual NAF positions that are not covered by standardized PDs and cannot be classified by direct reference to published OPM classification standards are classified locally by applying related standards. If the action involves 25 or more identical positions, the Chief, NAF-HR provides a copy of the PD and rationale for the allocation through AFSVC/SVI to AFSVC/SVXHR for review and post audit.

17.10.3.3. **Applying New Standards.** The servicing NAF-HR applies newly published or revised standards, unless otherwise directed as follows:

17.10.3.3.1. OPM standards are applied to CT positions in the same time frame they are applied to FWS positions, unless specific DoD NAF job grading guides and standards exist.

17.10.3.3.2. DoD NAF job grading guides and standards are applied within six months from the date of receipt.

17.10.4. **Classifying NF Positions.** Classification guidelines for NF positions are assigned to the proper payband level consistent with DoDI 1400.25, Volume 1407 and **Attachment 13** of this guide.

17.10.4.1. **Air Force NAF Classification Standards.** NAF-HR Sections will use the AF NAF classification standards when classifying Club Manager and Assistant Manager, Bowling Manager and Assistant Manager, Golf Manager and Assistant Manager, and Golf Course Superintendent and Assistant Superintendent positions. The standards were developed in conjunction with the functional community. The classification criterion within these standards provides uniformity and equity in the classification of these positions across the Air Force. They are found on the Services

Installation Support Portal website. Air Force NAF classification standards are applied within six months of the effective date of the standard.

17.10.4.2. Establishing an NF-V position. When establishing an NF-V position, a request package must be submitted through AFSVC/SVI to AFSVC/SVXH to be forwarded to HQ USAF/A1C for approval or disapproval. The following information must be included in the package:

17.10.4.2.1. Current PG.

17.10.4.2.2. Organizational Chart.

17.10.4.2.3. Proposed classified PG.

17.10.4.2.4. An evaluation statement explaining how the position was classified and reasons the position is being classified as an NF-V.

17.10.4.2.5. A memo from the FSS commander/director endorsing the request.

17.10.4.2.6. An endorsement from AFSVC/SVI.

17.10.4.2.7. Any other pertinent information.

17.10.5. **Classifying CY Positions.** Positions directly involved in the care and supervision of children in a Military Child Development Center (CDC) and Youth Center shall be placed in the CY category. Payband CY-I covers entry- and intermediate-level CYPAs positions. Payband CY-II covers the positions of CYPAs at the target and leader levels as well as CY program technicians. CY-I positions are developmental positions for entry into payband CY-II positions. The CY category does not include home-based childcare providers or CDC administrative and support personnel such as cooks, janitors, and clerical assistants. Use of AF NAF SPGs for CY positions is mandatory. They are found on the Services Installation Support Portal website.

17.10.6. **Classifying Mixed Jobs.** A mixed job involves performance of duties in two or more occupations at the same or different pay levels or plans on a regular and recurring basis. A mixed job is graded based on the duties that involve the highest skill and qualification requirements. For most positions, the grade-controlling work determines the series. However in some cases, the occupational series connected to the lower level duties may more closely relate to the primary purpose of the position, the paramount knowledge required, and the function of the organization.

17.10.6.1. A mixed job shall be graded in keeping with the duties that represent the highest level of work performed, and involves the highest skill and qualification requirements of the job. Generally, duties that occupy most of the employee's time are those at the highest level of work performed. However, higher level duties that occupy less than a majority of the employee's time may be grade-controlling if those duties:

Are a regular and recurring part of the job.

Are performed for at least 25 percent of the employee's time.

Involve a higher level of knowledge and skill that would be a factor in recruiting for the position.

17.10.6.2. When evaluating a mixed job with blue-collar and white-collar duties, the occupational category is classified based on its paramount requirements. Paramount requirements relate to knowledge, skills, and abilities needed to perform the primary duty or responsibility of the position. The primary duty is the duty that constitutes the basic reason for the existence of the position and governs the qualification requirements.

17.10.6.2.1. If a position requires trades, crafts, or laboring experience and knowledge for the performance of its primary duty, and this requirement is paramount, the position is classified to the CT category.

17.10.6.2.2. If a position requires knowledge or experience of an administrative, clerical, services, business management, or technical nature for the performance of its primary duty and this requirement is paramount, the position is classified to the NF category.

17.10.6.3. Duties performed only in the absence of another employee to meet emergency workloads or for training purposes shall not be considered regular and recurring duties when evaluating mixed jobs.

17.10.6.4. When reviewing the variety of work performed as a classification factor in the grading of a mixed job, the principal consideration is the extent to which the additional kinds of work performed increases the position's overall complexity level.

17.10.6.5. When positions utilize skills that are readily transferrable from one kind of work to another, are based on similar bodies of knowledge, and require similar academic backgrounds, if applicable, the variety of work performed would not have grade level significance.

17.10.6.6. Further guidance on classifying mixed series and mixed grade positions may be found in OPM's "*Classifier's Handbook*", "*Introduction to the Position Classification Standards*", and "*Introduction to the Federal Wage System Job Grading System*". Supplemental DoD and Air Force guidance may also be used, where available.

17.11. Effecting Actions on Classification Decisions. The classification decision of a higher headquarters binds the installation or command concerned. The servicing Chief, NAF-HR applies a higher headquarters' decision not later than the beginning of the fourth pay period following the date of the decision, unless the decision specifies a different date.

17.12. Maintaining Records.

17.12.1. Chief, NAF-HRs maintain a complete file of current official PDs and PGs, evaluation statements (if applicable), organization charts, and survey records for serviced organizations. Organization charts show the organization location, employment category, pay plan, title, series, grade or payband, and position number of all positions within each organization. It is structured to clearly reflect the chain of command for all positions.

17.12.2.2. Each supervisor maintains or has readily available:

17.12.2.1. A current functional statement.

17.12.2.2. A current organizational chart.

17.12.2.3. Copies of AF Form 1065 and AF Form 1702 for all positions supervised.

17.13. Classification Appeals.

17.13.1. **Definition.** A classification appeal is a written request made by an employee, or group of employees occupying identical positions for a change in the pay system, grade or payband, series, or title of the grade/payband of the position to which assigned.

17.13.2. **Publicity Requirements.** The Chief, NAF-HR informs employees of their classification appeal rights and responsibilities at least annually. (T-3)

17.13.3. **Exclusion From Appeal Procedures.** These procedures are not used to review:

17.13.3.1. An employee's contention that the classification of his or her position is inconsistent with that of another position.

17.13.3.2. A dispute concerning the description of duties (refer to Chapter 9).

17.13.3.3. The propriety of official classification standards; federal pay schedules or locality wage schedules; applicable amount of environmental differentials, shift differentials, Sunday and holiday premium pay, and overtime pay; step rates within a grade; and the pay resulting from a change between pay plans or occupational categories.

17.13.3.4. An otherwise acceptable appeal in which the employee alleges discrimination because of race, color, religion, sex, age handicap, or national origin.

17.13.4. **Employee's Right to Representation.** An employee has the right to be assisted and advised in preparing the appeal by a representative of his or her own choosing, unless there is a conflict of interest, such as an employee of the servicing NAF-HR Section. The representative is designated in writing and is notified in writing of the decision. Any employee who submits an appeal and any employee who acts as the appellant's representative are assured freedom from restraint, interference, coercion, discrimination, or reprisal because of participation in the appeal process. The employee, and any employee acting as that employee's representative, is given a reasonable amount of official time to prepare the appeal.

17.13.5. Resolution of Disputes.

17.13.5.1. Employees submitting an appeal promptly furnish all information required to process the appeal, and if they desire to withdraw the appeal, promptly inform the Chief, NAF-HR in writing.

17.13.5.2. Supervisors explain the basis of the classification of their positions to employees, with assistance from the Chief, NAF-HR when required; advise employees of their appeal rights and the procedures to follow for submitting an appeal; resolve questions as to adequacy and accuracy of duties and responsibilities in official PDs and PGs; and promptly inform the Chief, NAF-HR of any significant changes in duties and responsibilities of a position on which an appeal decision is pending.

17.13.5.3. The Chief, NAF-HR, acting for the FSS commander/director, attempts to resolve classification disagreements; makes accessible to all supervisors, employees, and employee representative copies of classification standards, guidelines, precedent decisions, and other information upon which a classification decision is based; provides the employee with a written statement explaining the proper classification of his or her position; and advises and assists employees on the procedural aspects of filing an appeal.

17.13.6. Who My File an Appeal. An appeal may be filed by an employee individually or by a group of employees occupying identical positions (having the same pay plan, title, series, grade or payband, and position number). All members of a group action sign the appeal, and their representative, if any, must be designated in writing.

17.13.7. General Time Limits for Filing an Appeal. An employee may appeal the classification of his or her position at any time. Entitlement to retroactive benefits is subject to the special rules explained in paragraph 17.13.8. An employee may not file an appeal on a proposed change in the classification of a position. An official written notification of the local classification action must be received by the employee before such an appeal can be filed.

17.13.8. Special Time Limits for Protection of Retroactive Benefits. An employee who files an appeal may be entitled to retroactive benefits when a decision reverses a classification action that resulted in a downgrade or a loss of compensation. To preserve the employee's entitlement to retroactive benefits, time limits for filing are stated in the final notice of change to the lower grade. To be timely:

17.13.8.1. An employee's first appeal is filed no later than 15 calendar days after the effective date of the downgrade action.

17.13.8.2. A CT employee who desires to appeal an AFSVC/SVI decision on the first appeal submits the appeal to the OPM no later 15 calendar days after receipt of the AF decision.

17.13.8.3. A payband employee who desires to appeal an AFSVC/SVI decision submits the appeal through AFSVC/SVXH to HQ USAF/A1C no later than 15 calendar days after receipt of the AFSVC/SVI decision.

17.13.8.4 The Chief, NAF-HR extends the time limit on an appeal if an employee can show that he or she was not notified of the time limit and was not otherwise aware of it, or that circumstances beyond the employee's control kept him or her filing within the time limit.

17.13.9. Presenting an Appeal. An appeal by an individual employee or a group of employees is presented in writing, and addressed to the NAF-HR Section for initial action. The appeal contains:

17.13.9.1. The name, mailing address, and organization of all appellants.

17.13.9.2. The employee's official assigned position title, series, grade or payband, and position number.

17.13.9.3. A statement clearly indicating the part of the classification with which one or more employees disagree; why the classification is inconsistent with published standards or guidelines; and the title, series, or grade or payband, that the employee considers correct.

17.13.9.4. The mailing address of the employee's representative, if one is designated.

17.13.10. Chief, NAF-HR Action. When an appeal is received, the Chief, NAF-HR;

17.13.10.1. Determines whether the appeal is acceptable and, when requirements are not met, notifies all employees, in writing, of the reasons for non-acceptance.

17.13.10.2. Ensures that there is mutual agreement among the employee, the supervisor, and the

position classification specialist as to the accuracy and completeness of the PD or PG. Where there is mutual agreement, the following statement is entered on the PD or PG: "The undersigned hereby certify that the foregoing is an accurate and complete description of this position." The certificate is signed by all employees, the supervisor, and the classification specialist, and dated. If mutual agreement is not obtained, the PD or PG dispute is processed according to the grievance procedures in Chapter 9.

17.13.10.3. Establishes an appeal file, separate from any other records. The file includes all documents submitted by the employee, the official certified PD or PG, current organization charts (which clearly reflect the location of the position being appealed in relation to other positions), pertinent functional statements or directives, a substantiating analysis supporting the classification, and correspondence pertaining to the appeal. Nothing is included in the file that cannot be shown to the employee.

17.13.10.4. Sends the complete case file to the AFSVC/SVI for a decision, and provides the employee a copy of the transmittal memorandum within 30 calendar days after receipt of the appeal.

17.13.10.5. Sends a copy of the appeal decision made by either HQ USAF/A1C or an OPM regional office to AFSVC/SVXH and AFSVC/SVI.

17.13.11. **AFSVC/SVI Action.** In processing the appeal, AFSVC/SVI:

17.13.11.1. Makes a written decision, based on the record, within 30 calendar days from the date the appeal was received.

17.13.11.2. Advises the employee of their right to appellate review and the time limit for filing the appeal.

17.13.11.3. Sends the written appeal decision simultaneously to the employee, the employee's representative, and the servicing NAF-HR Section.

17.13.11.4. Sends a copy of the appeal decision to AFSVC/SVXH.

17.13.11.5. Sends the appeal file to AFSVC/SVXH if the appeal is on a classification made by higher authority. The file must include the AFSVC/SVI analysis and recommendations.

17.13.11.6. Notifies the employee of any referral of the file.

17.13.12. **AFSVC/SVXH Action.** AFSVC/SVXH accepts and renders a decision on an appeal when:

17.13.12.1. The appeal pertains to an AFSVC/SVI classification determination that has no subordinate NAF-HR Sections or AFSVC/SVI classified position on an advisory allocation.

17.13.12.2. Published standards, guidelines, or precedents, which can be cross-referenced do not exist for the position under review.

17.13.12.3. The appeal pertains to a standardized PD or PG.

17.13.13. **AFSVC/SVXH Review Decision.** The decision is in writing and is based on the record. The decision must:

17.13.13.1. Include a justification of the classification in terms of published standards, guides, and precedents.

17.13.13.2. Include a statement advising the employee of appeal rights to OPM or HQ USAF/A1C and specify time limits within which the employee must file the appeal to preserve retroactive benefits. Advise the employee that the appeal rights relate only to the classification issue and that HQ USAF/A1C or OPM will not consider any other matter.

17.13.13.3. Specify the effective date of the decision.

17.13.14. **Employee's Right to Appellate Review.** An employee currently employed in a CT position is entitled to a review of the AF decision by OPM as provided in the *Federal Wage System Nonappropriated Fund*, Subchapter S7. The appeal is addressed to the proper office of the OPM according to provisions of the supplement. An appeal of an AFSVC/SVI decision by an employee currently employed in a payband position is addressed to HQ USAF/A1C, 1040 Air Force Pentagon, Washington DC 20330-1040. The HQ USAF/A1C appeal decision is final, and the employee has no further right to an administrative appeal.

17.13.15. **Personnel Action Following an Appeal Decision.** When a final decision upholds the employee's appeal, the effective date for a change in grade or payband is not later than the first day of the first pay period that begins after the date of the final appeal decision.

17.13.15.1. **Retroactive Action.** The personnel action to correct a loss of grade or payband, or compensation (or both) resulting from a classification appeal decision is retroactive if the employee's appeal was submitted within the specified time limits.

17.13.15.1.1. When a decision is made that the grade, payband, or compensation held before the appeal is correct, the change to lower grade or payband is cancelled and the employee's pay is adjusted retroactively to the date of the change to the lower grade or payband. The employee is restored to the grade and step rate or payband that he or she would have held if the change to the lower grade or payband had not been taken.

17.13.15.1.2. When the decision changes the grade or payband to an intermediate grade or payband, the employee is retroactively restored to the intermediate grade or payband. This action corrects the initial change to the lower grade or payband, and the employee's pay is adjusted retroactively to the date of the initial change.

17.13.15.1.3. When the decision increases the grade or payband to a level above that held before the change to lower grade or payband, the action must be canceled; but, the retroactive provision applies only to the employee's former grade or payband. In canceling the change to the lower grade or payband, the employee is restored to the former grade or payband for the period starting with the date of the downgrade. The change to higher grade or payband action is effective not later than the beginning of the fourth pay period following the day of the decision, unless the decision specifies a different date.

17.13.15.2. **Non-retroactive Action.** The personnel action to correct the job grading of a position is made non-retroactively if the:

17.13.15.2.1. Appeal is not submitted within specified time limits.

17.13.15.2.2. Appeal decision results in a higher grade or payband than that held before the

appeal, except for the situation described in paragraph 17.13.15.1.3.

17.13.15.2.3. Appeal decision results in further downgrade.

17.13.16. **Closing and Canceling Appeal.** An appeal is:

17.13.16.1. Closed when an appellate official has rendered a decision and any required corrective action has been taken.

17.13.16.2. Canceled when:

17.13.16.2.1. The appellant submits in writing, before the appellate decision, a request to withdraw the appeal.

17.13.16.2.2. When changes in the duties and responsibilities of the position being appealed result in a classification action prior to receipt of the appeal decision. The servicing NAF-HR Section is responsible for notifying the office processing the appeal.

17.13.16.2.3. The employee is moved from the position or the position is abolished, except when there may be entitlements to retroactive benefits. This includes benefits allowable after the death of the employee.

17.13.16.2.4. The employee does not furnish required information as requested or otherwise fails to prosecute the appeal.

17.13.17. **Appeal Records.** The NAF-HR Section maintains the memorandum of appeal and all correspondence and documents in a separate case file for the period specified in AF RDS.

17.14. Special Procedures for Change to Lower Grade or Payband Based on Position Classification.

17.14.1. These procedures apply when a position is downgraded, because of a change in classification standards, or a misclassification is corrected. This includes correcting a tentatively classified position changed by a higher headquarters final classification.

17.14.2. The employee is notified in writing by the Chief, NAF-HR at least seven calendar days prior to the effective date of the action. The notice memorandum includes:

17.14.2.1. Detailed reasons for the change to lower grade or payband.

17.14.2.2. Why the previous classification was wrong.

17.14.2.3. How applying new or revised classification standards resulted in classifying the position at a lower grade or payband.

17.14.2.4. The effective date of the change to lower grade or payband.

17.14.2.5. An explanation of the employee's right to appeal, including how and where to appeal, and the time limits for making such appeal.

17.14.2.6. The name, location, and phone number of the person in the NAF-HR Section

designated to provide assistance.

17.14.2.7. An explanation of the employee's entitlement to retained grade and/or pay.

17.14.3. Retained Grade and Pay:

17.14.3.1. Retained grade and pay entitlements for CT employees is contained in the *Federal Wage System Nonappropriated Fund Operating Manual*, Subchapter S9.

17.14.3.2. For payband employees, pay retention is according to the following:

17.14.3.2.1. The employee has served for a minimum of one continuous year immediately before the change in one or more positions at a payband higher than the one to which demoted.

17.14.3.2.2. The retained rate is the lesser of the scheduled rate of pay immediately before the change or 150 percent of the maximum rate of the payband to which demoted.

17.14.3.2.3. Pay is retained under this policy for a period of two years, unless it is terminated earlier by one of the following conditions:

17.14.3.2.3.1. A break in service of one or more work days.

17.14.3.2.3.2. A later change to a lower payband which is effected for personal reasons at the employee's request.

17.14.3.2.3.3. Entitlement to a rate of pay that is equal to or higher than the retained rate because of another personnel action or normal changes to the pay schedules.

17.14.3.2.3.4. When an employee receiving a retained rate accepts a temporary promotion to the same or higher payband than that from which demoted, the temporary promotion does not affect the running of the pay retention period, which still ends two years after the original demotion.

17.14.4. Any appeal from an employee as a result of these procedures is processed according to the appeal procedures in Chapter 9.

17.14.5. On receipt of a higher headquarters final classification decision of a properly documented, tentatively classified position, the resulting change to lower grade or payband action is processed according to the procedures in paragraph 17.14.2 and includes:

17.14.5.1. A statement that the action is not retroactive.

17.14.5.2. A statement that pay retention is not authorized.

17.14.5.3. Pay is set at the rate to which the employee would have progressed had he or she not been placed in the higher-graded position. To be properly documented, a tentatively classified position is identified on the AF Form 2545 which assigned the employee to the position, with the remark: "Grade (payband) and salary shown are tentative and subject to upward or downward non-retroactive revision." The effective date of the personnel action is no later than the beginning of the pay period following the 15th day after the NAF-HR receives the final decision of classification.

Chapter 18: Pay and Allowances

18.1. General Information on Pay and Allowances. Public Law 92-392 established the NAFI FWS for prevailing rate employees of the Federal government. DoDI 1400.25 and *OPM Operating Manual Federal Wage System-NAF* contain the policy and procedural guidance for the administration and operation of the wage system for NAF CT employees. This chapter supplements that guidance and also provides procedures for administration of the NF and CY pay systems. Additional guidance for pay administration for CY positions is contained in chapter 19.

18.1.1. NAF employees are paid on the basis of equal pay for work of substantially similar difficulty and responsibility, and overall position requirements.

18.1.2. NAF employees employed in the U.S., its territories, or its possessions are paid at least the current federal, state, or local minimum wage, whichever is higher. U.S. citizens and U.S. nationals employed in foreign areas are paid no less than the federal minimum wage.

18.1.3. The FLSA, as amended, applies to all nonexempt NAF employees, including ODM personnel, who are employed by NAFIs in geographical areas covered by the FLSA.

18.1.4. Enlisted military personnel may not receive compensation from NAFs while on official military duty status. Example: A military member employed as a NAF employee during off-duty hours is not paid from NAFs, if appointed as a member of a wage survey team, because these duties are performed during those hours that the military member is usually on official military duty.

18.1.5. Erroneous overpayments are handled in accordance with AFI 34-202.

18.2. Terms Explained.

18.2.1. **Administrative Workweek.** A period of seven consecutive calendar days. It need not coincide with the calendar week, but may begin on any day and at any hour of the day.

18.2.2. **Change to Lower Grade or Payband.** A change of an employee, while continuously employed by a NAFI at the same installation, from:

18.2.2.1. A job under a wage schedule or the payband system to a job with a lower representative rate under the same wage schedule or payband system (e.g., from NF-II to NF-I, from NA-10 to NA-09, or from CY-II to CY-I).

18.2.2.2. A job under a wage schedule to a job with a lower representative rate under a different schedule (e.g., NS to NA).

18.2.2.3. A job under a payband system to a job with a lower representative rate under a different payband system (e.g., NF to CY, or CY to NF).

18.2.2.4. A job under the payband system (e.g., NF or CY) to a job with a lower representative rate under a wage schedule (e.g., NA, NL, or NS) or vice versa.

18.2.3. **Compensatory Time Off.** Time off from a scheduled tour of duty in lieu of overtime pay for an amount of time spent in irregular or occasional overtime work.

18.2.4. **Compensatory Time Off for Religious Observance.** An overtime period that an employee requests to work for the purpose of taking an equal amount of time off, instead of overtime pay, without charge to leave, for religious observance. Compensatory time off for this purpose applies to all employees, exempt or nonexempt.

18.2.5. **Day.** A calendar day unless otherwise indicated.

18.2.6. **Demotion at an Employee's Request.** A reduction in grade or payband which (1) is initiated by the employee for his or her benefit, convenience, or personal advantage, including consent to a demotion in lieu of one for personal cause; and (2) is not caused or influenced by a management action.

18.2.7. **Demotion for Personal Cause.** A reduction in grade or payband based upon the conduct, character, or unacceptable performance of an employee.

18.2.8. **Environmental Differential.** Additional pay for duty performed by a CT employee that involves unusually severe hazards or unusually severe working conditions.

18.2.9. **Exempt Employee.** An employee who is exempt from either the overtime or minimum wage provisions of the FLSA.

18.2.10. **Hazard Pay Differential.** Additional pay for the performance of hazardous duty (duty performed under circumstances in which an accident could result in serious injury or death) or duty involving physical hardship (duty that causes extreme physical discomfort or distress and is not adequately alleviated by protective or mechanical devices) by an NF or CY employee.

18.2.11. **Higher Grade or Payband.** A grade or payband in the pay system (NF, CY, or CT) to which an employee is assigned that is higher than the grade or payband held by the employee.

18.2.12. **Highest Previous Rate of Pay.** The highest rate of basic pay previously paid to an employee while employed in a NAF position by a DoD NAFI for a continuous period of not less than 90 days, under one or more appointments, without a break in service. **This rate is not used without the approval of the employing manager.**

18.2.12.1. The highest previous rate of pay is adjusted to account for pay increases implemented after the employee leaves the position upon which the highest previous rate of pay is based.

18.2.12.2. An employee's highest previous rate of pay is not based upon an installation's upgrade of a position if either OPM, DoD, or HQ USAF/A1C later reverses the installation's upgrade action.

18.2.12.3. An employee's highest previous rate of pay does not include either non-foreign post differential or allowances.

18.2.13. **Holiday Premium Pay.** Additional pay (100 percent of an employee's rate of basic pay) for holiday work that is not overtime work.

18.2.14. **Holiday Work.** Nonovertime work performed during a regularly scheduled daily tour of duty on a federal holiday.

18.2.15. **Hourly Regular Rate.** A rate used to determine overtime pay under the FLSA. It is calculated by dividing the total compensation paid to an employee for the workweek, by the total number of hours of work in the workweek for which such compensation was paid.

18.2.16. **Irregular or Occasional Overtime Work.** Overtime work that is not scheduled as a part of an employee's regularly scheduled administrative workweek.

18.2.17. **New Appointment.** The initial appointment of a person to a position in a NAFI other than by transfer of function. A new appointment also occurs when a former NAF employee is appointed to a position in his or her former employing NAFI after a break in service of more than 52 calendar weeks.

18.2.18. **Night Pay Differential for CY and NF-III Through VI Employees.** Additional pay for regularly scheduled nonovertime work performed by an employee between the hours of 1800 and 0600.

18.2.19. **Night Shift Differential for CT and NF-I and II Employees.** Additional pay paid to an employee when a majority of the employee's regularly scheduled nonovertime whole hours worked falls between 1500 and midnight (second shift) or between 2300 and 0800 (third shift).

18.2.20. **Nonexempt Employee.** An employee who occupies a position covered by the minimum wage and overtime provisions of the FLSA.

18.2.21. **Overtime Pay.** Additional pay for performing overtime work.

18.2.22. **Promotion.** A change of an employee, while continuously employed by a NAFI at the same installation, from:

18.2.22.1. A job under a wage schedule or the payband system to a job with a higher representative rate under the same wage schedule or payband system (e.g., from NF-I to NF-II, from NA-09 to NA-10, or from CY-I to CY-II).

18.2.22.2. A job under a wage schedule to a job with a higher representative rate under a different wage schedule (e.g., from NA to NS).

18.2.22.3. A job under a payband system to a job with a higher representative rate under a different wage schedule (e.g., from NF to CY, or CY to NF).

18.2.22.4. A job under the payband system (e.g., NF or CY) to a job with a higher representative rate under a wage schedule (e.g., NA, NL, or NS) or vice versa.

18.2.23. **Rate of Basic Pay.**

18.2.23.1. Scheduled rate of pay is the rate of pay fixed by law or administrative action for a job held by a NAF employee before any deductions and exclusive of additional pay of any kind.

18.2.23.2. The rate of basic pay for the CT employee is the scheduled rate of pay plus any night shift or environmental differential pay. In the context of grade or pay retention rights, the rate of basic pay does not include additional pay of any kind, including night shift or environmental differential pay.

18.2.23.3. The rate of basic pay for the NF or CY employee is the scheduled rate of pay before any deductions, and exclusive of additional pay of any other kind.

18.2.24. **Reemployment.** The rehire of a prior Regular employee who has been off the NAFI rolls for more than 6 months but less than 1 year.

18.2.25. **Reassignment.** The movement of an employee, while continuously employed in an AF NAFI at the same installation, from one position to another without promotion or change to lower grade or payband.

18.2.26. **Regular Overtime Work.** Overtime work that is scheduled as a part of an employee's regularly scheduled administrative workweek.

18.2.27. **Representative Rate.** A rate used to determine whether the movement of an employee from a position in one wage schedule (e.g., NA, NS, or NL) to a position in another wage schedule, or from a position in one pay system (e.g., CT, NF, or CY) to a position in another pay system is a promotion, change to lower grade or payband, or reassignment.

18.2.27.1. The representative rate for a CT position is the second step of the grade on a 5-step wage rate schedule.

18.2.27.2. The representative rate for a NF or CY position is the employee's current rate of basic pay.

18.2.28. **Sunday Premium Pay.** Additional 25 percent of an employee's rate of basic pay for Sunday work.

18.2.29. **Sunday Work.** Nonovertime work performed by an eligible employee when any part of that work is performed on a Sunday.

18.2.30. **Temporary Promotion.** A promotion with a definite time limitation, and one which the employee is informed in advance is temporary and requires that the employee return to his or her permanent position no later than the expiration of that promotion.

18.2.31. **Temporary Reassignment.** A reassignment with a definite time limitation, and one which the employee is informed in advance is temporary and requires that the employee return to his or her permanent position no later than the expiration of that reassignment.

18.2.32. **Transfer In.** The movement of an AF NAF employee who is transferring from an AF NAF position at another AF installation without a break in service.

18.2.33. **Transfer of Function.** The movement of an employee, without a break in service of one full workday, from one DoD NAFI to another DoD NAFI, including AAFES, due to transfer of responsibility for the performance of a continuing function from one DoD NAFI to another DoD NAFI.

18.2.34. **Transfer Out.** The movement of an AF NAF employee who is transferring to an AF NAF position at another AF installation without a break in service.

18.2.35. **Wage Employee.** An employee who occupies a CT position.

18.3. Wage and Pay Schedules. The DoD Civilian Personnel Advisory Service, Wage Setting Division (WSD), is the pay fixing authority for NAF employees within the DoD. Locality wage surveys and changes to the GS result in the issuance of NAF wage rate schedules for CT employees and NAF pay range schedules for NF and CY employees. When the minimum rate for the band is raised in accordance with section DoDI 1400.25, Volume 1405, *Nonappropriated Fund (NAF) Pay, Awards, and Allowances*, employees at the bottom of the band, who are rated at least satisfactory or equivalent, must be given a pay increase to keep their rate of pay within the pay range for the band. Employees in a less than satisfactory or equivalent status are ineligible for a pay increase. This means that in some cases their pay may fall below the minimum of the band.

18.3.1. CT wage schedules are issued as a result of locality surveys and changes to the federal minimum wage, or state minimum wage if higher.

18.3.2. Pay range schedules setting the minimum and maximum rates for paybands NF-I and NF-II, and the minimum for NF-III, are also issued at the same time as the wage schedule for CT employees. The pay range schedule includes a percentage cost of living adjustment (COLA) for NF-I and NF-II employees. The adjustment shall not exceed the average percentage adjustment stated on the pay report attached to the current pay schedule. It shall not be granted if both the Employment Cost Index adjustment and the locality adjustment are canceled for appropriated GS employees.

18.3.3. Pay range schedules setting the maximum for NF-III, and the minimum and maximum rates for NF-IV through NF-VI, are issued as a result of changes to the GS. The COLA for NF-III through NF-VI will be equal to the adjustment for GS employees, excluding locality. The maximum rate for NF-VI will be adjusted to equate to the rate for Level IV of the Executive Schedule, in accordance with 5 U.S.C., Section 5373, "Limitation on Pay Fixed by Administrative Action". The maximum rate for NF-V will be adjusted to equate to the highest GS-15, step 10, locality pay rate. The maximum rates for NF-III and NF-IV will be adjusted to equate to 40 and 63 percent, respectively, of the NF-V maximum rate, rounded up to the nearest \$500.

18.3.4. Pay range schedules setting the minimum and maximum rates for the CY pay schedule must be constructed as a result of changes to the GS. The COLA for CY employees will be equal to the adjustment for GS employees, including the locality.

18.3.4.1. Payband I covers grade CY-01 and CY-02 grade level positions. The minimum rate for this payband is equal to the hourly rate of pay for GS-02, step 1. The maximum rate is equal to the hourly rate of pay for GS-03, step 10 including locality pay.

18.3.4.2. Payband II covers grade CY-03 through CY-05 grade level positions. The minimum rate for this payband is equal to the hourly rate of pay for GS-04, step 1. The maximum rate is equal to the hourly rate of pay for GS-05, step 10 including locality pay.

18.3.5. For U. S. Citizens in Foreign Areas:

18.3.5.1. Wage surveys are not performed for overseas areas. CT wage schedules are issued by the DoD as a result of locality wage surveys and changes to the federal minimum wage. The schedules are normally issued in December, with a January effective date. These schedules provide pay adjustment guidance for NS, NL, and NA pay plan employees.

18.3.5.2. WSD applies an across the board increase equivalent to the ECI percentage increase for GS employees for overseas payband schedules. NAF pay system schedules are issued by the DoD

normally in December, with a January effective date. The COLA for paybands NF-I and NF-II is determined by the DoD. COLAs for paybands NF-III through NF-VI are the same as the adjustment for GS employees, excluding locality pay.

18.3.6. All schedules are effective on the date shown on the schedule even if that date does not coincide with the beginning of a pay period.

18.4. Basic Requirements for Salary Payments.

18.4.1. All administrative requirements must be met before an employee is entitled to pay for hours worked. Effective dates of job assignments, pay increases, etc., must be clearly established on AF Form 2545 and authenticated by the Chief, NAF-HR. The Chief, NAF-HR, to ensure timely payment, sends the appropriate documentation through DCPDS. Such documents must be received in the DCPDS by close of business on Wednesday of the second week in the pay period, in order to ensure payroll processing of the document in the pay period in which the action is effective. Documents received after that date will not be processed until the following pay period. Managers and supervisors must be made aware of these time restrictions, and must keep them in mind when hiring new employees at the end of a pay period. The initial pay of such employees may be delayed if the AF Form 2545 documenting the appointment is not processed and in DCPDS by the above cutoff date. NAF-HR staff briefs new employees hired under such circumstances of when they can expect to receive their first paycheck.

18.4.2. Timesheets for AF Standard Timekeeping system must be supported by the AF Form 2545 that appoints the employee to a position before payment may be made. Payment of a wage or salary to a person through the payroll system, for hours worked is not made for any period before the effective date shown on the AF Form 2545. Officially, certified timesheets are required for each employee before any payment or disbursement of funds is made for basic pay, overtime, authorized differentials, premium pay, allowances, leave, etc. Supporting documents (such as OPM Form 71 evidence of court service, and so forth) must accompany timesheets when required by this guide or by installation policy.

18.4.3. A timesheet is prepared each pay period for each employee on the rolls, whether or not that employee is in a pay or duty status. The timesheet accounts for all guaranteed hours, whether worked or not.

18.4.3.1. If an employee works less than the number of guaranteed hours because of self-initiated absences, the time not worked is properly recorded on the timesheet.

18.4.3.2. When an employee with a work schedule of more hours than his or her guaranteed hours, is required by a supervisor to work less hours than scheduled, that employee's work schedule is considered as temporarily changed, no lower than the guaranteed hours. Leave is not charged for those hours temporarily not scheduled and not worked that do not go below the guaranteed hours. Timesheets for flexible employees with guaranteed hours of zero, show hours worked.

18.4.4. A quarter hour is the largest fraction of an hour used for crediting irregular or occasional hours worked. When occasional or irregular work is performed in other than the full fraction, odd minutes are rounded up or rounded down to the nearest quarter hour. (Regular work is not scheduled in less than quarter hour increments; see paragraph 1.8.3.)

18.5. Pay Periods. Pay periods for employees are two weeks long and consist of two consecutive administrative workweeks, Sunday through Saturday.

18.6. Pay for Day of Entrance on Duty. An employee is entitled to pay on an official appointment, based on the AF Form 2545 and entrance on duty. Pay for the day of appointment includes the time spent in completing employment in-processing, provided the person reports for duty at the work site on the first scheduled day and makes himself or herself available to perform the duties of his or her position.

18.7. Pay for Day of Separation or Death.

18.7.1. Full pay on the date of separation is not authorized, unless the employee is in a work or paid leave status for the entire day. The time spent in complying with out-processing or clearing of an installation is considered as duty status, but should not exceed two hours.

18.7.2. Full basic pay for the day on which an employee dies is authorized if death occurred within the employee's scheduled tour of duty, regardless of the hour of death, and if the employee was in a pay status on the workday preceding the day of death.

18.8. Effective Date of Actions. Use the AF Form 2545 to document actions. Effective dates are determined according to the following:

18.8.1. Appointment actions are effective on the date that all requirements for the hiring action are completed and the individual is available for duty. This includes direct deposit enrollment.

18.8.2. Change actions that affect an employee, such as transfer in, promotion, reassignment, change in employment category, etc., are effective on the first day of the pay period after all requirements for the action are met.

18.8.3. Separation actions due to death are effective at the close of business on the day of death. All other separation actions are effective at close of business on the employee's last workday.

18.8.4. Correction and amendment actions are effective the same date as the action being corrected or amended. Collection of overpayments, payment of retroactive pay, or retroactive accrual of leave is proper, if applicable.

18.8.5. If two or more personnel actions that relate to one employee are effective on the same day, the actions are processed in the order most advantageous to the employee and on the same document, if possible.

18.8.6. If personnel actions that relate to one employee are to be effective on different effective dates, the actions are processed separately. For example, an appointment action and an election of insurance coverage that have different effective dates are processed as two separate actions.

18.8.7. Revised wage schedules for CT employees are effective at the beginning of the first full shift on the effective date shown on the wage schedule.

18.8.8. Revised NAF Pay Schedules for NF-I and NF-II employees are effective on the date shown on the NAF Pay Schedule.

18.8.9. Revised NAF Pay Schedules for NF-III through NF-VI and CY employees, made as a result of changes to the GS, are effective on the date shown on the NAF Pay Schedule.

18.8.10. Miscellaneous actions, e.g., name changes, change in military status, are effective on the date that all requirements for the action are met, and the information is presented to the NAF-HR Section.

18.8.11. Movement between DoD NAFIs, including transfers of functions, is made on a predetermined and agreed upon dates between the losing and gaining NAFIs. If the move involves a change to a NAFI serviced by another NAF-HR Section, dates are determined by NAF-HR Sections and NAFIs involved.

18.8.12. Termination, expiration of appointment, and end of a temporary promotion or reassignment actions are effective at the close of business on the day the action occurs.

18.8.13. WGIs are effective on the first day of the first pay period following the day the waiting period is completed. For example, if the WGI waiting period is completed in the middle of the pay period, the WGI is effective at the beginning of the next pay period. If the WGI waiting period is completed on the first day of a pay period, the effective date of the WGI is the beginning of the following pay period.

18.9. Pay Setting Procedures.

18.9.1. **New Appointment to a CT Position.** All new appointments are made at the minimum step of the grade, unless a higher step is authorized in table 18.1.

18.9.2. **New Appointment to a NF or CY Position.** Pay may be set at any rate within the applicable payband. Consideration is given, but not limited to the appointee's previous rate of pay and special qualifications, including skills and experience of an exceptional or highly specialized nature related to the position; budget; competitiveness with federal and private sector pay; and current rates of pay for similar positions. The difficulty of filling the position is also considered.

18.9.3. **Reinstatement.** Rates of pay for former Regular employees, who are reinstated to Regular positions within a NAFI within six months from separation, are made according to table 18.2.

18.9.4. **Promotion.** The pay of an employee who is promoted to a higher grade or payband in an AF NAFI at the same installation and in the same pay system is according to tables 18.3 or 18.10.

18.9.5. **Reassignment.** Rates of pay for employees who are reassigned in an AF NAFI at the same installation and pay system are according to tables 18.4 or 18.9.

18.9.6. **Change to a Lower Grade or Payband.** Rates of pay for employees who are changed to a lower grade or payband, in an AF NAFI at the same installation and in the same pay system, are according to tables 18.5, 18.11, or 18.12.

18.9.7. **Transfer of Function.** Rates of pay for employees who are transferred due to a transfer of function from one DoD NAFI to another are according to table 18.6. Usually, only one AF Form 2545 is required. If the gaining NAFI is not serviced by the same NAF-HR Section, the appointment document is prepared by the gaining NAF-HR official, who sends a copy to the losing NAF-HR Section before the date of separation. Pay for employees who move with their positions will be set at a rate within the band that is not less than the employee's rate of basic pay immediately before the move. As an exception, where a portion of the pay is clearly defined as a locality adjustment, the locality pay adjustment need not be continued when the employee moves to

an area with a lower locality pay adjustment. Future rates of pay will be IAW the receiving NAFI's policies.

18.9.8. Change From One Pay System to Another. Terminology and rate of pay for a change between different types of NAF pay systems in a NAFI at the same installation are determined by tables 18.7 and 18.8.

18.9.9. Change in Employment Category. The rate of pay is determined according to tables 18.3, 18.4, 18.5, 18.7, 18.8, 18.9, 18.10, 18.11, or 18.12, depending on whether the action is concurrent with a promotion, reassignment, or a change to lower grade or payband.

18.9.10. Application of New or Revised NAF Wage Schedules. NAF-HR Sections prepare AF Forms 2545 to affect new or revised wage schedules. An RPA is not required to affect these changes.

18.9.10.1. Effective Dates. New or revised wage schedules, as a result of a change to the federal or state minimum wage, or as a result of locality wage surveys, for all covered wage employees are effective at the beginning of the first full shift on the date specified on the DoD wage schedule, even though that date may not coincide with the beginning of a pay period.

18.9.10.2. Applying the Schedule. On the effective date of a new or revised wage schedule, the scheduled rate of pay of a wage employee is initially adjusted as follows:

18.9.10.2.1. If an employee is being paid at one of the scheduled rates of a grade under the old wage schedule, he or she is paid at the scheduled rate of pay for the corresponding numerical rate of the same grade under the new or revised wage schedule.

18.9.10.2.2. If an employee is being paid at a rate in excess of the maximum scheduled rate of his or her grade under the old wage schedule, he or she is entitled to pay retention as follows:

18.9.10.2.2.1. CT employees who have indefinite pay entitlements, are entitled to receive increases as shown in paragraph 18.13.

18.9.10.2.2.2. An employee is not required to suffer a hardship because of a delay in applying a new pay schedule. Accordingly, a retroactive change is not made if actions taken and payments made during the period of retroactivity are more advantageous to the employee, than the rate of pay that results from a new schedule. The Comptroller General has ruled, at 53 Comp. Gen. 665, B-140583, 13 Mar 1974 that pay retention is not permissible when wage reductions are based on decreases in prevailing rates, as determined by wage surveys. Therefore, wage schedules with a decrease in rate are applied according to the effective date shown on those schedules.

Table 18.1. Pay Setting on Appointment (CT Only) (See notes 1, 2, and 3)

R U L E	A	B	C
	If an employee	and the employee	then the employee's
1	has his or her position changed from an APF position to a NAF position	is receiving a rate of scheduled pay equal to a rate of the grade in which his or her position is placed	pay is fixed at that rate.
2	has his or her position changed from an APF position to a NAF position	is receiving a rate of scheduled pay at a rate between two rates of the grade in which his or her position is placed	pay is fixed at the higher of the two rates.
3	has his or her position changed from an APF position to a NAF position	is receiving a rate of scheduled pay in excess of the maximum scheduled rate of the grade in which his or her position is placed	former grade and pay are retained in the OPM Subchapter S9.
4	is selected for a wage rate position	is recognized as having special qualifications, with skills and experience of an exceptional or highly specialized nature related to the position	pay is fixed at the second step (see note 4).
5	is selected for a wage rate position that has been identified by DoD as hard to fill		pay is set at the step identified by DoD.
6	is appointed to a position in another NAFI other than by transfer of function	has no break in service of one or more workdays	pay is set at any scheduled step of the grade no higher than could have been received if the action took place in the previous NAFI, not to exceed the top step (see notes 5 and 6).
7	had held a NAF position	is rehired into the same NAFI within 52 calendar weeks of the separation date, but after the reinstatement eligibility period has ended; or within six months if not eligible for reinstatement	pay is set at any step of the grade that does not exceed the highest previous scheduled rate of pay, not to exceed the top step of the grade (see note 5).
8	has held a NAF position	is hired into another NAFI within 52 calendar weeks	pay is set at any step of the grade that does not exceed the highest previous scheduled rate of pay, not to exceed the top step of the grade (see note 5).

NOTES:

1. Appointments are made at the minimum step of the grade unless authorized by one of the rules on this table.

2. Authority to hire above the minimum is automatically cancelled when a revised wage schedule is issued, unless the authority is extended by DoD.
3. For reinstatements, see table 18.2.
4. With the prior approval of the FSS commander or director.
5. Unless on an indefinite retained rate, as explained in OPM Operating Manual, Federal Wage System – Nonappropriated Fund.
6. Any category employee may be entitled to an additional step, or credit to the next step, based on creditable service since his or her last equivalent increase in the former position, when brought back to the same or lower grade position in the same NAFI (see paragraph 18.11). Managerial approval is not required.

Table 18.2. Pay Setting on Reinstatement (See note 1)

R U L E	A	B
	If an employee is reinstated	then pay is established, subject to the manager's approval,
1	to the same grade	at the same step held prior to separation (see note 2).
2	to a lower grade	at a step to which employee would have been placed if no separation had occurred, using table 18.5, rule 1, not to exceed the top step.
3	to a higher grade	at a step to which the employee would have been placed if no separation had occurred, using table 18.3 (see note 2).
4	to the same payband	at the same salary held prior to separation if reinstated to the same NAFI, otherwise at any salary within the payband if reinstated to a different NAFI.
5	to a lower payband	at any rate within the applicable payband that does not exceed the rate of pay prior to separation.
6	to a higher payband	at the same salary held prior to separation if reinstated to the same NAFI otherwise at any salary within the payband if reinstated to a different NAFI.
7	to a payband position from a CT position	at the same salary held prior to separation or at the minimum of the payband, whichever is greater, if reinstated to the same NAFI; otherwise at any salary within the payband if reinstated to a different NAFI.
8	to a CT position from a payband position	at any step in the grade which does not exceed the rate of pay prior to separation, not to exceed the top step. If the employee was receiving a rate of scheduled pay between two steps, pay is fixed at the higher of the 2 steps.

NOTES:

1. See paragraph 3.16.3 for what constitutes reinstatement.
2. If in a retained rate of pay at the time of separation, pay is set no higher than the top step.

Table 18.3. Pay Setting on Promotion (See note 1)

R U L E	A If a NAF employee is promoted from a	B pay is set at	C unless there is no	D then the employee's pay is set at
1	CT position to a CT position	the lowest scheduled rate of the grade to which promoted that exceeds existing scheduled rate by at least four percent of the representative rate of the grade from which promoted	rate of pay in the grade to which promoted that meets this requirement	the maximum scheduled rate of the grade to which promoted; or existing scheduled rate of pay, if that rate is higher (see notes 2, 3, 4, and 5).
2	NF position to a NF position	a minimum increase of five percent over current rate of pay	rate of pay in the payband that meets this requirement	the maximum scheduled rate of pay within the payband to which promoted (see notes 3 and 6).
3	CY position to a CY position	a minimum increase of six percent over current rate of pay	rate of pay in the payband that meets this requirement	the maximum scheduled rate of pay within the payband to which promoted (see notes 3 and 6).

NOTES:

1. This table does not apply to the promotion of Regular CT employees who are in grade or pay retention, to other Regular CT positions. (See table 18.10.)
2. This rule also applies to an employee promoted from a single-rate job under a special schedule, to a multi-rate job under the Regular schedule.
3. If promotion is to a position in the same NAFI in a different wage area, the Chief, NAF-HR determines the employee's pay entitlement as if there were two actions (a promotion and a reassignment) and processes them in the order that gives the employee the maximum benefit. The employee's pay entitlement is determined as if the employee were promoted under the old wage schedule and then reassigned to the same NAFI in the new wage area, or reassigned to the same NAFI in the new wage area and then promoted under the new wage schedule, whichever provides the greater benefit.
4. Upon promotion, an employee may be granted the benefit of the highest previous rate provisions of paragraph 18.2.12, if this would result in a higher rate of pay.
5. Employees who are promoted from a Regular position to a Flexible position are not authorized to retain a rate of pay above the top step of the grade.
6. Or existing scheduled rate of pay, if that rate is higher as a result of previous pay retention.

Table 18.4. Pay Setting on Reassignment (See note 1)

R U L E	A	B
	If reassignment is due to a	then pay is set at
1	BBA	for CT employees, the existing step rate; for payband employees, the existing rate of pay, or a decreased or increased rate depending upon the level of responsibility of the new position, as approved by the manager.
2	management action (CT only)	the existing step rate (see note 2).
3	management action (NF payband only)	the existing rate of pay, or an increased rate depending upon increased level of responsibility of the new position.
4	employee request	for CT employees, the existing step rate; for payband employees, the existing rate of pay, or a decreased or increased rate depending upon the level of responsibility of the new position, as approved by the manager.
5	personal cause	any step of the grade, or rate within the payband, that does not exceed the existing rate, as approved by the manager.
6	management action (CY only) to a higher level CY position within the same payband	minimum increase of 6% of the existing hourly rate.
7	management action (CY only) to a lower level CY position within the same payband	the existing rate of pay.
8	employee request (CY only) to a higher level CY position within the same payband	minimum increase of 6% of the existing hourly rate.
9	employee request (CY only) to a lower level CY position within the same payband	the existing rate of pay, or a decreased rate depending upon level of responsibility of the lower level CY position, as approved by the manager.

NOTES:

1. This table does not apply to reassignments of Regular CT employees, who are in retained grade or pay, to other Regular CT positions. (See table 18.9).
2. Employees who are reassigned from Regular positions to Flexible positions are not authorized to retain a rate of pay above the top step of the grade.
3. If a BBA results in a CY employee being reassigned to a higher level CY position within the same payband, a minimum increase of six percent of the existing rate of pay is applied.

Table 18.5. Pay Setting on Change to Lower Grade/Payband Within the Same System (See note 1)

R U L E	A If change to lower grade/payband is due to	B pay is set at	C unless the	D then the employee is entitled to
1	a BBA	for CT employees, the lowest scheduled rate of the lower grade which equals or exceeds the employee's existing scheduled rate of pay; if employee's rate of pay falls between 2 steps, the higher step is used	existing scheduled rate exceeds the maximum step of the lower grade	the top step of the lower grade (see note 2).
		for payband employees, any rate within the lower payband that does not exceed the existing scheduled rate of pay, as approved by the manager.		
2	change in classification standards	for CT employees, the lowest scheduled rate of the lower grade which equals or exceeds the employee's existing scheduled rate of pay; if employee's rate of pay falls between 2 steps, the higher step is used	existing scheduled rate exceeds the maximum step of the lower grade	the top step or the existing rate if entitled to pay retention (see note 2).
3	classification error	for payband employees, the existing rate of pay	existing schedule rate exceeds the maximum rate of the lower payband	the maximum rate of the payband or existing rate if entitled to pay retention.
4	returning to former or intermediate grade/payband upon termination of temporary promotion	the step rate or payband rate which he or she would have reached had it not been for the temporary assignment to the higher grade.		
5	employee request (see note 4)	for CT employees, any step in the lower grade which does not exceed the existing scheduled rate of pay, not to exceed the top step, as approved by the manager.		
6	personal cause (see note 4)	for payband employees, any rate within the lower payband that does not exceed the existing scheduled rate of pay, as approved by the manager.		

NOTES:

1. This table does not apply to demotions of Regular CT employees to other Regular CT positions when they are entitled to retained grade or pay. (See tables 18.11 and 18.12.)
2. Employees who are demoted from a Regular position to a Flexible position are not authorized to retain a rate of pay above the top step of the grade.
3. Not applicable to CT employees.
4. Any retained grade is terminated.

Table 18.6. Pay Setting on Transfer to or From Another NAFI by Reason of Transfer of Function

R U L E	A If transfer results in a	B then pay is set by
1	promotion	table 18.3, 18.7, or 18.10.
2	reassignment	table 18.4, rule 1; 18.7, rule 1; or 18.9, rule 1.
3	change to lower grade/payband	table 18.5, rule 1; 18.7, rule 1; 18.11, rule 1; or 18.12, rule 1 or 2.

Table 18.7. Pay Setting on Moving From a CT Position to a NF or CY Position

R U L E	A If change to a different pay system is due to	B and employee's current salary	C then pay is set at	D and NOAC is
1	a BBA	falls within the payband	the existing rate of pay, or a decreased or increased rate depending upon the level of responsibility of the new position, as approved by the manager	reassignment (with/without pay adjustment).
		falls outside maximum of payband	the maximum rate of the payband	change to lower payband.
		falls below minimum of payband	the minimum rate of the payband, or an increase of 5% for NF and 6% for CY over current rate of pay, whichever is greater	promotion.
2	change in classification standards	falls within the payband	the existing rate of pay, or a decreased or increased rate depending upon the level of responsibility of the new position, as approved by the manager	reassignment (with/without pay adjustment).
3	classification error	falls outside maximum of payband	the maximum rate of the payband, or existing rate if entitled to pay retention (see note)	change to lower payband.
		falls below minimum of payband	the minimum rate of the payband, or an increase of 5% for NF and 6% for CY over current rate of pay, whichever is greater	promotion.
4	returning to former or intermediate payband upon termination of temporary promotion		the payband rate which he or she would have reached had it not been for the temporary assignment to the higher CT position	change to lower payband.

R U L E	A If change to a different pay system is due to	B and employee's current salary	C then pay is set at	D and NOAC is
5	employee request	falls within the payband	any rate within the payband that does not exceed the existing rate of pay, as approved by the manager	reassignment.
6	personal cause	falls outside maximum of payband	any rate within the payband as approved by the manager	change to lower payband.
		falls below minimum of payband	the minimum rate of the payband	reassignment.
7	management action	falls within the payband	the existing rate of pay, or an increased rate, depending upon increased level of responsibility of the new position	reassignment (with/without pay adjustment).
		falls below minimum of payband	the minimum rate of the payband	reassignment.

NOTE:

Employees who are demoted from a Regular position to a Flexible position are not authorized to retain a rate of pay above the top step of the grade.

Table 18.8. Pay Setting on Moving From a NF or CY Position to a CT Position

R U L E	A If change to different pay system is due to	B and employee's current salary (representative rate for NF/CY)	C then pay is set at	D unless the	E then the employee is entitled to	F and the NOAC is
1	a BBA	is more than the representative rate of the CT position	the lowest scheduled rate of the lower grade which equals or exceeds employee's existing scheduled rate of pay (when the existing rate of pay falls between two steps, the higher rate is used)	existing scheduled rate exceeds the maximum step of the lower grade	the top step (see note 1)	change to lower grade.
		is less than the representative rate of the CT position	the lowest scheduled rate of the grade to which promoted that exceeds existing scheduled rate by at least four percent			promotion.
		is equal to the representative rate of the CT position	the existing rate of pay			reassignment.
2	change in classification standards	is more than the representative rate of the CT position	the lowest scheduled rate of the lower grade which equals or exceeds employee's existing scheduled rate of pay (when the existing rate of pay falls between two steps, the higher rate is used)	existing scheduled rate exceeds the maximum step of the lower grade	the top step or existing rate if entitled to pay retention (see note 1)	change to lower grade.
3	classification error	is less than the representative rate of the CT position	the lowest scheduled rate of the grade to which promoted that exceeds existing scheduled rate by at least four percent			promotion.
		is equal to the representative rate of the CT position	the existing rate of pay			reassignment.
4	returning to former or intermediate grade upon termination of temporary promotion		the step rate of pay he or she would have reached had it not been for the temporary assignment to the higher payband position			change to lower grade.

R U L E	A If change to different pay system is due to	B and employee's current salary (representative rate for NF/CY)	C then pay is set at	D unless the	E then the employee is entitled to	F and the NOAC is
5 6	employee request	is more than the representative rate of the CT position	at any step rate in the lower grade which does not exceed the existing scheduled rate of pay, not to exceed the top step, as approved by the manager			reassignment.
	personal cause	is less than the representative rate of the CT position	the lowest scheduled rate of the grade that exceeds existing scheduled rate of pay			reassignment.
		is equal to the representative rate of the CT position	the existing rate of pay			reassignment.
7	management action	is less/more than the representative rate of the CT position	the lowest scheduled rate of the grade which equals or exceeds employee's existing rate of pay (when the existing rate falls between two steps, the higher step is used) (see note 2)			reassignment.
		is equal to the representative rate of the CT position	the existing rate of pay			reassignment.

NOTES:

1. Employees who are demoted from a Regular position to a Flexible position are not authorized to retain a rate of pay above the top step of the grade.
2. If employee's current salary exceeds the top step, this action may not be taken.

Table 18.9. Pay Setting for a Regular CT Employee Having Retained Grade and Pay and Who is Reassigned to Another Regular CT Position

R U L E	A	B
	If reassignment is due to	then pay is set at
1	a BBA	employee's existing step rate, including a retained grade, if otherwise entitled, or a retained rate of pay.
2	employee's request	employee's existing step rate, including a retained grade, if otherwise entitled, or a retained rate of pay.
3	personal cause	any step rate of the new position that does not exceed the existing rate of pay as approved by the manager, not to exceed the top step (see note).

NOTE: Any retained grade is terminated.

Table 18.10. Pay Setting for a Regular CT Employee Having Retained Grade and Pay and Who is Promoted to Another Regular CT Position

R U L E	A	B	C
	Pay is set at	unless	then the employee is entitled to
1	the lowest scheduled rate of the grade to which promoted that exceeds his or her scheduled rate of pay by at least 4 percent of the representative rate of the grade from which promoted	the employee is in a retained grade that is higher than the grade to which promoted	retain the retained grade for the remainder of the 2-year period.
2	the lowest scheduled rate of the grade to which promoted that exceeds his or her scheduled rate of pay by at least 4 percent of the representative rate of the grade from which promoted	the employee is in a retained pay status higher than the top step of the grade to which promoted	continue to be paid his or her existing scheduled rate of pay.
3	the lowest scheduled rate of the grade to which promoted that exceeds his or her scheduled rate of pay by at least 4 percent of the representative rate of the grade from which promoted	there is no rate of pay in the grade to which promoted that meets this requirement	be paid the higher of his or her existing rate of pay or the maximum of the grade to which promoted.

Table 18.11. Pay Setting for a Regular Crafts and Trades (CT) Employee Entitled to Retained Grade and Pay and Who is Changed to a Lower Grade Regular CT Position

R U L E	A	B
	If demotion is due to	then pay is set at
1	a BBA	employee's current grade and step rate.
2	reclassification (change in standards or classification error)	employee's current grade and step rate.

Table 18.12. Pay Setting for a Regular Crafts and Trades (CT) Employee Entitled to Retained Pay Only and Who is Changed to a Lower Grade CT Position Within the Same NAFI

R U L E	A	B	C
	If demotion is due to	and employee's scheduled rate of pay	then pay is set at
1	a BBA	does not exceed the top step of the lower grade	the lowest scheduled rate of the lower grade, which equals or exceeds his or her existing scheduled rate (see note).
2	a BBA	exceeds the top step of the lower grade	his or her existing scheduled rate of pay, or 150 percent of the maximum step of the lower grade, whichever is LESSER.
3	reclassification (change in standard, classification error)	does not exceed the top step of the lower grade	the lowest scheduled rate of the lower grade, which equals or exceeds his or her existing scheduled rate (see note).
		exceeds the top step of the lower grade	his or her existing scheduled rate of pay, or 150 percent of the maximum step of the lower grade, whichever is LESSER.

NOTE: When the existing rate falls between two steps, the higher step is to be used.

18.9.11. Application of New or Revised NAF Payband Schedules. NAF-HR staff prepares AF Forms 2545 to implement new or revised payband schedules. The application of new or revised pay schedules does not require completion of an RPA.

18.9.11.1. Effective Dates.

18.9.11.1.1. New or revised payband schedules as a result of a change to the federal or state minimum wage, or as a result of locality wage surveys, for all covered employees are effective at the beginning of the first full shift on the date specified on the wage schedule by DoD, even though that date may not coincide with the beginning of a pay period.

18.9.11.1.2. New or revised payband schedules as a result of legislative changes to the GS are effective on the first day of the first pay period on or after 1 January or the date specified on the schedule.

18.9.11.2. Applying the Schedules.

18.9.11.2.1. If, as a result of locality wage surveys, increases are made to the minimum and maximum rates of pay in paybands NF-I and NF-II, and to the minimum rate of payband NF-III, the Chief, NAF-HR initiates pay adjustments on all NF-I and NF-II employees using the average percentage increase indicated on the *NAF Pay System Pay Report* for each level. After application of this percentage, if an NF-I, II, or III employee's pay is below the minimum for the payband, an adjustment is initiated by the Chief, NAF-HR to ensure that no employee assigned to a payband receives less than the minimum for the applicable payband.

18.9.11.2.2. If, as a result of legislative changes to the GS, increases are made to the maximum rate of pay for payband NF-III and to both the minimum and maximum rates of pay for paybands NF-IV through NF-VI, the Chief, NAF-HR initiates pay adjustments on all NF-III through NF-VI employees using the percentage of the annual legislative pay increase (excluding locality). After application of this percentage, if a NF-IV, V, or VI employee's pay is below the minimum for the payband, an adjustment is initiated by the Chief, NAF-HR to insure that no employee assigned to a payband receives less than the minimum pay for the applicable payband.

18.9.11.2.3. Legislative changes to the GS locality schedule are applied to the minimum and maximum rates of pay for both paybands on the CY schedule. In foreign areas, the minimum and maximum rates for each of the 2 paybands for CY employees will be adjusted in accordance with the nationwide GS that does not include locality pay. CY employees whose pay is then below the minimum of the adjusted payband for their position, have their pay adjusted by the Chief, NAF-HR to bring them within the band. Adjustments made to employees already within the payband require completion of an RPA with appropriate approval.

18.9.12. Reappointments. The pay rate for an employee who is reappointed (not reinstated) to a NAFI in which previously employed within one year after separation, is made according to table 18.1. When a CT employee is reappointed to a position at the same or lower grade, service in a pay status in the former position since the last equivalent increase (see paragraph 18.11.6) is creditable towards the employee's next WGI. This creditable service may result in an employee being appointed and immediately being entitled to the next step in the grade. Credit may be given for no more than one step, regardless of the amount of creditable service involved since the last equivalent increase. A new waiting period begins upon receiving an equivalent increase (see paragraph 18.11.2).

18.10. Special Pay Rates. If prevailing rates of pay for specific types of NAF jobs are so substantially above the maximum rates of NAF wage/pay schedules that recruiting and retaining well-qualified individuals are greatly hampered, HQ USAF/A1C may recommend that a special rate of pay be set up, with the approval of the DoD, and in the case of CT positions, the approval of OPM. In exceptional cases, the installation commander may request that special rates or rate ranges be set up for specialized occupations that are critical to the mission of a NAFI. The request must be sent through command channels to AFSVC/SVXH (see table 18.13). Requests are made only when these conditions exist:

18.10.1. Rates of pay on the authorized NAF regular schedules are not adequate for recruiting and retaining qualified employees.

18.10.2. Authorizing increased minimum rates for these occupations in table 18.13 did not solve the problem.

Table 18.13. Requesting Increased or Special Pay Rates for Specific Occupations and Grades

R U L E	A	B	C
1	If the hiring rate among private employers is higher than the minimum local regular NAF wage schedule (CT only)	and NAFIs in the local area cannot recruit and retain qualified employees at the minimum local NAF wage rate	then the NAF-HR may recommend, through channels, that one of the pay step rates above the minimum be authorized by DoD as the appointment rate (see note 1).
2	higher than the fifth rate of the grade for the occupation on the local regular wage schedule or the maximum rate for the occupation on the payband schedule	cannot recruit and retain qualified employees at the increased minimum rate, or maximum rate of the payband, in specialized occupations critical to the mission of one or more NAFIs	DoD approves the local average rate for payband occupations; or recommends that OPM approve such rate for CT occupations (see note 1).
3	other than a time rate basis; for example, commission, piece rate, or in consideration of tips		DoD approves the practice for payband occupations; or recommends that OPM approve such pay practice for CT occupations (see note 2).

NOTES:

1. See **Attachment 15** for procedural guidance.
2. For guidance on other proposals, contact AFSVC/SVXHR.

18.11. WGIs.

18.11.1. **Waiting Period.** A CT employee whose performance is satisfactory is advanced to the next higher step of his or her grade following completion of the waiting period required by tables 18.14 and 18.15, provided the employee did not receive an equivalent increase in pay during the waiting period. A NAF employee's performance is satisfactory when he or she maintains a performance rating of satisfactory or better during the rating period.

18.11.2. **Beginning of a New Waiting Period.** A new waiting period begins:

18.11.2.1. On the first day of a new appointment to a NAFI, except in the case of a transfer of function from another DoD NAFI, or reinstatement of a former AF NAF employee.

18.11.2.2. On the first day of a new appointment to a NAFI in which previously employed, after a break in service of more than 52 calendar weeks.

18.11.2.3. Upon receiving an equivalent increase (see paragraph 18.11.5).

18.11.3. **Duration of Waiting Periods.** Tables 18.14 and 18.15 specify the waiting period an employee must serve before advancing to the next step of his or her grade.

18.11.3.1. A change to lower grade of any employee does not affect the beginning date of a waiting period. The waiting period is not interrupted by non-workdays intervening between an employee's last regularly scheduled workday in one job and his or her first regularly scheduled workday in a new job in a NAFI.

18.11.3.2. Use **Attachment 16** in computing waiting periods and effective dates for WGIs. Any LWOP hours are used to adjust the waiting period and subsequent due date as outlined in table 18.14.

18.11.4. **Creditable Service.** Creditable service for WGIs is continuous civilian NAF employment, and includes:

18.11.4.1. All service in a pay status, including periods of sick leave, annual leave, advanced sick leave, and advanced annual leave or other paid leave.

18.11.4.2. A limited amount of time in a nonpay status, as shown in table 18.14. (Nonpay status in excess of that amount is made up with creditable service before the next WGI is effected.)

18.11.4.3. A leave of absence granted a Regular employee to serve with the Armed Forces during a period of war or National emergency, if the employee is reemployed with the same AF NAFI no later than 52 calendar weeks after separation from active military duty. It is also granted if the employee is restored to his or her position after separation from active military duty or hospitalization continuing thereafter, as explained in paragraph 3.17.

18.11.4.4. LWOP granted to an employee because of an injury for which compensation is payable under the Longshore and Harbor Workers' Compensation Act.

18.11.4.5. Service before a single nonpay period, if the nonpay period is less than 52 calendar weeks.

18.11.4.6. Service before a break in service in any NAFI of less than 52 weeks, regardless of employment category, when the employee is brought back to the same or lower grade position.

18.11.5. **Equivalent Increase.**

18.11.5.1. Except as provided in paragraph 18.11.6, an equivalent increase is an increase or increases in an employee's rate of basic pay equal to or greater than the difference between the rate of pay for the grade and step occupied by the employee and the rate of pay for the next higher step of that grade. In the case of a promotion, the grade and step occupied means the grade and step to which promoted.

Table 18.14. Within-Grade Increase - Duration of Waiting Period for Regular Employees (see note 1)

R U L E	A If within-grade increase is for a person who is	B and calendar weeks in a nonpay status do not exceed (see note 2)	C then employee advances to step rate	D at the end of
1	NA, NL, NS	1	2	26 calendar weeks.
2		3	3	78 calendar weeks.
3		4	4,5	104 calendar weeks.

NOTES:

1. When crediting Regular service to Flexible category employment, multiply the number of weeks by five to get the number of days worked.
2. LWOP in excess of these amounts is made up by creditable service before the WGI is effected.

Table 18.15. Within-Grade Increase - Duration of Waiting Period for Flexible Employees (see note 1)

R U L E	A If within-grade increase is for a person who is	B and the employee has worked at least (see note 2)	C then employee advances to step rate
1	NA, NL, NS	130 workdays in no less than 26 weeks	2.
2		390 workdays in no less than 78 weeks	3.
3		520 workdays in no less than 104 weeks	4, 5.

NOTES:

1. Any day on which service is performed constitutes a full workday of credit. (Only the days on which service is performed are counted.)
2. If crediting Flexible service to Regular category employment, five workdays equate to one calendar week. However, care must be taken to ensure that the service credited is not more than the calendar time for the period involved.

18.11.5.2. If an employee has served in more than one grade during the waiting period under consideration and it is necessary to determine whether he or she received an equivalent increase in a prior grade, an equivalent increase is one or more increases in the scheduled rate of pay, equal to or greater than the amount of the WGI for advancement between steps of the prior grade.

18.11.5.3. If an employee receives more than one increase in his or her scheduled rate of pay during the waiting period under consideration, no one of which is an equivalent increase, the first and subsequent increases are added until they amount to an equivalent increase, at which time he or she is considered to have received an equivalent increase.

18.11.6. Increases Not Counted as Equivalent Increases:

- 18.11.6.1. The application of a new or revised wage schedule.
 - 18.11.6.2. The payment of additional compensation as nonforeign or foreign post differentials, or nonforeign COLAs.
 - 18.11.6.3. The payment of premium pay for overtime and holiday pay.
 - 18.11.6.4. The payment of night shift differential.
 - 18.11.6.5. The payment of hazard pay differentials.
 - 18.11.6.6. The payment of rates above the minimum rate of the grade, in recognition of specific qualifications, or in jobs in specific hard-to-fill occupations.
 - 18.11.6.7. The correction of an error in a previous demotion or reduction in pay.
 - 18.11.6.8. A temporary limited promotion (that is, a promotion known in advance to be temporary) that is later changed back to the former grade or a different lower grade.
 - 18.11.6.9. A transfer or reassignment in the same grade and step (rate) within the same NAFI to another local wage area that has a higher wage schedule.
 - 18.11.6.10. The repromotion to a former or intervening grade of any NAF employee whose earlier change to a lower grade was not for cause and was not at the employee's request.
 - 18.11.6.11. If an employee is changed from a non-wage job to a wage job, the determination of whether the change resulted in an equivalent increase is made by comparing the employee's new scheduled rate of pay with 104 percent of the representative rate of the wage grade from which changed.
 - 18.11.6.12. If an employee is changed from one wage job to another wage job that is subject to a different wage schedule (such as from supervisory to nonsupervisory or vice versa), the determination of whether the change resulted in an equivalent increase is made by comparing the increase received, if any, with 104 percent of the representative rate of the grade from which changed.
- 18.11.7. **Effective Date.**
- 18.11.7.1. The effective date of a WGI is the first day of the first pay period after the required waiting period is completed. Example: If the WGI due date is 6 Dec 2016, the effective date of the WGI is the first pay period following this date which is 18 Dec 2016. If the WGI due date falls on the beginning of a pay period the effective date of the WGI is the beginning of the next pay period.
 - 18.11.7.2. If an employee has been in a nonpay status during the waiting period, except as covered in paragraphs 18.11.3 and 18.11.4, his or her WGI is effective on the first day of the first pay period after the employee has made up any nonpay time in excess of that allowed in table 18.14.
 - 18.11.7.2.1. Before preparing the AF Form 2545, the NAF-HR staff reviews the LWOP hours to ensure that the employee has not exceeded the number of LWOP weeks allowable under table 18.14.

18.11.7.2.2. The NAF-HR staff computes the excess nonpay time, which must be made up before the WGI can be effected, by:

18.11.7.2.2.1. Determining the average number of weekly scheduled hours, by dividing the total number of scheduled hours during the waiting period by the number of weeks in the waiting period.

18.11.7.2.2.2. Determining the number of weeks in a nonpay status, by dividing the total number of hours in a nonpay status by the number of hours in the employee's average weekly work schedule.

18.11.7.2.2.3. Determining the number of calendar weeks to be made up, by subtracting the number of weeks allowed in the waiting period from the total number of weeks in a nonpay status.

18.11.7.2.2.4. Computing the new due date, by extending the waiting period by the number of calendar weeks that must be made up. The new date is the beginning of the first pay period following the date the adjusted waiting period is completed.

18.11.7.2.3. The NAF-HR Section prepares AF Form 2545 and approves the action.

18.11.7.3. When the effective date of a WGI and the effective date of another personnel action are the same, actions are processed in the order most advantageous to the employee.

18.11.8. **Corrective Actions.** A WGI is corrected if the WGI is delayed beyond its proper effective date or granted before its proper effective date because of administrative oversight, error, or delay. The increase is made effective as of the date it was properly due, with the proper increase paid retroactively, or overpayment of wages recouped.

18.12. Pay Retention. Pay retention covers Regular NF or CY employees moving within the payband system, Regular NF or CY employees moving to Regular CT positions, and Regular CT employees moving to Regular NF or CY positions.

18.12.1. **Eligibility for Pay Retention.** Eligibility for pay retention occurs when, as a result of a classification error, a Regular employee is downgraded within the NAFI to another Regular position. The employee is entitled to a retained rate of pay for two years if the employee has served one continuous year immediately before the change in one or more positions at a higher payband or grade.

18.12.2. **Duration of Pay Retention:**

18.12.2.1. Pay is retained under this policy for two years, unless it is terminated earlier by one of the following conditions:

18.12.2.1.1. A break in service of one or more work days.

18.12.2.1.2. A later change to a lower payband or grade which is effected for personal reasons at the employee's request, personal cause, or a BBA resulting from a validated lack of funds or curtailment of work.

18.12.2.1.3. Entitlement to a rate of pay that is equal to or higher than the retained rate because of another personnel action or normal operation of the pay system.

18.12.2.1.4. Change to a Flexible category.

18.12.2.2. If an employee receiving a retained rate accepts a temporary promotion to the same or higher payband or grade than that from which demoted, the temporary promotion does not affect the running of the pay retention period, which still ends two years after the original demotion.

18.12.3. **Amount of Retained Rate.** The retained rate is the lesser of the scheduled rate of pay immediately before the change or 150 percent of the maximum rate of the payband or grade to which demoted.

18.12.4. **Effect of Further Demotion.** If an employee receiving a retained rate is further demoted during the two-year retention period, he or she continues to receive the same retained rate until termination of eligibility occurs.

18.12.5. **Entitlement to Future Wage or Pay Schedule Increases During the 2-Year Retention Period.** An employee whose pay is retained under the above procedures is entitled to any increase provided in the scheduled step rate of the grade from which demoted, or any increase provided in the payband from which demoted.

18.12.6. **Adjustment of Rate of Pay After the Pay Retention Period Terminates or Expires.** If a retained rate is terminated because the pay retention period expires, the employee's rate of pay is adjusted to the top step of the new grade, or to the maximum rate of the new payband.

18.13. Grade and Pay Retention for CT Employees.

18.13.1. **Definitions.** For the purpose of this paragraph:

18.13.1.1. Employee means an employee occupying a Regular CT position who is moved to a lower grade Regular CT position, in a NAFI, for those reasons explained in this paragraph.

18.13.1.2. Retained grade means the grade used in determining benefits to which the employee is entitled.

18.13.1.3. Covered Pay Schedule means the NAF CT wage schedule.

18.13.1.4. Position subject to this paragraph means any Regular NAF CT position in a NAFI.

18.13.1.5. BBA procedures means those procedures applied in carrying out any BBA.

18.13.2. Grade Retention Following a Change of Position or Reclassification:

18.13.2.1. **BBA.** Any Regular NAF CT employee who, as a result of BBA procedures, is placed in a lower-graded Regular NAF CT position, in a NAFI, is entitled, to the extent provided in paragraph 18.13.2.3 to retain the grade of the position held immediately before such placement for the two-year period beginning on the day of such placement, if he or she has served for 52 consecutive weeks in one or more Regular CT positions in the NAFI at a higher grade.

18.13.2.2. **Reclassification.** Any employee in a Regular NAF CT position whose position has been reduced to a lower-graded Regular CT position in the same NAFI is entitled, to the extent provided in paragraph 18.13.2.3 to retain the grade of such position before reduction for the two-year period beginning on the date of reduction in grade, if the grade of the position, before

reduction, had been classified at the higher grade for a continuous period of at least one-year immediately before such reduction.

18.13.2.3. For the two-year period referred to in paragraphs 18.13.2.1 and 18.13.2.2, the retained grade is treated as the grade of the employee's position for most purposes (including pay administration, retirement and life insurance, and eligibility for training and promotion), except:

18.13.2.3.1. For determining whether an employee has been demoted for purposes of terminating grade or pay retention.

18.13.2.3.2. For determining an employee's "exempt or nonexempt" status under FLSA.

18.13.2.3.3. For those purposes of applying any BBA procedures.

18.13.2.4. The employee is entitled to 100 percent of each comparable increase for his or her step in the retained grade.

18.13.2.5. The two-year grade retention provisions of paragraphs 18.13.2.1 through 18.13.2.4 cease to apply to an employee who:

18.13.2.5.1. Has a break in service of one workday or more from the NAFI.

18.13.2.5.2. Is demoted (determined without regard to this paragraph) for personal cause or at the employee's request.

18.13.2.5.3. Is placed in, or declines a reasonable offer of, a position with a grade equal to or higher than the retained grade.

18.13.2.5.4. Elects in writing to have the benefits of this paragraph terminated.

18.13.3. **Pay Retention.**

18.13.3.1. Pay retention is granted to any eligible employee whose rate of pay would otherwise be reduced only as a result of one of the following actions, if the action is not at the employee's request, or for personal cause, or as a result of the termination or expiration of a temporary promotion:

18.13.3.1.1. Expiration of the two-year period of grade retention.

18.13.3.1.2. BBA or reclassification when the employee does not meet eligibility requirements for grade retention.

18.13.3.1.3. The reduction or elimination of special schedules or special rates.

18.13.3.1.4. Placement in a different pay schedule in a NAFI; or in a different wage area when the employee moves as a part of the same NAFI or in a transfer of function.

18.13.3.1.5. Placement from a special rate position to a nonspecial rate position or to a lower special rate position in a NAFI.

18.13.3.2. The employee is entitled to the lowest scheduled rate of pay in the employee's grade, after the action is taken, which equals or exceeds his or her current scheduled rate of pay. If there is no such rate, the employee is entitled to the lower of:

18.13.3.2.1. His or her scheduled rate of pay payable to the employee immediately before the reduction in pay; or

18.13.3.2.2. 150 percent of the maximum scheduled rate of pay for the employee's new grade.

18.13.3.3. The employee in retained pay is entitled to 50 percent of the amount of each increase in the maximum scheduled rate of pay, payable for his or her grade. This adjustment is made before a comparison with the maximum step of the grade (to decide whether or not the employee goes off his or her retained pay). If, after the adjustment, the employee's rate is less than the maximum rate of his or her grade, the employee is entitled to the maximum rate

18.13.3.4. The preceding provisions cease to apply to an employee who:

18.13.3.4.1. Has a break in service of one workday or more from the NAFI.

18.13.3.4.2. Declines a reasonable offer of a position with a scheduled rate of pay equal to or higher than, the retained rate of pay.

18.13.3.4.3. Is demoted for personal cause or at the employee's request.

18.13.3.4.4. Is changed to a flexible position.

18.13.3.4.5. Is entitled to a scheduled rate of pay which is equal to or higher than retained rate of pay.

18.13.4. **Grade Retention When a Transfer of Function is Accepted.** An employee who accepts a transfer of function has full grade and pay retention, if otherwise entitled.

18.13.5. **Exclusion of Flexible Employment.**

18.13.5.1. Grade and pay retention is limited to those employees whose employment category is Regular.

18.13.5.2. Any employee serving under a temporary promotion or temporary reassignment is considered to be employed on a temporary basis, as to the grade of the position temporarily occupied. Therefore, such an employee may not receive grade retention, based on the grade held during the temporary promotion. Also, neither grade nor pay retention is terminated due to a temporary promotion or temporary reassignment during the grade retention period. A temporary promotion is defined to be a promotion, with a definite time limitation, that the employee was informed, in advance, was temporary and would require the employee to return to his or her former grade at the end of the temporary promotion.

18.13.6. **Movement Between NS, NL, and NA Schedules.** When an employee is moved, with or without his or her position, from an NS to NL, NS to NA, or NL to NA pay schedule, under circumstances that would entitle the employee to grade retention, it must be determined whether a reduction in grade has occurred, and accordingly, whether grade retention is warranted.

18.13.6.1. To do this, the representative rate of the employee's position must be determined before and after the movement. The representative rate of a position under a regular prevailing rate FWS wage schedule, is the second step of the grade.

18.13.6.2. If the representative rate of the employee's position after movement is lower than before the movement, the movement has been to a lower grade, and the employee is entitled to grade retention, if otherwise eligible.

18.13.7. Further Reductions in Grade.

18.13.7.1. If, during a two-year period of grade retention an employee is further reduced in grade, under circumstances also entitling the employee to grade retention, the employee will continue to retain the previous retained grade for the remainder of the original two-year grade retention period. At the end of that period, the employee is entitled to retain the grade of the position from which the further reduction in grade was made until two years have passed from the date of the further reduction in grade.

18.13.7.2. During the second two-year period, but before it expires, the employee is paid as if the second reduction had not occurred. The employee's rate of scheduled pay is fixed according to paragraph 18.13.11, either at a rate of the rate range for the grade to which the employee was previously reduced, or in a retained rate of scheduled pay computed as if the further reduction had not occurred. At the end of the second two-year period, the employee's rate of scheduled pay is again fixed according to paragraph 18.13.11, at either a rate of the rate range for the grade to which the employee was reduced in the second reduction or at a retained rate of scheduled pay, computed on the basis of the grade to which the employee was reduced by the second reduction in grade.

18.13.7.3. If, during a period of pay retention, an employee is placed in another position under circumstances also entitling the employee to pay retention, the employee's prior entitlement continues unaffected. The employee's retained pay is NOT reduced by virtue of the later action by applying the 150 percent limitation discussed in paragraph 18.13.3.

18.13.8. Demotion for Personal Cause or at an Employee's Request.

18.13.8.1. Grade and pay retention do not apply to an employee who is reduced in grade for personal cause or at his or her own request.

18.13.8.2. A demotion for personal cause is an adverse action based on the conduct, character, or unacceptable performance of an employee.

18.13.8.3. A demotion is considered to be at an employee's request if the demotion is initiated by the employee for his or her benefit, convenience, or personal advantage, or when the employee requests or consents to a demotion instead of a proposed adverse action for personal cause.

18.13.9. Declining a Reasonable Offer of a Position. Grade and pay retention do not apply to an employee who declines a reasonable offer of a position, when the grade is equal to or higher than the employee's retained grade; **or** when the rate of scheduled pay is equal to or higher than the employee's retained pay. The termination of grade or pay retention is effective on the last day of the pay period in which the declination is received. To apply these provisions, a reasonable offer of a position must meet these conditions:

18.13.9.1. The offer must be in writing, and must include an official PD of the offered position.

18.13.9.2. The offered position must be a CT position and one for which the employee meets the established qualification requirements.

18.13.9.3. The offered position must be in a NAFI, but not necessarily in the same one in which the employee is serving at the time of the offer.

18.13.9.4. The offered position must be a Regular position and have guaranteed hours of no less than the position held before the offer.

18.13.9.5. The offered position must be in the same commuting area as the employee's position immediately before the offer.

18.13.9.6. The offer must inform the employee that the entitlement to grade or pay retention terminates if the offer is declined and that the employee may appeal the termination of the grade or pay retention.

18.13.10. Effective Date of Employee's Election to Terminate Grade Retention. Grade retention terminates on the last day of the pay period in which the employee's written election is received in the NAF-HR.

18.13.11. Determination of Rate of Scheduled Pay.

18.13.11.1. When an employee becomes eligible for pay retention at the end of the two-year period of grade retention, or otherwise becomes eligible for pay retention under this paragraph, the NAF-HR staff takes one of the following actions:

18.13.11.1.1. If the employee's rate of scheduled pay immediately before the eligibility for pay retention is less than the minimum rate of the grade of the position to be occupied, the employee is placed at the minimum rate, and pay retention does not apply.

18.13.11.1.2. If the employee's rate of scheduled pay immediately before the eligibility for pay retention is equal to one of the rates of the grade of the position to be occupied, the employee is placed at that rate, and pay retention does not apply.

18.13.11.1.3. If the employee's rate of scheduled pay immediately before eligibility for pay retention falls between two consecutive rates of the grade or the position to be occupied, the employee is placed in the higher of the two rates, and pay retention does not apply.

18.13.11.1.4. If the employee's rate of scheduled pay immediately before eligibility for pay retention exceeds the maximum rate of the grade of the position to be occupied, the NAF-HR staff determines the employee's retained pay according to paragraph 18.13.3.2. This rate is subject to further adjustment according to paragraph 18.13.3.3. When the maximum rate of the grade becomes equal to or exceeds the employee's retained rate of scheduled pay, the employee is placed in that maximum rate, and pay retention does not apply.

18.13.11.2. In computing increases in retained rate of scheduled pay under paragraph 18.13.3, rates are rounded to the nearest cent, counting one half cent and over as a whole cent.

18.13.12. Issuance of Employee Memorandum. The servicing NAF-HR Section gives the employee, along with a copy of the AF Form 2545 documenting entitlement to grade retention, a memorandum explaining the action and the nature of the grade retention entitlement.

18.13.13. Documentation of Action. Refer to the following attachments for employee actions and documentation requirements:

18.13.13.1. **Attachment 2**, Personnel Action Codes and NOACs for AF Form 2545.

18.13.13.2. **Attachment 17**, AF Form 2545, Documentation of Grade and Pay Retention Actions for CT Employees.

18.13.13.3. **Attachment 18**, Sample Memorandum for Covered NAF CT Employees Eligible for Grade Retention.

18.14. Overtime Pay. Employees are entitled to be compensated for overtime work performed within an activity as prescribed by the following paragraphs. Refer to paragraph 18.15 for compensatory time guidance.

18.14.1. Overtime Pay Basic Information.

18.14.1.1. If management determines there is a need for overtime work, proper direction and approval of funds takes place before work is performed. Use AF Form 428, *Request For Overtime, Holiday Premium Pay, and Compensatory Time* to document the request and approval.

18.14.1.2. A quarter hour is the smallest fraction of an hour used for crediting irregular or occasional overtime hours worked. When irregular or occasional overtime work is performed in other than the full fraction, odd minutes are rounded up or rounded down to the nearest quarter hour.

18.14.1.3. How a position is classified determines overtime entitlement, and how overtime is paid. Positions are classified as either exempt or nonexempt under the FLSA. The Chief, NAF-HR designates and annotates the FLSA exempt or nonexempt status of all positions on the PD, PG and AF Form 2545.

18.14.1.4. Overtime for work performed on Sundays or holidays is paid in the same manner and at the same rate as for overtime performed on any other day.

18.14.1.5. A regularly scheduled employee who performs irregular or occasional overtime work on a day when work was not scheduled, or for which the employee is officially required to return to his or her place of employment, is considered to have worked at least two hours for the purpose of overtime pay, whether or not work is performed.

18.14.2. CT Employees (See table 18.16 and Attachment 19).

18.14.2.1. Nonexempt CT Employees Employed in a Nonforeign Area:

18.14.2.1.1. Are entitled to be paid overtime for hours worked in excess of eight hours in a day or in excess of 40 hours of work in an administrative workweek when ordered, directed, required, approved, or suffered or permitted to work the overtime.

18.14.2.1.2. Are also entitled to be paid overtime for work performed in excess of eight hours in a day or in excess of 40 hours in a scheduled workweek. Under this rule, the employee's absence from duty on any type of paid absence, such as annual or sick leave, holiday leave, court leave, etc., is deemed employment and does not reduce the amount of overtime pay to which the employee is entitled.

18.14.2.2. Exempt CT Employees Employed in a Nonforeign Area and CT Employees Employed in a Foreign Area. These employees are entitled to be paid overtime for hours worked in excess of eight hours in a day or in excess of 40 hours in a scheduled workweek when officially ordered or approved to work the overtime hours. Under this rule, the employee's absence from duty on any type of paid absence, such as annual or sick leave, holiday leave, court leave, etc., is deemed employment and does not reduce the amount of overtime pay to which the employee is entitled.

18.14.2.3. Overtime Pay for CT Employees in Dual Employment positions. Under the Dual Compensation Act, overtime entitlement for a CT employee is applicable as hours in excess of 8 hours in a day or 40 hours in a week if hours are earned in one position. Each position is treated as separate employment. An employee is entitled to overtime only if he or she worked overtime in one of the positions, in which case, he or she is paid at the overtime rate of the position in which the overtime was worked.

18.14.2.3.1. Example 1: In one week, employee works 42 hours in the NA-03 position and five hours in the NA-05 position. Employee is paid for 40 hours at the NA-03 basic rate and two hours at the NA-03 overtime rate. The Dual Compensation Act prohibits payment for the other five hours in the NA-05 position.

18.14.2.3.2. Example 2: In one day, employee works 10 hours in the NA-03 position and three hours in the NA-05 position. Employee is paid for eight hours at the NA-03 basic rate and two hours at the NA-03 overtime rate. In addition, employee is paid three hours at the NA-05 basic rate. At the end of the week, all hours combined in both positions cannot be more than 40 hours.

18.14.2.3.3. Example 3: In one day, employee works five hours in the NA-03 position and five hours in the NA-05 position. Employee is paid for five hours at the NA-03 basic rate and five hours at the NA-05 basic rate. There is no overtime entitlement for that day.

18.14.3. NF and CY Employees (See table 18.17 and Attachment 20).

18.14.3.1. Nonexempt NF and CY Employees in a Nonforeign Area. These employees are entitled to be paid overtime for hours worked in excess of 40 hours of work actually performed in the workweek, when ordered, directed, required, approved, or suffered or permitted to work the overtime. Excused absences from duty with pay, such as annual or sick leave, holiday leave, court leave, etc., are not periods of work, and are not included in the hours worked for determination of overtime entitlement. The overtime hourly rate of pay is one and one-half times of the employee's hourly rate of basic pay exclusive of any premiums of differentials.

18.14.3.2. Exempt NF and CY Employees in a Nonforeign Area and NF and CY Employees Employed in a Foreign Area. These employees are entitled to be paid for overtime for hours worked in excess of 40 hours of work actually performed in the workweek only when the overtime is specifically ordered, directed, required, or approved in advance. No employee identified as exempt white-collar employee may be paid overtime pay or given compensatory time off for work in excess of 40 hours in an administrative workweek unless the overtime work is specifically authorized and approved in advance. Excused absences from duty with pay, such as annual or sick leave, holiday leave, court leave, etc., are not periods of work, and are not included in the hours worked for determination of overtime entitlement.

18.14.3.2.1. Overtime Rate of Pay.

18.14.3.2.1.1. For the exempt NF or CY employee whose rate of basic pay does not exceed the locality rate for GS-10/1, the overtime hourly rate of pay is one and one-half times the employee's hourly rate of basic pay for hours that exceed 40 in duty status in a workweek.

18.14.3.2.1.2. For the exempt NF or CY employee whose rate of basic pay exceeds the locality rate for GS-10/1, the overtime hourly rate of pay is one and one-half times the hourly rate of basic pay for GS-10/1 or the employee's hourly rate of basic, whichever is greater.

Table 18.16. Overtime Entitlement for CT Employees

R U L E	A If an employee is	B and is	C and	D then the employee is entitled to overtime pay according to
1	a nonexempt employee in a nonforeign area	officially ordered, or approved to work overtime	works more than 8 hours in a day that does not exceed 40 hours in an administrative workweek or works more than 40 hours in an administrative workweek	Attachment 19.
2	a nonexempt employee in a nonforeign area	suffered or permitted to work overtime	works more than 40 hours actually performed in an administrative workweek	Attachment 19.
3	an employee in a foreign area	officially ordered or approved to work overtime	works more than 8 hours in a day that does not exceed 40 hours in an administrative workweek; or works more than 40 hours in an administrative workweek	Attachment 19.
3	an exempt wage supervisor	officially ordered or approved to work overtime		Attachment 19.

Table 18.17. Overtime Entitlement for NF and CY Employees

R U L E	A If an employee is	B and is	C and	D then the employee is entitled to overtime pay according to
1	a nonexempt employee in a nonforeign area	officially ordered or approved to work overtime, or suffered or permitted to work overtime	actually performs work for more than 40 hours in an administrative workweek	Attachment 20.
2	an exempt employee	officially ordered or approved to work overtime	actually performs work for more than 40 hours in an administrative work week	Attachment 20.
3	an employee in a foreign area	officially ordered or approved to work overtime	actually performs work for more than 40 hours in an administrative work week	Attachment 20.

18.15. Compensatory Time.

18.15.1. Compensatory Time for Overtime Work.

18.15.1.1. IAW 5 U.S.C., section 5543(d), NAF employees, at their request, may be granted time off in lieu of overtime pay for overtime work. The individual who approves compensatory time off for overtime work is the same individual who is authorized to order or approve overtime work for overtime payment that is made.

18.15.1.2. Compensatory time off in place of overtime pay is authorized only if the overtime work has been officially ordered or approved. It is granted at the rate of one-quarter hour off for each one-quarter hour of overtime worked, according to the following:

18.15.1.2.1. An employee may not accumulate more than 60 hours of compensatory time.

18.15.1.2.2. An employee with compensatory time credited takes such time off before annual leave is granted.

18.15.1.2.3. Compensatory time accrued and taken is recorded on the official timesheet.

18.15.2. Compensatory Time Off for Religious Observance. All employees are eligible for compensatory time off in place of overtime pay for religious observance:

18.15.2.1. An employee may request and elect to work additional hours in excess of their regular work schedule, without pay, so that time off may be taken without charge to leave, when personal religious belief requires that the employee abstain from working during certain periods of the workday or workweek.

18.15.2.2. An employee who elects to work additional hours for this purpose is granted, instead of overtime pay, an amount of time off from his or her scheduled work (hour for hour) equal to the compensatory time worked.

18.15.2.3. An employee's request to work additional hours or to take compensatory time off to meet his or her religious obligations may be disapproved by management, if such modification in work schedules interferes with the efficient accomplishment of the assigned mission.

18.15.3. Compensatory Time for the Nonexempt Nonforeign Area and Foreign Area Employees.

18.15.3.1. **Nonexempt CT Nonforeign and all Foreign Area CT Employees.** Compensatory time off is authorized at the employee's request. Employees may request an equal amount of compensatory time-off from duty in lieu of overtime payment for overtime work. Management may not require an employee to be compensated for overtime work with an equivalent amount of compensatory time-off from the employee's tour of duty. Compensatory time off must be used by the end of the 26th pay period after that in which it was earned or be paid at the overtime rate at which it was earned if not used within established time period.

18.15.3.2. **Nonexempt Nonforeign NF-I, NF-II, and CY Employee and All Foreign Area NF-I, NF-II and CY Employees.** Compensatory time off is authorized IAW 5 U.S.C, section 5543(f) and 6123 at the employee's request. Employees may request an equal amount of compensatory time-off from duty in lieu of overtime payment for overtime work. Management may not require an employee to be compensated for overtime work with an equivalent amount of compensatory

time-off from the employee's tour of duty. Compensatory time off must be used by the end of the 26th pay period after that in which it was earned or be paid at the overtime rate at which it was earned if not used within the established time period.

18.15.4. Compensatory Time for the Nonexempt Nonforeign Area NF-III Through NF-VI Employee. Compensatory time off may be granted under the following conditions:

18.15.4.1. Religious observance as provided in paragraph 18.15.2.

18.15.4.2. Compensatory time off is authorized IAW 5 U.S.C, section 5543(f) and 6123 at the employee's request. Employees may request an equal amount of compensatory time-off from duty in lieu of overtime payment for overtime work. Management may not require an employee to be compensated for overtime work with an equivalent amount of compensatory time-off from the employee's tour of duty. Compensatory time off must be used by the end of the 26th pay period after that in which it was earned or be paid at the overtime rate at which it was earned if not used within the established time period.

18.15.5. Compensatory Time for the Exempt Nonforeign Area, CT, NF-III Through NF-VI and CY Employee; and All Foreign Area NF-III Through NF-VI Employees. CT Employees.

18.15.5.1. For CT employees, OPM rules apply. Employees may request an equal amount of compensatory time-off from duty in lieu of overtime payment for overtime work. Management may not require an employee to be compensated for overtime work with an equivalent amount of compensatory time-off from the employee's tour of duty. Compensatory time off is authorized. Compensatory time off must be used by the end of the 26th pay period after that in which it was earned or be paid at the overtime rate at which it was earned if not used within the established time period.

18.15.5.2. For exempt white collar employees, no employee identified as an exempt white-collar employee may be given compensatory time off for work in excess of 40 hours in an administrative workweek unless the overtime work is specifically authorized and approved in advance. Compensatory time off may be granted, at the employee's request, in lieu of overtime pay for an equal amount of irregular or occasional overtime work. Compensatory time off must be used by the end of the 26th pay period after that in which it was earned.

18.15.6. Compensatory Time off for Travel. Section 1111 of the National Defense Authorization Act (NDAA) for Fiscal Year 2008 (FY08) allowed NAF employees, white collar and prevailing rate, to receive compensatory time for travel. Supervisors and managers delegated the authority to direct travel and approve leave have the authority to credit and approve the usage of compensatory time off for travel. Title 5, U.S.C. chapter 55 establishes a form of compensatory time off for time spent by an employee in a travel status away from the employee's official duty station when such time is not otherwise compensable. Compensatory time off for travel will not convert to overtime pay, and will not be paid out as a lump-sum payment.

18.15.6.1. Unless specifically excluded by the provisions of 5 U.S.C. 5541(2), all DoD employees who have a regular tour of duty for leave purposes are eligible to earn and use compensatory time off for travel.

18.15.6.2. Official travel shall be scheduled to occur during an employee's tour of duty, consistent with mission requirements. Only in cases where this is not practicable will employees earn entitlement to compensatory time off for travel.

18.15.6.3. Procedures for Crediting Compensatory Time Off for Travel

18.15.6.3.1. An eligible employee who performs official travel may request compensatory time off for time spent in a travel status away from the official duty station if the travel time is not otherwise compensable as defined in 5 CFR 550.1403.

18.15.6.3.2. An employee shall request credit for compensatory time off for travel by providing documentation of the time that he/she spent in an official travel status, including any meal periods.

18.15.6.3.3. Within five workdays after returning to the official duty station, the employee must submit his/her travel itinerary, or any other documentation acceptable to the employee's supervisor, in support of the request. Credit will be in increments of one-quarter of an hour (15 minutes).

18.15.6.3.4. Supervisors and managers otherwise authorized to direct travel or approve time and attendance may approve employee requests for crediting compensatory time off for travel under the provisions of 5 CFR 550.1404-1405 and DoD Civilian Personnel Management Service (CPMS) memorandum, Compensatory Time off for Travel for NAF Prevailing Rate Employees dated June 17, 2008.

18.15.6.3.5. For every 8½ hours of creditable compensatory time off claimed by the employee, the supervisor will deduct ½ hour as a bona fide meal period. The only exception is a situation in which the employee is continuously traveling in a conveyance (aircraft, train, automobile); in this situation, the automatic deduction of ½ hour does not apply. Apart from the automatic deduction, any meal period reported by an employee will be deducted from creditable time.

18.15.6.3.6. Other determinations regarding what time is creditable for employees in a travel status will be at the discretion of the supervisor within the regulatory limits described in 5 CFR §550.1404. Once the supervisor has approved the employee's request, the appropriate timekeeper will credit the employee with earned compensatory time off for travel.

18.15.7. Procedures for Using Compensatory Time Off for Travel

18.15.7.1. An employee must request permission from his or her supervisor to schedule the use of accrued compensatory time off. The employee may submit his or her request on OPM Form 71.

18.15.7.2. Once the supervisor has approved the employee's request for use of compensatory time off for travel, the appropriate timekeeper will charge the employee for its use through normal time and attendance procedures.

18.15.8. **Accountability.** Managers and supervisors are responsible for the appropriate use of this authority to support mission requirements.

18.16. Night Differentials. The FSS commander/director ensures that all eligible employees are paid night differentials as follows:

18.16.1. Night Shift Differential. For regularly scheduled nonovertime work, CT and payband (NF-I and NF-II) employees receive their scheduled rate of basic pay plus:

18.16.1.1. A differential of 7½ percent of scheduled rate when a majority of whole hours worked occurs between 3:00 PM and midnight.

18.16.1.2. A differential of 10 percent when the majority of whole hours worked occurs between 11:00 PM and 8:00 AM.

18.16.2. **Night Shift Differential CT and NF-I and NF-II Employees.**

18.16.2.1. **Basic Entitlements.** An employee is paid at the scheduled rate of basic pay, plus a differential of 7½ percent of that scheduled rate for regularly scheduled nonovertime work when a majority of whole hours worked occurs between 1500 and midnight; or 10 percent when the majority of whole hours worked occurs between 2300 and 0800. Night shift differential is included in the rates of basic pay that are used for computing overtime pay, Sunday premium pay, and holiday premium pay. Night shift differential is not included in determining the amounts to be deducted for retirement, group health insurance, or group life insurance.

18.16.2.1.1. Meal periods of one hour or less that occur when a night shift differential is authorized are included for determining an employee's entitlement to night shift differential. Thus, if an employee works from 1130 to 2000 with a meal break from 1530 to 1600, the 30 minute meal break is included to determine that a majority of whole hours of work occurred during the second shift and 7½ percent night shift differential is payable. The following examples show how meal breaks of 1 hour or less are included in the computation of "majority of whole hours."

18.16.2.1.1.1. Example 1. An employee works an 8 hour shift from 1130 to 2000. The meal break is set from 1530 to 1600 and is included in the 5 hour period from 1500 to 2000. Because a majority of whole hours worked occurs between 1500 and midnight, the employee is entitled to a 7½ percent shift differential for the entire shift.

18.16.2.1.1.2. Example 2. An employee works an 8 hour shift from 1100 to 1930. The meal break is set from 1500 to 1530. No shift differential is paid, since there is no majority of whole hours worked between 1500 and midnight, that is, he or she is credited only 4 ½ hours during the second shift.

18.16.2.1.1.3. Example 3. An employee works an 8 hour shift from 1900 to 0330. The meal break is set from 2300 to 2330. The employee is paid a 7½ percent differential for all 8 hours since a majority of his or her hours are worked during a period in which a night shift differential is payable. The 10 percent differential is not paid because the employee's regularly scheduled 8hour shift does not fall within the period of 2300 to 0800.

18.16.2.1.2. There is no authority for splitting the night shift differential. An employee receives the proper differential for the entire shift, based on the majority of whole hours worked. These examples show night shift differential entitlements, under the "majority of whole hours" concept, when an employee's tour of duty either overlaps more than one established shift or includes a split shift within a scheduled workday:

18.16.2.1.2.1. Example 1. An employee works an 8 hour shift from 2000 to 0400 with a 20 minute paid meal period. The employee works 3 hours in the second shift (7½ percent differential) and 5 hours in the third shift (10 percent differential). He or she is paid a 10 percent differential for all 8 hours, since a majority of whole hours falls within a period for which the 10 percent night shift differential is payable.

18.16.2.1.2.2. Example 2. An employee works an 8-hour shift from 1900 to 0300 with a 20minute paid meal period. The employee works 4 hours during the second shift (7 ½ percent differential) and 4 hours in the third shift (10 percent differential). He or she is paid a 10 percent

differential for the entire shift, since the hours were equally split between the shifts. This is to the advantage of the employee.

18.16.2.1.2.3. Example 3. An employee works a split shift from 0500 to 1100 and from 1500 to 1700. The employee works 3 hours during the third shift, 3 hours during the first shift, and 2 hours during the second shift. He or she is entitled to a 7½ percent night shift differential for all 8 hours, since a majority of his or her regularly scheduled hours of work fall within a period during which a night shift differential is payable. The 10 percent differential is not paid, since a majority of his or her regularly scheduled 8 hour shift does not fall within the period of 2300 to 0800.

18.16.2.1.2.4. Example 4. An employee works a split shift from 1000 to 1200 and from 1600 to 2000. Hours worked total 6 hours, with the employee performing 4 hours of work during the established night shift period. This employee is entitled to the 7½ percent night shift differential for all hours of work performed (6 hours), as the majority of the hours worked was after 1500.

18.16.2.2. **Less Than 8 Hour Tour of Duty.** An employee who works on a regularly scheduled shift of less than 8 hours is entitled to a night shift differential, if a majority of whole hours is worked during a period in which a night shift differential is payable. For example:

18.16.2.2.1. Example 1. An employee who works a regular schedule from 1300 to 1900 is paid second shift night differential at 7½ percent for all hours, because the majority of whole hours (4) are worked during a period to which a night shift differential is payable.

18.16.2.2.2. Example 2. An employee is regularly scheduled to work a period starting at 1400 and ending at 2000. Since the majority of whole hours worked are during a period for which the night shift differential of 7½ percent is payable, the employee is entitled to that differential for his or her entire shift.

18.16.2.2.3. Example 3. An employee is regularly scheduled to work a period starting at 1300 and ending at 1730. Since the employee works 2 hours before the night shift period began and only 2½ hours within the night shift period, the employee is not entitled to the night shift differential. (In order for this employee to qualify for the differential, he or she must work 3 whole hours during the applicable night shift period.)

18.16.2.3. **Absence on a Holiday or in Travel Status.** An employee regularly assigned to a night shift for which the night shift differential is payable, is entitled to the night shift differential for periods of excused absences on holidays, while on court leave, or while in official travel status during the hours of his or her regular night shift.

18.16.2.4. **Absence on Leave.** The night shift differential payable during periods of leave with pay depends on the shift to which the employee is assigned (at the time of going on leave) and the duration of the assignment. An employee who is:

18.16.2.4.1. Regularly assigned to a night shift on a full-time basis, during periods of absence with pay, receives the night shift differential.

18.16.2.4.2. Assigned to a regular rotating schedule that involves work on both day and night shifts, during periods of absence with pay, receives pay as follows:

18.16.2.4.2.1. Pay at rates payable on the day shift is paid for that portion of the absence that occurs during periods when the employee is scheduled to work the day shift.

18.16.2.4.2.2. Night shift differential is payable for the portion of the absence that occurs during periods when the employee is scheduled to work night shifts.

18.16.2.4.3. Regularly scheduled to work the day shift and who is absent with pay during a temporary assignment to shifts for which a night shift differential is payable, is paid as follows:

18.16.2.4.3.1. If the assignment to the night shift is indefinite and no expiration date is specified for the assignment, an employee going on leave with pay, while so assigned, receives the night shift differential during the period of the absence for which a night shift differential is payable.

18.16.2.4.3.2. If the assignment to the night shift is of specified duration, an employee going on leave, while so assigned, receives the night shift differential only for that portion of the absence that is within the specified period of the night shift assignment. After the specified period expires, his or her pay reverts to the day rate.

18.16.2.4.4. Changed from the day to the night shift at irregular intervals, and it cannot be determined that he or she is assigned basically to either shift, the payment during periods of absence with pay is at the rate for the shift on which the employee was working at the time the absence began.

18.16.2.5. **Temporary Assignment to a Different Tour of Duty.** An employee regularly assigned to a:

18.16.2.5.1. Night shift, but who is temporarily assigned to another night shift with a higher differential, receives the higher differential, if the majority of the employee's regularly scheduled nonovertime "whole hours" of work, during the temporary assignment, is within a regularly scheduled shift for which the higher differential is payable.

18.16.2.5.2. Day shift is entitled to a night shift differential for any temporary regular shift assignment for which a night shift differential is otherwise payable.

18.16.2.5.3. Night shift is entitled to a night shift differential for any period during which he or she is temporarily assigned to work a day shift. Similarly, an employee regularly assigned to the third shift, who is temporarily assigned to the second shift, is entitled to continue to receive a 10 percent differential.

18.16.2.6. **Night Shift Differential and Lump Sum Leave Payment.** Refer to paragraph 18.28.2.

18.16.3. **Night Pay Differential NF-III through NF-VI and CY Employees.** For regularly scheduled nonovertime work, payband (NF-III through NF-VI) and CY employees receive their scheduled rate of basic pay plus an additional differential of 10 percent of the scheduled rate for work which falls between 6:00 PM and 6:00 AM. The night pay differential is in addition to overtime, Sunday premium, or holiday premium pay and is not included in the rate of basic pay used to compute the overtime or holiday pay.

18.16.3.1. An eligible employee is entitled to night pay differential:

18.16.3.1.1. For a period when excused from night work on a holiday or any other excused day.

18.16.3.1.2. For night hours of his or her tour when in an official travel status.

18.16.3.1.3. During periods of paid leave, if the amount of that leave is less than 8 hours in a pay period.

18.16.3.1.4. For night work performed when assigned temporarily to a tour of duty other than his or her own.

18.16.3.1.5. During absence for court or military leave, for a period of regularly scheduled night duty.

18.16.3.2. Night pay differential for NF-III through NF-VI and CY employees is not paid:

18.16.3.2.1. For night work not included in a regularly scheduled tour of duty.

18.16.3.2.2. For a period of training and travel incident to training.

18.16.3.2.3. For a period of temporary duty, unless the assignment includes scheduled night work.

18.16.3.2.4. In lump sum leave payments.

18.16.3.2.5. During periods of nonpay status.

18.16.3.2.6. For irregular or occasional overtime duty, as a substitute for an absent employee regularly assigned to night duty.

18.17. Sunday Premium Pay. Regular and Flexible employees who perform work during a regularly scheduled tour of duty within a basic workweek when any part of that work is performed on Sunday, which is not overtime work, is entitled to Sunday premium pay.

18.17.1. Basic Entitlement.

18.17.1.1. A Regular or Flexible CT employee who performs work during a regularly scheduled tour of duty of 8 hours or less, which is not overtime and any part of which is performed on a Sunday, is entitled to receive Sunday premium pay.

18.17.1.2. The FSS commander/director ensures all eligible employees are paid Sunday premium pay as follows:

18.17.1.2.1. Regular and Flexible employees who perform work during a regularly scheduled tour of duty within a basic workweek are entitled to Sunday premium pay when any part of that work is performed on Sunday, which is not overtime work.

18.17.1.2.2. Employees who work during a regularly scheduled tour of duty of 8 non-overtime hours or less, any part of which is performed on a Sunday, receive pay for the entire tour of duty at their rate of basic pay, plus premium pay at an rate equal to 25% of their rate of basic pay.

18.17.2. Procedures.

18.17.2.1. A Regular or Flexible CT employee who performs work during a regularly scheduled tour of duty of 8 hours or less, which is not overtime and any part of which is performed on a Sunday, is entitled to pay for the entire tour of duty at the rate of his or her rate of basic pay,

plus premium pay at a rate equal to 25 percent of his or her rate of basic pay. For example, an employee whose work schedule begins at 1800 and ends at 0230 each day, Tuesday through Saturday, is entitled to Sunday premium pay for the Saturday schedule, computed as shown in figure 18.1.

18.17.2.2. Premium pay for Sunday work is in addition to premium pay for holiday work, overtime pay, and night shift differential, and is not included in the rate of basic pay used to compute the pay for holiday, overtime, and night work.

18.17.2.3. When an employee has two separate tours of duty on Sunday (such as a tour that begins on Saturday and ends on Sunday and another tour of duty that begins on Sunday and concludes on Monday), he or she is entitled to premium pay for Sunday work, not to exceed 8 hours for each tour of duty. For example, an employee who works a regularly scheduled night shift, from 1700 to 0130 (with a 30 minute meal period), on Sunday and Wednesday through Saturday. The employee is entitled to Sunday premium pay for two tours (Saturday and Sunday for a total of 16 hours), computed as shown in figure 18.2.

Figure 18.1. How to Compute Sunday Premium Pay

Organization Workdays	Compensable Hours							TOTAL
	S	M	T	W	T	F	S	
- Scheduled hours			8	8	8	8	8	40
-- Basic Rate (scheduled rate plus 7 ½ percent shift differential)			8	8	8	8	8	40
-- Sunday premium pay at a rate equal to 25 percent of basic rate							8	8

Figure 18.2. Computing Premium Pay for Two Separate Tours on Sunday

Organization Workdays	Compensable Hours							TOTAL
	S	M	T	W	T	F	S	
- Scheduled hours	8			8	8	8	8	40
-- Basic Rate (scheduled rate plus 7 ½ percent shift differential)	8			8	8	8	8	40
-- Sunday premium pay at a rate equal to 25 percent of basic rate	8						8	16

18.18. Holiday Observance. NAFIs observe the following legal holidays:

New Year's Day	1 January
Martin Luther King's Day	3rd Monday of January
President's Day	3rd Monday of February
Memorial Day	Last Monday of May
Independence Day	4 July
Labor Day	1st Monday of September
Columbus Day	2nd Monday of October
Veteran's Day	11 November
Thanksgiving Day	4th Thursday of November
Christmas Day	25 December

18.18.1. Only Regular employees are entitled to be excused with pay on holidays or observed days as shown in table 18.18.

18.18.2. Waivers for payment of holiday pay to Flexible employees are submitted through AFSVC/SVI to AFSVC/SVX for approval. Rationale for requesting such payment must be included.

Table 18.18. NAF Employees' Holiday Observance

R U L E	A If an employee is	B and the holiday falls on a	C then employee is entitled to observe the holiday with pay on (see notes 1, 2, and 3)
1	Regular	scheduled workday day outside the employee's scheduled workweek	that day. the preceding or following workday as determined by the manager.
2	Flexible	any day	no day.

NOTES:

1. A Regular employee whose workday covers portions of two calendar days, and who, except for this section, would ordinarily be excused from work for the hours of any calendar day on which the holiday falls, will instead be excused from work on his or her entire workday that starts on the calendar day on which the holiday begins.
2. When management closes an activity on a Friday or a Monday because of a holiday on a Saturday or Sunday, Regular employees whose scheduled workweek includes the Saturday or Sunday holiday, or the Saturday or Sunday holiday and the closed Friday or Monday, observe the official holiday. Those Regular employees whose scheduled workweeks include only the closed Friday or Monday, observe the holiday on the closed day.
3. When management elects to close an activity the day preceding or following a holiday that falls on a day other than Saturday or Sunday, the official holiday is the observed day.

18.19. Holiday Pay and Holiday Premium Pay.

18.19.1. **Pay for Holidays on Which NAF Employees are Excused From Work.** An employee entitled to observe the holiday, and who is excused from work because of the occurrence of a holiday, is entitled to holiday pay (which is regular base pay, including any applicable night shift differential) for the number of nonovertime hours that would have been scheduled had it not been a holiday.

18.19.2. **Pay for Work Performed on a Holiday.** An employee entitled to observe the holiday, and who performs work on a holiday, is entitled to holiday pay (which is regular base pay, including any applicable night shift differential) for the number of scheduled hours, plus holiday premium pay (which is at a rate equal to regular base pay) for the number of nonovertime hours that do not exceed 8 hours actually worked on the holiday.

18.19.3. Pay for Uncommon Conditions.

18.19.3.1. A Regular employee whose workday covers portions of 2 calendar days, who is required to work, is paid holiday premium pay only for the workday that begins on the holiday.

18.19.3.2. Pay for overtime work performed on a holiday is paid at the same rate as for overtime on other workdays.

18.19.3.3. If an eligible employee is in an approved LWOP status on the scheduled workday before and the scheduled workday after the holiday, the employee is not entitled to pay for the holiday.

18.19.3.4. If an eligible employee is AWOL on the scheduled workday before the holiday, he or she is considered AWOL for the holiday, and is not entitled to be excused or paid for the holiday.

18.19.3.5. If an employee fails to report for duty after being notified he or she is scheduled to work the holiday and he or she fails to provide an acceptable reason for the absence, the employee is considered AWOL and is not entitled to pay for the holiday. (AWOL may also lead to disciplinary action.)

18.19.3.6. If management closes an activity on a Friday or a Monday because of a holiday falling on a Saturday or a Sunday, Regular employees whose scheduled workweek includes the holiday and the closed day (who are not required to work either day) are paid regular basic pay for the holiday. Care must be exercised to ensure the hours lost due to the closed day do not adversely affect an employee's entitlement to compensation for their guaranteed workweek hours.

18.19.3.7. If management elects to close the day preceding or following a holiday that falls on a day other than Saturday or Sunday, Regular employees whose scheduled workweek includes both the holiday and the closed day (who are not required to work) are paid regular basic pay for the holiday. Care must be exercised to ensure that the hours lost due to the closed day do not adversely affect an employee's entitlement to compensation for their guaranteed workweek hours.

18.19.3.8. A Regular employee called to work on a holiday is entitled to at least 2 hours of holiday premium pay, whether or not work is actually performed.

18.20. Examples of Pay Entitlement for Holidays Worked and Not Worked.

18.20.1. Example 1. A Regular employee's regularly scheduled workweek is 1400 to 2230, Monday through Friday. Monday is a holiday and the employee is required to work 8 hours on that day. The employee's pay entitlement is:

	Compensable Hours							
	S	M*	T	W	T	F	S	TOTAL
- Scheduled hours		8*	8	8	8	8		40
- Hours worked		8*	8	8	8	8		40
- Pay entitlement								
-- Basic rate plus 7 ½ percent shift differential		8*	8	8	8	8		40
-- Holiday premium pay		8*						8

*Holiday

18.20.2. Example 2. A Regular employee's regularly scheduled workweek is 0730 to 1630, Monday through Friday. Monday is a holiday and the employee is not required to work. The employee's pay entitlement is:

	Compensable Hours							
	S	M*	T	W	T	F	S	TOTAL
- Scheduled hours		8*	8	8	8	8		40
- Hours worked			8	8	8	8		32
- Pay entitlement								
-- Basic rate		8*	8	8	8	8		40

*Holiday

18.20.3. Example 3. A Regular payband employee's workweek is 0800 through 1700, Tuesday through Saturday. Monday is a holiday, and the employee is required to work that day. Tuesday is the employee's observed "in lieu of" holiday. The employee also works 4 hours on Tuesday. The employee's pay entitlement is:

	Compensable Hours							
	S	M	T*	W	T	F	S	TOTAL
- Scheduled hours			8	8	8	8	8	40
- Hours worked		8	4*	8	8	8	8	44
- Pay entitlement								
-- Basic rate		4	8*	8	8	8	8	44
-- Holiday premium pay			4*					4
-- Overtime		4**						4

*Tuesday is the employee's "in lieu of" holiday

**Since the employee's regularly scheduled workweek consists of 40 hours, Tuesday through Saturday, Monday becomes the overtime period because it is outside the employee's regularly scheduled workweek. (A Regular crafts and trade employee's pay entitlement for Monday is 8 hours of overtime).

18.20.4. Example 4. A Regular employee's regularly scheduled workweek is 0900 to 1730, Monday through Friday. Monday is a holiday, but the employee is required to perform 10 hours of work. The employee's pay entitlement is:

	Compensable Hours							
	S	M*	T	W	T	F	S	TOTAL

- Scheduled hours	8*	8	8	8	8	40
- Hours worked	10*	8	8	8	8	42
- Pay entitlement						
-- Basic rate	8*	8	8	8	8	40
-- Holiday premium pay	8*					8
-- Overtime	2*					2

*Holiday

18.20.5. Example 5. A Regular employee's regularly scheduled workweek is 0900 to 1400, Monday, Wednesday, Friday and Saturday. Monday is a holiday, and the employee is required to perform 3 hours of work on that day. The employee's pay entitlement is:

	Compensable Hours							
	S	M*	T	W	T	F	S	TOTAL
- Scheduled hours		5*		5		5	5	20
- Hours worked		3*		5		5	5	18
- Pay entitlement								
-- Basic rate		5*		5		5	5	20
-- Holiday premium pay		3*						3

*Holiday

18.20.6. Example 6. A Regular employee's regularly scheduled workweek is 0730 to 1630, Tuesday through Saturday. Monday is the holiday. Tuesday is the employee's observed "in lieu of" holiday, and the employee is not required to work. The employee's pay entitlement is:

	Compensable Hours							
	S	M	T*	W	T	F	S	TOTAL
- Scheduled hours			8*	8	8	8	8	40
- Hours worked				8	8	8	8	32
- Pay entitlement								
-- Basic rate			8*	8	8	8	8	40

*Holiday

18.20.7. Example 7. A Regular employee with a guaranteed workweek of 35 hours is regularly scheduled 1600 to 2300, Sunday through Thursday. Sunday is the holiday, and the employee is not required to work. Management closes the activity on Monday, and the employee is not required to work. The employee's pay entitlement is:

	Compensable Hours							
	S*	M	T	W	T	F	S	TOTAL
- Scheduled hours	7*	7	7	7	7			35
- Hours worked			7	7	7			21
- Pay entitlement								
-- Basic rate	7*	7	7	7	7			35

*Holiday

NOTE: If management had been able to reschedule the seven scheduled hours for Monday, the closed day, to Friday or Saturday, the employee's pay entitlement is:

Compensable Hours

	S*	M	T	W	T	F	S	TOTAL
- Scheduled hours	7*	7	7	7	7			35
- Hours worked			7	7	7	7		28
- Pay entitlement								
-- Basic rate	7*		7	7	7	7		35

*Holiday

18.21. Pay Limitations for NF-IV and NF-V. In addition to a cash award ceiling of five percent for NF-IV payband employees or greater, a pay adjustment ceiling of four percent also applies in a 12 month period is also in effect. . The 12 month period is the 12 months preceding the proposed effective date of award or pay adjustment. The following are exceptions to that limitation: (1) cost-of- living adjustments, (2) promotions involving movement to a different position, and (3) competitive reassignments to positions with increased responsibility within the same payband (e.g., NF-IV Assistant Manager to NF-IV Manager).

18.21.1. Requests for other exceptions to this policy (such as significant job growth within a payband requiring a new PG) may be submitted through AFSVC/SVI to AFSVC/SVX for HQ USAF/A1C approval. Submissions must include:

- 18.21.1.1. Previous salary, proposed percentage increase and justification.
- 18.21.1.2. The old and new position guide, if applicable.
- 18.21.1.3. Current and historical financial/performance data.
- 18.21.1.4. Any relevant data to support the proposed pay bonus increase.

18.22. Travel and Transportation.

18.22.1. **PCS.**

18.22.1.1. **CONUS and Nonforeign Areas.** Regular employees selected for PCS to a NAFI at another AF installation in the CONUS or a nonforeign area and who sign a transportation agreement may be allowed essential travel and transportation expenses for themselves and their family members and shipment of household goods. This includes PCS travel and transportation from their present actual residence to their new duty station and all other entitlements in amounts not to exceed those authorized by the JTR if it is clearly in the interest of the gaining NAFI, and the gaining FSS commander/director approves the expenditure of NAFs for that purpose. Career program employee PCS moves are centrally funded.

18.22.1.2. **Transfer of Function.** Regular employees transferred by a transfer of function may be provided travel and transportation expenses in the same manner as described in paragraph 18.22.

18.22.1.3. **Travel Time Expense Charge.** Employees authorized PCS travel and transportation expenses must travel on the gaining NAFI's time. While in a travel status, the employee is paid basic pay as if already on the job.

18.22.1.4. **Foreign Areas.** See paragraph 16.3.5.

18.22.1.5. **Separate Maintenance Allowance for PCS Transfers.** NAF in the NF payband system may receive SMA who transfer nonlocally and who maintain separate households for minor dependent children so that they can finish the school term at the old duty station.

18.22.1.6. SMA will be paid for no more than one semester, except that it may be paid for a full school year when the dependent is a high school senior. Maintaining a separate household means any living arrangement at the old duty station where the employee is paying a monthly amount for room and board for dependents.

18.22.1.7. SMA must in the same amount as those prescribed by the Department of State for overseas employees receiving SMA for dependents living in the continental U.S. Employees stationed in foreign overseas areas may receive SMA for other reasons as prescribed by the Department of State.

18.22.2. **TDY Travel.** Regular employees selected for training or who are required to attend conferences, seminars, etc., are placed on TDY for travel to, during, and from the place of temporary duty. While in TDY status, the employee is paid his or her basic pay as if currently on the job. Payment for per diem and travel expenses is borne by the parent NAFI, AFSVC/SVI, AF central NAFI, or APFs and must not exceed that authorized by the JTR.

18.22.2.1. **Additional Compensation During Official TDY and Travel.** Fair Labor Standards Act exempt employees receive additional compensation for the time spent in a travel status that occurs during or outside regular working hours, as shown in **Attachment 21**. The FLSA nonexempt employee receives additional compensation for the time spent in a travel status that occurs during or outside regular working hours, as shown in **Attachment 22**. In the overseas area, all employees receive additional compensation for the time spent in a travel status as shown in **Attachment 21**.

18.22.3. **Wage Area Surveys.** Travel and transportation expenses are paid (where proper under the JTR) to employees assigned duties associated with wage area surveys.

18.22.4. **Use of POV by NAF Employees When Conducting NAFI business.** When considered advantageous to the NAFI, and with prior supervisory approval, employees may be reimbursed for use of their POV in the conduct of NAFI business. In such cases, reimbursement is limited to the mileage and is at the rate authorized by the JTR.

18.22.5. Emergency Situations. NAF employees must be treated the same as APF employees in emergency situations such as evacuations. NAF employees are to be paid IAW the provisions of the JTR and not less than what is authorized.

18.23. Hazard and Environmental Differentials. Payment of such differentials for NF-III through NF-VI employees is made according to 5 CFR, Part 550, Subpart I, Pay for Duty Involving Physical Hardship or Hazard. Payment for CT employees is made according to OPM Federal Wage System-NAF, Subchapter S8. Procedures for payment of such differentials for NF-I and NF-II positions have not been established. Cases involving either of these latter two categories are sent, through command channels, to AFSVC/SVXH for a determination. Use OPM Federal Wage System-NAF, Subchapter S8 as a guide.

18.24. Severance Pay.

18.24.1. A Regular NAF employee who has completed at least 12 continuous months of creditable service as a Regular NAF employee, with one or more DoD NAFIs and who is involuntarily separated from employment as a result of a BBA. The continuous service qualifying the employee for severance pay must have occurred within the 12 months preceding the effective date of the BBA. An eligible employee must receive severance pay as a result of a BBA, unless the employee:

18.24.1.1. Is employed, without a break in service of more than three (3) calendar days after separation, in another DoD NAF Regular position, or a DoD APF position, without a time limit on the length of the appointment.

Note: DoD NAF employees who move to DoD APF positions without a break in service of more than 3 days are eligible for portability of benefits under Public Law 101-508, as amended. Under 5 CFR 550.708, NAF service is creditable for computing an employee's APF severance pay if the employee is later separated from an APF position under conditions entitling the employee to APF severance pay.

18.24.1.2. Refuses an offer of employment in any DoD NAFI that would not result in a rate of basic pay that is lower than the rate of basic pay received immediately before the BBA, or that would not result in a loss of employment category (i.e., from Regular category full-time to Regular category part-time or from Regular category to Flexible category). Offers must be in the same commuting area, unless the employee is covered by an agreement in which mobility is a condition of employment.

18.24.1.3. Is entitled to an immediate annuity that is not reduced because of the employee's age at the time of retirement. This exclusion covers an annuity from a NAF retirement plan, or from a civil service retirement plan in which the employee elected to remain following movement between employment systems under 5 U.S.C., §8347(q) and §8461(n).

18.24.1.4. Is receiving payments from the DOL's Office of Workers' Compensation Programs for a job-related injury.

18.24.2. Conditions under which eligible employees receive severance pay include:

18.24.2.1. The employee is separated. An employee who resigns following receipt of a specific written notice of separation due to BBA or a general written notice that announces that all positions will be abolished is considered to have been involuntarily separated.

18.24.2.2. The employee's basic pay is reduced, and the employee resigns instead of accepting the reduction.

18.24.2.3. The employee's employment category is involuntarily changed from Regular full-time to Regular part-time or from Regular category to Flexible employment category and the employee resigns instead of accepting the change.

18.24.2.4. The employee is furloughed for more than 60 consecutive days and resigns in lieu of accepting the furlough.

18.24.3. The twelve continuous months of regular creditable service required to be eligible for severance pay includes:

18.24.3.1. Service in a pay status as a Regular category employee in one or more DoD NAFIs.

18.24.3.2. Military service that interrupted creditable service as prescribed in chapter 43 or Title 38, U.S.C.

18.24.3.3. Service in a continuing (i.e., without a time limit on the length of the appointment) APF position, if the employee moved from a DoD APF position to a DoD NAF position on or after 1 Jan 87, without a break in service of more than 3 calendar days.

18.24.4. The twelve continuous months of Regular service required to be eligible for severance does not include:

18.24.4.1. Service upon which a NAF or civil service annuity is based if the annuity began before the date of the BBA.

18.24.4.2. Periods of Regular service for which NAF or APF severance pay was previously granted.

18.24.4.3. Service used to determine an employee's APF severance pay entitlement pursuant to the provisions of section 5595(h) of Title 5 U.S.C.

18.24.5. Severance pay consists of:

18.24.5.1. One week's pay, at the rate of basic pay that the employee is receiving at the time of separation, for each full year of continuous Regular service for the first 10 years of service.

18.24.5.2. Two week's pay, at the rate of basic pay that the employee is receiving at the time of separation, for each full year of continuous Regular service beyond 10 years of service.

18.24.5.3. Partial credit for each full three months of continuous Regular service beyond the final full year of service.

18.24.5.3.1. If the total service, including a partial year of service, is less than 10 years, credit the severance pay entitlement by 25 percent of one week's pay for each full three months of service.

18.24.5.3.2. If the total service, including a partial year of service, is greater than 10 years, credit the severance pay entitlement by 25 percent of two week's pay for each full three months of service.

18.24.5.4. The maximum amount of severance pay an employee may receive is 52 weeks of basic pay at the rate of basic pay received immediately before separation.

18.24.6. In computing the severance pay, the employee's rate of basic pay is the hourly rate of pay received immediately before separation multiplied by the greater of:

18.24.6.1. The average number of hours worked per week over the 13 pay periods immediately prior to the date of the BBA memorandum.

18.24.6.2. The employee's guaranteed hours immediately prior to the date of the BBA memorandum.

18.24.6.3. Examples of severance pay computation:

18.24.6.3.1. A Regular employee has one year and one month of continuous Regular service, has a guaranteed 40 hour workweek, and a basic rate of pay of \$9.50 ph. The employee is entitled to one week of severance pay, \$380.00 (40 hrs x \$9.50 ph).

18.24.6.3.2. A Regular employee has 16 years, 6 months, and 59 days of continuous Regular service. The employee has worked an average of 30 hours per week over the last 13 pay periods, and has a guaranteed 20 hours' workweek. The employee's rate of pay is \$7.00 ph. The employee's severance pay entitlement is \$4,830.00.

YEARS OF SERVICE	NUMBER OF WEEKS PAY	BASIC WEEKS PAY (\$7.00 PH X 30 HRS = \$210.00)
1-10	10	\$2,100.00 (\$210 x 10 wks)
11-16	12	\$2,520.00 (\$210 x 12 wks)
3 mos	.25 of 2	\$ 105.00 (\$420 x .25)
3 mos	.25 of 2	\$ 105.00 (\$420 x .25)
59 days	0	0
TOTAL SEVERANCE PAY		\$4,830.00

18.24.7. Payment of Severance Pay.

18.24.7.1. Severance pay is payable to an employee at the same pay period intervals that salary would be paid if the employee were still employed. The total severance pay entitlement is paid in bi-weekly payments equal to the bi-weekly payment the employee is receiving at the time of separation, and is subject to income tax, Medicare, and Federal Insurance Contributions Act (FICA) tax deductions. The final payment is a full or partial payment consisting of that portion of the severance pay total entitlement remaining unpaid.

18.24.7.2. If the total severance pay entitlement would otherwise be distributed in four bi-weekly payments or less, a lump sum payment of the total severance pay entitlement is made.

18.24.7.3. The NAF-HR records on the AF Form 2545 a remark that includes the total severance pay entitlement, the bi-weekly payment, and the number of weeks the entitlement is paid.

18.24.7.4. Entitlement to severance pay ends when an employee is appointed to another Regular DoD NAF position, or when the severance pay entitlement for the employee is exhausted.

18.24.7.5. In the event an employee dies while in receipt of severance payments, the entitlement passes to the beneficiary of the individual.

18.24.7.6. Upon reemployment of a former federal employee, the NAF-HR staff records on the AF Form 2545 the number of weeks of severance pay received (including partial weeks). If the employee again becomes entitled to severance pay, the NAF-HR recomputes the severance pay allowance on the basis of all creditable service and deducts from the entitlement the number of weeks for which severance pay previously was received. No period of service (NAF or APF) for which severance pay (NAF or APF) was previously granted is included.

18.24.7.7. At the time the BBA separation notice is issued, the Chief, NAF-HR advises employees, in writing, of the requirement to report employment with a DoD NAFI should that employment be obtained while the employee is receiving severance payments.

18.24.7.8. During the time an employee is receiving severance payments, a written notice is provided with each payment, reminding the employee of the requirement to report DoD NAF employment immediately to the office making the severance payments.

18.25. Allowances and Differentials.

18.25.1. **Nonforeign Area.** A nonforeign allowance or differential established for APF employees is not granted to employees in paybands NF-I and NF-II as their rates already are based on the prevailing rate, but may be granted to employees in paybands NF-III through NF-VI. NF-III through NF-VI employees are entitled to the same nonforeign area allowances authorized to APF employees in 5 U.S.C. 5941 and 5942; 5 C.F.R. Part 591, Subparts b and c.

18.25.2. **Foreign Area.** Executive Order 11137, "Relating to certain allowances and benefits for civilian employees of NAFI of the Armed Forces," January 7, 1964, authorizes the DoD to prescribe regulations providing allowances and differentials in foreign areas to DoD NAF employees. Refer to paragraph 16.3.4. for foreign area Allowances and Differentials.

18.25.2.1. With the exception of post allowance, it is DoD policy that the payment of allowances and differentials to NAF employees in foreign areas shall be on the same basis as such allowances and differentials are paid to DoD APF employees under Volume 1250, "Overseas Allowances and Differentials" of DoDI 1400.25. This adoption of Volume 1250 so that it applies to DoD NAF employees, except for the purposes of post allowance, includes eligibility criteria and delegation of authority restrictions.

18.25.2.2. To be eligible for post allowance, a NAF employee must be a U.S. citizen living in a foreign area and employed in a Regular full-time position. Flexible employees and seasonal (summer/winter) hire employees are not eligible for post allowance.

18.26. Allotments or Net Pay to a Financial Organization (FO); Allotments for Savings Bonds, Union Dues, Combined Federal Campaign (CFC), or for Alimony or Child Support.

18.26.1. An employee may designate specific amounts to be deducted each pay period in the form of an allotment to a FO.

18.26.2. Any employee may have his or her net pay sent to a FO.

18.26.3. An employee in the bargaining unit may use payroll deduction to withhold dues for labor organizations.

18.26.4. A Regular employee may contribute to the CFC by a payroll deduction each pay period, using the CFC provided form.

18.26.5. An employee may voluntarily designate specific amounts for alimony or child support. (See paragraph 18.31 for garnishment orders that are involuntary allotments.) The request must be by memorandum. Such a memorandum, signed by the employee, is sent to the servicing NAF Payroll Liaison and must:

18.26.5.1. Designate the allottee and the amount of the allotment.

18.26.5.2. Include a statement that the NAFI is held harmless for any authorized allotment disbursed by the NAFI, according to the employee's request for an allotment from pay.

18.26.5.3. Include a statement that disputes regarding any authorized allotment are a matter between the allotter and the allottee.

18.27. Withholding Taxes.

18.27.1. Federal income taxes are withheld from the employee's compensation according to the Internal Revenue Code.

18.27.2. State income taxes are withheld in those states that have a withholding agreement with the Secretary of the Treasury, according to Department of Treasury regulations.

18.27.3. City income taxes are withheld in cities that have a withholding agreement with the Secretary of the Treasury, according to Department of Treasury regulations.

18.27.4. Federal Insurance Contributions Act taxes imposed by the Internal Revenue Code are deducted from the wages of all employees in:

18.27.4.1. The U.S., Puerto Rico, Guam, and the Virgin Islands, regardless of citizenship.

18.27.4.2. Other geographical areas for those who are citizens of the U.S.

18.28. Lump Sum Leave (LSL) Payments. LSL payments are mandatory on separation, and on a change in employment category from a Regular to Flexible position, with the following exception. If a Regular employee moves from an AF NAFI to a non-AF NAFI, without a break in service of one workday, the employee is paid by the losing NAFI for the accumulated annual leave credited to his or her account. If the employee elects and the gaining and losing NAFIs agree, dollar liability may be transferred, from the losing to the gaining NAFI by a transfer of funds to cover the cost of the accumulated leave credit. Any amounts due a NAFI according to paragraph 18.31 are withheld from any wages and LSL due the employee, excluding the retirement account, if the required procedures for collection are followed. Instructions for transferring leave to another AF NAFI are in Chapter 14. Instructions for crediting leave upon movement between NAF and APF employment systems are in Chapter 13.

18.28.1. Computation of LSL. The LSL payment for annual leave earned in a NAFI is computed only if the employee has completed 90 days as a Regular employee in that NAFI. It is computed on the basis of the employee's entitlements at the time of separation or change to a Flexible employment category. This payment is for the number of hours carried over into the new leave year, plus current accrual (less usage) to the separation date.

18.28.1.1. When an employee is on the rolls on the issue date of a wage schedule, but separates before the effective date of the increase, the employee is entitled to receive his or her lump sum annual leave payment at the higher rate for the period extending beyond the effective date.

18.28.1.2. When an employee separates after a wage survey is ordered but before the issue date of the wage schedule, and his or her annual leave extends beyond the effective date of the increase, the employee is entitled to receive his or her lump sum annual leave payment at the higher rate for the period extending beyond the effective date. This provision applies when the issue date of the wage schedule is before the effective date set by Title 5 U.S.C. When wage schedules are adjusted according to a wage survey, the survey order date is shown on the schedule.

18.28.2. LSL Payment Rate. The LSL payment is made at the basic rate of pay (the employee's scheduled rate of pay, plus night shift differential for CT, NF-I and NF-II employees only) that applies for all regularly scheduled night duty periods, covered by the unused annual leave, as if the employee had continued to work beyond the effective date of separation. If a night shift is formally cancelled or an employee is regularly scheduled for continuous day shift work, on or before the date of separation, the LSL payment is computed at the day rate.

18.28.3. Death Benefits. LSL payments due a deceased employee are paid to the designated beneficiary, together with any pay due the employee.

18.28.4. Cost-of-Living Adjustment (COLA) and Differentials in the LSL Payment.

18.28.4.1. **Foreign Areas.** Foreign area allowances are not included in computing LSL payments. The foreign post differential is an additional compensation and is included in computing the LSL, if the employee is receiving differential just before the separation date and if (on the effective date of separation) he or she is at the permanent duty post for which such additional compensation is authorized. The differential is not included in computing an employee's LSL payment for annual leave, if the effective separation date is after the employee has left the permanent duty post.

18.28.4.2. **Nonforeign Areas.** A nonforeign COLA or nonforeign differential is included in an LSL payment, if the employee is receiving the allowance or differential just before the date he or she separates from the nonforeign assignment post for which such additional compensation is authorized. The allowance or differential is not included in a LSL payment, if the effective date of the separation is after the employee has left the nonforeign assignment post (like going on annual leave to secure a position outside the nonforeign area).

18.29. Callback Duty Time. Callback duty time is when a regularly scheduled, Regular or Flexible employee is required to work on a day when work was not scheduled, or when the employee is officially required to return to his or her place of employment. Compensation for callback duty is at least two hours (whether or not work is performed), including make-ready and

cleanup time. Compensation is computed at the employee's regular basic rate of pay, unless the number of hours worked that day or week entitle the employee to overtime pay.

18.30. Call-in Duty Time. Call-in duty time is work performed by an unscheduled Flexible employee who is officially required to report for work. Compensation for call-in duty must be at least two hours, (whether or not work is performed), including make-ready and cleanup time. Compensation is at the employee's regular basic rate of pay, unless the employee is entitled to overtime pay.

18.31. Withholding Pay and Allowances. When required collection procedures have been followed, an employee's pay and allowances, including LSL but excluding the retirement account, may be withheld in these situations:

18.31.1. When the Internal Revenue Service levies for delinquent federal taxes.

18.31.2. When an NAF employee's pay is garnished for child support or alimony payments. Garnishment writs or orders must be processed according to AFI 34-202 after being duly served upon the AF service of process point, AFSVC/JA.

18.31.3. To discharge indebtedness to the employing NAFI, e.g., refund of school tuition, travel advances, erroneous payments of wages, etc.

18.31.4. To refund unearned leave. i.e., to reimburse NAFIs that have advanced annual or sick leave for any balances not earned

18.31.5. When the employing NAFI is ordered by a federal bankruptcy court to pay all or any part of income due the employee to a trustee.

18.31.6. When judgment levies by U.S. Federal Court under Public Law 97-276, Section 124 are ordered.

18.32. Back Pay. This paragraph applies to the computation, payment, and restoration of pay, allowances, differentials, and employment benefits for the purpose of making an employee whole, when the employee, on the basis of administrative determination or timely appeal, is found to have undergone an unjustified or unwarranted personnel action.

18.32.1. **Terms Used.**

18.32.1.1. **Appropriate Authority.** An installation commander; a group commander; a squadron commander; a court having jurisdiction; the OPM for NAF CT employees; an Assistant Secretary of the AF; an administrative authority designated in Public Law 95-454, Title VII, such as the Federal Labor Relations Authority (FLRA), the General Counsel of the FLRA, and an Administrative Law Judge when such authority is delegated by the FLRA; DoD or Office of Assistant Secretary of Defense for payband employees; officials in EEO cases; an arbitrator in binding arbitration cases; a deciding official on an appeal or grievance, or the servicing NAF-HR.

18.32.1.2. **Employee.** An employee or former employee of the NAFI.

18.32.1.3. **An Unjustified or Unwarranted Personnel Action.** An action, which may include a pay action that, as subsequently determined, violated or improperly applied those

requirements of a nondiscretionary provision and thereby resulted in the withdrawal or denial of all or any part of pay, allowances, differentials, or benefits otherwise due an employee. The action may be one of commission or omission.

18.32.1.4. **Nondiscretionary Provision.** Any provision of law, executive order (EO), regulation, personnel policy, or collective bargaining agreement applicable to NAFIs that requires the NAF-HR to take a prescribed action under stated conditions or criteria.

18.32.1.5. **Pay.** The basic rate of pay, as defined under the applicable NAF pay system, or a retained rate; statutory or administrative pay increases, within grade increases, and premium pay (including scheduled overtime, night, holiday, standby, and Sunday pay); retained pay; pay adjustments; and hazardous and environmental pay; also pay for annual, sick, military, and court leave.

18.32.1.6. **Allowances.** Living quarters; post or cost of living; education; separate maintenance; remote worksite; and uniform allowances.

18.32.1.7. **Differential.** Post differential.

18.32.1.8. **Benefits.** Health and life insurance and retirement.

18.32.1.9. **Personnel Action.** Any personnel action by an authorized official, which results in the withdrawal or reduction of all or any part of the pay, allowance, or differentials of an employee, and includes, but is not limited to, separations for any reason (including retirement), suspensions, furloughs without pay, demotions, reductions in pay, and periods of enforced paid leave.

18.32.1.10. **Administrative Determination.** A written administrative determination, made by an appropriate authority as defined in paragraph 18.32.1.1, that states an individual has taken a personnel action he or she was prohibited from taking, has taken a personnel action not authorized by law or regulation, or has not taken a personnel action he or she was required to take.

18.32.1.11. **Timely Appeal.** When an employee or personal representative initiates a claim, an appeal, or grievance and that claim, appeal, or grievance is accepted as timely filed by the appropriate authority.

18.32.2. **Statute of Limitations.** For purposes of determining whether or not an unjustified or unwarranted personnel action can be corrected, the statute of limitations for a claim against an AF NAFI by an employee or former employee must be met. Pursuant to the Barring Act (31 U.S.C. 3702(b)), a claim against the government must be received by the agency that conducts the activity from which the claim arises within six years after the claim accrues. Similarly, 5 U.S.C. §5596 limits retroactive payment to the six-year period prior to receipt of a timely appeal or the date of an administrative determination that payments were improperly reduced or withheld. While NAF employees are not covered under the provisions of the Barring Act or 5 U.S.C. §5596, DoD Directive 5515.6, *Processing Claims Arising out of Operations of Nonappropriated Fund Activities*, October 25, 2004, provides that DoD components shall settle claims received from NAF employees using procedures that are similar to those used for claims received from appropriated fund employees. Since 5 U.S.C. §5596 does not extend to NAF employees, AF NAF shall not pay interest on claims from NAF employees. Back pay is awarded under this paragraph only if this statute of limitations is not exceeded; the claim, appeal, or grievance has been accepted as

"timely" filed by the administrative individual or body having jurisdiction over the claim, appeal, or grievance; and the conditions spelled out in paragraph 18.32.3 are met.

18.32.3. **Basic Entitlement.**

18.32.3.1. To be entitled to corrective action and subsequent back pay, all of these criteria must be met:

18.32.3.1.1. The act of commission or of omission resulted in an actual withdrawal, reduction, or denial of pay, allowances, benefits, or differentials of an employee.

18.32.3.1.2. The action taken or inaction by an authorized official is later determined to be an unjustified or unwarranted personnel action.

18.32.3.1.3. The personnel action is the subject of a review by an appropriate authority, on its own initiative, or because of a timely appeal, grievance, or claim against the NAFI by an employee, or former employee.

18.32.3.1.4. The appropriate authority, has determined that an unjustified or unwarranted personnel action is to be corrected, consistent with applicable law or regulation.

18.32.3.2. It must be clearly established that but for the unjustified or unwarranted personnel action, the employee would actually have been entitled to receive the pay, allowances, benefits, or differentials that are in question. For example, if an employee alleges the improper denial of a promotion, and the appropriate authority finds that a nondiscretionary provision had been violated, the employee would not be eligible for back pay had the employee been only one of several qualified candidates for the promotion, and the facts were not clearly established that the employee would have been selected.

18.32.3.3. The Chief, NAF-HR may direct back pay on its his or her own initiative upon acknowledging and correcting the unjustified or unwarranted personnel action.

18.32.3.4. The following information describes the types of action that may be corrected in which the employee is entitled to back pay. It is not intended to be all inclusive and Chief, NAF-HRs must carefully review every situation in which back pay may be an issue and determine if the criteria are met.

18.32.3.4.1. **Restoration.** An employee who is ordered to be restored to active duty, but who resigns before actually returning to duty, is still entitled to back pay since there is no requirement that the employee must return to duty.

18.32.3.4.2. **Retroactive Promotions.**

18.32.3.4.2.1. If a nondiscretionary provision is violated and the appropriate authority, consistent with applicable law and regulations, determines that an unjustified or unwarranted personnel action has taken place, and that, but for this violation, the employee would have been promoted, an employee is to be placed in the already existing higher graded position retroactively, upon correction of the personnel action, and paid back pay.

18.32.3.4.2.2. A delay in a promotion action is not an unjustified or unwarranted personnel action if nothing in the record indicates there was an administrative intention on the part of management to promote the employee on a specified date, presuming of course that the NAF-HR did not fail to carry out a nondiscretionary regulation or policy.

18.32.3.4.2.3. Usually, a personnel action may not be effected retroactively so as to increase the right of an employee to compensation. However, an exception to this rule occurs where, through administrative error or clerical error, a personnel action was not effected as originally intended or where nondiscretionary requirements have not been carried out.

18.32.3.4.2.4. Those terms and conditions of a collective bargaining agreement must be complied with. If the agreement, for example, specified that a higher grade position would be filled on a detail basis for a specific number of days, after which a temporary promotion would be effected, and this nondiscretionary provision is violated, the employee would be entitled to the temporary promotion on a retroactive basis and to back pay, if he or she met the qualifications for the higher grade position.

18.32.3.4.2.5. A qualified employee who is detailed beyond the time limit for a detail to a higher grade or payband position is entitled to retroactive temporary promotion, with back pay, beginning with the first day of the first pay period following the end of the time limit for the detail.

18.32.3.4.2.6. An employee was not given priority consideration according to this regulation. It was determined that, if the employee had been given such priority consideration, he or she would have been selected for promotion. Therefore, the employee is entitled to retroactive promotion with pay. Priority consideration in itself does not guarantee promotion.

18.32.3.4.2.7. The reclassification of a position is to be considered prospective, except to the extent that a retroactive promotion is provided for under classification appeal regulations. This is to be distinguished from improper details to higher graded positions.

18.32.3.4.3. **Retroactive Appointment.** An employee, who at the time of appointment is assigned to a lower grade than the grade to which he or she should have been assigned had there not been an administrative failure to carry out a nondiscretionary provision, may have his or her appointment retroactively changed to the higher grade and paid back pay.

18.32.3.4.4. **Classification Actions.** Usually, an employee is entitled only to the salary of the position to which he or she is actually appointed, regardless of the duties he or she performs. When, through the addition of duties, an employee performs at a grade or payband level higher than the grade or payband he or she holds, he or she is not entitled to the salary of the higher position, unless and until he or she is successful in obtaining reclassification of his or her position and promotion to the higher grade or payband. (This situation is to be distinguished from improper details to higher grade or payband positions).

18.32.4. **Installation Initiated Determination.** Installation commanders and their designees should take action, or direct that action be taken at any time, but within the statute of limitation, to correct erroneous actions that resulted in the withdrawal, reduction, or denial of pay, allowances, benefits, or differentials that come to their attention.

18.32.5. **Determining the Period for Which Recomputation is Due.** The period for which recomputation is required is the period covered by the unjustified or unwarranted personnel action

that is corrected. It may not extend beyond the date of the employee's death or the date on which the employee would, except for the unjustified personnel action, have been properly separated. Do not include in this determination any period during which the employee was not available for the performance of duties because of incapacitating illness or injury, or any period during which the employee was unavailable for performance of his or her duties, for reasons other than those related to, or caused by the separation action. However, if the employee can establish that a period of incapacitation was the result of off-the-job injury or illness, the NAF-HR approves the employee's request for any annual or sick leave available to the employee for the period of incapacitation.

18.32.6. Computing the Amount of Back Pay.

18.32.6.1. The NAF-HR Section and the payroll liaison recomputes, for the period covered by the corrected personnel action, pay, allowances, benefits, differentials and leave of the employee as if the unjustified or unwarranted personnel action had not occurred, and the employee is considered as having worked for the NAFI in the period covered by the corrected action.

18.32.6.2. In computing pay, allowances, benefits, differentials, and leave account, the NAF-HR Section and payroll liaison include the following:

18.32.6.2.1. Premium pay that the employee would have received had it not been for the unjustified or unwarranted personnel action.

18.32.6.2.2. Changes in pay rates by reasons of wage surveys, administrative action, law, or other changes of general application.

18.32.6.2.3. Changes in allowances or differentials.

18.32.6.2.4. WGIs or other periodic increases that would otherwise have become due.

18.32.6.2.5. Changes in pay caused by changes in assigned working shifts.

18.32.6.2.6. Changes in the employee's leave earning rate.

18.32.6.2.7. Any other changes that would affect the amount of pay, allowances, differentials, benefits, or leave that the employee would have earned had it not been for the unjustified or unwarranted personnel action.

18.32.6.3. Back pay includes pay, allowances, differentials, and benefits for the period of the unwarranted or unjustified personnel action. It is computed at the basic rate of pay of the grade or payband, step, or retained pay, and shift received on the effective date of the action. It is then adjusted by any new or revised NAF wage or salary schedules, and any WGIs that would have taken effect during the period of the unwarranted personnel action, as if the action had not occurred. This rate is then multiplied by the total number of hours actually worked each week. In cases of separation or suspension, the number of hours to be used is the number of hours that would have been scheduled and worked, but for the unwarranted personnel action (determined by extending the previous work schedule). If the employee's work hours varied, the number of hours to be used is determined by averaging the total number of hours worked during the 26 week period, just before the date of the separation.

18.32.6.4. Determining total pay from other earnings (gross pay from other employment).

18.32.6.4.1. This is the gross amount of earnings from other employment, before deduction of any amounts, such as income taxes, FICA, etc.

NOTE: Employment expenses, such as hotel, restaurant, travel, and other expenses incurred during the successful appeal of a separation, are not authorized as credits to compensation or as debits against earnings from other employment. Neither is the excess cost of living at the place of interim employment over what the cost would have been at the former employment place authorized.

18.32.6.4.2. The amount of back pay due is reduced by any amount earned through "other employment" during a period of separation or suspension. A weekly or daily comparison of the back pay with the employee's outside earnings may be made, but is not required. The total amount of outside earnings is compared with the total amount of back pay otherwise due.

18.32.6.4.2.1. Other employment is only that employment engaged in by the employee to take the place of the employment from which the employee was separated.

18.32.6.4.2.2. If the employee was engaged in outside part-time employment before the separation, this part-time employment does not constitute other employment and is not deductible from the gross back pay, except for any increase in pay due to additional hours having been worked.

18.32.6.4.2.3. Only pay received for employment beyond the pay previously received from the part-time employment would be set off against back pay due.

18.32.6.4.2.4. Acceptable evidence of salary or wages earned in other employment includes such documents as a memorandum from the employer giving dates of employment and gross pay; payroll slips and check stubs.

18.32.6.4.3. Separated employees are obligated to make good faith efforts, as determined by the Chief, NAF-HR, to secure gainful employment during the period of separation, while contesting the separation action. Employees should be advised to keep strict records of their earnings while the separation action is in effect. Failure to seek gainful employment, without good cause, may result in lesser or no back entitlement. Acceptable evidence of an employee's efforts to secure gainful employment includes documents used by an employment agency to show that the employee had requested employment, was referred or not referred, letters of non-selection, and so forth.

18.32.6.5. **Authorized Deductions.**

18.32.6.5.1. In the case of a Regular employee who was taking part in the retirement plan at the time of the unwarranted personnel action, the amount of employee and employing NAFI contributions required, had that action not occurred, must be paid. This is because the employee is entitled to credited service, for retirement program purposes, for the period of the unwarranted personnel action. The required retroactive employee contributions are computed and deducted from the employee's gross back pay before subtracting earnings from other employment. If little or no back pay is due the employee because of excessive other earnings, the amount of

contributions owed must be paid either in a lump sum by the employee or deducted, as soon as possible, from future salary or wage payments.

18.32.6.5.2. In the case of a Regular employee who was taking part in the group life or group health insurance program at the time of the unwarranted personnel action, the amount of employee and employing NAFI contributions required, had the unwarranted or unjustified personnel action not occurred, must be paid. The required retroactive employee contributions are computed and deducted from the employee's gross back pay before subtracting any earnings from other employment. If little or no back pay is due the employee because of excessive other earnings, the amount of contributions owed must be paid either in a lump sum by the employee or deducted, as soon as possible, from future salary or wage payments. If, in a separation action, the employee refuses to make the required retroactive contributions, coverage terminates, as of the effective date of the unwarranted separation. In such an event, the employee cannot again take part in the group life and health insurance program until evidence of insurability, satisfactory to the insurance carrier, is furnished for all eligible family members.

18.32.6.5.3. FICA deductions are not computed on gross back pay. Earnings from other employment, if any, must be deducted from the gross amount of back pay due and FICA deductions withheld on the balance due. The FICA tax computed is subject to the limitations of the maximum tax liability of the current year.

18.32.6.5.4. Federal, state and local income taxes are computed at current rates and deducted from the balance due the employee, after deducting earnings from other employment, in the same manner as FICA deductions.

18.32.6.6. The unemployment compensation an employee receives from a state during a period of unwarranted separation from a NAFI is usually required to be refunded to the state; therefore, no deduction is to be made from the back pay to which the employee is otherwise entitled on restoration. NAF Payroll Liaison must inform the proper state employment security agency that the employee is being restored to duty, with retroactive pay and benefits and an adjustment for earnings received from other employment.

18.32.6.7. Net pay due is determined by subtracting the employee's gross earnings from other employment from the gross back pay due, and then deducting authorized deductions as shown in paragraph 18.32.6.5. In no case will the employee be given more pay, allowance, differential, and benefits than he or she would have been entitled to had the unjustified or unwarranted personnel action not occurred.

18.32.7. **Recredit of Leave.**

18.32.7.1. Sick Leave. Accrued sick leave on record as of the date of a separation is recredited to the employee's sick leave account by the SSC and is available for immediate use, if needed. Sick leave the employee would have earned during the period of unwarranted or unjustified separation or suspension is also credited to the employee's account. If a former DoD NAF employee returns to DoD NAF employment after a separation related to a BBA, his or her sick leave balance at the time of such separation shall be restored.

18.32.7.2. Annual Leave. An employee may opt to repay the NAF Payroll Liaison all, or a portion of, the lump sum annual leave payment made on separation, except any amount that would be in excess of the number of hours allowed to be carried over to the next leave year. If repaid,

this leave is available for immediate use as necessary. Annual leave the employee would have earned during the period of separation or suspension is also credited to the employee's leave account record by the NAF Payroll Liaison. Any leave in excess of 240 hours (360 hours if in a foreign area) must be used before the end of the leave year or lost.

18.32.8. Effecting the Correction. The action is corrected by cancelling the AF Form 2545 that effected the unwarranted or unjustified personnel action. In a separation action, indicate in the remarks section of the corrective action the date set by the Chief, NAF-HR as the date of the employee's return to active duty and his or her actual return to duty date; the date of the employee's death; or the date on which the employee would, except for the unjustified separation action, have been properly separated. All copies of the unjustified or unwarranted personnel action are destroyed.

18.32.9. Employee Representative Notification. An employee's designated representative, if any, will, upon authorization of the employee, be provided a copy of payroll, leave, and personnel action documents, if the employee's restoration was directed as a result of a bona fide grievance, negotiated agreement, or civil court action.

18.33. Order of Precedence and Designation of Beneficiary.

18.33.1. Order of Precedence (Persons Entitled). Payment of any unpaid compensation (pay and lump sum leave payment) due on the death of an employee is made to the person or persons who survive the insured and who are entitled under the following order of precedence:

18.33.1.1. First, to the designated beneficiary or beneficiaries.

18.33.1.2. Second, if there is no designated beneficiary, to the widow or widower.

18.33.1.3. Third, if neither of the above, to the child or children in equal shares, with the share of any deceased child distributed among those descendants of that child by representation.

18.33.1.4. Fourth, if none of the above, to the parents in equal shares or the entire amount to the surviving parent.

18.33.1.5. Fifth, if none of the above, to the legal representative of the estate.

18.33.1.6. Sixth, if none of the above, to the next of kin, as determined under the laws of the state in which the employee was domiciled.

18.33.2. Designation of Beneficiary.

18.33.2.1. Designation Not Mandatory. A specific designation of a beneficiary is not necessary if the order of precedence for payment of unpaid compensation in paragraph 18.33.1 is satisfactory to the employee. A designation is made, however, if the employee wishes to name as a beneficiary some person, firm, corporation, or other legal entity not stipulated in the order of precedence, or in a different order. Also, filing a designation is advisable if evidence of a valid marriage is not readily available. This includes instances in which the employee does not have and cannot easily secure a certificate of a ceremonial marriage or evidence of death or divorce dissolving a prior marriage.

18.33.2.2. Advice to the Employee. When an employee is hired, the NAF-HR staff informs the employee that any unpaid compensation must be paid in the order of precedence, unless he or she completes a designation of beneficiary and files it with the servicing NAF-HR Section. The employee is also advised that termination of AF NAFI employment at the installation by transfer from the installation, transfer to a non-AF NAFI, or by resignation from the NAFI invalidates a designation of beneficiary. (Employment terminated with one AF NAFI on an installation and employment in another AF NAFI on the same installation does not invalidate the designation.) An individual previously employed on the installation must, on reemployment, also be told that any designation of beneficiary previously filed is no longer valid. Each installation NAF-HR Section from time to time reminds employees that changes in family status without a corresponding change in designation or cancellation of beneficiary may result in a settlement other than that desired.

18.33.2.3. Designation Form. Use SF 1152 in establishing a beneficiary for unpaid compensation. The form contains instructions for completion and illustration of the most common types of designations.

18.33.2.4. Unacceptable Designations. Designations containing miscellaneous provisions, such as payment of just debts, to John if he is living at home, to John if he uses the money for education purposes, cannot be accepted by the NAF-HR staff. Neither can a common disaster clause inserted in a designation be recognized as binding. Should an employee want the money paid only to a beneficiary who services the employee by some specified purpose, he or she may name his or her estate as beneficiary and stipulate in a will the particular conditions or restrictions the executor is to follow in handling the payment.

18.33.2.5. Review and Disposition. After making sure that the SF 1152 is properly completed, signed and witnessed, the original is retained by the servicing NAF-HR Section and a copy is returned to the employee.

18.33.3. Changing or Cancelling Designations.

18.33.3.1. Change or Cancellation by Employee. An employee has the right to cancel or change his or her designation of beneficiary at any time without the knowledge or consent of any previous beneficiary. This right cannot be waived or restricted.

18.33.3.2. Automatic Cancellation. Unless cancelled or changed by the employee, a designation of beneficiary continues in effect until it is automatically cancelled under those circumstances indicated below:

18.33.3.2.1. On the day the employee transfers to another installation. (Transfer from one AF NAFI to another AF NAFI on the same installation does not invalidate the designation.)

18.33.3.2.2. On the day the employee transfers to a non-AF NAFI on the same installation.

18.33.3.2.3. On the day the employee resigns or ceases employment at the installation (except in the case of the employee's death).

18.33.3.3. Filing of Designation. SF 1152, when completed, is filed on the right side of the OPF.

18.33.3.4. **Filing a Claim.** Use SF 1153, *Claim for Compensation of Deceased Civilian Employee*, for filing a claim for unpaid compensation due on the death of the employee.

18.34. Tipped Employees. The practice of identifying tipped employees is governed by the FLSA, as amended.

18.34.1. **Tipped Employee.** Within the AF, a tipped employee is defined as a person engaged in an occupation in which he or she customarily and regularly receives more than a predetermined amount of tips in a pay period. “Tipped employee” means an employee who customarily and regularly receives more than \$30 a month in tips. Tips include amounts designated as tips by credit card customers on their charge slips, as well as cash.

18.34.1.1. The phrase customarily and regularly signifies a frequency that must be greater than occasional, but may be less than constant. If an employee is in an occupation in which he or she usually and recurrently receives the required monthly tips, he or she is considered a tipped employee, even though occasionally, because of sickness, vacation, seasonal fluctuations or the like, he or she fails to receive the required amount in tips in two consecutive pay periods.

18.34.1.2. A person employed full-time or part-time in an occupation in which he or she does not receive the required amount in tips customarily and regularly each pay period is not a tipped employee. Such an employee must be paid the full basic wages of the employee’s grade and step, without any deduction for tips received for the amount of time worked.

18.34.2. **Amounts Considered as Tips.** A tip is a sum a customer gives as a gift or gratuity in recognition of some service performed for the customer. It is to be distinguished from payment of a charge, if any, made for the service.

18.34.2.1. In the absence of an agreement to the contrary between the recipient and a third party (tip pooling), a tip becomes the property of the person for which the customer presents the tip. A cash or charge tip must be disbursed to the employee(s) concerned and may not be retained by management.

18.34.2.2. Only tips an employee actually receives as money, belonging to the employee for use as he or she chooses, free of any control by the employer, may be counted in determining whether the employee is a tipped employee.

18.34.2.3. Besides cash sums presented by customers, that an employee keeps as his or her own, tips received by an employee includes amounts transferred by the employer to the employee, according to directions from credit customers who designate amounts to be added to their bills as tips.

18.34.2.4. Per AFMAN 34-214, *Procedures for Nonappropriated Funds Financial Management and Accounting*, all tipped employees must record all tips (cash and charge) on a daily basis using IRS Form 4070A, *Employee’s Daily Record of Tips*, or a similar form as long as employees receive hard copies for their personal financial records. A tipped employee is one who customarily receives more than \$9 tips each pay period.

18.34.3. **Amounts Not Considered as Tips.** Examples of amounts not considered as tips under FLSA are:

18.34.3.1. A charge for service, such as 10 percent of the amount of the bill, imposed on the customer by the employer. Such charges are part of the employer's gross receipts, and, even if distributed by the employer to the employees, cannot be counted as a tips received.

18.34.3.2. If a contract for a banquet, party, or similar function include amounts for distribution to all employees of the activity engaged in the special function, those amounts are not to be counted as tips received. Examples of such special functions are those in which a contract requires:

A percentage to be added for all food and beverages.

A percentage to be distributed to employees, or other similar language.

The use of prorated lists established in advance to bill members for the special functions.

18.34.3.3. In paragraphs 18.34.3.1. and 18.34.3.2., the employee is not a tipped employee and the employer is obligated to pay the full basic wages of the employee's grade and step for the amount of time spent working on the special function.

18.34.4. **Tip Pooling.** The requirement that an employee must keep all tips does not preclude tip splitting or tip pooling arrangements among employees who customarily and regularly receive tips, such as waiters. There is no requirement that bar assistants and others who share in tips must themselves receive tips from customers. Both the amounts waiters keep and those given bar assistants or others are considered tips of the individuals who keep them.

18.34.5. **Prohibited Sharing.** An employer may not require tipped employees to share or pool their tips with employees who have not customarily and regularly taken part in tip pooling arrangements, such as food service workers, chefs, and custodial workers, although they may voluntarily do so.

18.34.6. **Permitted Sharing.** Any non-managerial employee working a special function may share in gratuities received as a result of a party contract that sets a specific percentage of monies to be distributed.

18.34.7. **Credit Card Tips.** If tips are charged on credit cards, a reduction of the credit card tip paid to the employee (in an amount not to exceed the percentage charge by the credit card company) may be made. The employer is required to pay the charged tips to the employee no later than the employee's regular payday for the period in which the charged tips were earned. The employer may not withhold payment from the employee while waiting to be reimbursed by the credit card company.

18.34.8. **Nontipped Duties.** In some cases, an employee is employed as a waiter, but the job description also requires him or her to do cashier work. In such a case, if the employee customarily and regularly receives more than the required amount in tips for work as a waiter, the employee is a tipped employee only during the time spent working as a waiter.

18.34.9. **Required Records.** NAF-HRs Sections document the identity of each tipped employee in the employee's OPF and in DCPDS.

18.35. Recruitment Bonuses, Relocation Bonuses and Retention Allowances

18.35.1. These bonuses and allowances may be paid to NAF employees not to exceed the basic limitations applicable to APF employees per Title 5 U.S.C., sections 5753 and 5754 and 5 CFR, Part 575. These bonuses and allowances are used sparingly and only in very selective situations. Installations may not use these special payments as a substitute for the classification process or grant special payments automatically to all new hires or transferees. Decisions whether to pay a recruitment or relocation incentive or a retention allowance are made on a case-by-case basis. They will not be considered part of an employee's rate of basic pay for any purpose, including calculation of retirement annuity. Recovery of funds on a pro-rata basis must be sought when employees fail to complete their required period of service.

18.35.2. The amount of a retention allowance should be reduced or terminated when it is determined that a lesser amount or no allowance at all would be sufficient to retain the employee; e.g., labor-market conditions have changed to the extent that recruitment of employees with needed qualifications is possible, the need for the services of the employee has lessened, or budgetary considerations preclude payment. An annual review and recertification of necessity must be made to continue the payment of the retention allowance.

18.35.3. Recruitment and Relocation Incentives.

18.35.3.1. The FSS commander/director may approve recruitment and relocation incentives for a newly appointed employee to a position that is likely to be difficult to fill. Determinations to pay a recruitment or relocation incentive must be made before the position is advertised.

18.35.3.2. The recruitment or relocation incentive may not exceed 25 percent of the annual rate of pay of the employee at the beginning of the service period multiplied by the number of years (including fractions of a year) in the service period (not to exceed four years).

18.35.3.3. Before paying a recruitment or relocation incentive, the employee must sign a written service agreement (see **Attachment 23**) to serve a minimum of 12 months with the NAFI but not more than 4 years. The service agreement must include the commencement and termination dates of the required service period. If service with the NAFI does not begin on the first day of a pay period, the installation must delay the service period commencement date so that a required service period begins on the first day of the first pay period beginning on or after the commencement of service in the NAFI. The incentives may be paid by lump sum at the beginning of the service period stated in the agreement; in equal or variable installment payments throughout the service period; or as a final lump-sum at the end of the specified service period. For a relocation bonus, the employee must establish a residence in the new geographic area before the relocation incentive is paid.

18.35.3.4. Each determination to pay a recruitment or relocation incentive must be documented. Each authorized management official is responsible for ensuring records documenting the determination to pay incentives are maintained. The written justification must include:

18.35.3.4.1. The determination that the position is likely to be difficult to fill in the absence of the incentive;

18.35.3.4.2. The supporting factors used to authorize the incentive;

18.35.3.4.3. The reasons for determining the amount and timing of the payments; and

18.35.3.4.4. The reasons for determining the length of the service period.

18.35.3.4.5. Additional for Relocation incentive:

18.35.3.4.5.1. Affirmation that the employee's new position is in a different geographic area (i.e., worksite of the new position is 50 or more miles from the worksite of the position held immediately before the move or affirmation that the 50 mile requirement was waived; and

18.35.3.4.5.2. Affirmation that the employee established a residence in the new geographic area.

18.35.3.5. Termination of a Service Agreement. The FSS commander/director may unilaterally terminate a recruitment or relocation incentive service agreement based solely on the needs of the agency. For example, a service agreement may be terminated when the employee's position is affected by a BBA, when there are insufficient funds to continue the planned incentive payments, or when the employee is assigned to a different position (if the different position is not within the terms of the service agreement). A service agreement is terminated if an employee is demoted or separated for cause (i.e., for unacceptable performance or conduct), if the employee receives a less than "Satisfactory" performance rating, if the employee fails to maintain residency in the new geographic area for the duration of the service agreement, or if the employee otherwise fails to fulfill the terms of the service agreement.

18.35.3.5.1. The termination of a service agreement is not grievable or appealable.

18.35.3.5.2. Management must notify an employee in writing when it terminates a recruitment or relocation incentive service agreement.

18.35.3.5.3. An employee who fails to complete the period of service specified in the service agreement or otherwise fails to fulfill the terms of the service agreement, must reimburse the NAFI for the amount of all benefits received under the existing agreement that are in excess of the amount attributable to completed service.

18.35.3.5.4. An employee who does not complete the period of service because the authorizing official unilaterally terminates a service agreement based solely on a management need is entitled to all incentive payments already received.

18.35.4. Retention Incentive.

18.35.4.1. The FSS commander/director may approve a retention incentive to an employee who has unusually high or unique qualifications of an employee or a special need of the agency for the employee's services makes it essential to retain an employee and when the employee would be likely to leave the Federal service in the absence of a retention incentive (e.g. employee receives an offer of employment from a private firm). Individual retention incentives may not exceed 25 percent of the employee's rate of basic pay. Retention incentives for a group of employees may be made under the following conditions: (1) the unusually high or unique qualifications of the group or a special need of the organization for the employees' services makes it essential to retain the employees in that group or category; and (2) there is a high risk that a significant number of the employees in the group would be likely to leave the Federal service in the absence of the group retention incentive. Group retention incentives may be up to 10 percent of an employee's rate of basic pay.

18.35.4.2. A NAFI must consider the following factors in determining whether the unusually high or unique qualifications of an employee or a special need of the agency for an employee's services makes it essential to retain the employee and that the employee would likely leave the NAFI in the absence of a retention incentive:

18.35.4.2.1. Availability and quality of candidates in the labor market possessing the competencies required for the position and who, with minimal training, cost, or disruption of service to the public, could perform the full range of duties and responsibilities of the employee's position at the level performed by the employee;

18.35.4.2.2. The success of recent efforts to recruit and retain employees with similar competencies;

18.35.4.2.3. Special or unique competencies required for the position;

18.35.4.2.4. Organizational efforts to use non-pay authorities to help retain the employee (e.g., worksite alternatives and work scheduling flexibilities);

18.35.4.2.5. The desirability of the work, organizational environment, or geographic location of the position;

18.35.4.2.6. The extent to which the employee's departure would affect the organization's ability to carry out an activity, perform a function, or complete a project deemed mission-essential;

18.35.4.2.7. The salaries typically paid outside the Federal Government; and

18.35.4.2.8. Other supporting factors.

18.35.4.3. Before paying a retention incentive, an employee must sign a written service agreement (see **Attachment 24**) to complete a specified period of employment with the NAFI (or successor agency in the event of a transfer of function). The service agreement must include the commencement and termination dates of the required service period. The service period must begin on the first day of a pay period and end on the last day of a pay period. Retention incentives may be paid in a single lump-sum payment after the completion of the full service period or in installments after the completion of specified periods of service. An agency may not pay a retention incentive as an initial lump-sum payment at the start of a service period or in advance of fulfilling the service period for which the retention incentive is being paid.

18.35.4.4. Each decision to pay a retention incentive must be documented. The written justification should include:

18.35.4.4.1. The determination that the unusually high or unique qualifications of the employee or a special need of the organization for the employee's services makes it essential to retain the employee;

18.35.4.4.2. The determination that the individual employee would be likely to leave the Federal service in the absence of the incentive;

18.35.4.4.3. The reasons for determining the amount and timing of the payments; and

18.35.4.4.4. The reasons for determining the length of the service period, if a period of service is required.

18.35.4.5. The service agreement for relocation bonuses runs concurrently with the service agreement for a PCS. Failure to complete the service agreement will obligate the employee to a pro rata repayment of the bonus.

18.35.5. Recording Keeping Requirements. Approving officials are responsible for ensuring the basis for payment of the bonus or allowance is fully documented. Annually review retention incentives, adjust payment amounts as warranted by conditions that have changed since the incentive was authorized, and record the results of this review in writing. This documentation will be retained in the servicing NAF-HR Section:

18.35.5.1. Documents used for the justification (to include any applicable checklists and labor market analysis).

18.35.5.2. Documents used for the approval.

18.35.5.3. Signed service agreement

18.35.5.4. Annual review documents for retention incentives to justify if payment is still warranted.

18.35.6. At a minimum, annually record the following information:

18.35.6.1. The number of employees accepting recruiting and relocation bonuses and retention allowances.

18.35.6.2. The percentage of salary accepted, and the justification for the payment, in each individual case.

18.35.6.3. Any recertification of necessity, in each individual case, to continue the payment of a retention allowance.

18.35.6.4. A summary statement assessing the effect the bonus and allowance authority had on the activity's ability to recruit and retain high-quality employees in key positions.

Chapter 19: Child and Youth Program

19.1. Purpose. This chapter provides procedural guidance to manage and administer positions and employees assigned to the CY pay system and employees assigned to a position that has regular contact with children under the age of 18 years of age to include support staff.

19.2. Applicability. Provisions of this chapter apply to AF NAF employees assigned to child and youth program direct care and support staff. The CY category covers assistants, leaders, and technicians in AF child development and youth programs. Positions involved in the direct care and supervision of children and youth in military CY programs are placed in the CY pay plan and classified accordingly. The CY category does not include home-based child care providers or CY Program management, administrative and support personnel such as cooks, janitors, and clerical assistants.

19.3. Definitions:

19.3.1. Child Development Center (CDC) Programs. Full-day, part-day, and hourly child care services for children 6 weeks to 5 years of age for DoD personnel. Care offered is the form of developmentally appropriate activities that promote cognitive, social, emotional and physical development that support school readiness while protecting the health and safety of children .

19.3.2. Defense Central Index of Investigations (DCII). The central DoD record of investigative files and adjudicative actions such as clearances and access determinations, revocations, and denials concerning military, civilian, and contract personnel.

19.3.3. Derogatory Information. Information that may reasonably justify an unfavorable personnel suitability or fitness determination because of the nexus between the issue or conduct and the core duties of the position.

19.3.4. Dru Sjodin National Sex Offender Registry Check. The government operated database of registered sex offenders available to all citizens on <http://www.nsopr.gov>.

19.3.5. DoD affiliation. A prior or current association, relationship, or involvement with the DoD and any elements of DoD, including the Military Departments (e.g. golf course membership, participant in an installation activity). This is not limited to living or working on an installation.

19.3.6. Family Advocacy Program (FAP) Records Check. A review of FAP records maintained on an individual, including records maintained by the installation office and records in the Service Child and Spouse Abuse Central Registry in accordance with DoDI 6400.01, *Family Advocacy Program (FAP)*. If the individual is the spouse or dependent of a Service member, this may entail review of records maintained on the sponsoring Service member. Installation and Service Central Registry checks are limited to identifying pending and met criteria incidents of maltreatment and do not include information related to incidents that did not meet criteria or any information contained in the clinical case record that is protected by Title 5, U.S.C., section 1320d-6 or section 552a.

19.3.7. Installation Records Check (IRC). A query of records maintained on an individual by programs and entities at the military installation where the individual lives, is assigned, or works, including military law enforcement and installation security records, drug and alcohol records, mental health, family advocacy, government housing, and OSI records for a minimum of 2 years before the date of the application.

19.3.8. Tier 1 Investigation. A Tier 1 is a basic and minimum investigation required on all new Federal employees consisting of a Tier 1 with written inquiries and searches of records covering specific areas of an individual's background during the past five years, such as prior employment, education, schools of record, references, local law enforcement records, Immigration and Naturalization Services (if foreign born) and other sources. All OPM Tier 1s conducted for DoD include a credit check.

19.3.9. Payband. A salary range that includes more than one position wherein pay may be established for assigned positions anywhere within the salary range. There are two paybands in the CY pay system; Payband I includes CYPA (Entry Level), CY-1702-01 and CYPA (Intermediate Level), CY-1702-02. Payband II includes CYPA (Target Level), CY-1702-03; CYPA (Leader Level), CY-1702-04; and CYPA (Technician Level), CY-1702-05.

19.3.10. Positive Education Requirement. A qualification requirement for a minimum amount of education above the high school level.

19.3.11. Promotion. The movement of an employee from payband CY-I to CY-II.

19.3.12. Reassignment. The movement of an employee from one level in a payband to another level in the same payband (i.e., CYPA (Entry Level), CY-01 to CYPA (Intermediate Level), CY-02).

19.3.13. Reinvestigation. A criminal history background check conducted after the period of time prescribed by this chapter to ensure the individual remains eligible to provide child care services. Reinvestigation includes the same checks conducted for the initial investigation or what is required of new employees.

19.3.14. School-Age Care (SAC). Programs provide care for youth 5-12 years of age for in before and after school, school holidays, and summer camps.

19.3.15. State Criminal History Repository Check (SCHRC). A repository of criminal information that lists past state convictions, current offender information, and criminal identification information (fingerprints, photographs, and other information or descriptions) that identify a person as having been the subject of a criminal arrest or prosecution. Checks of the SCHR will include the State child abuse and neglect repository and the State sex offender registry.

19.3.16. Youth Programs (YP). Air Force sponsored activities, events, services, opportunities, assistance, and information campaigns designed to meet the recreational, developmental, social, psychological and cultural needs of eligible children and youth ages 5-18 years.

19.4. Covered Positions. The CY pay plan includes AF NAF positions assigned nonprofessional or technical work in delivering, or assisting in delivering, child care, educational or recreational services to children or youth participating in a CDC, SAC or YP.

19.4.1. Exclusions. Certain positions located within the CDC, SAC, and YP operations are not covered by the CY pay system. These positions include:

19.4.2. School-Age Care Program Coordinator (Supervisor). The School-Age Care Program

Coordinator position is excluded from the CY pay plan and classified to the NF payband system.

19.4.3. Incidental or Support Positions. Incidental or support positions and employees located within the CDC, SAC, or YP, such as Cooks, Food Service Workers, Motor Vehicle Operators, Clerks, etc., that do not have responsibility for providing child care, recreation, and/or education services to children and youth are not covered by the CY pay plan. However, they are required to maintain similar investigative requirements IAW DoDI 1402.05, *Background Checks on Individuals In DoD Child Care Services Programs* and DoDI 6060.02, *Child Development Programs (CDPs)*.

19.4.4. Sports/Teen Director positions. Individuals who oversee and provide leadership to the Sports, Teen, and Youth program.

19.4.5. NAF Instructors. Instructors who are NAF employees and not on personal services contracts.

19.5. Position Guides. The use of SPGs for CY covered positions is mandatory. Supervisors are responsible to ensure employee assignments are consistent with that reflected in the SPG to which assigned. Management may not permanently assign significant duties/responsibilities not described on the SPGs. SPGs authorized for use for CDC, SAC, or YP positions are as follows:

PAYBAND	SPG NUMBER	STANDARD POSITIONS
CY-I	70177	CY-1702-01 - Child and Youth Program Assistant (Entry Level)/Comparable to the GS-2 level.
	70178	CY-1702-02 - Child and Youth Program Assistant (Intermediate Level)/Comparable to the GS-3 level.
CY-II	70179	CY-1702-03 - Child and Youth Program Assistant (Target Level). Comparable to the GS-4 level.
	70180	CY-1702-04 - Child and Youth Program Assistant (Leader Level). Comparable to the GS-5 level.
	70181	CY-1702-05 - Child and Youth Program Assistant (Technician Level). Comparable to the GS-5 level.

19.6. Establishing Positions. Management determines the number and type of CY positions to establish within CDC, SAC, and YP based on operational requirements, direction and guidance from higher headquarters, and the following paragraphs.

19.6.1. Management establishes a mixture of Flexible and Regular positions to provide for adequate recruitment and retention. In the CDC/SAC, management establishes a sufficient number of Regular NAF employment category positions to ensure at least 75% of the total hours paid are paid to Regular NAF and/or APF employees.

19.6.2. Management must establish and fill a sufficient number of CY positions to ensure compliance with applicable staffing levels based on the youth/child ratios.

19.6.3. Supervisors establish payband CY-II (CY-03) positions at the full performance target level when possible. If qualified applicants are not available, management restructures CY-03 positions to payband CY-I (CY-01 or CY-02) training level as required. Employees hired at the CY-01 and CY-02 grade levels are non-competitively promoted to the CY-03 grade level after completion of training and qualification requirements.

19.6.4. Supervisors establish payband CY-II (CY-04 and CY-05) positions at the full performance level. In situations where CY-04 and CY-05 grade level employees are not available, CY-03 grade level room leads may complete most tasking with management oversight. Refer to paragraph 19.8.2 for additional guidance in filling CY-04 and CY-05 grade level positions.

19.7. Staffing and Recruitment. When filling positions, supervisors and NAF-HR Section ensure compliance with all legal and regulatory requirements applicable to the AF NAF and CY system. Supervisors ensure candidates meet minimum qualification requirements, and observe applicant preference entitlements outlined in Chapter 3, (i.e., MSP, THP, FMP, and Veterans Preference, etc.). Supervisors and NAF-HR Section also ensure selected candidates satisfactorily complete all pre-employment requirements within required time-lines, i.e., physical examinations, IRCs and other investigative requirements.

19.8. Filling Positions.

19.8.1. Management fills CY-03 and above grade level positions at the full performance level when qualified applicants are available. Applicants must meet the qualification requirements of the position.

19.8.1.1. When there are no qualified applicants at the CY-03 target grade level, supervisors may fill a developmental CY-02 intermediate grade level position that is targeted to the CY-03 target grade level position. The CY-02 intermediate grade level employee is trained and non-competitively promoted within two pay periods of meeting the qualification requirements of the full performance CY-03 target grade level position.

19.8.1.2. When there are no qualified applicants at the CY-03 target grade level and the CY-02 intermediate grade level, supervisors may fill a developmental CY-01 entry grade level position that is targeted to the CY-03 target grade level. The CY-01 entry grade level employee is trained and non-competitively reassigned within 2 pay periods of meeting the qualifications of a CY-02 intermediate grade level position. Training continues and the CY-02 intermediate grade level employee is non-competitively promoted within two pay periods of meeting the qualifications of the full performance CY-03 target grade level position.

19.8.2. Management fills CY-04 and CY-05 grade level positions at the full performance level. If no qualified applicants are available, supervisors may provide lower level employees with the training to qualify for CY-04 or CY-05 grade level positions. Management may temporarily detail lower level employees to the CY-04 or CY-05 grade level positions. Refer to Chapter 5, para 5.1 for guidance on details.

19.9. Application Procedures. In addition to the employment application, applicants applying for positions involving contact with children under age 18 must complete:

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DD 2981, *Basic Criminal History and Statement of Admission*

19.9.1. NAF-HR staff advises applicants they must provide proof of age and high school graduation (or equivalent) upon selection for a CY position.

19.10. Qualifications. Supervisors and NAF-HR staff ensure candidates meet specific qualification requirements as reflected on the applicable SPG. The following paragraphs assist supervisors and NAF-HR staff in interpreting and applying these qualification requirements. Table 19.1 outlines the qualification requirements for CY positions.

19.10.1. Evaluating Experience. When evaluating whether an applicant has the required amount and level of experience, keep the following points in mind:

19.10.1.1. Creditable experience is experience of the type, level, and amount specified in the appropriate AF NAF SPG that equipped the candidate to satisfactorily perform duties and responsibilities of the position being filled. Candidates may gain this experience through federal or nonfederal employment, volunteer work, work-study, or other similar types of situations.

19.10.1.2. Qualification requirements specify a certain amount of qualifying experience be at a level of difficulty and responsibility equivalent to the next lower grade. In evaluating non-federal experience, make a comparison of the description of duties and responsibilities described on the employment application with those described on the SPGs.

19.10.1.2.1. Qualifying experience may include experience involving direct contact with children in an organized program such as, child development, early childhood education, home economics (early childhood emphasis), elementary education, special education or other fields appropriate to the position to be filled. This may include day care, school, day camp, family day care, preschool, or a similar type program. May also include experience as a group leader, counselor, or similar work in public and private programs for youth/children including but not limited to summer camps, Boys and Girls Clubs of America, Young Women's Christian Association and Young Men's Christian Association clubs, 4-H programs, Boy Scouts and Girl Scouts, community centers, or resort recreational activities. Family day care experience must have been gained in a licensed or certified family day care home.

Table 19.1. Qualification Requirements for CY Program Assistant Positions

Grade	Basic Requirement AND	Experience AND Training		OR Education
CY-01	Must be at least 18 years of age, hold high school diploma (or equivalent), and have the ability to read, speak, and write English. Must meet specific physical requirements, pass a physical examination, and have required immunizations. Must be able to lift 40 lbs or more and stand for prolonged periods of time. Must be able to complete a Serv Safe Food Handlers training, and satisfactorily complete and maintain an installation, state, and national criminal background checks. Must satisfactorily complete mandatory training and demonstrate competency within required time frames. Must possess maturity and good judgment and enjoy working with children, youth, and their parents. Employee must have a valid driver’s license and have a good driving record if required to transport children. (See Note 1)	None required	None Required	None required
CY-02	Same as CY-01 (See Note 1)	6 months experience equivalent to the CY-01 level working in a group program for children or youth. AND →	Completion of three AF modules (or equivalent) AND AF Orientation Training Program.	15 semester hours above the high school level in early childhood education, youth development, or related field.
CY-03	Same as CY-01 (See Note 1)	6 months experience equivalent to the CY-02 level, working in a group program for children or youth. AND →	Completion of AF modules.	30 semester hours above the high school level that included at least 15 semester hours in early childhood education, youth development, or related fields
CY-04	Same as CY-01 (See Note 1 and 2)	12 months experience equivalent to the CY-03 level. AND →	Associate Degree in early childhood education , youth development, or related fields. OR Current Child Development Associate or Youth Development credential.	Applicant must possess basic requirement, experience, and training.
CY-05	Same as CY-01 (See Note 1)	12 months experience equivalent to the CY-04 level AND →	Associate Degree in early childhood education , youth development, or related fields. OR Current Child Development Associate or Youth	BS/BA degree in early childhood education, youth development or a related field.

			Development credential.	
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Notes:

1. Applicant must possess basic requirement, experience and training; OR basic requirement and education.
2. Those individuals who occupied SAC CY-04 positions prior to the October 2008 are grandfathered for their current installation only.

19.10.1.3. Supervisors should not use salary or military rank alone to determine the level of an applicant’s experience. Give the same credit for experience where the applicant received little or no pay as for comparable paid experience.

19.10.1.4. As specified in para 19.10.1.1, qualifying experience does not necessarily mean the experience must have been obtained in a DoD CY program. Supervisors may place applicants having qualifying non-federal experience into positions when they meet all the other requirements for that grade level. For example, a CY-01 grade level employee with 6 months non-federal experience (otherwise appropriate to the position being filled) may be moved to a CY-02 grade level as soon as they satisfy all the training or educational requirements for that level even though they may not have been employed in the CDC, SAC, or YP for 6 months.

19.10.2. Evaluating Education:

19.10.2.1. High School Diploma. All CY positions require high school graduation (or equivalent). High school graduation or equivalent means the applicant has received a high school diploma, General Education Development (GED) equivalency certificate, or proficiency certificate from a State, Country, or territorial-level Board or Department of Education. NAF-HR staff verifies high school graduation or GED equivalency of applicants selected for CY positions prior to appointment. The applicant may satisfy this requirement by providing proof of education above the high school level as defined in paragraph 19.10.2.2. NAF-HR staff obtains a copy of the high school diploma/GED certificate or proof of education above the high school level, document verification in the OPF and DCPDS, and forward the copy to the director for retention. The copy of the high school diploma is not filed in the OPF.

19.10.2.1.1. If applicants are unable to obtain proof of high school graduation (or equivalent) this requirement may be satisfied if the applicant certifies in writing that she/he completed the academic requirements (equivalent of high school education) before a notary public, or other cognizant official. NAF-HR staff may use this alternate certification only in cases where all other efforts to obtain proof of high school graduation (or equivalency) have been exhausted. Examples where this is appropriate include situations where high school records were destroyed due to fire, natural disaster, etc.

19.10.2.1.2. When a foreign high school diploma equivalent is submitted, the applicant must certify in writing, before a notary public or other cognizant official, that she/he completed the academic requirements equivalent of an American high school education. For OCONUS installations, this certification must be notarized by the installation legal office.

19.10.2.2. Some CY positions have a positive education requirement, e.g., a requirement for a minimum amount of education, while others allow education above the high school level to substitute for required training and/or experience. Education above the high school level is successfully completed progressive study at an accredited business or technical school, junior college, college, or university where the institution normally requires a high school diploma or equivalent for admission. Use the following guidelines to evaluate education possessed by the applicant or employee:

19.10.2.2.1. It is the applicant's responsibility to provide documentation or proof he or she met the applicable educational provisions described on the SPG. An official transcript; statement from the institution's registrar, dean, or other appropriate official; or equivalent documentation is required.

19.10.2.2.2. To be qualifying, education must meet one of the following criteria:

Conventional At the time the applicant obtained the education, the entire institution, applicable school within the institution, or the applicable curriculum was appropriately accredited by an accrediting organization recognized by the Secretary, U.S. Department of Education. The Directory of Postsecondary Institutions, U.S. Department of Education, National Center for Education Statistics list institutions accredited by these organizations.

Other Education Other education (e.g., foreign education, home study and correspondence courses, academic credit for work experience, military education, continuing education units, life experience, etc.) is acceptable to the extent it is determined to be equivalent to conventional higher education programs of U.S. institutions. Such education must meet one of the following provisions:

The specific courses have been accepted for college-level credit by an accredited U.S. college or university because they would be creditable if the student were to further his or her education at that institution.

The academic credit earned through a special credit program such as the College Level Examination Program has been awarded by an accredited college, university, or institution.

Credit for home study course work has been granted by a post-secondary institution accredited by the National Home Study Council.

An accredited U.S. state university reports the other institution as one whose transcript is given full value, or full value is given in subject areas applicable to the curricula at the state university.

The applicant has submitted education completed outside the U.S. to a private organization specializing in interpretation of foreign educational credentials and the organization deemed that education equivalent to that gained in conventional U.S. education programs. The Council on Postsecondary Accreditation may be of some help in providing information on these organizations.

19.10.2.2.3. Related Education is education above the high school level that equipped the applicant with the knowledge, skills, and abilities (KSA)s to successfully perform duties of the position being filled. Education must be appropriate for the specific position being filled. Directly related courses and subjects mean: Courses or subjects that typically meet core requirements for a major in the field, i.e., child development, early childhood education, youth

development, youth recreation, etc. Do not give credit for courses and subjects typically used to meet general education requirements for a degree that is not specific to children or youth. If in doubt about a course, consult the titles of the training modules for Child Development Assistant, School Age Assistant, Youth Program Assistant, or Family Child Care Air Force CY Certification and Airman and Family Services Flight Chief. These modules outline the subject matter for which credit should be given.

19.10.2.2.3.1. Directly related majors include child development, youth recreation, elementary/early childhood education, child psychology, family services, social work, or home economics and art education, music education, theater, youth development and physical education if they included content and experience related to children or youth. Directly related courses and subjects in child development, early childhood education or elementary education usually includes “child” or “early childhood education” in their title. Examples include child nutrition, child growth and development, music in early childhood programs, art for the young child, and administration of early childhood programs. Credit is earned for parent education and the family relationship even though they do not have the words child or early childhood education in their titles. Credit is not earned for general education courses not directly related to children or youth, such as, sociology, English 101, etc.

19.10.2.2.4. Education And Experience Gained Concurrently. When an applicant gains qualifying education and experience, give credit for each based on the time spent and merit of each. In many instances, supervised experience is required as part of an academic curriculum or course work. An applicant cannot receive full credit for this supervised experience, as experience, since practical experience is integral to the educational curriculum. The applicant can, however, receive full credit for supervised experience that was not considered as part of the qualifying education.

19.10.2.2.5. Substituting Experience for Education. On rare occasions, an applicant not meeting the exact positive educational requirements for a specific position may be demonstrably well qualified to perform the work of the position because of exceptional experience or a combination of education, experience, and training. Substitute a combination of education, experience, and training for a positive educational requirement when it is equivalent to successful completion of a 4-year course of college study appropriate to the position being filled. This substitution is authorized under the following circumstances:

The applicant submits a portfolio consisting of, and containing information specified in **Attachment 25** of this guidance. This portfolio describes qualifications that emphasize strengths and leadership in Child Development, Early Childhood Education, or Youth Recreation/Education/Development, and clearly demonstrates exceptional qualifications.

The applicant possesses a minimum of 24 college semester hours (or equivalent) equivalent to a major in a related field. Upper-level courses are particularly important because they show intensive study equivalent to a major course of study.

A panel consisting of the Child Development/Youth Director, Chief, NAF-HR, and Airman and Family Services Flight Chief reviews the portfolio and determines the applicant’s entire background, e.g., education, training, professional achievements, and experience is comparable to successful completion of a four-year course of college study appropriate to the position being filled.

The FSS commander/director approves the panel recommendation.

19.10.2.2.5.1. In cases where education, training, and experience are substituted for a positive education requirement the supervisor maintains approval documentation and the supporting portfolio in the Supervisor's Employee Work Folder. The NAF-HR Section documents the substitution and approval.

19.10.3. Evaluating Training. SPGs describe the minimum training requirement, e.g., modules that the applicant/employee must meet to qualify for a position. These requirements may be satisfied as follows:

19.10.3.1. Air Force CDC, SAC, YP, and/or Family Child Care training modules are equivalent and may be substituted between programs to satisfy the qualification and training requirements for CY positions in the different programs. The Training and Curriculum Specialist documents the completed modules on AF Form 1098, *Special Task Certification and Recurring Training* and forwards the form to the NAF-HR Section for inclusion in the OPF. CYP teaching staff must complete a minimum of three modules every three months after fulfilling the initial 6-month period requirement.

19.10.3.2. Completed CDC, SAC, YP, and/or Family Child Care modules from other DoD components (i.e., Army, Navy, Marines) may be substituted for AF modules. The Training and Curriculum Specialist reviews the modules, and certifies their equivalency on the AF Form 1098. DoD modules certified as AF equivalent satisfy the qualification and training requirements for AF CY positions. The Training and Curriculum Specialist forwards the AF Form 1098 to the NAF-HR Section for inclusion in the employee's OPF. CYP teaching staff transferring from one CYP program to another and have completed a set of DoD Program Assistant Training Modules are required to review Modules 1-10 for the new age group.

19.10.3.3. Substitute education above the high school level for completion of AF modules on a case-by-case basis. NAF-HR Sections use information contained in paragraph 19.10.2 of this guidance to make this determination. Program Directors, and training and curriculum specialists, are available to assist the NAF-HR Section in making this determination.

19.10.3.4. Flexible employees who work on a seasonal basis must make satisfactory progress towards completion of training modules based on the actual number of months they were actively working.

19.10.4. Medical Qualifications. Specific functional requirements, environmental factors, and other medical qualification requirements for CY positions are identified on the sample Optional Form (OF) 178, *Certificate of Medical Examination*, at **Attachment 26**. Prior to appointment, applicants selected for CY positions must undergo and satisfactorily complete, a physical examination and any tests recommended by the program medical advisor to include at a minimum the elements identified on the OF 178. In addition to the initial pre-employment physical examination, Program Directors ensure their staff has a physical examination every 3 years and any tests recommended by the program medical advisor. All staff and volunteers must have the immunizations required by AFI 48-110, *Immunization and Chemoprophylaxis for the Prevention of Infectious Diseases* and AFI 48-105, *Surveillance, Prevention, and Control of Diseases and Conditions of Public Health or Military Significance*. Results, which do not contain medical information, are maintained in the employee work folder. Program Directors will forward forms with medical information to the NAF HR Section to be filed in the Employee's

Medial Folder.

19.10.4.1. If circumstances prevent completion of the physical prior to appointment, the applicant may be appointed provided the physical is satisfactorily completed during the first 60 days of employment. Satisfactory completion of the physical must be made a condition of employment as outlined in paragraph 19.17. Selected applicants who have had a physical within 3 months prior to employment may use this physical as long as it includes the required elements for CY positions. Immunizations must complete prior to the start of employment.

19.10.4.2. The NAF-HR staff will inform all selected applicants of the required physical elements of the position for which they were selected and inquire if they have had a physical within the past 3 months that meets these required elements.

19.10.4.2.1. If the selectee advises he/she has not had a physical in the past three months that meets the required elements, a pre-employment physical is scheduled for the selected applicant. The selected applicant completes and signs part A of the OF 178. The NAF-HR staff completes part B of the OF 178 and gives the form to the examining physician. The physician conducts a physical examination based on the required elements outlined on the OF 178, completes page 2, and parts C, D, and F, signs and returns to the NAF-HR Section, either the entire completed form, or at a minimum, page 3 of the form. The NAF-HR Section reviews the physician's recommendations and determines whether the employee meets the physical requirements of the position and completes part E of the OF 178.

19.10.4.2.2. If the selectee claims to have had a physical in the past three months that meets the required elements, the selectee completes and signs part A of the OF 178. The NAF-HR staff completes part B of the OF 178 and provides the form to the selectee along with an envelope pre-addressed to the NAF-HR Section and marked as containing confidential, medical information. The selectee provides the form and envelope to the physician who completed his/her prior physical. Based on the results of the previous physical, the physician completes page 2, and parts C, D, and F, of the OF178 and returns the form to the selectee sealed in the pre-addressed envelope. The selectee presents the sealed envelope to the NAF-HR Section who reviews the physician's recommendation. Based on this recommendation, the Chief, NAF-HR determines whether the employee meets the physical requirements of the position, completes part E of the OF 178.

19.10.4.2.3. If the physician returns the entire completed OF 178 to the NAF-HR Section and it contains medical information about the employee, the form is filed in the Employee's Medical Folder. If the physician returns only page 3 of the OF 178, which does not contain medical information, the form is filed in the envelope on the right side of the OPF. Receipt of physical and results of medical suitability review are documented by NAF-HR staff on AF Managerial Checklist for CY positions and forwarded to Child or Youth Program activity manager.

19.11. Age. Prior to appointment, NAF-HR staff verifies that selectees for CY positions and support staff are at least 18 years of age. Acceptable verifying documents include valid state driver's license, birth certificate, passport, or other government issued Identification (ID) Card that provides proof of age. NAF-HR staff records age verification in the OPF. Documents used to verify age are not copied or filed in the OPF.

19.12. Investigative Requirements. Installations comply with requirements of Public Law 101-647, Section 231, Crime Control Act of 1990; DoDI 1402.5; DoDI 1400.25 DoD Civilian

Personnel Management System: Suitability and Fitness Adjudication for Civilian Employees; and Homeland Security Presidential Directive 12 (HSPD-12), *Policy for a Common Identification Standard for Federal Employees and Contractors*. Installations use these references and Chapter 4 to ensure compliance with all legal and regulatory requirements.

19.13. Probationary Period. All newly appointed CY employees must complete a 12-month probationary period as required by Chapter 4.

19.14. Dual Employment in CYPs. Employees will not hold both a NAF and APF position within the CYP. Those employees holding both APF and NAF positions on 26 Oct 93, and who have been continuously employed in those positions, are grandfathered. This provision does not prohibit CDC APF employees from holding a NAF position in another activity including the SAC.

19.15. Dual Compensation and Employment Law. CY employees are subject to Dual Compensation and Employment restrictions specified in Chapter 3 and Title 5 U.S.C., Section 5533(a). Employees may occupy two positions on one position guide. Example: An employee can be in a CY position in CDC and in a CY position in YP, different positions and different activities. These are dual employees, with two separate timecards, possibly two different salary rates, whose timesheets are processed the same as an employee who works both in the Officer’s Club during the day and the Bowling Center at night.

19.16. Training Requirements.

19.16.1. CY-01 or CY-02 grade level employees must satisfactorily complete, as a condition of employment, the following training:

19.16.1.1. AF Orientation, minimum of three modules, first aid certification training and cardiopulmonary resuscitation (as applicable) within the first six months of employment. Child Abuse Modules 14 and 15 and Module 10 on Positive Guidance must be completed during the first six months of employment.

19.16.1.3. After fulfilling the initial six-month period requirements, CYP teaching staff must complete the remaining modules at a rate of a minimum of three modules every three months. All modules at tables 19.2 and 19.3 will be completed within 18 months of employment.

19.16.1.4. Administrative and food service staff must satisfactorily complete, as a condition of employment, the following training:

19.16.1.4.1. During the first six months of employment, the competency based administrative and food service staff, respectively, training modules must be completed, to include Child Abuse Modules.

19.16.1.4.2. After fulfilling the initial requirement, must receive at least six hours of annual training.

Table 19.2. CDC/SAC Modules

Module 1	Safe
Module 2	Healthy

Module 3	Learning Environment
Module 4	Physical
Module 5	Cognitive
Module 6	Communication
Module 7	Creative
Module 8	Self
Module 9	Social
Module 10	Guidance
Module 11	Families
Module 12	Program Management
Module 13	Professionalism
Module 14	Identifying and Reporting Child Abuse and Neglect
Module 15	Preventing Child Abuse and Neglect

Table 19.3. Youth Staff Training Program

Module 1	Safe
Module 2	Healthy
Module 3	Program Settings
Module 4	Physical
Module 5	Education and Career Development
Module 6	Communication
Module 7	Creativity and The Arts
Module 8	Personal, Character and Leadership Development
Module 9	Social and Cultural
Module 10	Guidance and Human Relationships
Module 11	Families, Schools and Communities
Module 12	Program Management
Module 13	Professionalism
Module 14	Identifying and Reporting Child Abuse and Neglect
Module 15	Preventing Child Abuse and Neglect

19.16.2. Individuals hired directly into CY-03 grade level positions based on the Child Development Associate Credentials, Youth Development Credential or college education are not required to complete modules as a condition of employment.

19.16.3. Twenty-four hours of annual training and retain current first aid certification training and cardiopulmonary resuscitation (as applicable).

19.17. Conditions of Employment. Satisfactory completion of all required training as outlined in paragraph 19.16 above, completion of background checks, and completion of an employment physical within 60 days of appointment are all conditions of employment. If circumstances beyond the control of the employee prevent the employee from completing the training modules within the required time frame, the Airman and Family Services Flight Chief, may approve a written extension. Employees not meeting these requirements are terminated from NAF employment. Supervisors consult with the Chief, NAF- HR and use procedures in Chapter 8 to involuntarily separate an employee not meeting conditions of employment. IAW DoDI 6060.02, Child Development Programs (CDPs) all direct care personnel and support staff must be at least 18 years of age, hold a high school diploma or equivalent, read, speak, and write English and successfully

pass a pre-employment physical, maintain current immunizations and be physically and behaviorally capable of performing the duties of the job.

19.18. Transporting Children. This guidance applies to all positions that involve responsibility for transporting children and youth regardless of whether this is a primary or incidental duty. Compliance with existing motor vehicle operator guidance contained in AFI 34-204, *Property Management*, and AFI 24-301, *Vehicle Operations*, is required. According to AFI 34-144, *Child and Youth Programs*, all persons transporting children must hold a valid driver's license and have a good driving record. A copy of their driver's license and driving record (obtained within the last 12 months) must be maintained in the 971 file.

19.18.1. When a position involves responsibility for operating a motor vehicle to transport youth, the following actions are required:

19.18.1.1. Supervisors ensure the official PD and/or PG reflects specific motor vehicle operation duties, and relevant qualification and performance standards. If necessary, supervisors initiate and submit PD/PG modifications to the Chief, NAF-HR. Following are examples of information to include on the PD/PG.

19.18.1.1.1. Duties and Responsibilities. Include a description of the specific duties involved, type of vehicles(s) operated, and other information pertinent to the accurate classification of the position and important to qualification and performance standards.

19.18.1.1.2. Qualifications. Reflect the requirement to possess a valid state driver's license appropriate for the size and type of vehicle operated; the ability to operate a motor vehicle in a safe manner; and the requirement for individuals to provide a copy of their driving record.

19.18.1.1.3. Performance Standards. Reflect performance expectations for motor vehicle operation duties, for example: complies with safety and traffic rules and regulations; operates the motor vehicle in a manner that minimizes violations due to employee error or negligence; avoids discomfort and injury to passengers and vehicle damage; has no more than one minor traffic violation, and no major violations due to his/her error or negligence per rating period.

19.18.2. Prior to appointment, the NAF-HR Section:

19.18.2.1. Verifies possession of a valid driver's license. The NAF-HR staff documents driver's license number and expiration, and initials and dates this certification on the employment application.

19.18.2.2. Notifies applicant they must provide a copy of their driving record for the state in which licensed. Applicants are responsible for obtaining a copy of their driving record at their own expense. The driving record must be no older than 12 months prior to the date of the application.

19.18.2.3. Copies of state records are available at minimal charge at the state driver's license issuing agency. When requesting records, applicants must request a complete driving record. Due to the length of time required to obtain a copy, applicants should request their driving records as far in advance as possible.

19.18.2.4. Applicants located in foreign areas who possess a driver's license issued by a military

authority obtain copies of their driving records by submitting a written request to the appropriate security forces or military office. As an alternative, if an IRC is required, and if it includes a review of records at the location, the NAF-HR staff may request a review of driving records during completion of the IRC.

19.18.2.5. Requires applicants complete a Continuation Page for Motor Vehicle Operator Positions at figure 19.1.

Figure 19.1. Continuation Page for Positions Driving Children/Youth

An applicant for a position involving the operation of a motor vehicle to transport youth must answer the following questions:

1. Have you ever been charged with driving while under the influence of alcohol or a controlled substance?

Yes No

2. If your answer to the preceding question is –yes, please explain. At a minimum, state the date and location of the incident giving rise to the charge; the name of the law enforcement agency which investigated the incident (e.g., XYZ Police Department, or the XYZ County Sheriff’s Office); the name and address of the court which adjudicated the charge; and the disposition of the charge.

3. Have you ever refused a law enforcement official’s request to submit to a test (e.g., a blood alcohol test, breath analysis, or urinalysis) related to the official’s suspicion that you were driving while under the influence of alcohol or a controlled substance?

Yes No

4. If your answer to the preceding question is –yes, please explain. At a minimum, state the date and location of the incident; the name of the law enforcement agency which made the request; the name and address of the court which adjudicated any charge which resulted from the refusal; and the disposition of any charge which resulted from the refusal.

5. During the past 10 years, have you been involved in a traffic accident for which you were found to be at fault?

Yes No

6. If your answer to the preceding question is –yes, please explain. At a minimum, state the date and location of the accident; the name of the law enforcement agency which investigated the accident; the name and address of the court which adjudicated any charge which resulted from the accident; and the disposition of any charge which resulted from the accident.

7. During the past 5 years, have you been cited for any moving traffic violations?

Yes No

8. If your answer to the preceding question is –yes, please explain. At a minimum, state the date and location of the violation; the name of the law enforcement agency which issued the citation; the name and address of the court which adjudicated the citation; and the disposition of the citation.

 (Option 1. Use this paragraph if the continuation page is executed outside the U.S.) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. I understand the penalty for perjury is a fine of up to \$250,000 or imprisonment for up to 5 years, or both.

 (Option 2. Use this paragraph if the continuation page is executed within the United States.) I declare under penalty of perjury that the foregoing is true and correct. I understand the penalty for perjury is a fine of up to \$250,000 or imprisonment for up to 5 years, or both.

A check of your driving record is required as a condition of employment. You are responsible for obtaining a copy of your driving record at your own expense.

Signature _____ Date _____

19.18.3. During the selection process, supervisors review the individual's application and driving record to ensure there is no disqualifying information or inconsistencies between documents. Inconsistencies (i.e. failure to report driving incident on the Continuation Page for Driving Children/Youth, but is listed on the state driving record) may be grounds for non-selection. Supervisors evaluate driving records using guidance contained in paragraph 19.19. Supervisors document satisfactory review of driving records by including the statement, "I have reviewed this individual's driving record and there is no disqualifying information" on the employment application, and initialing and dating the certification. Supervisors return the certified copy of the employment application to the NAF-HR with selection paperwork, and file a copy of the driving record in the AF Form 971.

19.18.4. In emergencies, supervisors may select and provisionally place individuals into a position pending receipt and review of official driving records, if there is no disqualifying information contained in the employment application and –continuation page for motor vehicle operator positions. In such instances, supervisors must obtain prior written approval from the Airman and Family Services Flight Chief, and employees may not operate a motor vehicle to transport youth until supervisors have satisfactorily reviewed the official driving record. When supervisors receive the official driving record, and when it contains disqualifying information, supervisors coordinate action with the NAF-HR to remove employees from their position, and/or NAF employment.

19.19. Evaluating driving records. To assess an individual's ability to operate a vehicle in a safe manner, supervisors evaluate the individual's driving record, and consider the presence of negative information. Supervisors coordinate with the NAF-HR prior to disqualifying employees based on derogatory driving information. Supervisors also use guidance in NAF-HR Training Aid HR-4, Making Suitability Determinations, to evaluate driving records and document their decisions. The presence of negative information, in and of itself, does not necessarily demonstrate the inability to drive safely or disqualify applicants/employees. The following serves as a guide to assess derogatory information and determine the suitability of applicants for the position, however, supervisors must exercise sound judgment and consider the individual merits of each case. Supervisors consider such factors as seriousness, regency, and frequency of offenses, mitigating factors, and the relevance of this information as it relates to the employee's/applicant's ability to operate the motor vehicle and transport children or youth in a safe manner.

19.19.1. Normally, individuals are disqualified from operating a motor vehicle to transport youth if their record reflects any of the following violations:

19.19.1.1. Driving under the influence, or impaired by alcohol or a controlled substance, or refusal to undergo such testing as required by any jurisdiction;

19.19.1.2. Leaving the scene of an accident;

19.19.1.3. A violation of a state or local law on motor vehicle control (except a parking violation) involving a fatality or major property damage;

19.19.1.4. Reckless driving;

19.19.1.5. Has had a license suspended, revoked, or canceled for cause in the 3-year period ending on the date of application; or

19.19.1.6. Any other similar offense.

19.19.2. Normally, individuals are disqualified from operating a motor vehicle to transport children/youth if they committed two or more serious traffic violations within the past 3 years. Individuals may be disqualified for one serious traffic violation if the particular merits of the case dictate. For purposes of these guidelines a serious traffic violation is defined as:

19.19.2.1. Excessive speeding – an offense for exceeding the posted speed limit by 15 miles per hour or more;

19.19.2.2. Driving the wrong way;

19.19.2.3. Failure to yield;

19.19.2.4. Improper or erratic traffic lane changes;

19.19.2.5. Following a vehicle too closely; or

19.19.2.6. Any other similar violation defined as serious by state or local law.

19.19.3. Other violations (other than parking violations) not described above may be disqualifying depending on the type, number, and frequency.

19.20. Periodic Review of Driving Record and Offenses During Employment. Documentation of the review of Department of Motor Vehicles (DMV) driving record must be on file for all CYP personnel. DMV driving records are reviewed annually. If employees are found unsuitable to operate the motor vehicle because of offenses committed after appointment, supervisors take immediate action to permanently or temporarily remove employees from duties requiring operation of a motor vehicle. This may involve such action as movement to another position, separation from NAF employment, or other action depending on the circumstances. Supervisors consult with the NAF-HR on the appropriate action.

19.21. Self-Reporting. The DD Form 2981, *Basic Criminal History and Statement of Admission* requires annual self-reporting of changes to an employee's criminal history. It indicates whether the individual has been arrested, charged or convicted of a crime involving children, sex, drugs and alcohol, domestic violence, violent crime or assaultive behavior and will be reviewed prior to selection. The form covers a five-year period at the end of which a new form must be initiated. This form is completed during the application process and is maintained by C&Y program offices in the employee file and annotated on the Child and Youth Managerial Checklist.

19.22. Investigative Requirements. All criminal history background check requirements must be initiated, tracked, and overseen by properly trained and vetted individuals who have been determined to be responsible for personnel security in pursuant with DoDI 5200.02, DoD

Personnel Security Program (PSP) or human resources. The NAF-HR Section and supervisors comply with all requirements of Public Law 101-647, Section 231, Crime Control Act of 1990; DoDI 1402.05, HSPD-12, Policy for a Common Identification Standard for Federal Employees and Contractors; and guidance outlined in this chapter. Individuals selected for positions involving regular contact with children under 18 must undergo an IRC, SCHRC(s), and a Tier 1. These requirements apply to all applicants selected for CY positions regardless of the appointment length or type. There is no authority to waive these background checks.

19.22.1. Installations may provisionally hire an individual upon favorable completion of an IRC, FBI advanced fingerprint check and two reference checks. NAF-HR staff must initiate SCHRCs and a Tier 1 on or before the date of appointment. Pending satisfactory completion of the Tier 1, the selectee may be brought on the rolls under carefully regulated direct line of sight. Use of video equipment is acceptable provided it is monitored by an individual who has successfully completed a background check. Favorable completion of all IRCs, FBI advanced fingerprint check, and Tier 1 are a condition of employment and must be noted in the remarks section of the appointment AF Form 2545.

19.22.2. **Requesting Background Checks.** The OPM under an MOU with the AF completes background checks on both APF and NAF child and youth program employees. The Chief, NAF-HR is responsible for ensuring background checks are requested and completed for NAF personnel. Background checks for child care, school age and youth positions are centrally funded with designated APF funds.

19.22.3. **Installation Records Check (IRC).** NAF-HR staff completes an IRC on individuals selected for CY positions involving regular contact with children under 18, when the selectee has a DoD affiliation. Affiliation is not limited to living or working on an installation, but may also include any prior or current association, relationship or involvement with an installation (e.g., golf club membership or participant in an installation activity). When the applicant has no DoD affiliation, this will be documented by the NAF-HR Section on Managerial Checklist for CY Positions. If the individual was a previous employee, had a break in service of less than two years, and the IRC was conducted within the past five years a new IRC is not required. NAF-HRs will not appoint an applicant to a CY position before completion of a favorable IRC.

19.22.3.1. The IRC is a records check of all installations an individual identified having an affiliation for a minimum of two years before the date of the application. The AF military law enforcement check will be of the Security Forces Management Information System (SFMIS) which affords data for all AF installations. Family Advocacy and the Office of Special Investigation (OSI) also have central registries. For DoD affiliation outside of the AF, each identified installation would need to be contacted for the military law enforcement check. Current and prior installations must be contacted for mental health and drug and alcohol records and Government Family Housing files for AF 4422. The mental health office has access to both mental health and drug and alcohol records. A Family Advocacy's check of the Air Force Central Registry and OSI of DCII includes data for all Services.

19.22.3.2. Requesting IRCs from Former AF Installations. NAF-HR Sections work with each other in the exchange of information, and provide each other with the information in the format shown so as to not levy an undue burden on the NAF-HR Section at the former installation.

19.22.3.2.1. To request an IRC from an applicant's former installation, the gaining NAF-HR Section should mail, FAX, or scan and email the following information (at a minimum) to the NAF-

HR Section at the former installation and indicate which organization's records as defined in para 19.21.3.1, should be checked:

Applicant's Name (including maiden and former name if known)

Applicant's SSAN

Applicant's current address (former address)

Applicant's DOB

Sponsor's name

Sponsor's SSAN

Copy of applicant's-Acknowledgment of Rights and Consent to Release Records statement

19.22.3.2.2. NAF-HR Sections tasked with checking former installation records initiate a record check of the organization indicated in the request. Since the installation where the individual currently resides contacts the Family Advocacy Air Force Central Registry, OSI, and the SFMIS, the NAF-HR Section should not ask the former installation to conduct additional checks for those organizations. Additionally, when the Family Advocacy Officer also serves as the installation mental health officer, NAF-HR Sections ensure requests for information ask for a review of the individual's mental health records at any installation where he or she resided for the last two years.

19.22.3.2.3. NAF-HR Sections tasked with providing information will respond to the requesting NAF-HR Section (by FAX or email) within 15 days of receipt of the request. If no information is available on an applicant at the previous installation, that NAF-HR Section will respond as such to the requesting NAF-HR Section. If the NAF-HR Section does not receive a response after 15 days, he or she follows-up on the initial request for information.

19.22.3.2.4. Requesting IRCs from other DoD Components. To request an IRC from another DoD component installation (i.e., Army, Navy, etc.), the NAF-HR Section mails, Faxes, or scans and emails a request with information identified in paragraph 19.21.3.2.1. The IRC information provided by that component is comparable to the AF requirement. If the NAF-HR Section does not receive a response after 30 days, he or she follows-up on the initial request for information. If no response is received within 15 days after the follow-up request, the supervisor and Chief, NAF-HR makes a suitability determination based on the completed IRCs and other available information.

19.23. Child Care National Agency Check with Inquiries (Tier 1). NAF-HR Sections initiate a Tier 1 and fingerprint check through OPM for employees selected for CY positions, unless the employee had a Tier 1 within the past five years, and there has not been a break in service greater than 24 months. A Tier 1 is not required for intermittent, temporary or seasonal employees in non-sensitive positions provided such employment does not exceed an aggregate of 120 days in either a single continuous appointment or series of appointments. Pre-employment checks are required (IRC, advanced FBI fingerprint check, reference checks, sex offender registry) for intermittent, temporary and seasonal employees. However, a Tier 1 will be requested if the intermittent, temporary or seasonal CYP employee returns for a second appointment (e.g. summer).

19.24. State Criminal History Repository Check (SCHRC). NAF-HR Sections initiate SCHRCs of the child abuse and neglect repository and the sex offender registry of the state through the OPM who requests for each state listed as current and former on the form used to request a Tier 1. Record results of the check on the Managerial Checklist for AF CY Positions. If no response from the State(s) is received within 60 days, suitability determinations based upon the Tier 1 report may be made.

19.25. Reference Checks. Prior to employment or working with children, the CYP Manager must contact at least two references (personal, professional or educational) for individuals under consideration for CYP or SAC positions. Each reference must be documented with the date, person contacted, their response and who performed the reference check. Supervisors file reference check documents in the EWF.

19.26. Derogatory Information. Upon receipt of a derogatory background check, the NAF-HR staff will notify his/her supervisor. Chief, NAF-HRs and supervisors take action to adjudicate suitability according to guidelines contained in DoDI 1402.05, AFI 34-144, and other established procedures. If currently assigned to a CY position, the supervisor must relieve the employee from child care services duties and detail him/her to non-child care/youth service duties until a final decision is made.

19.26.1. The individual has the right to a copy of the information and the right to challenge the accuracy and completeness of the information according to AFI 33-332. When directed by the investigative agency, the NAF-HR Section is not authorized to provide the employee a copy of the investigation. Requests for copies of derogatory information must be submitted according to the investigative agency's requirements.

19.26.2. If the employee's information is considered to be unsuitable to provide child care/youth services, the supervisor initiates appropriate administrative action, which may include separation from NAF employment. The supervisor must take such action according to procedures in Chapter 8.

19.26.3. Derogatory information is maintained according to procedures outlined below in paragraph 19.28 of this guidance.

19.26.4. For suitability and fitness determination of individuals involved with children and youth, installations must follow DoDI 1402.05 and DoDI 1400.25, Volume 731, *DoD Civilian Personnel Management System: Suitability and Fitness Adjudication for Civilian Employees*.

19.27. Record Reverification. A Periodic Child Care Reinvestigation (PR) will be conducted by the NAF-HR Section on all CY employees and support staff at a minimum of every five years covering the time period since the completion of the last background check and include the same checks conducted on the original investigation or what is now required of new CYP employees. Results of the records reverification will be documented on the Managerial Checklist for CY Positions. Initiate at least 60 days prior to expiration based on the completion date the first check was initiated (typically the FBI fingerprint check). NAF-HR Section must notify the supervisor and the individual when a reinvestigation needed and is completed. Employees without completed reinvestigations when the last investigation expires must return to line of sight supervision.

19.27.1. When an employee has more than a two-year break in service, a new background investigation (IRC, FBI Advanced Fingerprint Check, and Tier 1) is required.

19.27.2. **Military Members.** When military members are employed in NAFIs, they must abide by CYP background check requirements. Active duty military members who have regular contact with children and youth on a recurring basis as part of a normal duty assignment or during their off-duty hours must have an IRC, FBI Advanced Fingerprint Check, SCHRC, and a current military security clearance. In the absence of a current military security clearance, a Tier 1 must be conducted in addition to the IRC.

19.28. Maintaining Investigation Documentation. NAF-HR Sections maintain sufficient documentation to show compliance with investigative requirements. Written documentation of investigations (e.g., copy of CY managerial checklist) is filed in the OPF and the EWF. Documentation must be available for each employee, and show at a minimum:

Dates and HR initials for each IRC initiated, completed and what organizations and installations were checked.

Date and HR initials the Tier 1 was initiated and completed. If tracers were initiated, document dates the tracers were initiated and by whom.

Date and HR initials each SCHRC initiated through OPM, completed and which states were checked.

Date the suitability determination was made and whether the determination was favorable or unfavorable.

19.28.1. If it becomes necessary to make a suitability determination without all completed investigative requirements, documentation must indicate all background checks were initiated, the specific background check that was not completed, and the reason it was not completed. This only applies to SCHRC.

19.28.2. NAF-HRs document compliance with investigative requirements using the Managerial checklist. NAF-HR Sections maintain this documentation in an envelope filed on the right side of the OPF. They also forward a copy of the Managerial Checklist for CY positions to the supervisor for inclusion in the Supervisor's Employee Work Folder. NAF-HRs provides an updated copy of the Managerial Checklist to the manager whenever changes are recorded.

19.28.3. The NAF-HR Section maintains and disposes of the investigative information according to DoD 5200.2-R, *Personnel Security Program*, AFI 31-501, DoDI 1402.05 and this guidance. NAF-HR Sections destroy copies of security investigations containing no derogatory information after the suitability determination is made. The NAF-HR Section retains copies of security investigations containing derogatory information and which serve as a basis for an adverse administrative action or unfavorable suitability determination in the case file. Background investigations may not be filed in the employee's OPF or Supervisor's Employee Work Folder. The Managerial Checklist for CY Positions includes the suitability determination documenting the completion dates of all security investigations such as the Tier 1, IRC's, etc., and is filed in the envelope on the right side of the OPF. Reference checks/pre-employment inquiries that show results from checks made of employment, personal reference or pre-employment vouchers and inquiries are not filed in the OPF and are recorded by supervisor on the Managerial Checklist for CY Positions and filed in the EWF. Security Investigation Reports are documents and forms generated during investigations such as the AF Form 2583, *Request for Personnel Security Action*, SF-85, *Questionnaire for Non-Sensitive Positions*, and the FD Form 258, *FBI Applicant*

Fingerprint Card, and other background forms, investigative reports, and memos are not filed in the OPF.

19.29. Internal Personnel Actions and Separations

19.29.1. Employee Advancement. Supervisors reassign employees from CY-01 to CY02 grade levels within two pay periods after they gain necessary qualifications for advancement. Similarly, supervisors non-competitively promote employees from CY-02 grade level to CY-03 grade level within two pay periods after gaining necessary qualifications for advancement. Employees not promoted within two pay periods of gaining eligibility are entitled to retroactive reassignment/promotion and pay.

19.29.1.1. CY employees will not remain at the entry and intermediate levels of (CY-I) longer than necessary for appropriate training. Installations ensure training (including instruction, materials, and paid duty time) is available to assist employees in receiving and completing the required training for advancement to the target level.

19.29.2. Submitting Personnel Actions. Supervisors/managers request personnel actions, e.g., reassignment, promotion, transfer-out, and any action separating an employee from employment by completing and submitting a RPA to the NAF-HR Section. Managers attach a copy of the most current AF Form 1098 when submitting any of these personnel actions to the NAF-HR Section. The NAF-HR Section files the AF Form 1098 on the right side of the OPF to serve as a record of completed training.

19.29.3. Employee Separation. Upon separation, supervisors provide employees with the following documentation:

AF Form 1098 documenting all completed training.

Managerial Checklist for Child Care/Youth Services.

19.29.4. Supervisors inform employees to provide this documentation to NAF-HR Sections or civilian personnel offices when applying for child development or youth program positions in the future.

19.30. Pay Administration. Pay for CY positions and employees are administered according to Chapter 18 and this chapter.

19.30.1. There are two paybands within the CY pay system. Payband I covers CY-01 and CY-02 grade level positions. Payband II covers CY-03 through CY-05 grade level positions. Each of the two CY paybands has a minimum and maximum wage rate. Pay ranges are determined using the GS locality pay schedule. The pay range for Payband I is equal to the hourly rate of pay for GS 2, step 1 (minimum), and the hourly rate of pay equal to GS 3, step 10 (maximum). The pay range for Payband II is equal to the hourly rate of pay for GS 4, step 1 (minimum), and GS 5, step 10 (maximum).

19.31. Pay Setting Upon Appointment.

19.31.1. New Appointments. Supervisors set pay for newly appointed CY employees at any rate within the assigned payband. Supervisors determine the hourly rate based on such factors as

competition with the local labor market, difficulty in filling positions, applicant qualifications, and previous rate of pay.

19.31.2. Pay Setting for Previous and Current CY Employees. Set pay for employees who previously worked as a CY employee in any DoD component, or who are on leave without pay from another installation, according to the following table.

Table 19.4. Pay Setting Upon Appointment

If the employee is appointed to a CY position	then the employee must receive
at the same or lower level,	an amount equal to or greater than his/her most recent CY rate.
at a higher level within the payband or at a higher payband,	a minimum 6 percent increase over his/her most recent CY rate.

19.32. Movement To Positions Within The Same Payband. NAF-HR staff processes the movement of an employee to the same or different CY grade level within the same payband as a reassignment action. Employees moving to a higher CY grade level within the same payband (i.e., CY-01 grade level to CY-02 grade level, or CY-03 grade level to CY-04 grade level must receive a minimum 6% increase). Management may decide to provide any amount above this level as long as it does not exceed the prescribed ceiling for the applicable payband.

19.33. Movement To Positions In A Higher Payband. NAF-HR staff processes the movement of an employee to a higher CY payband (i.e., CY-02 grade level to CY-03 grade level) as a promotion action. Employees moving from CY payband I to payband II must receive a minimum 6% increase. Management may decide to provide any amount above this level as long as it does not exceed the prescribed ceiling for the applicable payband.

19.34. Other Pay Increases:

19.34.1. Management may increase an employee’s hourly rate at any time deemed appropriate, and for any amount within the payband. Such increases recognize at or above satisfactory performance, are a mechanism for retaining valued employees, and may be made as frequently as management desires.

19.34.2. Management must address the issue of pay adjustments for each employee at least annually, i.e., at least during the annual performance rating cycle. The decision to not grant a pay adjustment is not grievable.

19.35. Movement to Other Pay Systems. Chief, NAF-HRs set pay for CY employees moving to a position in another pay system according to Chapter 18.

19.36. Special and Premium Pay Entitlements:

19.36.1. Overtime Pay. CY employees are entitled to compensation for overtime work performed as prescribed in Chapter 18.

19.36.2. Compensatory Time. Compensatory time for CY employees is administered according to guidance outlined in Chapter 18.

19.36.3. Night Pay Differential. Night pay differentials are paid according to guidance outlined in Chapter 18. CY employees receive their scheduled rate of basic pay plus an additional differential of 10 percent of the scheduled rate for work which falls between 6:00 PM and 6:00 AM.

19.36.4. Sunday Premium Pay. CY employees are entitled to Sunday premium pay as prescribed in Chapter 18.

19.36.5. Holiday Pay and Holiday Premium Pay. Holiday pay or holiday premium pay for CY employees is administered according to guidance in Chapter 18.

19.36.6. Application of New or Revised NAF Payband Schedules. Chief, NAF-HRs apply legislative changes to the GS locality schedule to the minimum and maximum rates of pay for both paybands on the CY schedule. In foreign areas, the Chief, NAF-HR adjusts the minimum and maximum rates for each of the two paybands for CY employees according to the nationwide GS schedule that does not include locality pay. The Chief, NAF-HR only processes pay adjustments for the CY employees whose pay falls below the minimum of the adjusted payband for their position to bring them within the band. The Chief, NAF-HR documents the executive order number and date in the remarks sections of the personnel action. No other pay adjustments are required.

19.36.6.1. Any additional pay adjustments must be requested by management submitting a completed RPA to the NAF-HR Section for each employee receiving an increase in pay. The NAF-HR staff processes the pay adjustments and documents in the remarks section of the personnel action that it is a management initiated pay adjustment. NAF-HR staff does not document the executive order number on management initiated pay adjustments.

19.36.7. Interim Geographic Adjustments. In accordance with Section 302 of the Federal Employees Pay Comparability Act of 1990, Public Law 101-509, the President in Executive Order 12786, 26 Dec 91, authorized the payment of an IGA to employees assigned to a duty station in the following geographical areas known as Consolidated Metropolitan Statistical areas (CMSAs): (1) New York-Northern New Jersey-Long Island, NY-NJ-CT; (2) San Francisco-Oakland-San Jose, CA; and (3) Los Angeles-Anaheim-Riverside, CA.

19.36.7.1. The IGA is added to both the minimum and maximum rate of each of the CY paybands for CY employees whose official duty stations are in one of the three CMSAs. CY employees whose pay is then below the minimum of the adjusted payband for their position, have their pay adjusted to bring them within the band. No other adjustment of entitlement to the IGA is authorized.

19.37. Supervisor's EWF. Supervisors maintain the EWF according to Chapter 2 and these instructions. The NAF-HR Section provides copies of the following documents to the supervisor for inclusion in the EWF:

19.37.1. Resume or equivalent application for NAF employment

19.37.2. NAF Application Continuation Form

19.37.3. H.S. Diploma and/or College transcripts

19.37.4. Performance evaluation(s)

19.37.5. Current immunizations

19.37.6. Each update of the Managerial Checklist with suitability determination

19.37.7. DD Form 2981

19.37.8. Confirmation of the current physical examination (initial and every three years)

19.37.9. Current position guide

19.37.10. Continuation Page for Positions Driving Youth (if applicable)

Attachment 1: Glossary of References and Supporting Information***References***

AFPD 34-3, *Nonappropriated Funds Personnel Management and Administration*, 13 June 2018

AFI 10-216, *Evacuating and Repatriating Air Force Family Members and Other U.S. Noncombatants*, 1 April 2000

AFI 24-301, *Vehicle Operations*, 1 November 2008

AFI 31-501, *Personnel Security Program Management*, 29 November 2012

AFI 32-6001, *Family Housing Management*, 21 August 2006

AFI 32-6005, *Unaccompanied Housing Management*, 9 October 2008

AFI 33-332, *Air Force Privacy and Civil Liberties Program*, 12 January 2015

AFI 34-101, *Air Force Morale, Welfare, and Recreation (MWR) Programs and Use Eligibility*, 28 March 2013

AFI 34-201, *Use of Nonappropriated Funds (NAFS)*, 17 June 2002

AFI 34-202, *Protecting Nonappropriated Fund Assets*, 27 August 2004

AFI 34-204, *Property Management*, 27 August 2004

AFI 34-209, *Nonappropriated Fund Financial Management and Accounting*, 10 January 2005

AFI 34-223, *Private Organizations (PO) Program*, 8 March 2007

AFI 34-249, *Youth Programs*, 19 December 2013

AFI 34-301, *Nonappropriated Fund Personnel Management and Administration*, 9 October 2018

AFI 34-302, *Air Force Nonappropriated Fund Employee Benefit Plans*

AFI 34-501, *Mortuary Affairs Program*, 18 August 2015

AFI 36-701, *Labor-Management Relations*, 27 July 1994

AFI 36-1004, *The Air Force Civilian Recognition Program*, 3 December 2009

AFI 36- 2201, *Air Force Training Program*, 15 September 2010

AFI 36-2706, *Equal Opportunity Program Military and Civilian*, 5 October 2010

AFI 44-102, *Medical Care Management*, 17 March 2015

AFI 48-105, *Surveillance, Prevention, and Control of Disease and Conditions of Public Health or Military Significance*, 15 July 2014

AFI 48-110, *Immunizations and Chemoprophylaxis for the Prevention of Infectious Diseases*, 7 October 2013

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AFI 90-508, *Air Force Civilian Drug Demand Reduction Program*, 28 August 2014

AFMAN 33-363, *Management of Records*, 1 March 2008

AFMAN 34-214, *Procedures for Nonappropriated Funds Financial Management and Accounting*, 14 Feb 2006

AFMAN 34-315, *Air Force Nonappropriated Fund (NAF) Employees' 401(k) Savings Plan*, 6 March 2013

Defense Civilian Personnel Data System (DCPDS) Users Guide

DoD 5200.2-R, *Personnel Security Program*, 1 January 1987

DoD 5400.7-R_AFMAN 33-302, *DoD Freedom of Information Act Program*, 4 September 1998

DoD 5500.7-R, *Joint Ethnic Regulation (JER)*, 30 August 1993

DoDD 1401.03, *DoD Nonappropriated Fund Instrumentality (NAFI) Employee Whistleblower Protection*, 13 Jun 2014

DoDD 1440.1, *DoD Civilian Equal Employment Opportunity (EEO) Program*, 21 May 1987

DoDD 5145.5, *Alternative Dispute Resolution (ADR)*, 22 April 1996, as amended

DoDD 5500.07, *Standards of Conduct*, 29 November 2007

DoDD 5515.6, *Processing Claims Arising out of Operations of Nonappropriated Fund Activities*
25 October 2004

DoD 7000.14-R, Volume 13, “*Department of Defense Financial Management Regulation (FMR): Nonappropriated Funds Policy.*”

DoDI 1015.10, *Military Morale, Welfare, and Recreation (MWR) Programs*, 6 July 2009, as amended

DoDI 1015.15, *Establishment, Management, and Control of Nonappropriated Fund Instrumentalities and Financial Management of Supporting Resources*, 31 October 2007

DoDI 1342.12, *Provision of Early Intervention and Special Education Services to eligible DoD Dependents*, 17 May 2015

DoDI 1400.25, *DoD Civilian Personnel Management*

DoDI 1402.1, *Employment of Retired Members of the Armed Forces*, 9 September 2007

DoDI 1402.5, *Background Checks on Individuals In DoD Child Care Services Programs*, 11 September 2015

DoDI 3001.02, *Personnel Accountability in Conjunction With Natural or Manmade Disasters*, 3 May 2010

DoDI 5200.01, *DoD Information Security Program and Protection of Sensitive Compartmented Information*, 9 October 2008

DoDI 5200.02, *DoD Personnel Security Program (PSP)*, 31 Mar 2014

DoDI 6060.02, *Child Development Programs (CDPS)*, 5 August 2014

DoDI 6400.01, *Family Advocacy Program (FAP)*, 13 February 2015

DoDI 7050.01, *Defense Hotline Program*, 17 December 2007

Homeland Security Presidential Directive 12 (HSPD-12), *Policy for a Common Identification Standard for Federal Employees and Contractors*

OPM Operating Manual, Federal Wage System – Nonappropriated Fund

OPM Job Grading Standards for Trades and Labor Occupations

Forms

AF Form 243, *Statement of Physical Ability – NAF*

AF Form 852, *NAF Record of Training or Certificate of Equivalency*

AF Form 1001, *Award Recommendation Transmittal*

AF Form 2550, *NAF Application for Promotion or Other Position Change*

AF Form 2547, *NAF Service and Reimbursable Agreement*

AF Form 2549, *Statement of Prior DoD NAF Civilian Service*

AF Form 3527, *NAF Employee Performance Evaluation RIP NAF17, NAF Civilian Employee*

Data Brief

AF 428, *Request for Overtime, Holiday Premium Pay, and Compensatory Time*

AF Form 342, *Retirement Certificate of Civilian Service*

AF Form 847, *Recommendation for Change of Publication*

AF Form 860B, *Civilian Progress Review Worksheet*

AF Form 971, *Supervisor's Employee Brief*

AF Form 1065, *Nonappropriated Fund (NAF) Civilian Position Description*

AF Form 1098, *Special Task Certification, and Recurring Training*

AF Form 1528, *Authorization to Obtain Social Security Earnings Information*

AF Form 1702, *Nonappropriated Fund (NAF) Position Guide*

AF Form 2391, *Termination Information*

AF Form 2395, *Evidence of Age*

AF Form 2545, *NAFI Notification of Personnel Action*

AF Form 2583, *Request for Personnel Security Action*

AF Form 3033, *Certificate of Appreciation*

DD 214, *Certificate of Release or Discharge from Active Duty*

DD Form 1173, *United States Uniformed Services Identification and Privilege Card*

DD Form 2792, *Exceptional Family Member Medical Summary*

DD Form 2792-1, *Exceptional Family Member Special Education/Early Intervention Summary*

DD Form 2946, *Department of Defense Telework Agreement*

DD Form 2981, *Basic Criminal History and Statement of Admission*

Department of Justice Form (DJFD) I-9, *Employment Eligibility Verification*

DJFD Form 258, *FBI Applicant Fingerprint Card*

ES Form 931, *Request for Wage and Separation Information—UCFE*

Form WH-380, *Documentation of Health Care Provider*

OPM RI 38-134 – *Election to Retain NonAppropriated Fund (NAF) Retirement Coverage As A Result of A Move From A NonAppropriated Fund Position To A Civil Service Position On or After December 28, 2001*

OPM 30-144, *Election to Retain CSRS, CSRS Offset, or FERS Retirement Coverage As A Result Of A Move From a Civil Service Position To a NonAppropriated Fund (NAF) Position On or after December 28, 2001*

OPM RI 92-27, *Election of Retirement Coverage as a Result of a Move From a Civil Service Position to a Nonappropriated Fund Position Within the DoD or the Coast Guard, Federal Employees' Retirement System (FERS)*

OPM RI 20-103, *Election of Retirement Coverage as a Result of a Move From a Civil Service Position to a Nonappropriated Fund Position Within the DoD or the Coast Guard, Civil Service Retirement System (CSRS)*

OPM Form 71, *Request for Leave or Approved Absence*

OPM 630, *Application to Become a Leave Recipient Under the Voluntary Leave Transfer Program*

OPM 630A, *Request to Donate Annual Leave to Leave Recipient Under the Voluntary Leave Transfer Program*

OPM 1637, Application to Become a Leave Recipient Under the Emergency Leave Transfer Program

OPM 1638, Request to Donate Annual Leave under the Emergency Leave Transfer Program,

OF 178, Certification of Medical Examination

OF 612, Optional Application for Federal Employment

OF 306, Declaration for Federal Employment

SF 8, Notice to Federal Employee About Unemployment Insurance

SF 15, Application for 10 Point Veteran Preference

SF 61, Appointment Affidavit

SF 66, Official Personnel Folder

SF 66C, Merged Records Personnel Folder

SF 66D, Employee Medical Folder

SF 85, Questionnaire for Non-Sensitive Positions

SF 86, Questionnaire for National Security Positions

SF 127, Request for Official Personnel Folder

SF 181, Ethnicity and Race Identification

SF 813, Verification of a Military Retiree's Service in Non-wartime Campaigns or Expeditions

SF 1150, Record of Leave Data

SF 1152, Designation of Beneficiary, Unpaid Compensation of Deceased Civilian Employee

SF 1153, Claim for Unpaid Compensation of Deceased Civilian Employee

Abbreviations and Acronyms

AAFES—Army and Air Force Exchange Service

AF—Air Force

ADR – Alternative Dispute Resolution

AFRIMS – Air Force Records Information Management System

AFSVC – Air Force Services Center

APF—Appropriated Fund

AO – Accounting Office

AWOL – Absent Without Leave

AWS—Alternative Work Schedules

BBA—Business Based Action

BO—Business Objects

CDC – Child Development Center

CFR – Code of Federal Regulations

CMSAs – Consolidated Metropolitan Statistical areas

COLA – Cost of Living Adjustment

COOP – Continuity of Operations

CSRS—Civil Service Retirement System

CSU—Civilian Servicing Unit

CT – Crafts and Trades

CY – Child and Youth

CYPA – Child and Youth Program Assistant

DCII – Defense Central Index of Investigations

DCPAS – Defense Civilian Personnel Advisory Service

DCPDS—Defense Civilian Personnel Data System

DJFD—Department of Justice Form

DOB—Date of Birth

DoDDS – Department of Defense Dependents Schools

DOL – Department of Labor

DoD—Department of Defense

ELTP – Emergency Leave Transfer Program

EAP – Employee Assistance Program

EIS – Early Intervention Services

EEO—Equal Employment Opportunity

EEOC – Equal Employment Opportunity Commission

EMF—Employee Medical Folder

EWf – Employee Work Folder

FAP – Family Advocacy Program

FBI – Federal Bureau of Investigations

FBP – Flexible Benefits Plan

FEGLI – Federal Employees Group Life Insurance

FEHB – Federal Employees Health Benefits

FERS—Federal Employee Retirement System

FICA -- Federal Insurance Contributions Act

FLRA -- Federal Labor Relations Authority

FLSA – Fair Labor Standards Act

FMP – Family Member Preference

FMR – Financial Management Regulation

FSS—Force Support Squadron

FWS – Federal Wage System

GED – general Education Development

HR – Human Resources

IAW – In Accordance With

IRC – Installation Records Check

JTR – Joint Ethnic Regulation

KSA – Knowledge, Skills and Abilities

LWOP—Leave Without Pay

LSL – Lump Sum Leave

LRO – Labor Relations Office

MAJCOM – Major command

MPR – Maximum payable rate

MOU—Memorandum of Understanding

MRPF—Merged Records Personnel Folder

MSP—Military Spouse Preference

MSPB – Merit System Protection Board

MWR – Morale, Welfare and Recreation

NAF—Nonappropriated Funds

NAFI—Nonappropriated Fund Instrumentalities

NOAC – Nature of Action Code

NPRC—National Personnel Records Center

OCONUS – Outside the continental United States

ODM – Off-duty Military

OF—Optional Form

OJT – On-the-job

OPF—Official Personnel Folder

OPM—Office of Personnel Management

OSI – Office of Special Investigation

PCS – Permanent Change of Station

PD—Position Description

PG—Position Guide

PIP – Performance Improvement Plan

POV – Privately Owned Vehicle

RDS – Records Disposition Schedule

RIF – Reduction in Force

RPA – Request for Personnel Action

RPL—Reemployment Priority Listing

SAC – School Age Care

SCD – Service Computation Date

SCHRC – State Criminal History Records Check

SESA – State Employment Security Agencies

SF—Standard Form

SFMIS – Security Forces Management Information System

SOFA – Status of Forces Agreements

SPD – Standardized Position Description

SPG – Standardized Position Guide

SSC—Shared Service Center

SSN—Social Security Number

TA—Training Aid

TCN – Third Country National

TDY – Temporary Duty

THP – Transition Hiring Preference

ULP – Unfair Labor Practice

USCIS – U.S. Citizenship and Immigration Services

USERRA – Uniform Services Employment and Reemployment Rights Act of 1994

VLTP—Voluntary Leave Transfer Program

VSIP – Voluntary Separation Incentive Payment

WGI – Within Grade Increase

WSD – Wage Setting Division

YP – Youth Programs

Attachment 2: Personnel Action Codes and NOACs

Table A3.1. Personnel Action Codes and NOACs [For AF Form 2545 (see Note 1)]

<u>PERSONNEL ACTION CODE AND NOAC</u>	<u>CANCELLATIONS, CORRECTIONS</u>	<u>BASIS FOR ACTION</u>
N 001	Cancellation (Plus the personnel action code and the NOAC being cancelled)	Cancellation of a personnel action such as a separation, suspension, furlough, or change to lower grade and the cancellation is based on an administrative determination or on a timely appeal and decision that the action was unjustified or unwarranted (that is, the personnel action is determined to be improper or erroneous).
N 002	Correction (Plus the personnel action code and the NOAC that is being corrected)	Correction of a previously executed AF Form 2545, to change information erroneously shown, incomplete, or missing due to administrative or clerical error.
<u>ACCESSIONS</u>		
N 010	Appointment	Appointment to a Regular or a Flexible position, but not summer aid, student aid, reinstatement, reemployment, transfer of function, or transfer in.
N 012	Appointment NTE (Date)	Appointment to a limited term Regular or Flexible position.
N 015	Appointment – Public Law 101-508	Appointment of an APF employee who resigns to accept a NAF position subject to the provisions of the Portability Act.
N 016	Reinstatement	A prior Regular employee who has been off the NAFI rolls for 6 months or less.

N 017	Reinstatement – Public Law 101-508	Process NOAC if the employee meets the criteria for Reinstatement and are covered by the provisions of portability.
N 018	Appointment – Transfer of Function	Transfer of a Regular employee with his or her function from another AF or DoD NAFI.
N 020	Appointment – Summer Aid NTE (Date)	Appointment of a summer aid (during summer break).
N 021	Transfer In	Appointment of a NAF employee who is transferring from a Regular or a Flexible NAF position at another AF NAFI without a break in service.
N 022	Appointment – Student Aid NTE (Date)	Appointment of a student aid (during school year).
N 023	Reemployment – Public Law 101-508	Process NOAC if the employee meets the criteria for Reemployment and are covered by the provisions of portability.
N 024	Reemployment	A former DoD NAFI Regular employee who was separated from NAFI employment.
N 025	Transfer In – Joint Basing	Transfer of a Regular or a Flexible employee from another DoD NAFI due to Joint Basing.
N 026	Reemployment NTE (Date)	A prior Regular employee who has been off the NAFI rolls for more than 6 months but less than 1 year and hired on a limited term basis.
N 027	Reinstatement NTE (Date)	A prior Regular employee who has been off the NAFI rolls for 6 months or less and hired on a limited term basis.

N 028	Transfer In NTE (Date)	Appointment of a NAF employee who is transferring from a NAF position (any category) at another AF NAFI without a break in service and hired on a limited term basis.
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SEPARATIONS

N 030	Resignation	When any category employee resigns, or is considered to have resigned.
N 031	Termination – Involuntary	When an employee is separated during the probationary period.
N 034	Separation – Military	When an employee on military furlough fails to return to work at the end of the furlough period, or when the employee resigns.
N 036	Separation	When a Regular employee is separated by business based action or transfer of function.
N 037	Removal	When a Regular employee is removed for cause after completion of the probationary period.
N 038	Resignation – Abandonment	When any category of employee abandons his or her position.
N 040	Resignation – Public Law 101-508	When a NAF employee resigns to accept an APF position subject to the provisions of the Portability Act.
N 043	Retirement – Voluntary	When a Regular employee is eligible for and retires voluntary.
N 044	Separation – From Limited Tenure	When a Regular or Flexible category NTE temporary employment ends.
N 045	Separation – Death	When any category employee dies.
N 046	Termination	When an employee other than Regular category is terminated for disciplinary reasons.
N 047	Separation – Without Prejudice	When a Regular employee is separated for valid reasons, such as

		conflict of interest, that cannot be resolved, except by termination without prejudice.
N 049	Transfer Out	Resignation of a NAF employee who is transferring to a Regular or a Flexible NAF position at another AF NAFI without a break in service.
N 051	Transfer Out – Joint Basing	When a Regular or a Flexible AF NAF employee transfers to another DoD NAFI due to Joint Basing.

PROMOTIONS, CHANGES TO LOWER GRADE, CHANGES TO LOWER PAY-BAND, REASSIGNMENTS, AND CHANGES IN EMPLOYMENT CATEGORY

N 059	Change of Employment Category	When a Regular employee is changed to a Flexible category or a Flexible employee is changed to a Regular category. Also includes concurrent Promotion, Change to Lower Grade, or Reassignment.
N 060	Promotion	When an employee is promoted and stays within the same employment category.
N 061	Change to Lower Grade	When an employee is changed to a lower grade, and stays within the same employment category.
N 062	Reassignment	When an employee is reassigned to another position at the same grade or payband, and stays within the same employment category.
N 063	Temporary Promotion NTE (Date)	When an employee is temporarily promoted.
N 065	Temporary Reassignment NTE (Date)	When an employee is temporarily reassigned to another position at the same grade or payband level, and stays within the same employment category.
N 066	Change to Lower Payband	When an employee is changed to a lower payband, and stays within the same employment category.

N 067	End of Temporary Promotion	When a temporary promotion ends and the employee is to return to their original position.
N 068	End of Temporary Reassignment	When a temporary reassignment ends and the employee is to return to their original position.

OTHER ACTIONS

N 070	Change in Military Status	When an off-duty military member separates or retires from military service and remains a NAF employee.
N 071	Change in Service Computation Date	When information was not available on accession or change action and prior service has now been verified.
N 072	Name Change	When an employee's name changes through marriage, divorce, court order, or to correct name misspelled due to administrative error.
N 073	Election of Insurance Coverage	When an employee initially elects enrollment for insurance coverage.
N 074	Change of Insurance Coverage	When an employee's insurance coverage changes for any reason.
N 075	Election in Retirement Coverage	When a Regular employee elects retirement coverage.
N 076	Change in Dependent Status	When an employee's dependent status changes.
N 077	Completion of Probationary Period	When an employee completes the required probationary period.
N 082	Change in Servicing Personnel Office	When the employee is serviced by a different servicing NAF-HR.
N 083	LWOP NTE (Date)	When a scheduled employee has requested and has LWOP approved

		for over 30 days (doesn't include an employee on workers' compensation).
N 084	Furlough NTE (Date)	When a Regular employee is placed in a nonpay status by management for 8 days or more.
N 085	Furlough – Military	When an employee enters military service with the intent to return to duty.
N 086	LWOP – Workers' Compensation	When an employee is eligible for, or is in receipt of workers' compensation, and is placed in a nonpay status that is expected to last more than 30 days.
N 087	Extension of LWOP NTE (Date)	When LWOP under NOAC N083 or N086 is extended.
N 088	Return to Duty	When an employee returns from furlough or extended LWOP.
N 089	Extension of Temporary Promotion NTE (Date)	When a temporary promotion is extended.
N 090	Extension of Temporary Reassignment NTE (Date)	When a temporary reassignment is extended.
N 092	Extension of Temporary Appointment NTE (Date)	When a limited term appointment is extended.
N 093	Change in Position Title	When only the position title changes or when the position title changes at the same time as a change in CPCN.
N 094	Change in Occupational Code	When the occupational code changes; or the occupational code and one or more of the following change: position title, or CPCN. Use only when there is no change in duties or change in qualification standards.
N 095	Change in Citizenship	Self-explanatory.

N 096	Mass Position Change/Individual Realignment	Do not use when there is a change in employee's position, grade, or pay.
N 098	Nonpay Time Not Previously Recorded in Calendar Year (Year)	Report of total nonpay status for Regular employee that was not recorded on an AF Form 2545 during the calendar year, when the cumulative total of nonpay status during the calendar year (except for time spent on military furlough and workers' compensation) exceeds 6 months during the calendar year.
N 099	Change in Position Number (CPCN)	When only the PD number changes.
N 184	Extension of Furlough NTE (Date)	Self-explanatory.
N 792	Change in Duty Station	When the Duty Station (item 40) of page 3 of the RPA changes and/or Duty Station Description (item 41) changes. Note: This RPA can be processed manually or as a Mass Position Change
N 840	Individual Cash Award	When any category employee receives an On-The-Spot Award, Special Act Award, Performance Awards in recognition of quality performance or miscellaneous installation awards (may differ by installation).
N 841	Performance Based Cash Award (PBA)	When a PBA employee receives a PBA Cash Award to include discretionary awards.
N 842	Individual Suggestion/Invention Award	When any category employee receives a Suggestion/Invention Cash Award (AF IDEA Award).
N 843	Group Suggestion/Invention Award	When a group of employees, any category, receives a

		Suggestion/Invention Cash Award (AF IDEA Award).
N 891	Time Off Award	Self-explanatory.
N 893	Within-Grade Increase	To increase a CT employee's basic rate of pay based on length of service and satisfactory performance.
N 894	Pay Adjustment	To adjust an employee's basic rate of pay upward or downward: <ul style="list-style-type: none"> a. Because of legislative or regulatory establishment of a new basic rate of pay. b. Because of expiration of saved pay. c. Pay Adjustments due to BBA
N 895	Change in Guaranteed Hours	When an employee's guaranteed hours change.
N 896	Performance Based Award Pay Adjustment (PBA)	When a PBA employee receives a PBA Pay Adjustment to include discretionary pay adjustment awards.
N 897	Performance Pay Adjustment	Management initiated Pay Adjustments granted to NF and CY employees based on performance or other management actions.
N 970	Enrollment in USAFE Pension Scheme	Self-explanatory.

ACTIONS THAT ESTABLISH ELIGIBILITY FOR GRADE RETENTION FOR COVERED CRAFTS AND TRADE EMPLOYEES

N 064	Position Change	Includes initial and subsequent demotions or changes.
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ACTIONS THAT TERMINATE GRADE OR PAY RETENTION ENTITLEMENT FOR COVERED EMPLOYEES

N 061	Change to Lower Grade	Employee requested a demotion or was demoted for cause.
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N 069	Position Change to Retained Grade	Changed back to retained grade.
N 102	Termination of Grade Retention	Self-explanatory.
N 105	Termination of Pay Retention	When employee's retained pay is terminated for any reason.

NOTES:

1. Instructions for completing AF Form 2545, Block 25, Remarks. For the appropriate remarks that are used with the above personnel action codes and NOACs, use the *DCPDS 11i Users Guide*.
2. Movement from one pay system to another pay system is processed as a reassignment in accordance with tables 18.7 and 18.8.

Attachment 3: Forms Used in the Employment Process

A3.1. After complying with all pre-employment requirements, the NAF-HR Section formalizes the employment process by completing or ensuring the completion of a number of documents and forms. This attachment lists the majority of forms used in the employment process and may be used as a checklist or reference tool by the NAF-HR staff.

FORM NUMBER	FORM TITLE
AF Form 243	Statement of Physical Ability-NAF
AF Form 614	Charge Out Record
AF Form 971	Supervisor's Employee Brief (DCPDS generated)
AF Form 1065	Nonappropriated Fund (NAF) Civilian Position Description
AF Form 1702	Nonappropriated Fund (NAF) Position Guide
AF Form 2545	NAFI Notification of Personnel Action
AF Form 2549	Statement of Prior DoD NAF Civilian Service
DD Form 214	Certificate of Release or Discharge from Active Duty
SF 85	Questionnaire For Non-Sensitive Positions
FD Form 258	FBI Applicant Fingerprint Card
USCIS Form I-9	Employment Eligibility Verification
OF 178	Certificate of Medical Examination
OF 306	Declaration for Federal Employment
OPM RI 38-144	Election to Retain CSRS, CSRS Offset, or FERS Retirement Coverage as a Result of a Move from a Civil Service Position to a NonAppropriated Fund (NAF) Position on or after December 28, 2001
SF 61	Appointment Affidavits
SF 66	Official Personnel Folder (OPF)

SF 66C	Merged Records Personnel Folder (MRPF)
SF 66D	Employee Medical Folder (EMF)
SF 127	Request for Official Personnel Folder
SF 181	Ethnicity and Race Identification
SF 256	Self-Identification of Disability
SF 813	Verification of Military Retiree's Service in Nonwartime Campaigns or Expeditions
SF 1150	Record of Leave Date
SF 1152	Designation of Beneficiary--Unpaid Compensation of Deceased Civilian Employee
SF 1198	Request by Employee for Allotment of Pay for Credit to Savings Account with a Financial Organization
TD Form W-4	Employee's Withholding Allowance Certificate

A3.2. In addition to the above forms, documentation required by AFI 34-302, AFI 34-305, AFI 34-306, and AFI 34-307, are included in the employment process.

Attachment 4: NAF-HR Section In-Processing Checklist for New Employees

A4.1. The following is used as a guide for new employee orientation conducted by the NAF-HR Section as part of the employment process. It contains, at a minimum, the areas that are covered when briefing new employees prior to their reporting for duty for the first time. The NAF-HR Section develops a checklist that includes the following topics:

Table A4.1. NAF-HR Section In-processing Checklist for New Employees

Type of Appointment	Flexible 0-40 hours per week Regular 20-40 hours per week
Work Schedules	
Position Title, Pay Plan, Grade or Payband	
PG and/or PD	
Pay	<u>Payband (NF) Employees</u> Payband Structure Hourly Rate of Pay Night Shift Differential (NF-I and NF-II) Night Pay differential (NF-III thru NF-VI) Sunday Premium Pay Pay Adjustments Annual COLA Overtime <u>CY Employees</u> Payband Structure Hourly Rate of Pay Night Pay differential Sunday Premium Pay Pay Adjustments Annual COLA Overtime <u>Crafts & Trade (NS, NL, NA) Employees</u> Wage Schedule Structure Step and Hourly Rate of Pay Within Grade Increases Night Shift Differential Sunday Premium Pay Annual COLA

Overtime

Holidays and Holiday Pay

Pay Periods and Pay Days

First Pay Date and My Money Access

Dual Compensation Law

Dual Employment Law

Probationary Periods

6 Months
NF-I – NF-II
NS, NL, NA

12 Months
NF-III – NF-VI
CY
Initial appointment to
supervisory and/or
managerial position

Annual
Sick Leave

Accrual
How to Request

FFLA

Entitlement
How to Request

FMLA

Entitlement
How to Request

Benefit Programs

Health Insurance Plan
Dental Plan
Life Insurance Plan
Flexible Benefits Plan
Retirement Plan
401(k) Savings Plan
Flexible Spending Account

Workers' Compensation Program

Unemployment Compensation
Notification

Employment Opportunities

How to Apply
Reassignments
Promotions
Change to Regular Employment Category

Military Spouse Preference

Performance Evaluation

Suggestion Program

Discipline

Grievances and Appeals

Bargaining Unit Status

Information on Labor Organization
List of Union Representatives

Executive Order 12953

Actions Required of All Executive Agencies to
Facilitate Payment of Child Support

Executive Order 12564

Civilian Drug Testing Program

Substance Abuse Program

No Fear Act

PL 107-174

Standards of Conduct/Ethics

DoD 5500.07 Standards of Conduct

EEO & Counselors

Employee Bulletin Boards

Attachment 5: Merged Records Personnel Folder – Memorandum of Understanding (MOU)

THE OFFICE OF THE ASSISTANT
SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-4000

FORCE MANAGEMENT
AND PERSONNEL

7 AUG 1992

MEMORANDUM FOR: See Distribution

SUBJECT: Merged Records Personnel Folder--Memorandum of
Understanding (MOU)

This is to request implementation of the attached recordkeeping MOU approved by DoD, OPM, and the National Archives and Records Administration (NARA). The MOU covers the ownership, maintenance and retention of personnel and medical records of employees moving between DoD civil service and NAF positions under benefit portability provisions of DoD 1401.1-M, Appendix F, and the Portability Act.

My January 21 memo requested you begin using the Merged Records Personnel Folder (MRPF) to ensure complete documentation of creditable service for employees moving between employment systems under coverage of the Portability Act. The MOU on the use of MRPFs was developed by DoD and OPM and incorporates comments received from the Military Departments and NARA.

Under the MOU, the personnel records of employees moving between NAF and civil service who are covered by portability benefits are combined in the MRPF, Standard Form 66-C. Medical records are combined in the Employee Medical Folder (EMF), standard Form 66-D. Actual ownership of a record remains with the employment system which created the record. An employee's MRPF and EMF will be maintained by the employing NAFI or civil service agency in accordance with the requirements of FPM Supplement 293-31 and the MOU.

An FPM Bulletin alerting other federal agencies to the use of the MRPF will be issued by OPM. Questions on the MOU may be directed to Donna Trnum at 703-696-4664 or Autovon 226-4664.

Thomas F. Garnett,
Director, Personnel Management
(Civilian Personnel Policy/Equal Opportunity)



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GUARD BUREAU
DIRECTOR, PEOPLE RESOURCES, ARMY AND AIR FORCE
EXCHANGE SERVICE

**MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE U.S. OFFICE
OF PERSONNEL MANAGEMENT, THE NATIONAL ARCHIVES AND
RECORDS ADMINISTRATION, AND THE DEPARTMENT OF DEFENSE
NONAPPROPRIATED FUND EMPLOYMENT SYSTEM**

I. GENERAL

This constitutes an agreement between the U.S. Office of Personnel Management (OPM), the National Archives and Records Administration (NARA), and the Department of Defense's Nonappropriated Fund (NAF) employment system concerning:

- A. The ownership, maintenance, and retention of personnel and medical records of individuals who have moved between Civil Service and NAF positions within the Department of Defense (DOD) under the provisions of the Portability of Benefits for Nonappropriated Fund Employees Act (P.L. 101-508) and the DOD Employee Benefit Portability Program. The Portability Act and the DOD policy implementing the Act apply to employees who move between nonappropriated fund (NAF) and civil service employment systems within DOD without a break in service of more than 3 calendar days. The Portability Act and implementing regulations are effective retroactively to January 1, 1987.

These employees have service creditable in both the civil service system subject to the Civil Service regulations administered by OPM (under title 5, U.S.C. authority) and in the NAF employment system subject to DOD 1401.1-M, "Personnel Policy Manual for NAFIs," and DOD Component implementing regulations. These various authorities are denoted "systems" in this memorandum.

- B. The granting of access to, disclosure from, and amendment of records in Official Personnel folders (OPF's), NAF Official Personnel Folders (NAFOPF's), Merged Records Personnel Folders (MRPF's), Employee Medical Folders (EMF's), and NAF Employee Medical Folders (NAFEMF's) of individuals who have moved between DOD Civil Service and NAF position under the benefit portability provisions of the Portability Act and the DOD Employee Benefit Portability Program.
- C. The exchange of personnel documents and data between several Privacy Act systems of records with all disclosures made in full accordance with the Privacy Act.
- D. Procedures to be followed by the National Personnel Records Center (NPRC) when responding to requests for access to, providing information from, or disposition of the MRPFs of separated employees when:
- (1) the MRPF contains documents created during both Civil Service and NAF employ; and
 - (2) a request is received for transfer of an MRPF (SF66-C) or EMF (SF 66-D) between systems.

The provisions of the MOU apply only to NPRC processing of MRPFs and EMFs. This MOU does not cancel previous agreements between DOD Components and NPRC concerning the servicing of NAFOPF's and NAFEMF's stored at NPRC.

- E. Consultation and cooperation in the establishment and revision of personnel processing and recordkeeping procedures which affect the MRPF or EMF.

II. DEFINITIONS

Access means providing an individual's records (or copies thereof) to that individual or to a representative designated in writing by that individual.

Amendment means correction, addition, deletion, or destruction of any part of an individual's record.

Data Subject means the individual to whom the information pertains and by whose name or other individual identifier the information is retrieved.

Disclosure means providing personal review of a record, or a copy thereof, to someone that than the data subject or other than the data subject's authorized representative or legal guardian.

DOD Components means the Office of the Secretary of Defense, the Military Departments (Army, Navy, and Air Force), the Defense Agencies, and the Army and Air Force Exchange Service.

Employee Medical Folder (EMF—SF66-D) means a file containing occupationally-related civilian employee medical records created during the course of an individual's Federal civilian service under a personnel system subject to title 5, U.S.C. as well as another agency's occupational medical records created under a separate personnel system when the agency has entered into an MOU agreement with OPM and NARA.

Merged Records Personnel Folder (MRPF—SF 66-C) means a file that is the subject of an agency/OPM/NARA recordkeeping MOU and that contains personnel records related to civilian employment under both the Civil Service system and one or more non-Civil Service Federal personnel systems, or to civilian employment under one or more non-Civil Service Federal personnel systems only.

NAF Employee Medical Folder (NAFEMF) means a file containing occupationally-related civilian employee medical records created during an individual's DOD NAF employment.

NAF Instrumentality (NAFI) means an integral DOD organizational entity through which (a) an essential Government function is performed, and (b) other DOD organizations are provided or assisted in providing morale, welfare, and recreational programs. The NAFI is established and maintained individually or jointly by the Heads of the DOD Components.

NAF Official Personnel folder (NAFOPF) means a file containing records and documents relating to DOD NAF employment.

NAF records mean personnel records created by DOD instrumentalities that are subject to NAF policy.

Official Personnel Folder (OPF—SF 66) means a file containing records and documents related to civilian employment under title 5, U.S.C.

OPM records mean personnel records created by Federal agencies that are subject to OPM regulations (Title 5, code of Federal Regulations).

Third Party Request means a request for information about an individual, by someone other than that individual from outside the agency creating or owning the individual's record and other than an individual specifically authorized by the data subject to receive the information.

Transcript of Service means an employee's work history that is prepared with and limited to data releasable under 5 CFR 293.311(a) and 5 U.S.C. 552a(b)(2), respectively, for title 5 and NAF employees. For the purpose of this MOU and filing in the MRPF, NAF chooses to prepare Transcripts of Service in accordance with OPM procedures and data release criteria given at 5 CFR 293.311(a).

III. CONTROL OF PERSONNEL AND MEDICAL RECORDS

A Civil Service employee's Official Personnel Folder (OPF) (SF 66) is part of the OPM Government-wide Privacy Act system of records known as OPM/GOVT-1, General Personnel Records, and is under the jurisdiction and control of OPM. Documents retained in the OPF (SF 66) are subject to the requirements of title 5, United States Code; title 5, Code of Federal Regulations; and the Federal Personnel Manual (FPM), as well as appropriate agency or departmental regulations.

The Merged Records Personnel folder (MRPF) (SF 66-C) consists of either the combined records of service under the Civil Service system and another personnel system, or records only of non-Civil Service systems. The Civil Service records in such a Folder are included in the OPM/GOVT-1 Privacy Act system.

The Employee Medical Folder (EMF) (SF 66-D) is part of the OPM Government-wide Privacy Act system of records known as OPM/GOVT-10, Employee Medical Files, and is under the control and jurisdiction of the Office of Personnel Management (OPM). Civil Service documents retained in the EMF (SF 66-D) are subject to the same authorities described above for the OPF.

NAF personnel records, in NAFOPF's and MRPF's are subject to the requirements of DOD 1401.1-M, "Personnel Policy Manual for Nonappropriated Fund Instrumentalities," and Component regulations and are under the control and jurisdiction of the appropriate DOD Component.

NAF medical records in NAFEMG's or EMF's are subject to the Privacy Act of 1974 as administered by the appropriate DOD Component's system of medical records and are under the control and jurisdiction of the DOD Component.

IV. REPOSITORY OF RECORDS

NARA, National Personnel Records Center (NPRC) located at 111 Winnebago Street, St. Louis, Missouri 63118, is the authorized repository for the personnel and medical records of most former Federal employees. NPRC will retain separated employee OPF's, MRPF's and EMF's under OPM's control. The NAFOPF's and NAFEMF's of separated DOD NAF employees are retained at the NPRC. NAF records disposition is in accordance with the official records disposition schedule for DOD Nonappropriated Fund Employee Personnel Records as approved by NARA.

NPRC is responsible for the maintenance, retention, and disposition of these records in accordance with DOD NAF or OPM procedures (as supplemented by relevant MOUs).

NPRC will accept records only if they are filed in the appropriate folder (SF 66-C, Merged Records Personnel Folder and SF 66-D, Employee Medical Folder) and contain the proper identification of the former employee; i.e., name (last, first, middle initial), date of birth (month, day, year), and social security number.

NPRC will accept agency-submitted loose miscellaneous documents for filing in an MRPF or EMF only if transmitted with a letter providing the name, date of birth, social security number, and date of separation of the former employee.

Records must be forwarded to NPRC in a sealed envelope, a standard records carton, or similar container. All records must be addressed to: National Personnel Records Center, Civilian Personnel Records, 111 Winnebago Street, St. Louis MO 63118.

If documents are improperly filed in MRPF's, or EMF's, or if NPRC determines that an improper folder has been used to retain these records, NPRC will return such document or folder to the submitting agency for corrective action.

V. ESTABLISHMENT AND MAINTENANCE OF FOLDERS

Title 5, U.S.C. Section 2105(c) exempts DOD NAFIs from the provisions of Executive Order 12107, "Relating to the Civil Service Commission and Labor-Management in the Federal Service," which designated Civil Service employee's records in the OPF in Federal agencies as property of OPM. DOD NAF is not bound by OPM rules and regulations governing the establishment, maintenance, and retention of OPF's and EMF's, and is therefore not required to use the same folders (SF 66 for the OPF and SF 66-D for the EMF) to house its records. DOD NAF intends to use OPM-designated folders (SF 66-C MRPF and SF 66-D EMF) to retain the records of employees who have moved from DOD civil service position to a DOD NAF position and whose civil service employment is creditable under the provisions of the DOD NAF Employee Benefit Portability Program. DOD NAF retains legal custody of NAF personnel and medical records for the life of the records, even after merged into a MRPF.

The DOD will use the MRPF and EMF to retain the records of employees who have moved from DOD NAF positions to DOD civil service positions and whose NAF service is covered under the provisions of the Portability of Benefits for Nonappropriated Fund Employees Act.

Once an MRPF is established for an employee, the file will be used to retain the employee's records in all subsequent NAF and civil service employment. OPM and DOD NAF regulations will be used to determine an employee's creditable service in future civil service and NAF employment.

An employee's MRPF and EMF will be maintained by the employing NAFI or civil service agency in accordance with requirements of FPM Supplement 293-31, DOD NAF regulations, and this MOU.

VI. TRANSFER OF RECORDS

When an employee moves from a DOD NAF position to a DOD civil service position under the provisions of the Portability Act (that is, after January 1, 1987 and without a break in service of more than 3 calendar days), the employing NAFI will transfer the

employee's NAF personnel and medical records to the employing DOD civil service office upon request. The employing office will combine the employee's NAF records and the employee's OPF records in an MRPF (SF 66-C). The employee's medical records will be combined in an EMF (SF 66-D).

When a DOD civil service employee moves to a DOD NAF position under the provisions of the DOD Employee Benefits Portability Program (that is, after January 1, 1987, and without a break in service of more than 3 calendar days), the employing civil service office will forward the employee's OPF and EMF to the NAFI upon request. The NAFI will combine the employees' civil service personnel records with the employee's NAF personnel records and place them in an MRPF (SF 66-C). The employee's medical records will be combined in an EMF (SF 66-D).

When an employee for whom a Federal Agency maintains an MRPF and EMF transfers to an Executive Branch Department or agency of the Federal government, to a DOD NAFI, or to another non-title 5 Federal agency, the employer will transfer the MPF to the new employing agency upon request. Before the MRPF and EMF are forwarded, the employer will remove from the MRPF any temporary records (except performance appraisals and plans(s)) properly filed in the MRPF and any temporary records properly filed in the EMF. The employer will also will insure that all documents in the MRPF and EMF are complete and correct in accordance with requirements of FPM Supplement 293-31, BASIC PERSONNEL RECORDS AND FILES SYSTEM and NAF regulations.

When an agency receives an MRPF that contains NAF records, these records will remain in the MRPF (SF 66-C).

When an individual separates from NAF or Civil Service employment and is not transferring to another Federal agency, the employing agency will forward the MRPF and EMF to NPRC.

VII. ACCESS TO PERSONNEL RECORDS

A. Data Subject Access Requests

When an agency receives a request from a current employee, who was formerly employed by DOD NAF or another non-title 5, U.S.C. agency, to review or obtain a copy of his/her MRPF, the agency will make arrangements with the employee to establish when the MRPF can be reviewed or when copies of the MRPF can be made available.

When NPRC receives a former NAF employee's request for a copy of a specific document, information, or transcript from a NAF record retained in his/her MRPF, NPRC will provide the requester with the requested copy, information, or transcript of service.

When the NPRC receives a former NAF employee's request for a complete copy of his/her MRPF and the MRPF contains records created under both NAF and title 5 authorities, NPRC will forward the request and the MRPF to the U.S. Office of Personnel Management, OPF/EMF Access Unit, for appropriate action, and notify the requester of the referral. OPM will provide the requester with a copy of his/her title 5, U.S.C records. OPM will then forward the request and the MRPF to the applicable DOD Component for appropriate action regarding its NAFI records, and notify the requester of the referral. Addresses for the DOD Components are:

- Army and Air Force Exchange Service, HQ – AFFES
ATTN: PE-P, P.O. Box 660202, Dallas TX 75266-0202

- Department of the Air Force, HQ AFMWRSA/MWSE, Randolph AFB, TX 78150-5000
- Department of Navy, OCPM, Code 02N, Room 1205, 800 N. Quincy St., BTC #1, Arlington, VA 22203-1998
(NOTE: Request for Marine Corps records should be addressed to this Department of Navy office.)
- Department of the Army, NAF Personnel Division, Human Resources, HQDA (CFSC-HR-P) Room 1N39, Hoffman Building #2, 2461 Eisenhower Avenue, Alexandria, VA 22331-0523.

When an MRPF contains NAFI records, title 5 records, and records created by another non-title 5, U.S.C. agency, OPM will provide the requester copies of any title 5 records and forward the MRPF and request to the applicable DOD Component (address above) for appropriate action regarding NAFI records. OPM will notify the requester of the referral. When the appropriate NAFI has responded to the request regarding its NAF records, the NAFI will forward the request and the MRPF to the next DOD Component or other non-title 5 agency after responding to the appropriate NAF portion of the records. The last non-title 5 agency responding to the request will return the MRPF to NPRC for retention.

B. Third-Party Access Requests

When an agency receives a third-party request for access to an employee's personnel records retained in an MRPF, and the requester has not obtained authorization from the data subject for release of his/her records, the agency will prepare a Transcript of Service containing data releasable under 5 CFR 293.311(a) for the title 5 records and under 5 U.S.C. 552a(b)(2) for the NAF records, and forward the transcript to the requester. For information from other than title 5 and NAF records, the agency will refer the requester to the record-controlling agency for a response, and notify the requester of the referral.

When an agency receives a third-party request for access to an employee's personnel records that are retained in an MRPF, and the requester has obtained authorization from the data subject for release of his/her records, the agency will treat the request as if it were made by the data subject (see section VII.A A. above).

When NPRC receives a request from a third party for a Transcript of Service of NAF records retained in an MRPF, and the requester has not provided written authorization from the data subject, NPRC will furnish the following information: former employee's name, effective dates of actions, and types of personnel actions (position title or occupation, pay plan, series, grade/step/salary, last employing agency and, if specifically requested by a prospective non-Federal employer: date, nature of action, tenure, civil service status, and the length of service in the agency and Government as shown on the relevant Notification of Personnel Action).

When NPRC receives a request from a third party for information or a copy of a specific document from the MRPF of a former NAF employee and the requester has provided written authorization from the data subject, NPRC will furnish the appropriate document or information. If the document or information cannot be found, NPRC will refer the request to the appropriate DOD Component and notify the requester of the referral.

When NPRC receives a request from a third party for a copy of the complete MRPF or EMF of a former NAF employee who is deceased and the request or documents in the record contain proof of death, NPRC will forward the request and record to the appropriate DOD Component responsible for responding to requests, and notify the requester of the referral.

When NPRC receives a request from a third party for a copy of a specific document, information, or Transcript of Service from the MRPF of a former NAF employee who is said to be deceased and the request or record contains proof of death, NPRC will provide a copy of the specific document, information, or Transcript of Service to the requester.

When NPRC receives a request without proof of death from a third party for information from the MRPF of a former NAF employee who is said to be deceased, NPRC will furnish only the information releasable under 5 CFR 293.311(a). NPRC will inform the requester that proof of death (obituary, death certificate, etc.) is needed before further information may be released.

For all other requests from a third party for a copy or review of any part of the MRPG or EMF of a former NAF employee, NPRC will provide request and the record to the appropriate DOD Component responsible for responding to requests, and notify the requester of the referral.

VIII. DATA SUBJECT REQUESTS FOR CORRECTION OR AMENDMENT OF RECORD

Requests for correction or amendment of personnel records by a currently employed title 5, U.S.C. employee will be processed by the current employing agency to meet the requirements of OPM's regulations (5 CFR 297). However, when the request involves correction or amendment of a NAF record, the agency will forward the request and the MRPF to the appropriate DOD Component at the address in section VII.A. above for appropriate action. The agency will notify the employee of the referral. After processing the data subject's request, the DOD Component will return the MRPF to the current employing agency for retention.

When NPRC receives a request from a former NAF employee for amendment of his/her NAF record(s), and the records are in an MRPF, NPRC will forward the MRPF to the appropriate DOD Component at the address in section VII.A. above for appropriate action. NPRC will notify the requester of the referral.

IX. AGENCY REQUESTS FOR TRANSFER OF PERSONNEL RECORDS

When a DOD Civil Service agency is hiring a current DOD NAF employee under the provisions of the Portability Act, the agency will forward a copy of the appointment SF 50, along with the agency's return address, to the appropriate employing DOD Component Civilian Personnel office (see section VII.A above) to request the employee's NAFOPF or MRPF. The DOD Component NAFI employing office will forward the NAFOPF or MRPF within 5 work days from the date the request is received.

When a DOD NAFI is hiring a current DOD civil service employee under the provisions of the DOD Employee Benefit Portability Program, the DOD NAFI will forward a copy of the appointment document along with the DOD NAFI's return address, to the appropriate DOD civil service Civilian Personnel Office to request the employee's OPF or MRPF. The DOD civil service employing office will forward the OPF or MRPF within 5 work days from the date the request is received.

When NPRC receives a request from a Federal agency for the loan or transfer of a former NAF employee's MRPF, NPRC will forward the MRPF to the agency. NPRC will honor such requests only if the agency has submitted an SF 127, Request for Official Personnel Folder.

X. REQUESTS FROM INVESTIGATORS

When an agency receives a request from a Federal investigator who produces investigative credentials that are issued by the agency (i.e., FBI, CIA, DIA, NSA, DIS, DEA, OPM, Postal Inspector) for on-site review of a former employee's records that are retained in an MRPF, and the MRPF contains NAF records, the agency will furnish the records to the investigator for review. The agency will account for disclosure of the NAF record to the investigators.

When NPRC receives a request from a Federal investigator who produces investigative credentials that are issued by the agency (i.e., FBI, CIA, DIA, NSA, DIS, DEA, OPM, Postal Inspector) for on-site review of a former employee's records that are retained in an MRPF, and the MRPF contains title 5 and NAF records, NPRC will furnish the MRPF to the investigator for review at NPRC. Title 5 records can be reviewed off-site only by contacting OPM's Assistant Director for Workforce Information. An investigator who wishes off-site review of that portion of an MRPF containing NAF records must have a letter from the appropriate DOD NAF Component's Civilian Personnel Director at the address in Section VII.A. above specifically authorizing that person's MRPF to be provided for review. Any charge-outs from NPRC for off-site review will be documented in the MRPF with an SF 127.

A private investigator under contract with a Federal agency to review on-site an MRPF containing records of a former NAF employee must present documentation that indicates he/she is acting in an official capacity to conduct an investigation. The private investigator also must have from both the appropriate DOD NAF Component's Civilian Personnel director (address shown in Section VII.A.) and the Assistant Director for Workforce Information, OPM, a letter authorizing NPRC to provide the data subject's MRPF for review. An agency or NPRC will not release the MRPF for review of title 5 or NAF records unless they receive these documents from the private investigator.

XI. CONGRESSIONAL REQUESTS

When an agency or NPRC receives a request from either a member of Congress or a Congressional Committee for disclosure of NAF records contained in an MRPF, the agency or NPRC will forward both the request and the MRPF to the appropriate DOD NAF Component at the address in section VII.A. above for response. The agency or NPRC will notify the requester of the referral.

XII. ACCOUNTING OF DISCLOSURES

The NPRC, the OPM staff, and the employing NAFI will account for the disclosure of such record released as prescribed by the Privacy Act [5 U.S.C. 552a(c)] and place the record of disclosure in the MRPF or EMF, respectively. The accounting will show: the information that was released, the date that it was released, to whom it was released, who released it, and who requested or authorized the release.

XIII. ACCESS TO MEDICAL RECORDS

When an agency receives a current employee's request to review his/her EMF (SF 666-D), and the EMF contains NAF records, the employing agency will schedule the review or inform the employee when they will provide a copy of the EMF. (A current employee's access to his/her NAFEMF (or equivalent) will be provided under the applicable DOD NAF Component guidelines.)

When NPRC receives a request from a former employee for a copy of his/her EMF (SF 66-D) and the EMF contains records created under both NAF and title 5 authorities, NPRC will forward the request and EMF to the U. S. Office of Personnel Management, OPF/EMF Access Unit, for appropriate action, and notify the requester of the referral. OPM will forward the request and the EMF to the applicable DOD NAF Component (at the address in Section VII.A. above) for appropriate action regarding its NAF records, and notify the requester of the referral.

When a Federal agency wants access to a former employee's EMF (SF 66-D) at NPRC, and the EMF contains NAF records, the agency must submit to NPRC a SF 184, Request for Employee Medical Folder, properly completed to include the name, title, and address of the agency's officially authorized EMF system manager or designee. NPRC will then forward the EMF to the agency.

XIV. COORDINATION AND CONSULTATION

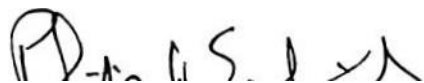
The OPM, the Department of Defense, and the NARA agree that there is a need for continuing close cooperation and consultation concerning the exchange of personnel documents and data and the applicability of procedures relating to the maintenance and use of OPF's, NAFOPF's MRPF's, and EMF's. Matters of concern which may arise, but are not covered by this memorandum, will be mutually resolved.

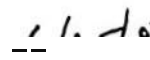
The Assistant Director for Workforce Information (OPM), the Assistant Archivist for Federal Records Centers (NARA), and the DOD Director, Workforce Relations representatives are designated as the coordinators and contact points for the establishment and oversight of relevant procedures, and will assign staff members to implement this agreement. Additional detailed agreements that the coordinators jointly establish will be considered to be a part of this agreement.

The parties to the Memorandum of Understanding (MOU) understand that this agreement is voluntary and any party may terminate the MOU after notifying the other signatories of its intention at least 90 days in advance of termination.

XV. PROCEDURES AND REGULATIONS TO IMPLEMENT THIS MEMORANDUM

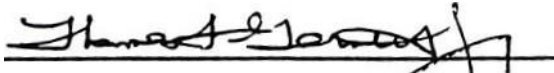
It is agreed that the OPM, NARA, and DOD may issue regulations and procedures to implement this Memorandum of Understanding (MOU). The coordinators agree that they will consult concerning the development and issuance of such regulations and procedures and that, when such regulations or procedures are issued, a copy will be furnished to the other parties to this agreement.


Philip A. Schneider
Assistant
U.S. Office


6/25/92

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Director for Workforce Information of Personnel Management



Thomas F. Garnett, Jr. Director, Workforce Relations Policy/E0
ASD(Civil Reserve)

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6/30/9

2.

Date David R. Peterson /Date

Assistant Archivist for
Federal Records Centers
National Archives and
7/29/92 Records Administration

Attachment 6: Guide for Developing Qualification Standards

A6.1. Use of Guide. This guide has been prepared to describe the procedures for developing and validating qualification standards for AF NAF positions. Qualification standards describe the knowledge, skills, abilities, and other characteristics (KSAO) needed to perform AF NAF jobs and the experience, education, or other evidence which indicates that a person possesses those KSAOs. Qualification standards are intended to ensure the recruitment of a competent, stable work force with equal employment opportunity for all candidates on the basis of merit and fitness for the work to be done.

A6.2. Major Job Requirements (MJR) and Knowledge, Skills, Abilities, and Other Characteristics Identification. The occupational analysis procedures selected for this guide focus on identifying MJRs and KSAOs.

A6.2.1. Identify MJRs. The supervisor identifies typically around five MJRs that represent a summary of the major duties, responsibilities, and work behaviors for the position. After the MJRs have been identified, the next step is to rank order MJRs that are the "most important for success in the position" to the "least important for success in the position." The rank order process based upon work group consensus can simply be accomplished by assigning numbers to the MJRs (that is, 1 to the most important; 2 to the second most important, etc.). This rank ordering process is necessary in order to demonstrate the overall relative importance of the MJRs to success in the occupation. The final list of MJRs in rank order of importance is transcribed onto a worksheet.

A6.2.2. Identify KSAOs. In qualification standards development, it is important to determine what KSAOs are required to become a successful performer in the occupation.

A6.2.2.1. Knowledge Statements. Knowledge statements refer to a body of information applied directly to the performance of a function, which, if applied makes adequate performance in the occupation possible. Examples of knowledge statements are: knowledge of bookkeeping procedures and techniques, knowledge of motor vehicle safety standards, knowledge of file maintenance procedures, etc.

A6.2.2.2. Skill Statements. Skill statements imply a present, observable competence to perform a learned mental or physical process. Skill statements refer to the proficient manner of performing work. Examples of skill statements are: skill in typing, skill in operating a tractor, skill in distinguishing sizes of parts, and skill in auditing records. Skill statements are useful in identifying worker characteristics that may require certain physical and mental requirements or evidence for certification requirements such as license requirements, etc.

A6.2.2.3. Ability Statements. Ability statements refer to the capability to perform an observable activity at the present time. Examples of ability statements are: ability to interpret and apply regulations, ability to work with power tools, ability to write reports.

A6.2.2.4. Other Characteristics Statements. These statements refer to physical or mental characteristics which do not fall under any of the other definitions. Examples are personal traits such as stress tolerance or dependability which may be applicable in work situations which exceed normal requirements, such as the job of air traffic controller.

A6.2.2.5. In general, KSAO statements normally begin with "knowledge of," skill in (or at)," or "ability to."

A6.2.2.6. KSAOs are defined in terms of those things employees are expected to do without training or experience on the job. KSAOs, therefore, which employees will be expected to learn on the job are not included in the qualification standard.

A6.2.3. Writing KSAOs. Following MJRs identification, a list of the KSAOs essential to the performance of the MJRs is completed. The phrasing of KSAOs is a matter of judgment. Subject-matter experts "brainstorm" KSAOs without excessive guidance.

A6.2.3.1. At first it is not necessary that all of the KSAOs remain at the end of the occupational analysis process, but including them at the beginning demonstrates that all of the possible important KSAOs were considered. During the development and refinement of MJRs and KSAOs, all notes, rough drafts, and documents are retained as evidence for later justification and defense of the qualification standard.

A6.2.3.2. Initially, fewer than 20 KSAOs normally adequately describe the most important worker characteristics in the occupational series. Keep in mind that KSAOs in qualification standards represent the minimum requirements for entry into the occupational series. KSAOs are further refined based upon a more specific job analysis when they are to be used for rating guides or interview guides.

A6.2.3.3. After initial KSAOs have been identified, the next step is to rank order KSAOs that are the "most important to bring to the occupation in order to perform in a reasonable period of time" to the "least important to bring to the occupation in order to perform in a reasonable period of time." The rank order process is simply accomplished by assigning numbers to the KSAOs (that is, one to the most important; two to the second most important, etc.).

A6.2.3.4. The KSAOs are reviewed as to whether they are essential to performance in the position. Those KSAOs that are determined to be less important or that could be acquired or learned in a reasonable period of time are not included in the qualification standard.

A6.2.3.5. The KSAOs are also reviewed in terms of their value in distinguishing among candidates. If KSAOs do not make distinctions among candidates, they serve little purpose in identifying potentially successful candidates.

A6.3. Qualification Requirements Documentation. The purpose of the qualification standard is to provide those minimum requirements for entry into the position. Any requirements used in basic eligibility are clearly tied to the content of the job. After analysis of the occupation is accomplished, the basic criteria for qualifications can be established.

A6.3.1. Usually, more than one type of activity demonstrates a candidate's possession of the KSAOs required for basic eligibility.

A6.3.1.1. Experience:

A6.3.1.1.1. Experience in jobs that are similar to or related to the KSAOs is frequently the most common measure of a candidate's basic eligibility. Since qualification standards set the minimum requirements for basic eligibility into an occupational series, the experience requirements should be broad in scope. It is in the ranking process for specific jobs in the occupational series that experience more similar to the jobs to be performed is examined.

A6.3.1.1.2. As much as possible, the experience required for basic eligibility is specifically tied to the KSAO and is not generally indicative of specific job types, titles, or organizational levels. For example, for the KSAO of "ability to type correspondence in final form," the experience sought should be reflective of that KSAO. The experience requirement should read, "Increasingly responsible experience in typing correspondence in final form, with responsibility for grammar, spelling, and punctuation accuracy." This experience may have been gained in many types of positions not only those that are titled "secretary" or "office automation assistant."

A6.3.1.1.3. In examining the KSAOs for some occupational series, there are certain basic functions found at every grade level of the occupation. Usually, these are KSAOs that are common to many related occupational series. This type of experience is called "general experience." That experience which is more specific and more specially related to the job is "specialized" experience. For example, in the Accounting Technician, 525 occupational series, every grade level requires certain general clerical skills, such as processing paperwork, filing, etc. This is "generalized" experience. The experience which is more specifically related to the accomplishment of accounting technician duties such as bookkeeping, voucher examining, etc., is "specialized" experience.

A6.3.1.1.4. The type and quality of experience are the most important things to describe in qualification standards. Experience is not described in terms of time periods; instead, it is the level and breadth of experience that is described.

A6.3.1.2. Education and Training:

A6.3.1.2.1. It is recognized that there are instances of a candidate's history, other than experience, which indicate the capability to fulfill KSAOs. Education and training are frequently the most common of these activities. Since qualification standards are built on specific KSAOs, care is exercised to ensure that the education and training entries correspond to the KSAO itself, and are not generalized. For example, a KSAO for the secretary occupation may be "ability to type documents in final form, assuring grammatical and other accuracy." The education and training that fulfills this KSAO is "education and training in which candidate gained skill in typing, as well as ability to determine grammar, spelling, and syntax correctness." This education and training is specifically related to the KSAO being measured.

A6.3.1.2.2. "Education" usually refers to formal academic instruction in an educational institution. "Training" usually refers to other instruction, usually of a briefer, less formal nature. Except in the case of professional or highly technical positions, "education" and "training" are used almost interchangeably.

A6.3.1.2.3. Other. There may be other indicators of a candidate's possession of the required KSAO. These requirements must meet the same test of specific relationship to the KSAO that the experience and education and training do. Some of these "other" indicators include licenses, certificates, statements of physical capabilities, etc. In the example of the qualification standard for the secretary occupation, an "other" indicator is a certificate of typing proficiency or competency.

Attachment 7: Evaluating Qualifications of Candidates

A7.1. Crediting Experience and Education:

A7.1.1. All experience and training of the quality and type specified in the standard, including experience and training gained in religious, civic, welfare, service, and organizational activities, are considered in determining qualifications regardless of whether or not any compensation was received.

A7.1.2. Experience gained while on detail is credited the same as if it were a permanent assignment. Part-time experience is credited the same as full-time experience.

A7.1.3. Experience in the armed forces is evaluated solely on its own merits with respect to the actual duties performed.

A7.1.4. Reference to "school above the high school level" means an educational institution (for example, a business school or college, a junior college, or college or university) for which high school graduation or the equivalent is a prerequisite. Some qualification standards require education completed in an accredited college or university. Accreditation of a college is granted by a regional accrediting association, a State Department of Education, State Accrediting Commission, or State University.

A7.1.5. Education which directly relates to the kind of experience required for a position may be substituted for the experience requirement. The length of the education and whether the course must be successfully completed is agreed upon by the NAF-HR and the selecting official.

A7.2. Personal Traits and Characteristics. Some qualification standards include a description of certain work behaviors which are desirable. In filling such positions, selecting officials ensure themselves, by reference checks, personal interviews, or other appropriate means, that applicants possess these work behaviors to the degree necessary for satisfactory performance of work.

A7.3. Physical Requirements. Positions which have an obvious need for physical requirements; that is, lifting, carrying, standing for long periods of time, etc. have these specific requirements included in the standard itself. For all other positions, applicants must be physically able to perform efficiently the duties of the position. Any physical condition which causes the applicant to be a hazard to him or others is disqualifying.

A7.3.1. Applicants and employees cannot be disqualified arbitrarily on the basis of medical standards, physical requirements, fitness tests, or other criteria that do not relate specifically to job performance. In addition, reasonable accommodation will be provided to persons with disabilities who demonstrate that they can perform the work of the position to be filled.

Attachment 8: Guidance on Interview Techniques

A8.1. Purpose and Use: This guide explains how to plan and conduct NAF employment interviews. The suggested methods are useful when candidates are interviewed to obtain information about their relative qualifications for the job, and a formal rating system is used. Local management decides whether to use a rating interview. Factors in the decision are the grade level of the position; the knowledge, skills, and abilities (KSAs) needed to successfully accomplish the work of the position; personnel turnover in the occupation, etc. These techniques do not apply in those instances where the selecting official confines the interview to an informal exchange of information about the job and the candidate.

A8.2. Rating Interviews

A8.2.1. All selection procedures are job related. A job analysis process is used to develop job related interview questions. Job analysis is a method for identifying job content by (1) describing the major job requirements MJRs in terms of important duties, tasks, work behaviors, etc., and (2) listing the related KSAs needed for successful performance of each MJR. KSAs are used to develop a set of standard questions which are used to interview all candidates. This is the same basic process as that used to develop and validate qualification standards for NAF positions. Step by step procedures are found in Attachment 6.

A8.3. Results of the interview are documented by rating the employee's responses to the questions asked about each KSA. The following example rating scale is used for this purpose:

A8.3.1. Five-Applicant's answer indicates a superior understanding of this factor. Answer is judged superior; equal to the hypothetical ideal employee for this job.

A8.3.2. Three-Applicant's answer indicates an adequate understanding of this factor. Answer is judged average. The answer does not indicate superiority; but the applicant possesses the characteristics to an adequate extent to meet job demands.

A8.3.3. One-Applicant's answer indicates evidence of factors which may limit the applicant. Answer is judged below average compared to the hypothetical ideal employee.

A8.3.4. **NOTE:** When the applicant's answer clearly falls between the above descriptions, the rating assigned is two or four.

A8.3.5. **Style and Format.** Following are a few fundamental rules of interview questioning:
Avoid questions requiring a yes or no answer.

Avoid asking questions so that the answer you would like to receive is obvious to the participant.

Make questions as straightforward as possible. Avoid complex constructions.

Try to obtain as many examples of behavior as possible. Ask about things accomplished, actual experience.

Avoid questions that may be an invasion of privacy; common sense is the best guide.

Avoid expressing value judgments in questions.

Show interest by asking for clarification or elaboration.

A8.3.6. **Taking Notes:**

A8.3.6.1. It does no good for an interview to produce information if that information is not transmitted to the interview discussion. The link is the interviewer. To perform this function, the interviewer takes notes during and immediately after the interview. No one can remember all the information brought out in an interview without taking notes. Note-taking may have the effect of formalizing the interview, but if properly done, the potential negative impact can be minimized. Moreover, the possibility of forgetting outweighs any slight "chilling" of the interview due to note-taking.

A8.3.6.2. Most participants in an interview expect the interviewer to take notes. Some interviewers find it suits their style to mention at the beginning of the interview that they are going to take notes; others never mention it. Note-taking should be done openly, but not in a way that the participant can see what is recorded.

A8.3.7. **Common Pitfalls in Interviewing:**

A8.3.7.1. **Advice-giving.** An interviewer should not turn the interview into a counseling session. He or she should not volunteer suggestions on job or personal decisions or problems. Counseling takes time away from the data-gathering function of the interview.

A8.3.7.2. **Arguing.** An interviewer should not argue with a participant. Questioning is completely acceptable. Expressing a difference of opinion is acceptable if done to evaluate a participant's depth. A "heated discussion" is not acceptable. It takes valuable time away from seeking information, potentially upsets the participant (thus increasing his or her nervousness, and making him or her more guarded), and markedly weakens the interviewer's powers of concentration and detachment. While an interviewer may completely disagree with a philosophy, attitude, or behavior expressed, he or she should not show it. More importantly, he or she should not let it color the perceptions or recording of other information.

A8.3.7.3. **Halo Effect**

A8.3.7.3.1. An interviewer avoids the tendency to generalize an overall impression of a candidate (job related or otherwise) based on an individual KSAO. This is referred to as the halo effect. There are many ways in which a participant acquires a halo. A positive halo comes from a significant accomplishment, like heading a task force that developed an important new product, having gone to the right college or simply because the participant reminds the interviewer of himself or herself a few years back. A negative halo comes from a spotty job record, association with a certain group, or because the participant reminds the interviewer of someone the interviewer does not like.

A8.3.7.3.2. Positive and negative halos are guarded against as they detract from the collection of information in the interview. Once a halo (positive or negative) is put on the head of the participant, there is a tendency to seek only supporting information. Significant information tending to diminish the halo is ignored. The only remedy seems to be to keep the problem in mind and fight against it by constantly challenging oneself.

A8.3.7.4. **Interviewer Orientation.** An interviewer puts himself or herself in the place of the participant and should not think what it would mean if a certain thing was said, but rather what the participant means in response. All human beings tend to interpret events relative to their own backgrounds and experience. An

interview is no different. To the extent possible, an interview should be participant oriented--considered from the participant's point of view.

A8.3.7.5. The Nervous Participant:

A8.3.7.5.1. Just because an interview is conducted in a friendly, nonthreatening manner, does not mean that the participant is not nervous or will not see it as threatening. The participant is in an unfamiliar setting, being interviewed by an individual or a panel the participant sees as highly prestigious and important; the participant feels it is necessary to sell himself or herself.

A8.3.7.5.2. Nervousness causes participants to misinterpret questions and nonverbal clues. Equally as important, nervousness hides behavioral characteristics that are important to observe in the interview. An extremely nervous participant cannot be effective in presenting his or her positive features.

A8.3.7.5.3. The only cure for a participant's nervousness is a warm, friendly, supportive interview. Friendly conversation helps (for example, about the weather or an area in the participant's background with which he or she feels particularly comfortable), but this is not used to the extent that valuable interview time is wasted. Generally, only time relieves nervousness. If the interview is properly toned, that time is used in collecting nonthreatening information.

A8.3.7.5.4. One of the worst things that happens to an already nervous participant is to be interviewed by a nervous interviewer. Each one reinforces the other's nervousness. They pick up and misinterpret clues from each other. Prevention of this situation is the responsibility of the interviewer. Only complete and thorough preparation prevents nervousness.

A8.4. EEO Laws and Regulations. It is very important that interviewers not violate EEO laws and regulations. Since many discrimination charges frequently involve the interview process, there is a need to increase the awareness of areas to be avoided. Interviewers must avoid questions involving: Race, Marital status, Religion, Occupation of spouse, Color, Arrangements for care of children, National origin, Views on birth control, Sex, Abortion, Sexual Orientation, Women's rights, Age, Handicap/Disability, Politics, and Employee membership or non-membership in organizations.

Attachment 9: Guide to Disciplinary Actions

Section A--Guide to Disciplinary Actions

A9.1. Supervisors determine which penalty to impose in a particular situation by applying responsible judgment to Air Force disciplinary policy. Take the disciplinary action on the basis of conclusions that sufficient evidence is available to support the reasons for action and that the action is warranted and reasonable in terms of the circumstances which prompted it. This attachment is provided to assist supervisors in selecting proper penalties by providing a framework for interrelating all the relevant facts to possible courses of action and to available penalties. It neither replaces nor dictates penalties. Rather, it gives a general framework to help supervisors exercise mature judgment in dealing with particular circumstances. Mechanical use of the guide must be avoided. The guide is an expression of typical causes and typical penalties only; therefore, causes of action and penalties in the guide may not meet the demands of all situations. Use it as guidance along with supervisory judgment in considering the particular circumstances of the matter and the appropriateness of the particular action contemplated.

A9.2. The column "Cause of Action (Offense)" does not include every potential cause. There is no "Violation of Other Rules" cause shown because this item provides no guidance. In using this column, the supervisor compares the current cause of action to all of those described and then uses those that relate to his or her situation to help apply the general policy. By relating the nature and seriousness of the current offense to the fundamental character of those listed, the supervisor fits the current offense into the general framework by relating its nature and seriousness to the fundamental characters of those listed. (If there is a directly applicable cause of action shown, it is the one used to guide further consideration.) It is not necessary to state a cause of action exactly as shown in this column. What is important is to state exactly what the employee did wrong.

A9.3. The "Typical Penalty" columns establish the range of penalties within which the penalty to be assessed usually falls, and the maximum penalty that may be assessed for a comparable nature offense. However, these ranges impose no mandatory minimum penalties, except as required by law, the supervisor has a choice of severity of action, ranging from no penalty to the maximum stated in the range. Thus, if the guide shows reprimand as the maximum, the supervisor may determine that no penalty is needed; or he or she may use either an oral admonishment or a reprimand. If suspension is listed as the maximum, an admonishment, a reprimand, or a suspension of any number of calendar days, up to and including that shown in this guide, could be assessed. A maximum of removal permits a choice of an admonishment, a reprimand, a suspension, demotion, or a removal. The severity of the penalty depends on the relationship of the current offense to those factors involved, including the nature of the current offense, and the nature and recency of other offenses.

A9.4. Factors in Penalty Selection. Some of the factors that may be relevant in selecting the appropriate penalty are listed at A9.4.1 through A9.4.12. Not all of the factors will be relevant in every case and others may be relevant in particular cases. Selection of an appropriate penalty (including a reprimand) involves a responsible balancing of the relevant factors based on the individual case. Some of the relevant factors may weigh in the employee's favor while others may not or may even cause management to view the situation as more serious and deserving of a more severe penalty than originally thought. When selecting a penalty, supervisors and managers consider the following factors (Douglas v. Veterans Administration, et al., MSPB Decision No. AT075299006, 10 Apr 1981):

A9.4.1. The nature and seriousness of the offense, and its relation to the employee's duties, position, and responsibilities, including whether the offense was intentional or technical or inadvertent, or was committed maliciously or for gain, or was frequently repeated.

A9.4.2. The employee's job level and type of employment, including supervisory or fiduciary role, contacts with the public, and prominence of the position.

A9.4.3. The employee's past disciplinary record.

A9.4.4. The employee's past work record, including length of service, performance on the job, ability to get along with fellow workers, and dependability.

A9.4.5. The effect of the offense upon the employee's ability to perform at a satisfactory level and its effect upon supervisors' confidence in the employee's ability to perform assigned duties.

A9.4.6. The consistency of the penalty with those imposed upon other employees for the same or similar offenses in like or similar circumstances.

A9.4.7. The consistency of the penalty with the Guide to Disciplinary Actions.

A9.4.8. The notoriety of the offense or its impact upon the reputation of the Air Force.

A9.4.9. The clarity with which the employee was on notice of any rules that were violated in committing the offense, or had been warned about the conduct in question.

A9.4.10. The potential for the employee's rehabilitation.

A9.4.11. The mitigating circumstances surrounding the offense such as unusual job tensions, personality problems, mental impairment, harassment, or bad faith, malice or provocation on the part of others involved in the matter.

A9.4.12. The adequacy and effectiveness of alternative sanctions to deter such conduct in the future by the employee or others.

A9.5. Notices of proposed action and of final decision need not contain specific information on how the penalty was selected, other than that related to causes of action. In the event of an appeal or grievance, management must, however, establish that the penalty was proper under the circumstances, and that consideration was given to all material factors.

Section B--Disciplinary Actions

Figure A9.1. Disciplinary Actions

CAUSE OF ACTION (OFFENSE) (see note 1) (Unless otherwise restricted, the supervisor has the option of imposing no penalty or of using an oral admonishment.)	TYPICAL PENALTY (see notes 2 and 3)		
	First Offense	Second Offense	Third Offense
1. Delay or failure to carry out assigned work or instruction in a reasonable period of time.	Reprimand	Reprimand to 5-day Suspension	Reprimand to Removal
2. Insubordinate defiance of authority, refusal to comply with proper orders, wanton disregard of directives or insolence.	Reprimand to Removal	Reprimand to Removal	5-day Suspension to Removal
3. Tardiness of less than 1/2 hour. (see note 4)	Reprimand (see note 5)	Reprimand	1-day Suspension
4. Unauthorized absence of 8 hours or less, tardiness of over 1/2 hour, leaving job without permission or delayed return from lunch.	Reprimand	Reprimand to 5-day Suspension	Reprimand to Removal
5. Unauthorized absence of more than 8 hours.	Reprimand to 5-day Suspension	Reprimand to 14-day Suspension	5-day Suspension to Removal
6. Failure to request leave according to established procedures.	Reprimand to 5-day Suspension	Reprimand to 14-day Suspension	5-day Suspension to Removal
7. Failure to honor a valid denial of a leave request.	Reprimand to 5-day Suspension	Reprimand to 14-day Suspension	5-day Suspension to Removal
8. Loafing or sleeping on duty: a. When hazard to personnel or property is not acute or when no injury or loss is involved. b. When hazard to personnel or property is acute or when there has been injury or significant loss.	Reprimand Reprimand to Removal	Reprimand to 14-day Suspension 5-day Suspension to Removal	Reprimand to Removal 10-day Suspension to Removal

<p>9. Careless workmanship or negligence.</p> <p>a. When an attempt is made to conceal defective work or there is an unauthorized attempt to remove or destroy work.</p>	<p>Reprimand</p> <p>Reprimand to Removal</p>	<p>Reprimand to 5-day Suspension</p> <p>Reprimand to Removal</p>	<p>Reprimand to Removal</p> <p>5-day Suspension to Removal</p>
<p>CAUSE OF ACTION (OFFENSE) (see note 1) (Unless otherwise restricted, the supervisor has the option of imposing no penalty or of using an oral admonishment.)</p> <p style="text-align: center;">TYPICAL PENALTY (see notes 2 and 3)</p>			
	<p>First Offense</p>	<p>Second Offense</p>	<p>Third Offense</p>
<p>10. Careless use of NAF property, resulting in possible or actual minimum damage and minor disruption or possible disruption of mission.</p>	<p>Reprimand</p>	<p>Reprimand to 5-day Suspension</p>	<p>Reprimand to Removal</p>
<p>11. Failure to observe safety practice, including failure to use safety equipment, such as eye protection devices, and failure to comply with hearing conservation program requirements.</p> <p>a. When hazard is acute to life or property.</p>	<p>Reprimand</p> <p>Reprimand to Removal</p>	<p>Reprimand to 5-day Suspension</p> <p>Reprimand to Removal</p>	<p>Reprimand to Removal</p> <p>5-day Suspension to Removal</p>
<p>12. Loss or damage to, or unauthorized use or destruction of property (including motor vehicles), records, or information. (see note 6)</p> <p>a. When willfulness or intent is involved.</p>	<p>Reprimand</p> <p>Reprimand to Removal</p>	<p>Reprimand to 5-day Suspension</p> <p>Reprimand to Removal</p>	<p>Reprimand to Removal</p> <p>5-day Suspension to Removal</p>
<p>13. Theft, actual or attempted, (Penalty is determined primarily by value of property, mitigating circumstances, employee's employment history, and employee's explanation.)</p>	<p>Reprimand to Removal</p>	<p>Reprimand to Removal</p>	<p>5-day Suspension to Removal</p>

<p>14. Deliberate misrepresentation: falsification, exaggeration, or concealment of a material fact in connection with any official document; or withholding of material facts in connection with matters under official investigation.</p>	<p>Reprimand to Removal</p>	<p>Reprimand to Removal</p>	<p>5-day Suspension to Removal</p>
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CAUSE OF ACTION (OFFENSE) (see note 1) (Unless otherwise restricted, the supervisor has the option of imposing no penalty or of using an oral admonishment.)	TYPICAL PENALTY (see notes 2 and 3)		
	First Offense	Second Offense	Third Offense
15. Discourteous conduct. Includes discourteous conduct to public.	Reprimand to 5-day Suspension	Reprimand to 14-day Suspension	Reprimand to Removal
16. Calling or participating in a strike, work stoppage, or slowdown.	Removal		
17. Picketing if such interferes with agency operations.	Reprimand to Removal	Reprimand to Removal	5-day Suspension to Removal
18. Committing a prohibited personnel practice.	Reprimand to 5-Day Suspension	Reprimand to 14-day Suspension	Reprimand to Removal
19. Rude, boisterous play that adversely affects production, discipline, or morale; use of abusive or offensive language; quarreling or inciting to quarrel; or interfering with the production of others.	Reprimand to Removal	Reprimand to Removal	Reprimand to Removal
20. Fighting, threatening, or inflicting bodily harm on another; physical resistance to competent authority; or indecent or immoral conduct.	Reprimand to Removal	Reprimand to Removal	5-day Suspension to Removal
21. Gambling during working hours.	Reprimand to Removal	5-day Suspension to Removal	10-day Suspension to Removal
22. Drinking, transferring, or selling intoxicants on duty or on government premises, except where authorized. Reporting for duty drunk or impaired by intoxicants. (see note 7)	Reprimand to Removal	5-day Suspension to Removal	14-day Suspension to Removal
23. Being on duty so intoxicated as to be unable to properly perform assigned duties, or to be a hazard to self or others. (see note 7)	Reprimand to Removal	5-day Suspension to Removal	14-day Suspension to Removal

CAUSE OF ACTION (OFFENSE) (see note 1) (Unless otherwise restricted, the supervisor has the option of imposing no penalty or of using an oral admonishment.)	TYPICAL PENALTY (see notes 2 and 3)		
	First Offense	Second Offense	Third Offense
24. Off-duty misconduct of such major import that the employee is unable to fulfill his or her job responsibilities. Off-duty misconduct of such significance that there is an adverse effect upon AF. (see note 8)	Reprimand to Removal	Reprimand to Removal	Reprimand to Removal
25. Failure to honor valid debts or legal obligations. (In determining whether an offense has occurred, consider whether extenuating circumstances have developed after the employee incurred the obligation and the employee's previous record. (see note 9)	Reprimand	Reprimand	Reprimand
26. Making false, malicious, unfounded, or highly irresponsible statements against other employees, supervisors, other officials, or subordinates, with the intent to destroy or damage the reputation, authority, or official standing of those concerned.	Reprimand to Removal	5-day Suspension to Removal	10-day Suspension to Removal

<p>30. Violation of security regulations when the breach does not result in release of security information to unauthorized sources and there is no evidence of a compromise of classified information. Consider all circumstances surrounding the breach in determining if an offense has occurred.</p>	<p>Reprimand</p>	<p>Reprimand to 30-day Suspension</p>	<p>10-day Suspension to Removal</p>
<p>a. When the violation is intentional or results in unauthorized release or compromise of security information.</p>	<p>Reprimand to Removal</p>	<p>14-day Suspension to Removal</p>	<p>30-day Suspension to Removal</p>

CAUSE OF ACTION (OFFENSE) (see note 1) (Unless otherwise restricted, the supervisor has the option of imposing no penalty or of using an oral admonishment.)	TYPICAL PENALTY (see notes 2 and 3)		
	First Offense	Second Offense	Third Offense
31. Aiding and assisting in prosecution of claim against the United States, or receiving any gratuity or any share of or interest in claim from any claimant otherwise than in discharge or proper official duties.	Reprimand to Removal	14-day Suspension to Removal	Removal
32. Soliciting contributions from other government officers or employees for gifts or presents offered or presented as contributions from persons in government employ receiving lower salary.	Reprimand	Reprimand to 14-day Suspension	Reprimand to Removal
33. Transferring or selling marijuana, a narcotic, or a dangerous drug. (see notes 11 and 12)	Reprimand to Removal	Removal	
34. Use or possession of marijuana, a narcotic, or dangerous drug on government premises or on duty. Reporting for duty while under the influence of marijuana, a narcotic, or dangerous drug. (see notes 11 and 12)	Reprimand to Removal	Removal	
35. Being on duty so impaired by marijuana, a narcotic, or dangerous drug as to be unable to properly perform assigned duties or to be hazard to self or others. (see notes 11 and 12)	Reprimand to Removal	Removal	
36. Deliberate misuse or unauthorized use of NAF monies or property. (Penalty determined primarily by value, mitigating circumstances, employee’s employment history, and employee’s explanation.)	Reprimand to Removal	14-day Suspension to Removal	30-day Suspension to Removal
37. Accepting favors or gifts from vendors for personal gain. (Penalty determined primarily by value, mitigating circumstances, employee’s employment history, and employee’s explanation.)	Reprimand to Removal	14-day Suspension to Removal	30-day Suspension to Removal

CAUSE OF ACTION (OFFENSE) (see note 1) (Unless otherwise restricted, the supervisor has the option of imposing no penalty or of using an oral admonishment.)	TYPICAL PENALTY (see notes 2 and 3)		
	First Offense	Second Offense	Third Offense
38a. Misuse of Government Travel Charge Card (e.g., use of charge card for unauthorized personal expenses).	Reprimand to Removal	5-day Suspension to Removal	10-day Suspension to Removal
38b. Failure to Pay Government Travel Charge Card Bill (e.g., failure to pay charge card bill or pay such bill in a timely manner).	Reprimand to Removal	5-day Suspension to Removal	10-day Suspension to Removal
38c. Unauthorized use of or failure to appropriately control use of Government Purchase Charge Card as a cardholder, approving official responsible for use or oversight of the Card.	Reprimand to Removal	14-day Suspension to Removal	30-day Suspension to Removal
39. Tampering with urine specimen, including attempts to alter, adulterate, or substitute a specimen for the employee’s own or that of another employee.	Removal		
Refusal to submit to urinalysis	Reprimand to Removal	Removal	

Notes:

1. See first page of this attachment; see DoDD 5500.7, *Joint Ethics Regulation*, for violations of conflict of interest regulations.
2. Except where a lesser maximum penalty is provided, the maximum penalty for third or subsequent offenses is removal. All periods of suspensions are calendar days.
3. See first page of this attachment.
4. An oral admonishment is normally used for a first occurrence of tardiness. Maximum penalty for a third offense within 2-year period is 1-day suspension, and for a fourth offense in that period would typically result in a 5-day suspension with the added warning that a “continuation of offenses could result in removal.”
5. Normally, an oral admonishment is used.

6. 31 USC 638a(c) in 5 CFR and 31 USC 638a(c)(2) provides that any officer or employee who willfully uses or authorizes use of government passenger motor vehicles or aircraft for other than official purposes is suspended for not less than 1 month and will be suspended for a longer period or removed if circumstances warrant.
7. Actions involving these offenses must be carefully evaluated to ensure that the requirements of the federal substance abuse program are met. Close consultations with the Chief, NAF-HR and the installation medical officer is required.
8. Removal is warranted when U.S. citizens employed overseas become culpably involved with the law enforcement authorities of a host government in whose country the USAF facility is a guest. Such involvement reflects upon the U.S. and affects the success of its mission overseas.
9. There is no offense unless: (a) the validity of the debt is established; (b) there has been a failure to either arrange for or comply with a repayment schedule; and (c) there is a current complaint from the creditor. Suspension is not an authorized penalty. Maximum penalty for third and fourth offenses within two-year period is reprimand with the added warning that a "continuation of offenses could result in removal."
10. If a supervisor or manager has engaged in an act of discrimination, or in an activity that adversely reflects upon the integrity of the management process, an evaluation is made of the manner in which he or she generally discharges his or her management responsibilities, to determine whether he or she should be reassigned or changed to lower grade to a position of different character. (Reduction in grade is authorized under such conditions but may not be effected in addition to another penalty for the same offense.)
11. For purposes of this guide, a dangerous drug is one so defined by the Attorney General of the U.S. When a narcotic or dangerous drug has been prescribed for medical purposes under an appropriate authority, its use by the patient as prescribed is not an offense in terms of this guide. Close coordination with the base medical officer and the staff judge advocate is required.
12. The penalty is selected with due regard to the employee's status as a drug experimenter, drug user, or drug addict and should, whenever possible, contribute to the employee's rehabilitation and restoration.

Section C--Selecting the Penalty

Use this section along with sections A and B. The interrelationships of key factors in the disciplinary system are shown, but neither establishes additional procedural requirements nor automatically sets penalties.

<p>Information on how basic penalty was derived and if favorable elements were considered need not be included in notices but must be available for later use.</p>	<p>Information must be included in notices of any consideration used to increase the severity of the basic penalty.</p>
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Figure A9.2. Selecting the Penalty

<p>1. Basic penalty is the one that would be used if there were no other considerations. It is based on:</p> <p>a. Offense:</p> <ul style="list-style-type: none"> (1) Character (2) Seriousness (3) Consequences <p>b. Rehabilitative potential of penalty.</p> <p>c. Character of employee's position.</p>	<p>2. Favorable elements are those considerations which tend toward the imposition of less severe penalties. Included are:</p> <p>a. Situation:</p> <ul style="list-style-type: none"> (1) Possibility of genuine misunderstanding. (2) Enticements or provocations. (3) Capabilities of others. (4) Mitigating circumstances. <p>b. Employee:</p> <ul style="list-style-type: none"> (1) Length of Service. (2) Quality of work history. (3) Personal reputation. (4) Past contributions. (5) Record of cooperativeness. (6) Record of achievements. 	<p>3. Unfavorable elements are considerations which tend to show a need for more severe action than is usually taken. Included are:</p> <p>a. Penalties for past offenses within:</p> <ul style="list-style-type: none"> (1) Suspension – 2 years. (2) Reprimand - 2 years. (3) Admonishment - 2 years. <p>b. Combination of offenses.</p> <p>c. Series of offenses.</p> <p>d. Character of other offenses.</p> <p>e. Recency of other offenses.</p> <p>f. Employee willfulness.</p>	<p>4. Penalty assessed results from weighing of favorable and unfavorable factors in relationship to the offense.</p> <p>a. Proposed penalty is determined on the basis of all information available at time of institution of action and is specifically stated in notice of proposed action.</p> <p>b. Penalty decided upon is determined based on all available information, including employee's answer to notice of proposed action. Give consideration to plea of compassion. State penalty decided upon and effective date in notice of decision.</p>
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Attachment 10: Air Force Policy for Implementation of Domestic Violence Misdemeanor Amendment to the Gun Control Act (Lautenberg Amendment) for Military and Civilian Personnel**Domestic Violence Amendment/Lautenberg Notice**

The duties, activities, or responsibilities performed in this facility require employees and/or military members to store, issue, dispose of, or transport firearms or ammunition. Using firearms or ammunition; selling or disposing of firearms or ammunition; receiving, possessing, shipping or transporting firearms or ammunition; or other duties, activities or responsibilities involving firearms or ammunition are covered by the Gun Control Act (Title 18, U.S.C., § 922). Any person who has been convicted of a crime of domestic violence is not eligible to perform these duties. Employees and military members have an affirmative, continuing obligation to inform their supervisors if they have, or later obtain, a qualifying conviction. Candidates selected to fill these positions will be required to certify they have not been convicted of a crime of domestic violence prior to assuming the duties of the position. False or fraudulent information provided by candidates is criminally punishable by fine or imprisonment (Title 18, U.S.C., § 1001) and may result in referral to commanders for appropriate action.

This notice must be posted in all Air Force facilities storing, issuing, disposing of or transporting firearms or ammunition.

Attachment 11: The Fair Labor Standards Act (FLSA) Compliance and Complaint System

A11.1. General Information. The Office of Personnel Management (OPM) is responsible for administering the FLSA for most federal employees. This responsibility encompasses individuals paid with either appropriated or nonappropriated funds. Under the Act, the OPM assumes the same protective relationship for federal employees covered by the FLSA as the Department of Labor (DOL) has traditionally assumed for the nonfederal work force in matters related to overtime pay, minimum wages, equal pay, and child labor. The law, its legislative history, and the DOL precedent clearly call for the OPM to engage in vigorous enforcement of the Act. Conducting compliance reviews of agency-FLSA-related actions and resolving employee complaints alleging violations are two main aspects of the OPM's role as administrator of the Act.

A11.2. Scope of OPM FLSA Compliance and Complaint Activities.

A11.2.1. The OPM operates a federal FLSA compliance and complaint system in a manner that parallels the basic outlines of DOL practice; that is, a statutory investigative and compliance procedure. Therefore, an employee alleging an FLSA violation has a right to file a complaint directly with the OPM. The law itself also establishes the right for an employee to bring action in a US District Court, either directly or after having received the OPM decision on his or her FLSA complaint.

A11.2.2. The OPM requires that any FLSA violation brought to its attention and substantiated by the facts be corrected. Corrective action ordered includes paying retroactive wages, ensuring that the Act is complied with in the future, and other necessary or proper actions. Further, in keeping with the OPM's intention to parallel DOL practices, the burden of proof in FLSA complaints is primarily on the employer. Unlike the DOL, however, the OPM continually must be aware of the legal requirements of 5 U.S.C. provisions. Consequently, the OPM treats its responsibilities under the FLSA in a most comprehensive way. This duality of legislative application requires that OPM personnel assigned to FLSA administration functions be knowledgeable of 5 U.S.C. pay matters and correct improper employer actions under 5 U.S.C.

A11.2.3. The OPM's Directorate for Agency Compliance and Evaluation (DACE) and its counterpart regional evaluation divisions operate the OPM's FLSA compliance and complaint system. These organizations now conduct reviews of personnel management in federal agencies.

A11.3. Operation of the Compliance Component of the Federal FLSA Compliance and Complaint System. Compliance reviews are integrated with the OPM's personnel management evaluation program. Adherence to the Act is probed during OPM personnel management evaluations, as well as being the subject of special OPM compliance reviews. Within the AF, it is a part of the AF's human resources quality assessment evaluation system.

A11.4. Types of Complaints the AF Entertains.

A11.4.1. An employee or former employee (or his or her representative) may bring to the attention of the AF matters which include, but are not limited to, those where the complaint alleges:

A11.4.1.1. Working regular, nonovertime hours without compensation.

A11.4.1.2. Working overtime hours without proper compensation.

A11.4.1.3. Being improperly scheduled to work less hours than guaranteed, or required for their employment category.

A11.4.1.4. Being improperly scheduled to work more hours than in a regular work schedule, or employment category without the benefit of additional benefits.

A11.4.1.5. Not being paid Sunday premium pay, holiday pay or shift differentials, etc., when entitled to such pay.

A11.5. Operation of the AF Compliance and Complaint System.

A11.5.1. Employees or former employees who believe they have been denied pay or benefits as outlined in paragraph A20.4 file a claim against the NAFI to secure proper payment if informal efforts to resolve the issue fail.

A11.5.2. The claim must be fully documented at the time it is filed and, normally, is presented to the local NAF-HR Section within 15 days of the event resulting in improper payment, or of the date the employee first became aware of the fact that he or she was improperly paid, or the date of the informal decision.

A11.5.3. Failure to meet this time constraint is a factor considered in honoring any later claim submitted for retroactive pay adjustments, when there is evidence that the delay was within the claimant's control, and also serves to establish an earlier ending period than claimed.

NOTE: Management always has the prerogative, as well as the duty, to correct erroneous personnel actions, regardless of how it becomes aware of them.

A11.5.4. In no event, however, will a claim of this type be accepted more than 2 years after the alleged improper payment or the date the employee first became aware of it (3 years for claims of willful failure to pay proper compensation).

A11.5.5. When the Chief, NAF-HR accepts a claim and determines it is valid, the Chief, NAF-HR is authorized to direct payment of retroactive wages and benefits, as appropriate, for no more than 2 years (3 years for willful violations) back from the date the claim is received by the NAF-HR Section.

A11.6. Types of FLSA Complaints the OPM Entertains.

A11.6.1. An employee or third party may bring to the OPM's attention any matter considered to be a violation of the FLSA. "Third party" generally means any person or organization representing the employee. Typically, these matters involve such things as failure to pay proper overtime wages, including: Allegations that employees have been "suffered or permitted" to work outside regular hours without proper compensation, in violation of the Act. "Equal pay" issues that involve paying different wages to men and women for performing substantially the same work in the same establishment (in effect, the violation of classification principles).

Minimum wage violations.

Child labor violations.

A11.6.2. Relative to employee complaints on exempt or nonexempt determinations, the OPM does not require a complainant to demonstrate injury, due to his or her categorization. However, the OPM does not entertain complaints on merely hypothetical issues.

A11.7. Operation of the Complaint Component of the Federal FLSA Compliance and Complaint System.

The OPM complaint procedure operates along these lines:

A11.7.1. An employee who believes the FLSA has been violated files a complaint with the applicable OPM regional office. The regional Personnel Management Evaluation Division or DACE in the Washington area, investigates the complaint and requests a written presentation from the employer.

A11.7.2. The employee has the opportunity to review and rebut the employer's presentation in writing. The Evaluation Division or DACE determines if onsite investigation is necessary and conducts any such investigations. This includes reviewing time and attendance records, payroll records, and all other pertinent documents. Sworn statements, in affidavit form, are obtained, if necessary.

A11.7.3. Compliance orders are issued by the OPM regional directors or DACE, if violations are found, and all affected employees are notified.

A11.7.4. A request to reopen and reconsider an FLSA decision is directed to the Director, OPM. Such a request is made by either the employee, a representative of the employee, or the NAFI involved. Any such request explains in full, with supporting documentation, why the case should be reopened.

A11.7.5. As indicated previously, an employee has the right to bring action in a US District Court if dissatisfied with an OPM determination. The employee could go directly to the court if he or she so desires.

A11.8. Confidentiality for Complaint System.

A11.8.1. The OPM operates its FLSA complaint system in such a way as to maintain confidentiality for complainants, unless it is not possible to do so under the circumstances. Every reasonable effort is made to preserve confidentiality. Such efforts include expanding an investigation to cover an entire work unit from which the complaint originated. If the work unit is very small, the investigation is further expanded to make sure that the blanket approach preserves the confidential nature of the complaint.

A11.8.2. It is hoped that employees (as well as their agencies) who have complaints make every effort to resolve complaints through the regular supervisory channels, before beginning formal investigation under AF or OPM compliance and complaint procedures. However, because of the OPM intention to protect employee confidentiality, there is no requirement that this be done. If employers discriminate against or take reprisal in any form against an employee who exercises his or her rights by filing an FLSA complaint, the FLSA makes it clear that they are engaging in illegal practices.

A11.9. Sources of Compliance and Complaint Program Information.

A11.9.1. OPM personnel in 10 regional agency compliance and evaluation (ACE) divisions are trained to operate the compliance and complaint system.

A11.9.2. NAFI managers and Chief, NAF-HRs share the primary responsibility for making exemption determinations on the basis of the individual duties performed. There may be situations when an OPM

determination is needed on exemption questions that involve groups of positions or particularly complex exemption matters. The Chief, NAF-HR directs requests for such determinations, in writing, through the AFSVC/SVI to AFSVC/SVXH.

A11.9.3. Requests include PDs and PGs, current classification evaluation statements, a Chief, NAF-HR statement giving reasons for using the proposed course of action, and any other pertinent internal documents. Although the OPM helps in making exemption determinations on groups of positions, such determinations are not necessarily binding on all positions in the group. It must be recognized that the greatest standards for making exemption determination are the individual duties performed. Such duties, on an individual position basis, change over a period of time, so that a single position, in a group of generally exempt positions, may properly be categorized as nonexempt.

A11.10. Time Limits on Filing Complaints. An FLSA complaint by an NAF employee must be filed within 2 years of the alleged violation. Three years are allowed for claims involving willful violations of the Act.

A11.11. Disputes on Pay Computation. If there is a question on whether or not monies due the employee are correct, the employee has a right to present a claim directly to AFSVC/SVXH for final determination of monies due. For example, he or she presents the statement: "The employer and I agree on the number of hours of overtime that I have worked and that I am nonexempt. Nevertheless, the Chief, NAF-HR or NAF AO is not computing correctly the amount of money owed to me."

Attachment 12: Service Computation Date (SCD) for Leave

Table A12.1. Service Compensation Data (SCD) for Leave (see note 1).

R U L E	A If employee was hired	B and was a	C then the SCD is computed using all
1	before 1 Jul 74	Regular USAF NAFI employee	-Regular USAF NAFI service in a position to which annual and sick leave applies (does not include anyone occupying the special off-duty military (ODM) employment category); temporary full-time (TFT) service when employee converted to Regular fulltime (RFT) in the same position and NAFI before 1 Jul 74. (see notes 2 and 3)
2	from 1 Jul 74 through 30 Apr 75	Regular DoD NAFI employee	-Regular DoD NAFI service in a position to which annual and sick leave applied (does not include the ODM employment category); -active duty honorable service in any branch of the armed forces -during wartime or during any campaign or expedition for which a campaign badge is authorized, without regard to whether the employee actually received the campaign badge; -all active duty service when separation was based on disability from injury or disease received in line of duty, as a direct result of armed conflict, or caused by an instrumentality of war and incurred in the line of duty during a period of war; -(active military service after 30 Jun 60 in the regular corps or reserve corps of the US Public Health Service, and after 30 Jun 61 as a commissioned officer of the Environmental Science Services Administration Coast and Geodetic Survey, are creditable when the employee is carried or presumed to be carried on the rolls of the employing NAFI in a military furlough or LWOP status.) (see notes 2, 3, and 4)
3	from 1 May 75 through 15 Feb 83	Regular DoD NAFI employee	-prior DoD NAFI service in a Regular employment category (excluding the former ODM employment category.) (see notes 2, 3, 4, 5, and 6)
4	from 16 Feb 83 through 27 Jun 83 (or was hired under Rule 1, 2, or 3 above)	Regular DoD NAFI employee	-prior DoD NAFI service in a Regular employment category; -all active uniformed service (except for certain retired members of the uniformed service as

			<p>outlined below), terminated by honorable discharge, under honorable conditions, or by transfer to inactive reserves under honorable conditions;</p> <p>-for an employee who is a retired member of the uniformed services, credit is restricted to the actual service in armed forces during wartime or in any campaign or expedition for which a campaign badge has been authorized. But if the retired military member meets one or more of the following conditions, then all of his or her active service is creditable:</p> <p>-the retirement was based on disability resulting from injury or disease received in the line of duty as a direct result of armed conflict; or</p> <p>-the retirement was based on disability caused by an instrumentality of war and incurred in the line of duty during a period of war (as defined in Section 101 and 301 of Title 38, United States Code); or</p> <p>- on 30 Nov 64, the retired member was employed in a NAF position to which annual and sick leave applied, and continues to be employed in a position of this kind without a break in service of more than 30 days. (see notes 2 through 11)</p>
5	on or after 28 Jun 83 (or was hired under Rule 1, 2, 3, or 4 above)		<p>- the credit addressed in rule 4 above, plus</p> <p>- temporary full- or part-time service when employee converts to RFT, RPT, or REG employment and has remained a NAF employee since date of conversion. (see notes 2 through 12)</p>

NOTES:

1. For RIF SCD, compute leave SCD and delete any credit that was given for military service.
2. Prior service includes time served under the provisions of USAF NAF employment contracts which were documents used to hire USAF NAF employees before publication of AFM 176-5. Contracts in effect when AFM 176-5 was published were permitted to remain valid until their expiration date or no later than the beginning of the first pay period in Jul 71, whichever occurred first. These contracts do not include Personal Service Contracts.
3. If an employee was on board 1 Jul 74 when the SCD rules changed, the SCD should have been recomputed to provide the greater benefits.
4. DoD NAFI service includes service with the AAFES.

5. Employees rehired after a break in service of 1 or more workdays are entitled to an SCD, computed on those creditable factors authorized at the time of reemployment. Employees rehired by reinstatement are considered to have been continuously employed without a break in service.
6. An employee who was on board before 1 May 75, and who remained a NAF employee on and after 1 May 75, would retain any credited military service computed previously into the existing SCD unless the present method of crediting military service produces a greater benefit.
7. If recomputation under rules 4 or 5 impacts adversely on an employee, employee retains the SCD which provides the greater benefit.
8. Dates of wars, campaigns, and expeditions are found in OPM's Vet Guide.
9. Use DD Form 214 to verify military service; in addition, for military retirees, you will need to complete SF 813 to verify participation in campaigns and expeditions.
10. The Guide to Processing Personnel Actions, Chapter 6, may be used as a guide in crediting military service and in the methodology for computing SCD for leave purposes.
11. Any SCD and leave accrual rate changes resulting from crediting military service are adjusted effective 16 Feb 83. Recomputation to allow retroactive accrual prior to that date is not authorized.
12. Any SCD and leave accrual rate changes resulting from crediting temporary service leading to Regular service are adjusted effective 28 Jun 83. Recomputation to allow retroactive accrual prior to that date is not authorized.

Attachment 13: Classification Standards for NAF Payband Positions

Section A--General Information

A13.1. This attachment sets forth guidelines for classifying NAF payband positions. Three general sets of guidelines are used: Characteristics of Work Performed, Job Grading Methods for Mixed Jobs, and Job Grading Methods for Leader and Supervisory Positions.

A13.1.1. Characteristics of Work Performed. The characteristics of work performed for each payband consists of a narrative listing of duties appropriate for the payband, the supervision provided for these types of positions, and suggested qualification requirements for these positions. (Section B)

A13.1.2. Job Grading Methods for Mixed Jobs. These methods are used when the duties and responsibilities of a position cannot clearly be defined in one occupational area. (Section C)

A13.1.3. Job Grading Methods for Leader and Supervisory Positions. These methods are used to grade positions that on a regular and recurring basis involve leading or supervising the work of three or more (full-time equivalent) employees. (Section D)

A13.1.4. Listing of Commonly Used and Authorized NAF Position Titles and Occupational Series. This is a listing of position titles and corresponding occupational series commonly found in each payband. The listings are not intended to contain all combinations of possible titles and occupational series. They are used in assigning official position titles and series to NAF payband positions. (Section E)

A13.2. Classifying NF Payband Positions:

A13.2.1. Compare the duties and responsibilities to the characteristics of work to determine the appropriate payband. Assign the appropriate official position title, occupational series and payband.

A13.2.2. If the duties of the position cannot be clearly defined as belonging to one particular occupational series, then the methods used to classify and grade mixed jobs should be used.

A13.2.3. Should the position guide contain leader or supervisory duties, the methods used to apply supervisory standards is used to determine whether or not the position is classified as a leader or supervisor.

Section B - Characteristics of Work Performed.

A13.3. Payband NF-I:

A13.3.1. Routine Clerical Duties:

A13.3.1.1. Files to existing alphabetical, chronological, or numeric files. Maintains files; locates and withdraws records; cross-references file material; removes records for disposition according to established schedules, rules and regulations.

A13.3.1.2. Performs receptionist duties. Greets and directs visitors to the appropriate area or person, receives and routes incoming telephone calls, and provides routine or general information to the public.

A13.3.1.3. Completes routine reports and forms where the form contains instruction for completion, and requires limited or no typing skills.

A13.3.1.4. Performs a variety of simple, routine, repetitive accounting duties.

A13.3.1.5. Maintains records; receives, screens, reviews, and verifies documents; searches for and compiles data.

A13.3.1.6. Performs simple, routine or repetitive clerical procurement tasks involving purchasing, procurement, and contracting where supervisory guidance is readily available, and work is spot checked during the task and reviewed thoroughly upon completion.

A13.3.1.7. Types a variety of simple material where instructions for format, punctuation, spelling and grammar are often provided; however, may include responsibility for propriety of format.

A13.3.1.8. Uses word processing software and printing equipment to create, copy, edit, retrieve and print a variety of standardized documents. This may or may not include transmitting and receiving electronic mail and messages.

A13.3.1.9. Follows prescribed procedures for processing transactions.

A13.3.1.10. Receives and confirms room reservations, registers and assigns rooms to guests, issues room keys, receives money, makes change, and prepares daily reports.

A13.3.1.11. Performs circulation and registration duties in libraries. Checks out materials; accepts returns; may accept payments and make change; processes replacement of lost items and extensions of loans.

A13.3.1.12. Performs receiving and disbursing cashier duties; accepts payments, checks, makes change; may prepare and issue change funds, bank deposits and daily reports.

A13.3.1.13. Performs routine supply/inventory duties such as processing documents, posting, and establishing new records.

A13.3.1.14. Receives and places local, regular and special long distance calls, answering routine and non-routine questions in reference to the organization.

A13.3.1.15. Receives mail, sorts and arranges items, and delivers mail. Picks up mail along delivery route and sorts materials to be delivered along the courier route in returning to duty station. May operate a motor vehicle or light truck on a limited basis when performing these duties.

A13.3.1.16. Sorts incoming mail, reads and routes mail, records registered or insured mail, maintains directory or locator file, inspects outgoing mail for completeness.

A13.3.1.17. Performs routine clerical duties in computer operation area. Reviews incoming documents; logs incoming coded documents, tape reels, and worksheets. Maintains logbook of daily operational runs; examines and verifies machine output reports for accuracy and completeness.

A13.3.1.18. Assists higher grade payroll clerk in computing routine pay transactions, posting individual pay records, filling in form letters, and assists in the compilation of miscellaneous payroll reports.

A13.3.2. Customer Service Duties:

A13.3.2.1. Provides assistance to facility users by explaining function and features available of building, equipment, and recreational activities.

A13.3.2.2. Serves as a sales clerk demonstrating or selling in a general or specialized merchandise area.

A13.3.2.3. Performs cashier functions in support of other staff involved in the sales of services or merchandise. Receives money, issues receipts, makes change, and completes related cash control forms.

A13.3.2.4. Patrols, protects, and inspects buildings and property. Guards supplies, merchandise and equipment.

A13.3.2.5. Maintains security by inspecting parcels and visitors to closed access areas; checks identification of persons entering clubs, etc., and enforces the rules of conduct of such facilities.

A13.3.2.6. Issues and collects recreational equipment, laundry and supplies.

A13.3.2.7. Performs duties as night manager of a small club or assigned area, enforcing club rules, providing instruction and guidance to staff members during assigned shift.

A13.3.2.8. Assists in supervising groups of children in structured or unstructured playground or indoor game room activities in a youth activities program.

A13.3.2.9. Keeps schedules of athletic events or tournaments. Accepts reservations for facility use, collects fees; prepares facility for specific events.

A13.3.2.10. Sells bingo cards, collects and accounts for cash, and "calls" bingo game.

A13.3.2.11. Observes swimming areas to ensure safety of patrons. Rescues swimmers in trouble and administers first aid. Cleans pools and pool areas. Observes environmental conditions for safety hazards to patrons.

A13.3.2.12. Under the supervision of a manager, coordinates all phases of a small retail activity. Requisitions merchandise; maintains stock levels; insures proper display, price-marks and sells merchandise; accounts for cash and inventories merchandise.

A13.3.3. Supervision Provided. Positions in this band are closely supervised when performing new or procedurally complex duties. Supervisor is readily available, in person or by telephone, to deal with unusual situations which may occur, and to provide necessary guidance and instructions. Routine work may be performed independently. Work is reviewed for compliance with office procedures and instructions, technical accuracy and appearance. It may also be reviewed in draft or in final form.

A13.3.4. Qualification Requirements. Positions in payband NF-I may or may not require prior training or experience. Training requirements and time limits which must be met as a conditions of appointment are included in the position guide. Qualifications may include, but are not limited to:

A13.3.4.1. Ability to read, write, and speak English. Math skills which should be possessed upon completion of secondary basic math programs.

A13.3.4.2. Specialized training requirements that are essential for some positions, i.e., for a lifeguard, such as certification of completion of Red Cross Lifeguard course and CPR.

A13.3.4.3. Typing skills.

A13.3.4.4. Stenography skills.

A13.3.4.5. Key punching skills.

A13.3.4.6. Limited knowledge of office automation software.

A13.3.4.7. General knowledge of standard library rules, regulations and procedures.

A13.3.4.8. Experience in clerical or office work of any kind which has demonstrated the ability to perform the duties of the position in a satisfactory manner.

A13.3.4.9. Experience involving public contact.

A13.3.4.10. Practical knowledge of recreational activities, rules and procedures, and equipment.

A13.3.4.11. Ability to resolve common arithmetical problems and make change when receiving payments from customers.

A13.3.4.12. Experience working with an inventory management system.

A13.3.4.13. Experience as a telephone operator.

A13.3.4.14. Experience which has demonstrated arithmetic aptitude and ability, accuracy and attention to detail, and the ability to apply well established, simple, repetitive accounting procedures.

A13.3.4.15. Experience which has provided a general familiarity with the routines and procedures followed in leisure or recreational group activities or programs.

A13.4. Payband NF-II:

A13.4.1. Complex Clerical Duties:

A13.4.1.1. Creates and maintains official files and other reference material IAW established procedures.

A13.4.1.2. Answers telephone calls and receives visitors supplying requested information from own knowledge and/or office files, or refers caller to appropriate source.

A13.4.1.3. Gathers data and documentation for special projects and prepares briefing support materials.

A13.4.1.4. Establishes and maintains control/suspense logs.

A13.4.1.5. Performs the full range of cash management and accountability duties that may include collecting dishonored checks, analyzing and correcting erroneous data on computer runs, training lower grade cashiers, etc.

A13.4.1.6. Takes and transcribes dictation in the preparation of a variety of correspondence, reports, forms, messages, memoranda, procedures, studies, etc., in a work situation involving a high level of responsibility.

A13.4.1.7. Uses word processing software to produce a variety of documents. For example, uses database or spreadsheet software to enter, revise, sort or calculate and retrieve data for reports; uses graphic software to provide charts and graphs for viewgraphs. Transmits and receives documents and messages electronically using PCs that are networked or linked through a central processing unit.

A13.4.1.8. Types a wide variety of material, where spacing arrangements are complicated, directly in final format without a rough draft. Includes responsibility for correct spelling, paragraphing, grammar and format.

A13.4.1.9. Performs complex clerical duties in computer operation area. Resolves error documents. Assists in preparation of daily computer operation schedules, reviewing systems packages and maintaining daily history file of all machine utilization.

A13.4.1.10. Performs clerical support work for purchasing, procurement, and contracting that require the application of a knowledge of general procurement procedures and basic regulations.

A13.4.2. Administrative/Technical Support Duties:

A13.4.2.1. Reviews applicable regulations and directives to determine appropriate actions to take or recommend.

A13.4.2.2. Drafts contract specifications as directed by a Procurement/Contract Specialist.

A13.4.2.3. Takes photographs and develops film.

A13.4.2.4. Plans and conducts a specific segment of a large recreation program IAW guidance of a Program Manager.

A13.4.2.5. Conducts studies in a specific administrative area to address specific situations; coordinates with personnel outside the work unit in identification, research, and clarification of problems and discrepancies.

A13.4.2.6. In an accounting office, reviews, analyzes and verifies incoming documents, processes payments, conducts quality audits of documents and vouchers for completeness and validity, prepares a variety of financial reports from records maintained.

A13.4.2.7. In a payroll office, establishes and maintains individual pay records, determines pay due and applicable withholdings, verifies all pay action documents, processes payroll checks, completes all related

reports. Performs with minimal supervision, however, supervisor is readily available to answer questions or to help with unusually complex problems or situations.

A13.4.2.8. In a NAF-HR, assists in providing recruitment and placement to NAF activities. Provides information to NAF employees on items found in commonly used regulations. Maintains files. Processes a variety of personnel actions. May be required to operate a computer remote terminal.

A13.4.2.9. Performs responsible supply/inventory duties in stock level maintenance, inventory adjustment, and receipt control. Such duties involve making determinations, selecting applicable procedures, conducting investigations, and interpretation of reference materials/sources.

A13.4.2.10. Operates peripheral computer equipment as the primary job duty. Operates verifiers and machines with keyboards for writing on tape. May set switches, mount and dismount tapes, load and recognize faulty punch cards, recognizing and correcting error conditions, and keeping necessary records.

A13.4.2.11. Performs purchasing duties using methods for a variety of standard items from authorized sources that are well advertised and well-known.

A13.4.2.12. Under the supervision of a manager, coordinates all phases of a medium to large retail activity. Requisitions merchandise; maintains stock levels; insures proper display, price-marking, selling of merchandise, cash accountability and merchandise inventory. May be required to train subordinate personnel.

A13.4.2.13. Performs duties of a complex clerical/administrative nature related to library functions, i.e., the mechanical preparation of library materials; the physical upkeep of library material and equipment; circulation work; acquisitions work; cataloging work. Duties may be specialized in certain areas (e.g., acquisition, cataloging, reference, circulation, or serials work), and may frequently involve providing direction to lower graded personnel.

A13.4.3. Customer Service Duties:

A13.4.3.1. Demonstrates and sells merchandise direct to customers when an in-depth technical knowledge of the product sold is required.

A13.4.3.2. Decorates display areas, develops proposals for merchandise including sketches, material requirements and budget requirements.

A13.4.3.3. Plans and conducts recurring patron activities such as dances, dinners, tournaments and related social activities.

A13.4.3.4. Carries out a specialized arts & crafts program (ceramics, lapidary, stained glass, etc.)

A13.4.3.5. Teaches swimming in a formal program.

A13.4.3.6. Supervises and directs the activity of participants in established youth and recreation programs such as Teen and Summer Camp.

A13.4.3.7. As night manager, monitors operation of a medium to large club or assigned area; enforcing club rules, ensuring scheduled functions take place as scheduled; provides instruction and guidance to staff members during assigned shift.

A13.4.3.8. Performs routine and standard club-management functions that are a complete segment of a broader overall club operation.

A13.4.3.9. Provides a variety of travel advice and information to customers involving various types of transportation carriers, travel patterns, accommodations and scheduling.

A13.4.3.10. Performs retail sales duties as individual in charge of merchandise in a retail operation. Responsible for cash accountability, reviews stock, creates displays; operates cash register, prepares daily activity report, and provides work direction to subordinate personnel.

A13.4.3.11. Youth Sports Duties. Assists in planning, organizing, coordinating, and directing a comprehensive youth fitness or sports program. Arranges supplies and equipment to facilitate games. These positions do not provide direct care to children and youth. Positions that do provide direct care shall be classified to the CY category.

A13.4.3.12. Supervisory Duties. Establishes work assignments to meet peak loads and emergencies. Trains employees in methods and procedures of performing work. Reviews work in progress for quality and productivity. Develops and implements internal methods and procedures. Plans and controls for the efficient operation of the unit. Interviews and selects applicants. Conducts performance evaluations. Initiates disciplinary actions, with the approval of higher level supervisor(s) and recommends employees for awards.

A13.4.4. Supervision Provided. Positions in this band are provided instructions when performing new or procedurally complex duties. Supervisor is usually available to provide guidance and instruction with unusual situations which may occur. Routine work is performed independently. The supervisor checks the work to ensure compliance with procedures and directives.

A13.4.5. Qualification Requirements. Positions in payband NF-II may or may not require work experience. Many positions may require training, education, specific skills or experience. Specific experience is work experience, directly related to the duties required of the position, which demonstrates the knowledge, skills and abilities essential to successfully perform the duties identified. Those training requirements, which are to be completed after appointment and which are a condition of employment, are included in the position guide. Qualifications may include, but are not limited to:

A13.4.5.1. Progressively responsible experience in work which requires a knowledge of established double-entry accounting procedures and techniques.

A13.4.5.2. Progressively responsible experience in clerical duties in the receipt, disbursement, examination, deposit, custody, or other processing of cash items when this includes (1) direct handling of cash items and, (2) use of cash accountability control methods.

A13.4.5.3. Experience in responsible clerical or office work of any kind in which the applicant demonstrated the ability to perform satisfactorily at the grade level of the position.

A13.4.5.4. Proficiency in stenography skills.

A13.4.5.5. Proficiency in typing skills.

A13.4.5.6. General experience or knowledge of each functional area within club operations, club programs, procedures and rules.

A13.4.5.7. Experience in work which requires a knowledge of the rules, regulations, procedures and program requirements of one or more areas of a personnel system.

A13.4.5.8. Knowledge of varied and/or advanced functions of computer software and automated systems to produce a wide range of office documents.

A13.4.5.9. Knowledge and/or experience which required the application of a knowledge of general procurement procedures and basic regulations.

A13.4.5.10. Experience which provided a working familiarity with the routines and procedures followed in group activities or programs.

A13.4.5.11. Working experience or knowledge of the recreational activities and equipment, rules and procedures as relate to the particular activity in which they are assigned.

A13.4.5.12. Responsible clerical or office experience involving most or all of the duties of the position. Some substantive subject matter knowledge of the organization's programs and operations may be required.

A13.4.5.13. Increasingly responsible experience working with an inventory management system. For positions involving an automated inventory system, sufficient knowledge of the mechanized program to apply coding structures for specific merchandise items.

A13.4.5.14. Certification of completion of Red Cross Lifeguard course, Water Safety Instructor course, and CPR.

A13.4.5.15. Responsible experience and knowledge in operation of peripheral computer equipment.

A13.4.5.16. Increasingly responsible experience which provided a basic knowledge of payroll and related rules, regulations, instructions and procedures as relate to standard types of pay actions, changes and pay record totals and reports.

A13.4.5.17. Experience that provided a basic understanding of the rules, regulations, practices and procedures used in purchasing; knowledge of common business practices with respect to pricing, discounts and deliveries.

A13.4.5.18. Responsible experience in retail sales which has provided a technical knowledge of retail products within the organization, merchandise display, maintaining inventory levels, and salesmanship abilities.

A13.4.5.19. Experience which has provided a practical knowledge of travel industry rules, regulations and procedures.

A13.4.5.20. Progressively responsible experience in a library providing specific knowledge of library rules, regulations and procedures.

A13.4.5.21. Responsible clerical or office experience which provided a basic knowledge of correspondence formats, grammar and spelling; ability to perform research, select and arrange material, compose correspondence and maintain organized files.

A13.4.5.22. Experience which has demonstrated the ability to perform the full range of keypunch or CRT equipment duties. Leadership ability may be required.

A13.4.5.23. Progressively responsible general clerical experience which has demonstrated arithmetic aptitude and ability, accuracy and attention to detail.

A13.5. Payband NF-III:

A13.5.1. General Duties:

A13.5.1.1. In a sports or recreation program, interprets rules and procedures for program participants (ABC to bowlers, ASA to summer softball programs, etc.), while serving as advisor for group activities.

A13.5.1.2. In a large or centralized payroll office, establishes and maintains individual pay records, determines pay due and applicable withholdings, verifies all pay action documents, processes payroll checks, completes all related reports. Expected to perform independently. Responsibility for the full performance of payroll work required.

A13.5.1.3. In a budget office, gathers and verifies narrative and statistical data; prepares preliminary budget estimates; summarizes narrative, quantitative and statistical data included in budget forms, schedules and reports.

A13.5.1.4. In a theatre program, organizes, directs or produces plays or musical productions; participates in staging, rehearsal, playwriting, set construction, etc.

A13.5.1.5. In a purchasing office, assembles specifications to be used in writing contracts; searches catalogs to develop cooperative information on goods available; recommends contract terminology; coordinates contract execution with vendor ensuring compliance with delivery dates, etc.

A13.5.1.6. Researches, assembles and conducts preliminary analysis of data for use by higher level specialist; researches prior records of similar actions, prepares review of such action and participates in the evaluation of data obtained.

A13.5.1.7. Independently, serves as subject matter expert in a technical area.

A13.5.1.8. Reviews applicable regulations and directives to determine appropriate actions to take or recommend.

A13.5.1.9. Gathers, monitors and maintains data to complete reports, respond to inquiries and assist others.

A13.5.1.10. Plans, organizes, schedules, and coordinates conferences and/or events (tournaments, intramural competition, fund raising functions, workshops, training); arranges supplies and support services for functions (transportation, facilities, security, and funding).

A13.5.1.11. Plans and administers a segment of a large sports or recreation program, or manages a small program.

A13.5.1.12. Designs and develops publicity/marketing material (viewgraphs, slides, posters, fliers, brochures, video presentations), develops and writes announcements, press releases, speeches and related material.

A13.5.1.13. Uses desk-top publishing software to prepare a variety of news releases, brochures, reports and publications highlighting the activities of the organization.

A13.5.1.14. As a unit manager performs all or most of the following:

A13.5.1.14.1. Plans and directs the operation of a sales activity; stores, displays, prices, and merchandises a variety of products.

A13.5.1.14.2. Enforces facility usage requirements/limitations.

A13.5.1.14.3. Receives and resolves customer complaints and requests for special services.

A13.5.1.14.4. Coordinates activity between units.

A13.5.1.14.5. Develops and implements promotional events.

A13.5.1.14.6. Maintains required financial and customer usage data.

A13.5.1.15. In an accounting office, performs the full range of accounting duties. Classifies and verifies a wide variety of documents; maintains double-entry bookkeeping journals and subsidiary ledgers; prepares monthly balances, reconciles accounts, and transcribes to general ledger for closeout of all accounts; computes expenses for accounting services and assigns charges; prepares financial statements.

A13.5.1.16. Performs as manager or assistant manager of a small to medium size aero club.

A13.5.1.17. Performs as manager or assistant manager of a small to medium size bowling center.

A13.5.1.18. Performs as manager or assistant manager in a small to medium size golf course.

A13.5.1.19. Performs as manager or assistant manager in a small (less than full-service operation) club.

A13.5.1.20. In a catering activity, makes all arrangements for catering such activities as banquets, parties, receptions and luncheons. Analyzes the requirements of the occasion and decides on suitable services to be provided. Informs dining room and kitchen personnel of food and beverage requirements. Ensures decorations, entertainment, and table arrangements are appropriate and available on time. Plans special membership affairs. Must know appropriate protocol for all levels of military and civilian participants.

A13.5.1.21. As chef in a small to medium size club kitchen, instructs cooks on proper techniques and methods of cooking and preparing a variety of food items. Initiates the preparation of new and unusual foods and sauces. Directs and oversees the setting and placement of entrees for buffets and special parties. Plans all menus for regular meals and parties. Checks food during and after preparation for conformance with high standard of

quality. Coordinates baking, meat preparation and cooking operations. Maintains accounting of sales and costs. Supervises kitchen staff. Standardizes recipes, analyzes cooking techniques, and estimates and orders food supplies.

A13.5.1.22. In a NAF-HR: Provides recruitment and placement service to all NAF activities. Conducts orientation, explains pay systems, differentials, hours of work, etc. Provides assistance to employees and supervisors on pay matters, benefits, and a wide variety of personnel actions. Prepares personnel action forms for a variety of personnel actions. May be required to operate a computer remote terminal.

A13.5.1.23. Complex clerical duties: Serves as secretary to the head of an organization performing secretarial and administrative duties requiring a substantial level of judgment, experience, and discretion. Actively participates in the organization's substantive programs.

A13.5.1.24. Operates console of a computer system, with responsibility for the quality of the result, and for recognizing, diagnosing and independently acting on machine stoppage and error situations.

A13.5.1.25. Manages, supervises or performs work involved in the design, implementation, maintenance or modification of systems for solving problems or accomplishing work processes by the use of digital computers.

A13.5.1.26. Performs progressively responsible duties in illustrating, painting, or drawing.

A13.5.1.27. As night manager, monitors operation of a medium to large club or assigned area. Positions at this level are normally in clubs with numerous types and frequent special activities, often requiring supervision of lower grade night manager type positions.

A13.5.1.28. In a sports and recreational program: Plans, directs, and manages the operations of sports and/or recreational programs for such activities as scuba diving, hunting, shooting, archery, fishing, boating, hiking, climbing, skating, riding, etc.

A13.5.1.29. In a contracting program: Performs duties involved with the negotiation, award, administration and termination of contracts, and in the purchase of commodities, services and supplies.

A13.5.1.30. Performs as Manager of the Resource, Recovery, and Recycling Program (RRRP) concerned with the utilization, donation, merchandising, sale, marketing, or other disposition of surplus property.

A13.5.1.31. Performs more complex and technical duties associated with procurement and contract functions. Includes tasks such as assembling product and price data for negotiations, reporting on performance of contractors, or providing training and/or guidance to lower grade procurement personnel.

A13.5.1.32. In a lodging facility: Evaluates housing management programs and the development of administrative procedures, and provides advice and technical assistance to lodging management. May include overall responsibility for a separate activity within the overall lodging function (e.g., VOQ, VAQ, TLF, etc).

A13.5.1.33. Performs as manager of the maintenance of a small to medium sized golf course.

A13.5.1.34. Performs as manager of a training and/or marketing program.

A13.5.1.35. Performs a wide variety of substantive technical support work necessary to insure the effective operation of supply management systems.

A13.5.1.36. Supervises the operation of a retail activity.

A13.5.2. Supervision Provided. Positions in this band are provided guidance when performing new or complex duties. Routine work is performed independently. The incumbent uses own initiative to resolve problems and conflicts. Guidelines are numerous and complex. Completed work is normally reviewed on a sample basis through evaluation of reports and finished products.

A13.5.3. Qualification Requirements. Most positions within payband NF-III require either training, education, or specific skills or experience. Specific experience is work experience, directly related to the duties required of the position, which demonstrates the knowledge, skills and abilities essential to successfully perform the duties identified. Those training requirements, which are to be completed after appointment and which are a condition of employment, are included in the position guide. Qualifications may include, but are not limited to:

A13.5.3.1. Progressively responsible experience in the full range of payroll processing for a wide variety of standard and nonstandard pay actions requiring a wide range of rules, regulations, and instructions, with little technical supervision.

A13.5.3.2. Knowledge of Agency rules, regulations, practices, procedures and techniques relating to purchase of a wide variety of commercial as well as some technical items; knowledge of quality of merchandise purchased to enable making determinations for substitution; knowledge of large number of vendor sources, and common business practices relating to mechanics of purchasing.

A13.5.3.3. Experience which has demonstrated the ability to manage a retail operation for profit. May include merchandise display and maintaining appropriate inventory levels.

A13.5.3.4. Ability to supervise, train and schedule subordinates or have experience which shows the potential to develop these qualities.

A13.5.3.5. Knowledge of desk-top publishing capabilities to enhance the presentation of data.

A13.5.3.6. Progressively responsible accounting experience which has provided knowledge of the interrelationship of accounts and the effects of debit and credit transactions on the overall system of general ledgers, and an understanding of the relationship between the general ledgers and subsidiary accounts in an accounting structure requiring a number of assets and liability control accounts and extensive subdivision of accounts. Knowledge of Agency accounting practices and procedures.

A13.5.3.7. Responsible experience which has demonstrated the ability to manage business activities. May have been gained in an operating, administrative or managerial position which included responsibility for various phases of operations, such as equipment and supply accountability, financial management, or planning organizational or club activities. The experience must have provided knowledge of accounting and financial planning principles and procedures.

A13.5.3.8. In a bowling center: Experience in a bowling facility which provided basic knowledge of bowling programs, procedures, and rules, and which provided an in-depth knowledge of the operations of at least one of the functions of a bowling facility.

A13.5.3.9. In a catering activity: Experience which has demonstrated the ability to plan and organize social functions for groups of people. Examples of such experience are: employees who have scheduled special events and arranged for catering; having responsibility for supervising or overseeing the food preparation or facility layout for group social functions; organizing activities which required coordination of numerous tasks involving cooperation from several sources of services or personnel. In addition, may require experience that provided knowledge of formal protocol for high-ranking dignitaries.

A13.5.3.10. As a chef, performs progressively responsible experience in quantity cooking; oversees preparation of a variety of food items; plans menus, and ensures quality control of food preparation; ensures cost control, and inventory and storage procedures for food supplies and equipment; procures food supplies and equipment. Knowledge of dietetics, planning culinary activities, and portion control is also a requirement.

A13.5.3.11. In a golf course:

A13.5.3.11.1. Experience in a golf facility which has provided basic knowledge of golf programs, procedures, and rules, and which provided an in-depth knowledge of the operations of at least one of the functions of a golf facility (e.g., tournament planning and scheduling, equipment rental, pro shop operations or food service operations). Knowledge of golf course grounds maintenance requirements and procedures is desirable. A PGA Class A certificate fully substitutes for the experience.

A13.5.3.11.2. Progressively responsible experience in golf course maintenance which has provided a technical knowledge of turf propagation, cultivation, course equipment and mechanics, irrigation and drainage systems and controls, horticulture, and insect/pest control and various turf diseases and remedies. Requires a knowledge of personnel management principles and policies sufficient to supervise and direct a staff of grounds maintenance employees. Must have knowledge of golf course construction and golfing techniques. Possession of a Class A rating from the Golf Course Superintendent's Association of America is highly desirable. Must be able to communicate effectively both orally and in writing. Knowledge of grass seeds, fertilizer, herbicides, pesticides, algicides, soil and sand mixtures.

A13.5.3.12. In a club:

A13.5.3.12.1. Responsible experience which has demonstrated the ability to manage business activities. Examples of such experience would be work which involved: planning activities; establishing administrative procedures and policies; funds accountability; responsibility for budgeting; overall responsibility for an operation which involved requisition, sale and inventory of equipment or supplies; responsibility for uniform accounting and supply procedures; management of an activity similar to the one in which the position is located; planning for and marketing products.

A13.5.3.12.2. Responsible experience related to the management aspects of food, beverage, or hospitality services. Experience must have included planning, organizing, and taking responsibility for services provided. Such experience may have been acquired as a manager or supervisor of a function in a full-service food establishment or hotel/motel, or as a manager of a fast food or limited service food/beverage facility.

A13.5.3.12.3. As a night manager, progressively responsible experience which has provided a good working knowledge of club operations programs, procedures and rules. Familiarity with cash handling practices and sales operations, ability to provide work direction to other club employees.

A13.5.3.13. In a NAF-HR: Progressively responsible experience in clerical or office work which has provided a thorough knowledge of administrative principles and practices. Experience must have been sufficiently demanding to demonstrate ability to perform at this grade level. In addition, progressively responsible experience which required the applicant to acquire and apply a thorough and comprehensive knowledge of the rules, regulations, procedures, and program requirements of NAF personnel administration.

A13.5.3.14. In a recreation program:

A13.5.3.14.1. Experience which has provided a general familiarity with the routines and procedures followed in group activities or programs. In addition, responsible experience in a recreation program activity which has involved recreation work in the area of specialty for which the applicant is considered. Must have demonstrated the ability to perform satisfactorily at the grade level of the position.

A13.5.3.14.2. Experience which has demonstrated a good knowledge of the physical and psychological factors in individual and team sports, and the nature, purpose, and organization of recreational or competitive individual and team sports. In addition, experience which has shown ability to plan, supervise, administer or carry out a sports program; ability to guide and teach participants the skills and techniques for participation in various sports.

A13.5.3.15. Experience in administrative or clerical work which demonstrates possession of the knowledge, skills, and abilities required to perform the duties of the position successfully. Experience must demonstrate the ability to organize effectively the flow of clerical processes in an office; ability to organize and design a filing system; ability to make arrangements for such things as travel, conferences, and meetings; ability to locate and assemble information for various reports, briefings, and conferences; and ability to compose nontechnical correspondence.

A13.5.3.16. Progressively responsible experience which has provided the knowledge, skills and ability needed to independently operate a computer system or peripheral device used in support of a computer operation. Must include ability to test systems and correct program failures.

A13.5.3.17. Experience which has provided the basic skills and knowledge needed to demonstrate the ability to comprehend computer processing.

A13.5.3.18. Experience accomplishing specific tasks in changing computer programs according to specific guidance from higher grade personnel. Knowledge of basic procedures and programming standards and the ability to comprehend and apply detailed computer program specifications.

A13.5.3.19. Familiarity with NAF purchasing procedures, knowledge of sources, transportation methods, payment procedures, ability to provide advice to requiring activities, ability to follow-up on delinquent orders, ability to understand specifications. May require a working knowledge of price analysis techniques and/or negotiation techniques.

A13.5.3.20. In a RRRP program: Experience which has provided a knowledge of RRRP as it relates to the identification of recyclable materials, collection and disposition procedures; may require knowledge of marketing and merchandising techniques.

A13.5.3.21. Progressively responsible administrative, professional, technical, managerial or related support work experience that has provided a general knowledge of housing utilization, including a familiarity with

eligibility, occupancy and termination activities; knowledge of supplies/equipment needed to maintain facility; maintains and analyzes financial records and building maintenance operations. May be required to organize, direct and coordinate the work effort of a subordinate staff.

A13.5.3.22. Knowledge of training methods, preparation of training/briefing materials and development of employee training plans. Experience in the use of training aids equipment is desirable, as well as the knowledge and ability to operate a microcomputer to collect and maintain training aids, facility inventories and related data for analysis. An understanding of Services programs as relates to training is also desirable.

A13.5.3.23. Skill in use of various drawing instruments, illustrating techniques, graphic arts equipment; knowledge of methods and procedures of printing processes and equipment. Experience which has required artistic ability; and demonstrated the ability to draw, ink, letter, color, or shade.

A13.5.3.24. Progressively responsible experience in supply work which has required acquisition and application of knowledge of the rules, regulations, procedures and program requirements of one or more areas of a supply system.

A13.5.3.25. Responsible administrative, professional or technical work which has provided a good knowledge of marketing and marketing techniques. A good working knowledge of Services programs, practices and procedures is highly desired.

A13.5.3.26. Proficiency in stenography skills.

A13.5.3.27. Proficiency in typing skills.

A13.6. Payband NF-IV:

A13.6.1. General Duties:

A13.6.1.1. Manages a large aero club in terms of number of aircraft, monthly flying hours, number of piloting members and number of students.

A13.6.1.2. Manages a large bowling center in terms of number of lanes, number of employees, and number of lines bowled per lane.

A13.6.1.3. As a chef in a large club kitchen, instructs cooks on proper techniques and methods of cooking and preparing a variety of food items. Initiates the preparation of new and unusual foods and sauces. Directs and oversees the setting and placement of entrees for buffets and special parties. Plans all menus for regular meals and parties. Checks food during and after preparation for conformance with high standard of quality. Coordinates baking, meat preparation, and cooking operations. Maintains accounting of sales and costs. Supervises all kitchen staff. Standardizes recipes, analyzes cooking techniques, and estimates and orders food supplies.

A13.6.1.4. Performs as manager or assistant manager of a large to very large golf course in terms of number of holes, number of employees, average number of rounds per day, and acreage of the course.

A13.6.1.5. Performs as manager or assistant manager in a small to medium sized club/complex operation.

A13.6.1.6. In a human resources section: Plans, directs and manages the operations of the NAF Human Resources Section (NF-HR). Full technical authority has been delegated for NAF program management for all specialized areas within NAF to include recruitment, staffing, employee management relations, employee development and training, EEO, position management and classification, employee pay, compensation and benefits. Serves as NAF technical expert and provides advisory service to management.

A13.6.1.7. Manages the maintenance of a large to very large golf course in terms of number of holes, number of employees, average number of rounds per day, and acreage of the course.

A13.6.1.8. Plans or directs sports programs; evaluates program effectiveness; conducts clinics or seminars to train coaches, officials or others; trains and develops athletes in individual or team sports; plans or directs tournaments or competitions from the intramural to the international levels.

A13.6.1.9. Plans, organizes, advises on, assesses, and administers recreation programs designed to stimulate and sustain the interest of participants, and to contribute to their physical, creative, and social development and well-being.

A13.6.1.10. Performs work as a computer systems analyst, programmer, programmer analyst, systems programmer, equipment analyst or specialist concerned with:

A13.6.1.10.1. Analysis of problems or processes and design of computerized systems; performs studies of proposed applications; develops programming specifications;

A13.6.1.10.2. Translation of system designs into the plans of instruction and logic by which computers can produce the desired response;

A13.6.1.10.3. Maintenance and modification of systems software;

A13.6.1.10.4. Selection or utilization of computer equipment.

A13.6.1.11. As an accountant, manages, supervises, or performs accounting work involved in the design, development, test and evaluation of accounting systems and procedures; prepares, examines and analyzes accounting data and reports; and provides accounting advice and assistance pertaining to NAF financial functions.

A13.6.1.12. As a budget analyst, manages, supervises or performs work in any phase of budget administration, such as: formulating budget estimates to support plans, programs and activities; review, control and report of obligations and expenditures; and development and interpretation of budgetary policies and practices.

A13.6.1.13. Plans, directs, and manages all phases of the operation of a restaurant to include: providing food and beverage service, kitchen operations, dining room operations, and catering services.

A13.6.1.14. Develops marketing plans, policies, programs and strategies to enhance management operations to Services programs. Develops and implements marketing plans and promotional campaigns for Services activities.

A13.6.1.15. In a contracting capacity: Manages, supervises or performs work involved with the negotiation, award, administration and termination of contracts, and in the purchase of supplies, services, construction or

research and development using the formal advertising or negotiation method; the evaluation of contract/price/cost proposals; and in the development of policies and procedures.

A13.6.1.16. Serves as a subject matter expert in a highly specialized area. Interprets regulations, develops local compliance procedures, and addresses related problem situations. Represents area of expertise to the NAFI and general public.

A13.6.1.17. Manages activity or program area to include: plans, organizes and directs program activities, ensures program budget compliance, performs the full range of supervision of subordinate employees, evaluates program effectiveness, represents program to customers, and coordinates support services.

A13.6.1.18. As a business activities manager at a small to medium installation, provides overall operational guidance for programs, personnel and facilities associated with Services business activities branch. Plans, organizes, directs, controls and evaluates long and short range procedures and programs to support the business activities branch.

A13.6.2. Supervision Provided. For positions in this band supervision is general in nature. Most positions within this band are considered the subject matter expert requiring minimal guidance or instruction from the supervisor. The incumbent plans and carries out assignments to completion on a timely basis. Work normally is evaluated in terms of the overall results attained.

A13.6.3. Qualification Requirements. Positions within payband NF-IV require training, education, or specific skills or experience. Specific experience is work experience, directly related to the duties required of the position, which demonstrates the knowledge, skills and abilities essential to successfully perform the duties identified. Those training requirements, which are to be completed after appointment and which are a condition of employment, are included in the position guide. Qualifications may include, but are not limited to:

A13.6.3.1. Responsible experience which has demonstrated the ability to manage business activities. May have been gained in an operating, administrative or managerial position which included responsibility for various phases of operations, such as equipment and supply accountability, financial management, or planning organizational or club activities. The experience must have provided knowledge of accounting and financial planning principles and procedures.

A13.6.3.2. In an aero club: Managerial experience in the field of aviation, and experience which provided a good working knowledge of FAA rules and regulations, plus a basic knowledge of standard aviation maintenance requirements.

A13.6.3.3. In a bowling center:

A13.6.3.3.1. Three years of progressively responsible administrative, professional, technical or other work which has provided a general knowledge of management principles and practices, or progressively responsible experience in one or more of the functions managed by a bowling center manager.

A13.6.3.3.2. In addition, applicant must have 2 1/2 years specialized experience. This experience may have been gained in the operation or management of a civilian or military bowling center. The experience must include responsibility or supervision over various phases of a bowling center operation.

A13.6.3.4. Progressively responsible experience in a commercial, industrial, institutional or government food facility which has provided extensive knowledge in quantity cooking; overseeing preparation of a variety of food items; planning menus; quality control of food preparation; cost control; and inventory, storage and procurement of food supplies and equipment. Knowledge of dietetics, planning culinary activities and portion control is also required.

A13.6.3.5. In a golf course:

A13.6.3.5.1. Three years of progressively responsible administrative, professional, technical or other work which has provided a general knowledge of management principles and practices, or progressively responsible experience in one or more of the functions managed by a golf course manager.

A13.6.3.5.2. In addition, applicant must have 2 1/2 years specialized experience. This experience may have been gained in the operation or management of a civilian or military golf course. The experience must include responsibility or supervision over the various phases of a golf course operation.

A13.6.3.5.3. Progressively responsible experience in golf course maintenance which has provided a technical knowledge of turf propagation, cultivation, course equipment and mechanics, irrigation and drainage systems and controls, horticulture, and insect/pest control and various turf diseases and remedies. Requires a knowledge of personnel management principles and policies sufficient to supervise and direct a staff of grounds maintenance employees. Must have knowledge of golf course construction and golfing techniques. Possession of a Class A rating from the Golf Course Superintendent's Association of America is highly desirable. Must be able to communicate effectively both orally and in writing. Knowledge of grass seeds, fertilizer, herbicides, pesticides, aligicides, soil and sand mixtures.

A13.6.3.6. As a manager in a small to medium sized club facility:

A13.6.3.6.1. Three years of progressively responsible administrative, professional, technical or other work which has provided a general knowledge of management principles and practices, or progressively responsible experience in one or more of the functions managed by a club manager.

A13.6.3.6.2. In addition, applicant must have 2 1/2 years specialized experience. This experience may have been gained in the operation or management of a civilian or military club (city or country). The experience must include responsibility or supervision over the various phases of club management operations.

A13.6.3.7. As an assistant manager in a medium to very large- sized club/complex operation:

A13.6.3.7.1. Three years of progressively responsible administrative, professional, technical or other work which has provided a general knowledge of management principles and practices, or progressively responsible experience in one or more of the functions managed by a club manager.

A13.6.3.7.2. In addition, applicant must have 2 1/2 years of specialized experience. This experience may have been gained in the operation or management of a civilian or military club (city or country). The experience must include responsibility or supervision over at least one phase of club management operations.

A13.6.3.8. In a NAF-HR: A good general understanding of the systems, methods, and administrative machinery for accomplishing the work of an organization; the ability to analyze problems and apply sound judgment in assessing the practical implications of alternative solutions; the ability to communicate with others

effectively, both orally and in writing. Progressively responsible experience in substantive NAF personnel management and administration and must be thoroughly familiar with the full range of NAF personnel policies and procedures.

A13.6.3.9. In a sports program:

A13.6.3.9.1. Thorough knowledge of the physical and psychological factors of individual and team sports, and the nature, purpose, and organization of recreational or competitive individual and team sports activities.

A13.6.3.9.2. Progressively responsible experience which has provided the ability to plan, supervise, administer, or carry out a sports program that includes a variety of individual and team sports. The ability to guide participants in developing the skills needed for participation in sports activities and to teach the techniques of various sports is also required.

A13.6.3.10. In a recreation program:

A13.6.3.10.1. Thorough general knowledge of the goals, principles, methods, and techniques of the broad field of recreation, and a thorough understanding of the recreation and leisure interests and motivations of individuals and groups.

A13.6.3.10.2. Progressively responsible experience in a recreation program activity which has involved recreation work in the area of specialty for which considered.

A13.6.3.11. In a computer environment:

A13.6.3.11.1. Proficiency in the use of one or more higher level programming languages; skill in development and implementation of specifications for application programs.

A13.6.3.11.2. Proficiency in the use of one or more assembly level programming languages; knowledge of general techniques for analysis of system software requirements; skill in development and implementation of specifications for systems software programs.

A13.6.3.11.3. Knowledge of techniques for analysis of computer equipment requirements; knowledge of techniques for evaluation of computer equipment and skill in development of specifications for procurement of computer equipment.

A13.6.3.12. Professional knowledge of accounting and ability to apply accounting knowledge to include:

A13.6.3.12.1. Thorough knowledge of the concepts, theories, principles and practices of general and cost accounting; auditing, taxation, budgeting and analysis of financial statements; understanding of legal principles that govern financial transactions and relationships.

A13.6.3.12.2. Ability to apply fundamental and diversified professional accounting concepts, theories and practices to achieve financial management objectives; ability to organize, analyze, interpret and evaluate financial data in the solution of management and accounting problems.

A13.6.3.13. Responsible experience in developing or administering a budgetary program. Knowledge of budgeting standards, theory, principles and requirements; skill in planning and developing budgets; skill in

reviewing and making recommendations on proposed budget items; and the ability to interpret management, financial and budgetary data.

A13.6.3.14. In a restaurant:

A13.6.3.14.1. Progressively responsible experience which has provided a general knowledge of management principles and practices applicable to food operation activities.

A13.6.3.14.2. Experience in the management or operation of a commercial, industrial, institutional or government food facility.

A13.6.3.15. Progressively responsible administrative, professional or technical work which has provided a thorough knowledge of marketing, marketing techniques and research analysis. A diverse knowledge of Services programs, practices and procedures is required.

A13.6.3.16. Applicant must have progressively responsible experience in purchasing commodities and services which has included cost analysis, and the development of contract requirements. This experience must have provided a knowledge of legal and administrative contracting requirements, the ability to interpret specifications and formulate descriptive data, and skill in negotiating with suppliers and transportation agencies.

A13.6.3.17. In a business activity:

A13.6.3.17.1. Three years of progressively responsible administrative, professional, technical or other work which has provided a general knowledge of management principles and practices.

A13.6.3.17.2. In addition, applicant must have 2 1/2 years specialized experience such as: Experience in the operation and management of Services activities; extensive training and/or experience in all phases of business resale and funds management; skill in gathering, interpreting, and evaluating data; knowledge of retail sales, purchasing, inventory control, marketing/ advertising, facility layout and design.

A13.7. Payband NF-V. Positions in payband NF-V are typically managerial and supervisory positions. Staff specialist positions at a MAJCOM-or Air Staff-level may be included in payband V.

A13.7.1. General Duties:

A13.7.1.1. At a MAJCOM-level, directs a major program area.

A13.7.1.2. At an Air Staff-level, plans, organizes and conducts a comprehensive program integrating a variety of resources.

A13.7.1.3. At a MAJCOM-or Air Staff-level:

A13.7.1.3.1. Serves as a consultant, provides guidance, assistance and advice to field activities. Coordinates mission activities with representatives of several NAFIs, other MAJCOMs, Air Staff functions, and other military departments.

A13.7.1.3.2. Directs the management of subordinate activities. Examines and makes recommendations concerning expansion, relocation or discontinuation of subordinate activities. Gathers, correlates, analyzes, determines and recommends management action to resolve problems or improve the efficiency of operations.

A13.7.1.4. At a MAJCOM-or Air Staff-level, develops policies, procedures and regulations. Develops instructions, directives and procedures applicable to a specialized program area.

A13.7.1.5. Develops and participates in training programs and workshops for management officials, and field operating specialists.

A13.7.1.6. Consults with top installation, MAJCOM and Air Staff management to evaluate program effectiveness and improve operations.

A13.7.1.7. Manages a large to very large sized club/complex operation.

A13.7.1.8. As a business activities manager at a large installation, provides overall operational guidance for programs, personnel and facilities associated with the Services Business Activities Branch. Plans, organizes, directs, controls and evaluates long and short range procedures and programs to support the business activities branch.

A13.7.2. Supervision Provided. Supervision is general in nature. As these positions are the subject matter expert and recognized authorities, technical guidance in the area of expertise is not normally required. Results of work and recommendations are normally accepted without significant changes and are considered as technically authoritative. Review of work concerns matters such as fulfillment of objectives or effect of advice on the overall program/projects.

A13.7.3. Qualification Requirements. Positions within payband NF-V require either training, education or specific skills or expertise. Specific experience is work experience, directly related to the duties required of the position, which demonstrates the knowledge, skills and abilities essential to successfully perform the duties identified. Training requirements, to be completed after appointment, which are a condition of employment, are included in the position guide. Qualifications may include, but are not limited to:

A13.7.3.1. In a club:

A13.7.3.1.1. Three years of progressively responsible administrative, professional, technical or other work which has provided a general knowledge of management principles and practices, or progressively responsible experience in one or more of the functions managed by a club manager.

A13.7.3.1.2. In addition, applicant must have 3 years specialized experience. This experience may have been gained in the operation or management of a civilian or military club (city or country). The experience must include responsibility or supervision over the various phases of club management operations.

A13.7.3.2. In a business activity:

A13.7.3.2.1. Three years of progressively responsible administrative, professional, technical or other work which has provided a general knowledge of management principles and practices.

A13.7.3.2.2. In addition, applicant must have 3 years specialized experience. Examples of such experience are: Experience in the operation and management of Services activities; extensive training and/or experience in all phases of business resale and funds management; skill in gathering, interpreting, and evaluating data; knowledge of retail sales, purchasing, inventory control, marketing/advertising, facility layout and design.

A13.8. Payband NF-VI. Positions in payband NF-VI are executive positions, with extensive mission accomplishment responsibilities in directing the entire NAF component, or a major subdivision thereof.

Section C--Job Grading Methods For Mixed Jobs

A13.9. A mixed job involves performance of duties in two or more occupations at the same or different grade levels on a regular and recurring basis. A mixed job is graded in keeping with the duties that involve the highest skill and qualification requirements of the job.

A13.10. If a job involves regular and recurring duties in the same payband in two or more occupational areas, the job is classified in the series reflecting the paramount qualification requirement.

A13.11. In considering the variety of work performed as a classification factor in the grading of a mixed job, the principle consideration is the extent to which the additional kinds of work performed increases the position's overall level of complexity. In determining whether a job involving two or more occupational areas of the same payband warrants an extra payband, the following guidance is considered:

A13.11.1. Many kinds of work, although in different series or even in different occupational groups, are based on similar bodies of knowledge, require similar academic backgrounds, and utilize skills that are readily transferable from one kind of work to another. When such similarities exist, variety would not have payband level significance.

A13.11.2. Conditions do exist, however, when the variety of work can affect the final payband of a position. The decision to classify a mixed job to the next higher payband level is based upon a sound classification decision that the variety of skills and knowledge required contribute to an overall level of complexity that is greater than the position's job parts individually. The duties of such positions are more difficult to perform because of the wide range of significantly different duties to be performed. In evaluating variety as a classification factor, consideration is given to the extent that the additional kinds of work enhance the position by requiring extra qualifications. A second consideration is the relative payband value of the types of work involved. The addition of an entirely different but much less difficult type of work does not enhance materially the payband level of a position.

A13.12. Duties performed only in the absence of another employee due to annual or sick leave to meet emergency workloads, or for training purposes are not considered as regular and recurring duties when grading mixed jobs.

Section D--Job Grading Methods For Leader and Supervisory Positions

A13.13. Range of Responsibility for Leader Positions.

A13.13.1. Usually performs the same kind of work as that of the group he or she leads.

A13.13.2. Passes on to other workers the instructions received from the supervisor and gets the work started.

A13.13.3. Works along with other employees and sets the pace.

A13.13.4. Demonstrates proper work methods.

A13.13.5. Ensures that needed material is available or is obtained.

A13.13.6. Obtains needed information or decisions from supervisors on problems that occur.

A13.13.7. Maintains a current knowledge of and answers questions on procedures, policies, written instructions, and other directives.

A13.13.8. Ensures that there is enough work to keep everyone in the work crew busy.

A13.13.9. Checks work while in progress and, when finished; ensures that the supervisor's instructions on work sequence, procedures, methods, and deadlines have been met.

A13.13.10. Urges or advises other employees to follow instructions received from supervisor and to meet deadlines.

A13.13.11. Ensures that safety and housekeeping rules are followed.

A13.13.12. Reports the status and progress of work and causes of delays.

A13.13.13. Answers supervisor's questions on overall work operations and problems.

A13.14. Range of Responsibility for Supervisory Positions.

A13.14.1. Supervisors are accountable to management for the quantity and quality of the work done and for ensuring efficient and economical work operations.

A13.14.2. Assigns, directs, and reviews the work of subordinates and evaluates their work performance.

A13.14.3. Approves or disapproves sick leave, annual leave, or other absences from work.

A13.14.4. Plans, schedules, and coordinates work operations.

A13.14.5. Solves problems related to work being supervised.

A13.14.6. Determines material, equipment, and facilities needed.

A13.14.7. Explains and gains the support of subordinates for management policy and goals.

A13.14.8. Works to achieve the objectives of DoD component-wide programs and policies, such as labor-management relations and equal employment opportunity.

A13.14.9. Deals effectively with employees and union representatives on employee suggestions, complaints, grievances, and other matters.

A13.14.10. Hires, promotes, motivates, disciplines, and separates employees.

A13.15. Applying Leader and Supervisory Standards.

A13.15.1. Positions in payband NF-I are normally neither leader nor supervisory in nature. Situations may exist whereby classifying an NF-I position as a leader is proper. A position should be classified based on normal routine duties of the position, after which the range of responsibilities of leader positions in paragraph A13.13 are applied to determine whether the regular and recurring duties of the position fall within the range of leader responsibility. Adding leader to the official position title may be required. See paragraph A13.15.4.

A13.15.2. Positions in payband NF-II may be either leader or supervisory in nature. If the responsibilities for leaders and supervisors in paragraphs A13.13 and A13.14 fall within the regular and recurring duties of the position, adding leader or supervisor to the official position title may be required. See paragraphs A13.15.4 and A13.15.5.

A13.15.3. Positions in paybands III - VI are often supervisory in nature. However, it is entirely possible to have a nonsupervisory and supervisory position in the same occupational series and payband. See paragraphs A13.15.4 - A13.15.6.

A13.15.4. If the position has leader responsibilities over three or more (full-time equivalent) employees, the position is identified by adding either the prefix "Lead" or the suffix "Leader" to the position title.

A13.15.5. Similarly, if the position has supervisory responsibilities over three or more (full-time equivalent) employees, the position is identified by adding either the prefix "Supervisory" or the suffix "Supervisor" to the position title.

A13.15.6. The words "Manager" and "Officer", when officially assigned as part of a position title, also denote supervisory responsibilities; therefore, in those cases, no supervisory prefix or suffix is required.

Table A13.1. Comparison of Duties and Responsibilities for Nonsupervisory, Leader and Supervisory Positions.

The following table assists users in determining the differences between leader and supervisory positions. Note that nonsupervisory employees periodically may perform leader or supervisory type duties and responsibilities during emergencies or for other short term periods. However, the intent of this standard is to allow allocation to the leader level for positions that contain leader duties and responsibilities as a continuing requirement.

<u>EMPLOYEE</u>	<u>LEADER</u>	<u>SUPERVISOR</u>
Full performance of work for which qualified.	Relays instructions from supervisor.	Plans and schedules work.
Provides day-to-day advice and guidance to lower payband and less experienced employees.	Gets the work started. Sets the work pace.	Determines performance standards and evaluates performance of employee.
Works as senior project or team leader on temporary assignments to higher payband.	Demonstrates work methods and provides work related guidance. Ensures that worksite materials and tools are available.	Effects hiring, promoting, motivating, disciplining, and separating employees. Counsels and coaches employees.
Works at level above full performance based on personal expertise.	Checks with supervisor on problems. Checks work and meets productivity goals. Ensures employees follow security, safety and housekeeping rules.	Supports equal employment opportunity (EEO) program. Approves leave.
Assumes leader or supervisory duties on an emergency or intermittent short-term basis.	Conducts on-the-job training and instructions. Performs supervisory duties in an emergency or other short-term and nonrecurring basis.	Meets with employee representative.

Section E—List of Commonly Used and Authorized NAF Position Titles and Occupational Series

<u>NAF PAYBAND</u>	<u>POSITION TITLE</u>	<u>SERIES</u>	
I	Identification Checker	0085	
	Security Guard	0085	
	Recreation Aid	0189	
	Recreation Aid (Lifeguard)	0189	
	Human Resources Assistant	0203	
	Courier	0302	
	Clerk	0303	
	Desk Clerk	0303	
	Operations Clerk	0303	
	Receptionist	0304	
	File Clerk	0305	
	Mail Clerk	0305	
	Clerk Stenographer	0312	
	Office Automation Clerk	0326	
	Computer Clerk	0335	
	Data Transcriber	0356	
	Telephone Operator	0382	
	Accounting Clerk	0525	
	Cashier	0530	
	Payroll Clerk	0544	
	Club Operations Assistant	1101	
	Procurement Clerk	1106	
	Library Aid	1411	
	Supply Clerk	2005	
	Cashier-Checker	2091	
	Sales Clerk	2091	
	II	Recreation Assistant	0189
		Recreation Assistant (Water Safety Instructor)	0189
Human Resources Assistant		0203	
Administrative Clerk		0303	
Operations Clerk		0303	
Clerk Stenographer		0312	
Secretary		0318	
Office Automation Clerk		0326	
Computer Operator		0332	
Computer Clerk		0335	
Management Assistant		0344	
Data Transcriber		0356	
Cashier		0530	
Accounting Technician		0525	
Payroll Clerk		0544	
Golf Course Assistant	1101		

Purchasing Agent	1105
Procurement Clerk	1106
Library Technician	1411
Supply Clerk	2005
Customer Service Clerk	2091
Department Supervisor	2091
Retail Annex Operator	2091
Sales Clerk	2091
Travel Clerk	2132

NF PAYBAND

III

<u>POSITION TITLE</u>	<u>SERIES</u>
Sports Specialist	0030
Recreation Specialist	0188
Recreation Assistant	0189
Human Resources Assistant	0203
Secretary	0318
Office Automation Assistant	0326
Computer Operator	0332
Accounting Technician	0525
Payroll Technician	0544
Budget Technician	0561
Illustrator	1020
Theater Specialist	1054
Club Operations Assistant	1101
Aero Club Manager	1101
Assistant Aero Club Manager	1101
Golf Course Manager	1101
Assistant Golf Course Manager	1101
Bowling Center Manager	1101
Assistant Bowling Center Manager	1101
Business Manager	1101
Caterer	1101
Club Manager	1101
Assistant Club Manager	1101
Complex Manager	1101
Assistant Complex Manager	1101
Marketing and Advertising Specialist	1101
Contract Specialist	1102
Property Disposal specialist	1104
Purchasing Agent	1105
Procurement Assistant	1106
Housing Management Assistant	1173
Golf Course Superintendent	1601
Chef	167
Training Technician	1702
Supply Technician	2005

Department Supervisor 2091

NF PAYBAND

IV

<u>POSITION TITLE</u>	<u>SERIES</u>
Sports Specialist	0030
Recreation Specialist	0188
Human Resources Specialist	0201
Computer Programmer Analyst	0334
Systems Accountant	0510
Accountant	0510
Aero Club Manager	1101
Assistant Aero Club Manager	1101
Bowling Center Manager	1101
Assistant Bowling Center Manager	1101
Restaurant Manager	1101
Golf Course Manager	1101
Assistant Golf Course Manager	1101
Business Manager	1101
Club Manager	1101
Assistant Club Manager	1101
Complex Manager	1101
Assistant Complex Manager	1101
Food and Beverage Director	1101
Contract Specialist	1102
Golf Course Superintendent	1601
Chef	1677

NF PAYBAND

V

<u>POSITION TITLE</u>	<u>SERIES</u>
Policy and Program Manager	0301
Program Review and Development Officer	0301
Human Resources Specialist	0201
Program Manager	0340
Program Analyst	0343
Financial Services Officer	0501
Finance Manager	0505
Staff Accountant	0510
Auditor	0511
Business Manager	1101
Club Manager	1101
Complex Manager	1101
Benefits Program Manager	1101

NF PAYBAND

VI

<u>POSITION TITLE</u>	<u>SERIES</u>
NONE	

Attachment 14: Instructions for Applying Exemptions for the Fair Labor Standards Act (FLSA)

Section A--Definitions of Executive, Administrative, and Professional Employees

A14.1. An employee is exempt from the overtime requirements of the FLSA if he or she is an "executive", "administrative", or "professional" employee, as those terms are defined by 5 C.F.R. Part 551. This attachment provides instructions for applying these exemptions.

A14.2. Guidelines are presented in three sections:

A14.2.1. Executive, administrative, and professional employees definitions (Section A).

A14.2.2. General guidance for applying executive, administrative, and professional exemption definitions (Section B).

A14.2.3. Guidance that concerns applying specific categories (Section C).

A14.3. These guidelines represent permanent standards. They cover both general principles for applying exemption standards and instructions for applying specific payband and Federal Wage System (FWS) occupations and standards terms. Specific classification and job grading standards show the exempt or nonexempt position status that conforms to the work and level of responsibility described in the standard. The exempt or nonexempt status of a position rests on the actual duties of the position.

A14.4. Definitions. The principal exemption from the minimum wage and overtime provisions of the FLSA are applicable to executive, administrative, and professional employees. For purposes of applying the FLSA to the federal service, these categories of employees are defined as follows:

A14.4.1. Executive Employees. An executive employee is a supervisor, or manager who supervises two or more other employees and who meets all of these criteria:

A14.4.1.1. The employee's primary duty consists of management or supervision.

A14.4.1.2. The workers supervised constitute a recognized organizational unit.

A14.4.1.3. The employee regularly exercises discretion and independent judgment, under only general supervision, in planning, directing, and controlling the work of the unit supervised.

A14.4.1.4. The employee has the authority to hire or fire other employees or whose suggestions and recommendations as to the hiring, firing, advancement, promotion, or any other change of status of other employees, are given particular weight. Particular weight is defined as criteria to determine whether an employee's suggestions and recommendations are given particular weight by higher-level management include but not limited to: whether it is part of the employee's job duties to make such suggestions and recommendations; the frequency with which such suggestions and recommendations are made or requested; and the frequency with which the employee's suggestions and recommendations are relied upon. Generally, an executive's suggestions and recommendations must pertain to employees whom the executive customarily and regularly directs.

A14.4.1.5. The employee's position is classified no lower than NF-III. The employee fully meets or exceeds the "Supervisory range of responsibility" defined in the job grading standard for wage supervisors (if under the FWS) or equivalent prevailing rate systems.

A14.4.1.6. Besides the primary duty criterion that applies to all employees, supervisors in the FWS, or the equivalent in other wage systems, and employees classified below NF-IV, must spend 75 percent or more of the worktime, in a scheduled workweek, on supervisory and closely related work.

A14.4.2. Administrative Employees. An administrative employee is an employee whose primary duty is the performance of office or non-manual work directly related to the management or general business operations, as distinguished from production functions, of the employer or the employer's customers and whose primary duty includes the exercise of discretion and independent judgment with respect to matters of significance. This may include advisor, assistant, or representative of management, or a specialist in a management or general business function or supporting service whose position is according to standards in paragraphs A14.4.2.1 through A14.4.2.5.

A14.4.2.1. Factors to consider when determining whether an employee exercises discretion and independent judgment with respect to matters of significance include, but are not limited to, whether the employee:

A14.4.2.1.1. Significantly affects formulating or executing management policies or programs;

A14.4.2.1.2. Carries out major assignments in conducting the operations of the organization;

A14.4.2.1.3. Performs work that affects the organization's operations to a substantial degree, even if the employee's assignments are related to operation of a particular segment of the organization;

A14.4.2.1.2. Has authority to commit the NAFI in matters that have significant financial impact;

A14.4.2.1.3. Has authority to waive or deviate from established policies and procedures without prior approval;

A14.4.2.1.4. Has authority to negotiate and bind the NAFI on significant matters;

A14.4.2.1.5. Provides consultation or expert advice to management;

A14.4.2.1.6. Is involved in planning long- and short-term organizational objectives;

A14.4.2.1.7. Investigates and resolves matters of significance on behalf of management; and

A14.4.2.1.8. Represents the organization in handling complaints, arbitrating disputes, or resolving grievance.

A14.4.2.1.9. The employee's position is classified no lower than NF-III.

A14.4.2.2. Besides the primary duty criterion that applies to all employees, NF employees below NF-IV must spend 75 percent or more of the worktime, in a scheduled workweek, on administrative functions and work that is an essential part of those functions.

A14.4.3. Professional Employees. The professional exemption duties include, but are broader than, those occupations identified as professional series under the GS. A professional employee's primary duty standards require the employee performs work that:

A14.4.3.1. Requires knowledge of an advanced type in a field of science or learning, customarily and characteristically acquired through education or training that meets the requirements for a bachelor or higher degree, with major study in or pertinent to the specialized field, as distinguished from general education; or performs work comparable to that performed by professional employees on the basis of specialized education or training and experience that has provided both theoretical and practical knowledge of the specialty, including knowledge or related disciplines and of new developments in the field; or

A14.4.3.2. Is in a recognized field of artistic endeavor that is original or creative in nature (as distinguished from work that can be produced by a person endowed with general manual or intellectual ability and training) and the result of which depends on the invention, imagination, or talent of the employee.

A14.4.3.3. The employee's work is predominantly intellectual and varied in nature, requiring creative, analytical, evaluative, or interpretive thought processes for satisfactory performance.

A14.4.3.4. The employee frequently exercises discretion and independent judgment, under only general supervision, in performing the normal day-to-day work.

A14.4.3.5. The employee's position is classified no lower than NF-III.

A14.4.3.6. Besides the primary duty criterion that applies to all employees, NF employees below NF-IV must spend 75 percent or more of the worktime, in a scheduled workweek, on professional functions and work that is an essential part of those functions.

Section B--General Guidance to Application of Executive, Administrative, and Professional Exemption Definitions

A14.5. Terms Explained. Many of those terms used in FLSA exemption criteria have acquired well-established interpretations that sometimes differ from the customary interpretation in the federal service. In applying these definitions, the below terms have the meanings described in this guide. These meanings do not carry over to other personnel management functions. FWS employees whose positions fully meet or exceed the "Supervisory range of responsibility," defined in the Job Grading Standard for Supervisors, meet the definition of the terms "primary duty," "recognized organizational unit," and "discretion and independent judgment." Supervisory employees in other pay systems also are evaluated, for exemption determination purposes, by using these supervisory classification standards.

A14.5.1. Primary Duty. As a general rule, the primary duty is that which constitutes the major part (over 50 percent) of the employee's work. However, a duty that constitutes less than 50 percent of the work is credited as the primary duty for exempt purposes, provided that duty:

A14.5.1.1. Constitutes a substantial, regular part of a position.

A14.5.1.2. Governs the classification and qualification requirements of the position.

A14.5.1.3. Is clearly exempt work in terms of the basic nature of the work, the frequency with which the employee must exercise discretion and independent judgment, and the significance of the decisions made. For example, employees who occupy supervisory positions at NF-IV and above need not spend a majority of their time performing supervisory and closely related duties to be determined exempt. The employee is exempted by virtue of exempt supervisory duties that control the classification of the position as supervisory. This example does not apply to employees who occupy supervisory positions below NF-IV, because the additional percentage of the time criterion that must be applied to all employees below NF-IV, would not be met.

A14.5.2. Recognized Organizational Unit. An established and defined organizational entity with regularly assigned employees. This requirement distinguishes supervisors who plan and complete a continuing workload from "leaders" who head temporary groups, formed to perform a special assignment of limited duration, or who direct the work of other employees assigned to a project, but do not exercise full supervision over such employees. Leaders of this nature do not qualify for exemption as executive employees.

A14.5.3. Significant Personnel Management Duties. This term is explained in supervisory classification standards for positions NF-IV and above.

A14.5.4. Seventy-Five Percent of the Employee's Worktime in a Representative Workweek:

A14.5.4.1. This requirement is applied in terms of average percentages of time, over a period long enough to even out normal fluctuations in workloads, and be representative of the job as a whole. The length of time considered varies, depending on the nature of the work and the work situation, but should not exceed a year.

A14.5.4.2. The 25 percent tolerance for nonexempt work covers irregular or incidental tasks of an employee who does not regularly perform any nonsupervisory duties.

A14.5.4.3. If an employee spends more than 25 percent of the time on nonexempt work, the work must be evaluated according to paragraphs A14.5.5 or A14.5.6.

A14.5.5. Supervisory and Closely Related Functions. In applying the 75 percent criterion, if the nonsupervisory work performed is closely related to supervisory functions, it is included in the exempt work. If it is not closely related, it is counted against the 25 percent tolerance from nonexempt work. The basic test for identifying closely related work is whether or not the work contributes to the effective supervision of subordinate workers, or the smooth functioning of the unit supervised, or both. Examples of closely related work include:

A14.5.5.1. Maintaining various records that pertain to workload or employee performance.

A14.5.5.2. Performing setup work that:

A14.5.5.2.1. Requires special skills.

A14.5.5.2.2. Typically is not performed by production employees in the occupation.

A14.5.5.2.3. Does not approach the volume that would justify hiring a specially trained employee to perform.

A14.5.5.3. Performing infrequently recurring or onetime tasks that are not practical to delegate because they would disrupt normal operations or take longer to explain than to perform.

A14.5.6. Essential Part of Administrative or Professional Functions. In applying the 75 percent criterion to administrative and professional employees, there is a more stringent requirement that related work be an essential part of those administrative or professional functions to be included in the exempt work. Such work is most easily identified by examining those processes involved in performing the exempt function. For example, processes involved in evaluating information include collecting and organizing the information; the analyzing, evaluating, and developing conclusions; and frequently, preparing a record of findings and conclusions. Often, collecting or compiling of information and preparing reports or other records, if divorced from the evaluative function, are nonexempt tasks. When the employee who performs the evaluative functions also performs some or all of these related steps, all such work is included in the employee's exempt duties. However, if an employee performs routine work in collecting, compiling, or presenting data on which some other employee performs the evaluative process, the time spent on such tasks is counted against the 25 percent tolerance.

A14.5.7. Formulating or Executing Management Policies or Programs:

A14.5.7.1. Management policies and programs range from broad national goals that are expressed in statutes or executive orders to specific objectives of a small field office. Employees may actually make policy decisions, or take part indirectly, through developing proposals that are acted on by others. Employees who significantly affect the execution of management policies or programs are typically those whose work involves obtaining compliance with such policies by other individuals or organizations, within or outside the federal government, or making significant determinations in the furtherance of program operations and the accomplishment of program objectives.

A14.5.7.2. Administrative employees engaged in formulating or executing management policies or programs typically perform one or more phases of program management (for example, planning, developing, promoting, coordinating, controlling, or evaluating operating programs of the employing organization or of other organizations subject to regulation or other controls). Some of these employees are classified in occupations that reflect these functions (for example, program analyst), but many are classified in subject matter occupations.

A14.5.8. General Management, Business, or Supporting Services. This element brings into the administrative category a wide variety of specialists who provide general management, business, or other supporting services, as distinguished from production functions. Administrative employees in this category provide support to line managers by:

A14.5.8.1. Providing expert advice in specialized subject matter fields, such as management consultants or systems analysts;

A14.5.8.2. Assuming facets of the overall management function, such as safety, personnel, or budgeting and financial management;

A14.5.8.3. Representing management in such business functions as negotiating and administering contracts, determining acceptability of goods or services, or authorizing payments; or

A14.5.8.4. Providing supporting services, such as automated data processing, communications, or procurement and distribution of supplies. Neither the organizational location nor the number of employees performing identical or similar work changes general management, business, or servicing functions into production functions. However, to warrant exemption, each employee's work must involve substantial discretion on

matters of enough importance that the employee's actions and decisions have a noticeable impact on the effectiveness of the organization advised, represented, or serviced.

A14.5.9. Taking Part in Management Official Functions:

A14.5.9.1. This element includes those employees (variously identified as secretaries, administrative or executive assistants, aids, etc.) who take part in portions of those managerial or administrative functions of a supervisor whose scope of responsibility precludes personally attending to all aspects of the work. To support exemption, such assistants are delegated and exercise substantial authority to act for the supervisor, in the absence of specific instructions or procedures.

A14.5.9.2. Typically, these employees do not have technical knowledge of the substantive work under the supervisor's jurisdiction. Their primary knowledge is of administrative procedures; organizational relationships; and, more important, those policies, plans, interests, and views of the supervisor. They apply such knowledge, with substantial discretion, in performing varied duties, such as:

A14.5.9.2.1. Personally attending to or redirecting calls and visitors;

A14.5.9.2.2. Scheduling or rejecting invitations and requests for appointments;

A14.5.9.2.3. Representing or arranging for another staff member to represent the supervisor in meetings or conferences;

A14.5.9.2.4. Locating and assembling information, compiling reports, and responding to nontechnical inquiries;

A14.5.9.2.5. Composing varied correspondence, on own initiative and in response to incoming correspondence; or

A14.5.9.2.6. Similar actions that significantly affect the supervisor's effectiveness.

A14.5.10. Work of An Intellectual Nature. Work that requires general intellectual abilities (such as perceptiveness, analytical reasoning, and perspective and judgment applied to a variety of subject matter fields) or work that involves mental processes that involve substantial judgment based on considering, selecting, adapting, and applying principles to numerous variables. The employee cannot rely on the standardized application of established procedures or precedents. The individual must recognize and evaluate the effect of a continual variety of conditions or requirements in selecting, adapting, or innovating techniques and procedures, interpreting findings, and selecting and recommending the "best" alternative from among a broad range of possible actions.

A14.5.11. Work of a Specialized or Technical Nature. Work that requires substantial specialized knowledge of a complex subject matter and of those principles techniques, practices, and procedures associated with that subject matter field. This knowledge is characteristically acquired through considerable OJT and experience in the specialized subject matter field, as distinguished from professional knowledge characteristically acquired through specialized academic education.

A14.5.12. Discretion and Independent Judgement:

A14.5.12.1. The exercise of discretion and independent judgment involves:

A14.5.12.1.1. Comparing and evaluating possible course of conduct.

A14.5.12.1.2. Interpreting results or implications, and independently taking action or making a decision after considering various possibilities. However, firm commitments or final decisions are not necessary to support exemption. "Decisions" made as a result of exercising independent judgment may be recommendations for action rather than the actual taking of action. The fact that an employee's decisions are subject to review, and that on occasion these decisions are revised or reversed after review, does not mean that the employee is not exercising discretion and independent judgment of the level required for exemption.

A14.5.12.2. There are three elements involved in evaluating this factor:

A14.5.12.2.1. The work involves sufficient variables as to regularly require discretion and judgment in determining those approaches and techniques to be used, and in evaluating results. **NOTE:** This precludes exempting employees who perform work that primarily requires skill and precludes applying standardized techniques or knowledge of established procedures, precedents, or other guidelines that specifically govern the employee's action.

A14.5.12.2.2. The employee has authority to make such determinations during the course of assignments. **NOTE:** This precludes exempting trainees who are in a line of work that requires discretion, but who are not given authority to decide discretionary matters independently.

A14.5.12.2.3. Decisions made independently must be significant. Although this term is not so restrictive that it includes only those kinds of decisions made by employees who formulate policies or exercise broad commitment authority, it does not extend to those kinds of decisions that affect only the procedural details of the employee's own work, or to such matters as deciding whether a situation does or does not conform to clearly applicable criteria.

A14.6. General Considerations in Interpreting and Applying FLSA Exemption Criteria:

A14.6.1. Numerous judicial precedents have firmly established principles that:

A14.6.1.1. FLSA exemptions must be narrowly construed and applied only to employees who are clearly within the terms of spirit of those exemptions.

A14.6.1.2. The burden of proof rests with the employer who asserts the exemption. Thus, if there is a reasonable doubt as to whether an employee meets criteria for exemption, the employee is ruled nonexempt.

A14.7. Combinations of Exemption Categories.

A14.7.1. Although separate criteria are provided for exempting executive, administrative, and professional employees, those categories are not mutually exclusive. All exempt work, regardless of category, is considered. The only restriction is that (when requirements of one category are more stringent) the combination of exempt work must meet these higher requirements.

A14.7.2. Failure to meet criteria for exemption under what might appear to be the most appropriate standard does not preclude exemption under another category. For example, an employee who fails to meet professional

criteria may be performing exempt administrative work, or an employee who fails to meet administrative criteria may be performing exempt executive work.

A14.7.3. Although it is usually feasible and more convenient to identify the exemption category, this is not essential. An exemption may be based on a combination of functions, no one of which constitutes the primary duty, or the employee's primary duty may involve two categories that are intermingled and difficult to segregate. This does not preclude exempting the employee, provided the work, as a whole, clearly meets other exemption criteria.

Section C--Guidance Concerning Application To Specific Categories

A14.8. Applying Executive Criteria:

A14.8.1. Quick Tests.

A14.8.1.1. Nonsupervisory wage employees are nonexempt.

A14.8.1.2. NF and FWS work leaders are nonexempt.

A14.8.1.3. Wage supervisors whose positions do not fully meet or exceed the "Supervisory range of responsibility," as explained in factor I of the Job Grading Standard for Supervisors, are nonexempt.

A14.8.1.4. Supervisory employees whose positions are classified in NF-III, or the equivalent, and who perform nonsupervisory work that is not closely related to their supervisory functions for more than 25 percent of the time are nonexempt.

A14.8.1.5. Wage supervisors whose positions fully meet or exceed the "Supervisory range of responsibility," as explained in factor I of the Job Grading Standard for Supervisors, and who perform nonsupervisory work that is not closely related to their supervisory functions for more than 25 percent of the time are nonexempt.

A14.8.1.6. General supervisors and higher level wage supervisors are exempt.

A14.8.1.7. These NF-I and NF-II employees are nonexempt:

A14.8.1.7.1. Nonsupervisory employees.

A14.8.1.7.2. Leader employees.

A14.8.1.7.3. Supervisory employees classified below the NF-III level.

A14.8.1.7.4. Supervisory employees at the NF-III level who perform work not directly related to their supervisory functions more than 25 percent of their time.

A14.8.1.8. Supervisory employees at the NF-III level who are exempt:

A14.8.1.8.1. Perform supervisory and related duties 75 percent or more of their time.

A14.8.1.8.2. Assume responsibility for planning and accomplishing a continuing workload that meets the intent of the recognized organizational unit requirements.

A14.8.1.8.3. Regularly exercise discretion and independent judgement in planning, directing, and controlling the work.

A14.8.1.8.4. Are responsible for significant personnel management duties.

A14.8.2. Use of Job Grading Standard for Supervisors. With the exception of the time criterion percentage, where applicable, requirements for distinguishing true supervisors from work leaders, shown in those standards, parallel the executive exemption criteria. The supervisory duties are of the nature and level that fully meet or exceed the "Supervisory range of responsibility," as defined in the Job Grading Standard for Supervisors, if such duties:

A14.8.2.1. Constitute the primary duty for exemption purposes, even if they represent less than the majority of the work.

A14.8.2.2. Involve responsibility for planning and completing a continuing workload that meets the intent of the recognized organizational unit requirement.

A14.8.2.3. Demonstrate sufficient discretion and independent judgment in planning, directing, and controlling the work.

A14.8.2.4. Include significant personnel management duties. These standards provide the most suitable guidelines for making an executive exemption determination for NF and FWS supervisors and are used in applying the executive exemption to employees in other pay systems.

A14.8.3. Percentage of Time Criterion. The time criterion percentage is the essential test for determining the exemption status of NF supervisors who occupy positions classified below NF-IV and FWS supervisors whose positions fully meet or exceed the "Supervisory range of responsibility" in the Job Grading Standard for Supervisors. These supervisors are exempt if they spend 75 percent or more of the worktime, in a scheduled workweek, on work that is supervisory and closely related. Supervisors whose positions are classified at NF-IV and above and as general supervisor are exempt.

A14.9. Applying Administrative Criteria.

A14.9.1. Quick Tests:

A14.9.1.1. All employees whose positions are classified below NF-III or the equivalent, are nonexempt.

A14.9.1.2. Nonsupervisory FWS employees and comparable employees in other wage systems are nonexempt.

A14.9.2. Exemption Determinations for Other Administrative Employees:

A14.9.2.1. Within the broad administrative category, but not necessarily exempt, are a large number of employees who apply specialized knowledge and skills in such functions as:

A14.9.2.1.1. Determining the acceptability of goods or services;

A14.9.2.1.2. Approving or rejecting applications for various benefits or claims against the government;

A14.9.2.1.3. Examining persons, property, or records for compliance with laws or regulations or for assessment of taxes; or

A14.9.2.1.4. Similar functions in which employees act as representative of management, often with substantial commitment authority.

A14.9.2.2. Work is nonexempt if it is relatively standardized or can be structured so that most employees encounter recurrent kinds of situations that are covered by established guidelines. The work may require knowledge of a very extensive body of regulations, procedures, or precedent decisions that apply to a large number of different situations. However, the existence of established guidelines, if they specifically apply to the situation encountered (as distinguished from generalized guidelines that must be interpreted or extended), precludes the discretion and judgment characteristic of exempt work. Similarly, there is no true discretion, as that term is used in the exemption criteria, if the work primarily involves:

A14.9.2.2.1. Skill in applying established techniques and specific standards (as in most inspection work);

A14.9.2.2.2. Determining that factual evidence does or does not conform to specified conditions that govern actions taken (as in routine claims examining or processing applications); or

A14.9.2.2.3. Decisions that are a necessary result of a prescribed or directed action (as in preparing computer program instructions when the exact information and the exact form in which it is to be presented are prescribed by others).

A14.9.2.3. Within the NF job grading system, such work typically is classified in occupations that cover work that is inherently of a relatively standardized nature or that has been so structured, by isolating the more standardized work within an administrative or professional field into a technician occupation. The identification of such occupations, however, cannot be relied on as the sole determinate of exemption status. Although most employees are nonexempt, often employees at higher grade levels (for example, NF-IV through NF-VI) handle primarily cases for which guidelines are lacking or only generally apply, or for which factual information is not complete or contradictory. If the work requires substantial discretion and judgment, employees who perform such work are exempt, even though the occupation as a whole is considered nonexempt. For example, they are distinguished from skill in applying established techniques, standards, and knowledge on subject matters that significantly affect operations of the organization or the execution of management policy.

A14.10. Applying Professional Criteria.

A14.10.1. Quick Tests:

A14.10.1.1. Teachers who convey knowledge or serve as administrators of academic operations or functions in a school system or educational establishment are exempt, without regard to any other criteria.

A14.10.1.2. All other nonsupervisory employees classified in professional occupations below grade NF-III (or the equivalent) are nonexempt.

A14.10.2. Exempting Employees in Recognized Fields of Artistic Endeavor:

A14.10.2.1. Creative artists are exempt under the professional category. Included in this category are:

A14.10.2.1.1. Creators of original art, such as composers, painters, or writers who work from only a general subject matter or concept. Included are exhibit specialists, illustrators, photographers, and similar employees if the prime requirement is for creative work that portrays abstract concepts or evokes emotions, rather than for skill in accurately portraying objects or in conveying information visually.

A14.10.2.1.2. Performing artists and directors, choreographers, or conductors who apply special talents and creativity in interpreting works created by others.

A14.10.2.1.3. Critics or commentators who write or broadcast highly individualized analytical and interpretative views, as distinguished from reporting factual information only.

A14.10.2.2. NF employees in the NF-1000 Information and Arts Group, and possibly a few other occupations who create original works of art or who apply interpretive creativity are evaluated against the professional exemption criteria in section A, paragraph A14.4.3. The most significant criterion is that the work be creative and individualized (that is, with results dependent on the invention, imagination, or talent of the employee, as distinguished from work that can be performed satisfactorily by any employee who has acquired those basic skills of the artistic field involved). The requirement for creativity is not necessarily related to the grade level of the work. Individual employees, at any given grade level, NF-III or above, may or may not qualify for exemption on this basis.

A14.10.2.3. Much of the work in the Information and Arts Group, NF-1000, also involves significant administrative functions. When the emphasis is not so much on creativity as on the ability to produce, or to select from the work of others material that effectively achieves instructional or promotional program goals, the employee is evaluated against the criteria for the administrative exemption category in section A, paragraph A14.4.2.

A14.10.3. Exemption of Employees in Occupations Identified in the Series Definition as Professional. All such occupations involve professional work that is inherently intellectual and varied in nature. The primary issue is the grade or payband level at which employees in these occupations exercise sufficient independent discretion and judgment to warrant exemption.

A14.10.3.1. The NF-III level frequently is a developmental level at which employees receive close supervision in process as well as on completion of the work, which precludes exemption. However, some professional disciplines include, as part of the academic training, substantial experience in the practical application of theory and techniques (for example, nursing or physical therapy) or laboratory courses that closely parallel work situations. Thus, in some professions, employees require relatively brief OJT and are able to apply professional knowledge and independent judgment that qualifies for exemption at the NF-III grade level.

A14.10.3.2. The NF-IV level includes varying combinations of developmental assignments and independent work that, within the realm of professional work, is relatively routine, but which nevertheless requires professional judgment. Although most employees at this level qualify for exemption, it is often necessary to closely examine the frequency and degree of discretion and independent judgment exercised.

A14.10.3.3. Employees properly classified in professional occupations at NF-IV and above are exempt.

A14.10.4. Evaluation of Employees in Scientific and Engineering Technician Occupations. Employees in technician occupations who perform quasi-professional work, based on a limited knowledge of engineering or scientific theory and extensive technical knowledge gained through practical experience (such as construction, operation or maintenance of equipment) are nonexempt, unless such employees either:

A14.10.4.1. Exercise program responsibilities that qualify for exemption under administrative criteria (for example, develop preventive maintenance programs; analyze defect reports to identify one or more causes and determine a need for changing design, materials used, storage or maintenance practices, or similar functions that require decisions or recommendations reflecting evaluations of both administrative and technical considerations); or

A14.10.4.2. Apply (within a narrow field of specialization) advance knowledge, both theoretical and practical, including knowledge of related disciplines and of new developments, in the independent performance of work that is very similar and comparable in level to that performed by professional employees in the field. The exemption of technician employees is based on the nature of the work performed, rather than the grade level per se. However, it would be unusual for employees classified below NF-IV to qualify for exemption and for employees at grades NF-IV or above not to qualify for exemption.

Attachment 15: Requesting Increased Rates and Special Rates

A15.1. Before a formal rate request is prepared, it should be verified that the staffing difficulty cannot be resolved by change in the work environment, in workforce utilization, or in recruitment methods. Additional guidance for requesting increased minimum hiring rates and processing pay adjustments is found in DoDI 1400.25, Volume 1405, *Nonappropriated Fund (NAF Pay, Awards, and Allowances)*, and OPM Operating Manual, *Federal Wage System – Nonappropriated Fund*, subchapter S12 and Appendix M, Worksheet for Federal Wage System Special Rates. When conditions exist as described by table 18.13 due to NAF regular wage schedules, the information shown below is developed.

A15.2. Responsibilities. When an increased minimum hiring rate is warranted, management may request the Chief, NAF-HR submit a package requesting authority to use the second, third, fourth or fifth step as the appointment rate of an occupation. The Chief, NAF-HR, with management's assistance, prepares the package and submits to AFSVC/SVI. AFSVC/SVI reviews for accuracy and proper justification, endorses and forwards the package to AFSVC/SVXH who reviews and forwards a recommendation to HQ USAF/A1C and DoD Civilian Personnel Advisory Service, Wage Setting Division (DCPAS/WSD) for approval/disapproval.

A15.3. Information in Support of Requests. When current market rates in the local wage area are substantially above the minimum rate (step) of the local NAF wage schedule for a particular occupation and grade, and local NAF activities in the area cannot recruit and maintain qualified employees at that minimum rate, management may request authority to use the second, third, fourth, or fifth step as the appointment rate to alleviate recruitment and retention problems. Normally, a request for increased minimum hiring rates is submitted prior to requesting a special rate schedule. In preparing a special rate request, installations should take into consideration the following factors that OPM considers when reviewing a special rate request:

The number of existing or likely vacant positions and the length of time they have been vacant, including evidence to support the likelihood that a recruitment problem will develop if one does not already exist;

The number of NAF employees who have or are likely to quit, including the number quitting for higher paying positions, and evidence to support the likelihood that NAF employees will quit;

The number of vacancies agencies tried to fill and the number of hires and offers made;

The nature of the existing labor market;

The degree to which agencies have considered or used increased minimum rates for hard-to-fill positions (not a prerequisite);

The degree to which employing agencies have considered relevant non-pay solutions to the staffing problems, such as conducting an aggressive recruiting program, using appropriate appointment authorities, redesigning jobs, establishing training programs, and improving working conditions;

The impact of the staffing problem on the employers' mission; and

The level of private sector rates paid for comparable positions.

A15.4. Procedures. The special rate package must cover the points that follow. Use the worksheet found in appendix M of the OPM Operating Manual to record the first three points and prepare a brief narrative for the remaining points.

The proposed occupational coverage by occupational series code, occupational specialization (if applicable), official title, and grade(s) of the proposed special rate positions.

The occupational coverage by occupational series code, occupational specialization (if applicable), official title, and grade(s) of leader and supervisory positions that would be covered indirectly and the number of employees in such positions.

The detailed staffing, recruitment, and turnover data specified in the appendix M worksheets.

The proposed geographic coverage of the special rates.

Detailed information on the staffing difficulties that prompted the request, how these difficulties have affected mission accomplishment, and attempts the agency has made to alleviate the problem.

The percentage of market rate proposed for each grade level to be covered.

The estimated additional annual cost, on the assumption that all vacancies will be filled. This should include the additional cost for related leader and supervisory positions.

Any offsetting savings that would result if all authorized positions were filled, turnover were reduced to a normal level for the occupation or occupational specialization, and there were no need to make extraordinary recruiting efforts.

In addition, package must include:

A cover memo signed by the FSS commander/director.

Financial worksheets for labor cost comparison.

Local economy information.

Current local labor market statistics (include link to the website).

A listing of all Federal facilities within the proposed geographic area or site to be covered by a potential special rate request, along with an estimated count of NAF employees in each occupation or occupational specialization proposed for special rate coverage.

A copy of the local current wage pay schedule.

Any other conditions supporting the special rate request, i.e., remoteness, efforts at alternative solutions.

An endorsement memo signed by AFSVC/SVI

A15.5. Special Rates or Rate Ranges for Leader and Supervisory Positions

a. When special rates or rate ranges are established for nonsupervisory positions, special rates must also be established for leader and supervisory positions, classified to the same occupational series and title, that lead or supervise work directly relating to the jobs covered by the special rates.

- b. Leader and supervisory positions will be graded in accordance with applicable FWS job-grading standards.
- c. The step rate structure for the leader and supervisory special rate range will be the same as for the related nonsupervisory special rate or rate range.
- d. When more than one special rate or rate range is authorized for the subordinate or related positions, special leader and supervisory rates or rate ranges will be based on the highest special rate or rate range. In identifying the highest rate, a special rate that is a single rate will be compared to the payline rate of a special rate range.
- e. The following formulas will be used to establish the special rate or rate ranges. A single rate will equal the top step of the appropriate NL or NS grade plus the dollars-and-cents difference between the top step of the appropriate NA grade and the special NA rate. For multiple rate ranges, the payline rate will equal the payline rate of the appropriate NL or NS grade plus the dollars-and-cents difference between the payline rate of the appropriate NA grade and the payline rate of the special rate job. Other required step rates will be computed in accordance with S5-11f.

A15.6. AFSVC/SVI and HQ USAF/A1C Review. The Chief, NAF-HR is encouraged to obtain informal help from the AFSVC/SVI staff concerning the problem. Written proposals are sent through AFSVC/SVI, to AFSVC/SVXH. Complete and valid proposals are reviewed, and when substantiated, sent to HQ USAF/A1C, for action by the DoD Civilian Personnel Management Service, Wage Setting Division.

A15.7. INITIAL AUTHORIZATION. DCPAS/WSD will notify the installation if the increased minimum hiring rate is authorized. The notification will specify the authorized minimum hiring step rate and the effective date of the rates. The Chief, NAF-HR processes a pay adjustment for each covered employee whose pay is below the authorized rate, increasing the employee's pay to the minimum hiring rate.

A15.8. ANNUAL REVIEW. The Chief, NAF-HR annually examines and reevaluates the recruitment and retention situation and level of competitive rates for each occupation covered by the increased minimum hiring rate. DCPAS/WSD will revise and reissue the authorization annually unless circumstances warrant cancellation or they are notified that the increased minimum hiring rate is no longer necessary. If the authorization is cancelled, current employees remain at the same step as they were prior to the cancellation (i.e., employee's pay is not reduced). Employees hired after the date of cancellation are hired using normal pay setting rules (usually at step one).

Appendix M

Worksheet for Federal Wage System Special Rates

Each agency must complete a separate worksheet. The lead agency must complete an aggregate worksheet if two or more agencies are covered by the request. (Attach a separate sheet if more room is required for any of the tables in the worksheet. A formal agency request for special rates will consist of this worksheet plus a brief narrative statement covering additional documentation required by Subchapter S12-5d(1)(c).

I COVERAGE

A. OCCUPATIONS(S) DIRECTLY COVERED: Enter the occupation series code for each occupation to be covered by this request.

Pay Plan & Series & Grade(s)	Job Title and Specialization (If Applicable)	Pay Plan & Series & Grade(s)	Job Title and Specialization (If Applicable)

B. OCCUPATIONS(S) INDIRECTLY COVERED: Enter data for affected leader or supervisory positions.

Pay Plan & Series & Grade(s)	Job Title and Specialization (If Applicable)	Pay Plan & Series & Grade(s)	Job Title and Specialization (If Applicable)

C. FEDERAL AGENCIES/FACILITIES: Name each agency/facility that has positions to be covered by this request.

Name of Agency/Facility	Address	County*/Parish	Contact's Name, Title, & Phone (Include Area Code)

* In New England, minor civil divisions should also be listed in the county column.

Attachment 16: Guide for Determining Completion of Waiting Periods for Within Grade Increases

Table A16.1. Guide for Determining Completion of Waiting Periods for Within Grade Increases

Locate on the table:

- a. The date employee entered on duty or received last equivalent increase.
- b. The completion date shown in the block opposite the waiting period under consideration.

NOTE: If the waiting period includes 29 Feb, subtract one day from the completion date determined under paragraph b.

January	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
26 weeks	7-1	7-2	7-3	7-4	7-5	7-6	7-7	7-8	7-9	7-10	7-11	7-12	7-13	7-14	7-15	
78 weeks	6-30	7-1	7-2	7-3	7-4	7-5	7-6	7-7	7-8	7-9	7-10	7-11	7-12	7-13	7-14	
104 weeks	12-29	12-30	12-31	1-1	1-2	1-3	1-4	1-5	1-6	1-7	1-8	1-9	1-10	1-11	1-12	
February	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
26 weeks	8-1	8-2	8-3	8-4	8-5	8-6	8-7	8-8	8-9	8-10	8-11	8-12	8-13	8-14	8-15	
78 weeks	7-31	8-1	8-2	8-3	8-4	8-5	8-6	8-7	8-8	8-9	8-10	8-11	8-12	8-13	8-14	
104 weeks	1-29	1-30	1-31	2-1	2-2	2-3	2-4	2-5	2-6	2-7	2-8	2-9	2-10	2-11	2-12	
March	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
26 weeks	8-29	8-30	8-31	9-1	9-2	9-3	9-4	9-5	9-6	9-7	9-8	9-9	9-10	9-11	9-12	
78 weeks	8-28	8-29	8-30	8-31	9-1	9-2	9-3	9-4	9-5	9-6	9-7	9-8	9-9	9-10	9-11	
104 weeks	2-26	2-27	2-28	3-1	3-2	3-3	3-4	3-5	3-6	3-7	3-8	3-9	3-10	3-11	3-12	
April	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
26 weeks	9-29	9-30	10-1	10-2	10-3	10-4	10-5	10-6	10-7	10-8	10-9	10-10	10-11	10-12	10-13	
78 weeks	9-28	9-29	9-30	10-1	10-2	10-3	10-4	10-5	10-6	10-7	10-8	10-9	10-10	10-11	10-12	
104 weeks	3-29	3-30	3-31	4-1	4-2	4-3	4-4	4-5	4-6	4-7	4-8	4-9	4-10	4-11	4-12	
May	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
26 weeks	10-29	10-30	10-31	11-1	11-2	11-3	11-4	11-5	11-6	11-7	11-8	11-9	11-10	11-11	11-12	
78 weeks	10-28	10-29	10-30	10-31	11-1	11-2	11-3	11-4	11-5	11-6	11-7	11-8	11-9	11-10	11-11	
104 weeks	4-28	4-29	4-30	5-1	5-2	5-3	5-4	5-5	5-6	5-7	5-8	5-9	5-10	5-11	5-12	
June	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
26 weeks	11-29	11-30	12-1	12-2	12-3	12-4	12-5	12-6	12-7	12-8	12-9	12-10	12-11	12-12	12-13	
78 weeks	11-28	11-29	11-30	12-1	12-2	12-3	12-4	12-5	12-6	12-7	12-8	12-9	12-10	12-11	12-12	
104 weeks	5-29	5-30	5-31	6-1	6-2	6-3	6-4	6-5	6-6	6-7	6-8	6-9	6-10	6-11	6-12	
January	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
26 weeks	7-16	7-17	7-18	7-19	7-20	7-21	7-22	7-23	7-24	7-25	7-26	7-27	7-28	7-29	7-30	7-31
78 weeks	7-15	7-16	7-17	7-18	7-19	7-20	7-21	7-22	7-23	7-24	7-25	7-26	7-27	7-28	7-29	7-30
104 weeks	1-13	1-14	1-15	1-16	1-17	1-18	1-19	1-20	1-21	1-22	1-23	1-24	1-25	1-26	1-27	1-28

	February	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
26 weeks	8-16	8-17	8-18	8-19	8-20	8-21	8-22	8-23	8-24	8-25	8-26	8-27	8-28				
78 weeks	8-15	8-16	8-17	8-18	8-19	8-20	8-21	8-22	8-23	8-24	8-25	8-26	8-27				
104 weeks	2-13	2-14	2-15	2-16	2-17	2-18	2-19	2-20	2-21	2-22	2-23	2-24	2-25				
March	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
26 weeks	9-13	9-14	9-15	9-16	9-17	9-18	9-19	9-20	9-21	9-22	9-23	9-24	9-25	9-26	9-27	9-28	
78 weeks	9-12	9-13	9-14	9-15	9-16	9-17	9-18	9-19	9-20	9-21	9-22	9-23	9-24	9-25	9-26	9-27	
104 weeks	3-13	3-14	3-15	3-16	3-17	3-18	3-19	3-20	3-21	3-22	3-23	3-24	3-25	3-26	3-27	3-28	
Apr	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
26 weeks	10-14	10-15	10-16	10-17	10-18	10-19	10-20	10-21	10-22	10-23	10-24	10-25	10-26	10-27	10-28		
78 weeks	10-13	10-14	10-15	10-16	10-17	10-18	10-19	10-20	10-21	10-22	10-23	10-24	10-25	10-26	10-27		
104 weeks	4-13	4-14	4-15	4-16	4-17	4-18	4-19	4-20	4-21	4-22	4-23	4-24	4-25	4-26	4-27		
May	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
26 weeks	11-13	11-14	11-15	11-16	11-17	11-18	11-19	11-20	11-21	11-22	11-23	11-24	11-25	11-26	11-27	11-28	
78 weeks	11-12	11-13	11-14	11-15	11-16	11-17	11-18	11-19	11-20	11-21	11-22	11-23	11-24	11-25	11-26	11-27	
104 weeks	5-13	5-14	5-15	5-16	5-17	5-18	5-19	5-20	5-21	5-22	5-23	5-24	5-25	5-26	5-27	5-28	
June	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
26 weeks	12-14	12-15	12-16	12-17	12-18	12-19	12-20	12-21	12-22	12-23	12-24	12-25	12-26	12-27	12-28		
78 weeks	12-13	12-14	12-15	12-16	12-17	12-18	12-19	12-20	12-21	12-22	12-23	12-24	12-25	12-26	12-27		
104 weeks	6-13	6-14	6-15	6-16	6-17	6-18	6-19	6-20	6-21	6-22	6-23	6-24	6-25	6-26	6-27		
July	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15		
26 weeks	12-29	12-30	12-31	1-1	1-2	1-3	1-4	1-5	1-6	1-7	1-8	1-9	1-10	1-11	1-12		
78 weeks	12-28	12-29	12-30	12-31	1-1	1-2	1-3	1-4	1-5	1-6	1-7	1-8	1-9	1-10	1-11		
104 weeks	6-28	6-29	6-30	7-1	7-2	7-3	7-4	7-5	7-6	7-7	7-8	7-9	7-10	7-11	7-12		
August	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15		
26 weeks	1-29	1-30	1-31	2-1	2-2	2-3	2-4	2-5	2-6	2-7	2-8	2-9	2-10	2-11	2-12		
78 weeks	1-28	1-29	1-30	1-31	2-1	2-2	2-3	2-4	2-5	2-6	2-7	2-8	2-9	2-10	2-11		
104 weeks	7-29	7-30	7-31	8-1	8-2	8-3	8-4	8-5	8-6	8-7	8-8	8-9	8-10	8-11	8-12		
September	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15		
26 weeks	3-1	3-2	3-3	3-4	3-5	3-6	3-7	3-8	3-9	3-10	3-11	3-12	3-13	3-14	3-15		
78 weeks	2-28	3-1	3-2	3-3	3-4	3-5	3-6	3-7	3-8	3-9	3-10	3-11	3-12	3-13	3-14		
104 weeks	8-29	8-30	8-31	9-1	9-2	9-3	9-4	9-5	9-6	9-7	9-8	9-9	9-10	9-11	9-12		
October	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15		
26 weeks	3-31	4-1	4-2	4-3	4-4	4-5	4-6	4-7	4-8	4-9	4-10	4-11	4-12	4-13	4-14		
78 weeks	3-30	3-31	4-1	4-2	4-3	4-4	4-5	4-6	4-7	4-8	4-9	4-10	4-11	4-12	4-13		
104 weeks	9-28	9-29	9-30	10-1	10-2	10-3	10-4	10-5	10-6	10-7	10-8	10-9	10-10	10-11	10-12		

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November	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
26 weeks	5-1	5-2	5-3	5-4	5-5	5-6	5-7	5-8	5-9	5-10	5-11	5-12	5-13	5-14	5-15	
78 weeks	4-30	5-1	5-2	5-3	5-4	5-5	5-6	5-7	5-8	5-9	5-10	5-11	5-12	5-13	5-14	
104 weeks	10-29	10-30	10-31	11-1	11-2	11-3	11-4	11-5	11-6	11-7	11-8	11-9	11-10	11-11	11-12	
December	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
26 weeks	5-31	6-1	6-2	6-3	6-4	6-5	6-6	6-7	6-8	6-9	6-10	6-11	6-12	6-13	6-14	
78 weeks	5-30	5-31	6-1	6-2	6-3	6-4	6-5	6-6	6-7	6-8	6-9	6-10	6-11	6-12	6-13	
104 weeks	11-28	11-29	11-30	12-1	12-2	12-3	12-4	12-5	12-6	12-7	12-8	12-9	12-10	12-11	12-12	
July	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
26 weeks	1-13	1-14	1-15	1-16	1-17	1-18	1-19	1-20	1-21	1-22	1-23	1-24	1-25	1-26	1-27	1-28
78 weeks	1-12	1-13	1-14	1-15	1-16	1-17	1-18	1-19	1-20	1-21	1-22	1-23	1-24	1-25	1-26	1-27
104 weeks	7-13	7-14	7-15	7-16	7-17	7-18	7-19	7-20	7-21	7-22	7-23	7-24	7-25	7-26	7-27	7-28
August	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
26 weeks	2-13	2-14	2-15	2-16	2-17	2-18	2-19	2-20	2-21	2-22	2-23	2-24	2-25	2-26	2-27	2-28
78 weeks	2-12	2-13	2-14	2-15	2-16	2-17	2-18	2-19	2-20	2-21	2-22	2-23	2-24	2-25	2-26	2-27
104 weeks	8-13	8-14	8-15	8-16	8-17	8-18	8-19	8-20	8-21	8-22	8-23	8-24	8-25	8-26	8-27	8-28
September	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
26 weeks	3-16	3-17	3-18	3-19	3-20	3-21	3-22	3-23	3-24	3-25	3-26	3-27	3-28	3-29	3-30	
78 weeks	3-15	3-16	3-17	3-18	3-19	3-20	3-21	3-22	3-23	3-24	3-25	3-26	3-27	3-28	3-29	
104 weeks	9-13	9-14	9-15	9-16	9-17	9-18	9-19	9-20	9-21	9-22	9-23	9-24	9-25	9-26	9-27	
October	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
26 weeks	4-15	4-16	4-17	4-18	4-19	4-20	4-21	4-22	4-23	4-24	4-25	4-26	4-27	4-28	4-29	4-30
78 weeks	4-14	4-15	4-16	4-17	4-18	4-19	4-20	4-21	4-22	4-23	4-24	4-25	4-26	4-27	4-28	4-29
104 weeks	10-13	10-14	10-15	10-16	10-17	10-18	10-19	10-20	10-21	10-22	10-23	10-24	10-25	10-26	10-27	10-28
November	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
26 weeks	5-16	5-17	5-18	5-19	5-20	5-21	5-22	5-23	5-24	5-25	5-26	5-27	5-28	5-29	5-30	
78 weeks	5-15	5-16	5-17	5-18	5-19	5-20	5-21	5-22	5-23	5-24	5-25	5-26	5-27	5-28	5-29	
104 weeks	11-13	11-14	11-15	11-16	11-17	11-18	11-19	11-20	11-21	11-22	11-23	11-24	11-25	11-26	11-27	
December	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
26 weeks	6-15	6-16	6-17	6-18	6-19	6-20	6-21	6-22	6-23	6-24	6-25	6-26	6-27	6-28	6-29	6-30
78 weeks	6-14	6-15	6-16	6-17	6-18	6-19	6-20	6-21	6-22	6-23	6-24	6-25	6-26	6-27	6-28	6-29
104 weeks	12-13	12-14	12-15	12-16	12-17	12-18	12-19	12-20	12-21	12-22	12-23	12-24	12-25	12-26	12-27	12-28

Attachment 17: Documentation of Grade and Pay Retention Actions for CT Employees

Section A – AF Form 2545. Documentation of Grade and Pay Retention Actions for CT Employees.

Table A17.1. Actions that Establish Eligibility for Grade Retention for Covered CT Employees (NA, NL, NS).

R U L E	A	B	C	D	E	F
	If basis for action is	and	then PAC is	and NOAC is	and authority in remarks is	and required remarks are (see note 1)
1	change in employees grade, due to position reclassification, that entitles employee to grade retention under 5.U.S.C. 5362 (b)	action is the initial demotion	N064	Position Change (see note 2)	5.U.S.C. 5362 (b)	A17.2, A17.13, and A17.16.
2	change in employees grade, due to position reclassification, that entitles employee to grade retention under 5.U.S.C. 5362(b)	action is a subsequent demotion during grade retention period	N064	Position Change (see note 2)	5.U.S.C. 5362 (b)	A17.2, A17.12, A17.13, and A17.16.
3	position change, due to BBA, that entitles employee to grade retention under 5.U.S.C. 5362 (a)	action is the initial demotion	N064	Position Change – BBA	U.S.C. 5362 (a)	A17.2, A17.13, and A17.17.
4	position change, due to BBA, that entitles employee to grade retention under 5. U.S.C. 5362 (a)	action is a subsequent demotion during grade retention period	N064	Position Change – BBA	U.S.C. 5362 (a)	A17.2, A17.3, A17.13, and A17.17.

NOTES:

1. Numbers refer to list of remarks at section B.
2. Use PAC and NOAC “N064 Position Change,” whether employee remains in the position that was reclassified, or moves to a position other than the other that was reclassified.

Table A16.2. Actions that Terminate Grade or Pay Retention Entitlement for CT Employees (NA, NL, NS).

R U L E	A	B	C	D	E	F
	If basis for action is	and	then PAC is	and NOAC is	and authority in remarks is	and required remarks are (see note 1)
1	expiration of 2-year period of grade retention when employee is entitled to complete another period of grade retention		N102	Termination of Grade Retention	5 U.S.C. 5362	A17.2, A17.11, and A17.13.
2	expiration of 2-year period of grade retention when employee is entitled to begin pay retention					A17.8 and A17.11.
3	expiration of 2-year period of grade retention when employee is not entitled to further grade retention or to pay retention					A17.11.
4	termination of grade retention benefits because employee	Employee has no entitlement	N102	Termination of Grade Retention		A17.1 and A17.4.

	declined a reasonable offer	t to pay retention				
5	termination of grade benefits because employee elected to terminate them		N102	Termination of Grade Retention		A17.1. and A17.5.
6	termination of grade retention benefits because employee requested a demotion		N061	Change to Lower Grade		A17.1 and A17.7.
7	termination of grade retention because employee was demoted for personal cause		N061	Change to Lower Grade		A17.1 and A17.6.
8	termination of pay retention, because of pay schedule adjustment, that results in employee becoming entitled to a higher rate of pay than that to which he or she is entitled under 5 U.S.C. 5363		N894	Pay Adjustment	5 U.S.C. 5363, DoD Directive 5120.42	A17.10 and A17.15.
9	termination of pay retention, because employee declined to a reasonable offer		N105	Termination of Pay Retention	5 U.S.C. 5363	A17.4 and A17.10.
10	termination of pay retention, because employee requested a demotion		N061	Change to Lower Grade		A17.7 and A17.10.
11	termination of pay retention, because employee was demoted for personal cause					A17.6 and A17.10.

12	position change (during grade retention period) back to retained grade (see note 3)		N069	Position Change to Retained Grade		A17.1.
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NOTES:

1. Numbers refer to list of remarks at section B.
2. Also use remark A17.9 when appropriate.
3. If employee is placed in a grade level higher than the retained grade, the action is processed as an N060 Promotion.

Section B - AF Form 2545 - Remarks for NAF CT Employees Who are Covered by Grade and Pay Retention (see note 1)

- A17.1. Grade retention entitlement terminated. No further entitlement to grade or pay retention. DCPDS remark 4EQ.
- A17.2. Employee is entitled to retain grade of (pay plan and grade), through (date). DCPDS remark 4CW.
- A17.3. On (date) employee will be entitled to retain grade of (pay plan and grade), through (date), provided the proceeding period of grade retention is not terminated earlier. DCPDS remark 4FT.
- A17.4. Employee declined offer of (position title, pay plan, series, and grade). DCPDS remark 4CG.
- A17.5. Employee elected to terminate grade retention entitlement benefits. DCPDS remark 4CK.
- A17.6. Change to lower grade is for personal cause. DCPDS remark 4BL.
- A17.7. At employee’s request. DCPDS remark 4AM.
- A17.8. Employee is entitled to pay retention. DCPDS remark 4CU.
- A17.9. Salary is 150 percent of maximum rate of grade to which assigned. DCPDS remark 4IC.
- A17.10. This action terminates retained rate. DCPDS remark 4JA.
- A17.11. Expiration of grade retention period as (pay plan and grade). DCPDS remark 4DR.
- A17.12. Rate is step (number) of (pay plan and grade), retained grade. DCPDS remark 4BH.
- A17.13. Retained grade is used to determine employee’s pay, retirement, insurance benefits, and promotion and training eligibility. It is not used for BBA purposes. DCPDS remark 4HT.

A17.14. Action gives employee within grade increase to step (number) of (pay plan and grade), retained grade (see note 2). DCPDS remark 4AE.

A17.15. Because of wage schedule adjustment. DCPDS remark 4BB.

A17.16. Due to reclassification. DCPDS remark 4BZ.

A17.17. Due to BBA. DCPDS remark 4CA.

NOTES:

1. These remarks are used for:
 - a. Actions that result in employees receiving grade or pay retention benefits.
 - b. Actions that result in termination or expiration of these benefits.
 - c. Other personnel actions that occur while the covered employee is receiving benefits.
2. The remark is used on all “N893 Within Grade Increase” actions for employees with retained grade.

Attachment 18: Sample Memorandum for Covered NAF CT Employees Eligible for Grade Retention

MEMORANDUM FOR

FROM:

SUBJECT: Grade Retention for NAF CT Employees

1. Attached to this memorandum is AF Form 2545, **NAFI Notification of Personnel Action**, documenting:
 - a. The nature of the change that resulted from the action checked below:
 - (1) _____ The reclassification of your Regular position to a lower grade Regular position.
 - (2) _____ The business based action that occurred in your activity.
 - b. Your entitlement to grade retention, as a result of this change.
2. It is important that you understand the manner in which this change and your entitlements are recorded on the AF Form 2545. The actual grade of the position that you occupy is shown in item 20A. Under the law, that grade must be used to establish your rights if there is a business based action following the effective date of the personnel action shown on the AF Form 2545 (item 12). This does not, however, affect your entitlement to grade retention in any way. You are entitled to retain the grade of (pay plan, grade) for the period indicated in the remarks section (item 25) of the AF Form 2545, and to be paid the rate for step (number) of that retained grade. You are also entitled to within-grade increases in your retained grade during your retained grade period, assuming all requirements are met. Because you are not being paid a step rate in the lower grade, a "00" is shown in item 20B. During the grade retention period, your retained grade will also be used in determining any retirement and insurance benefits to which you may be entitled, and in determining your eligibility for promotion and training.

(ADD THE FOLLOWING PARAGRAPHS FOR ALL GRADE RETENTION ACTIONS RESULTING FROM "N064 POSITION CHANGE" THAT ARE DUE TO RECLASSIFICATION)

3. The reclassification of your position was necessary:
 - a. _____ To correct a previous classification error.
 - b. _____ Because of applying a new or revised classification standard.
4. There is no right to file an appeal or grievance of this position change. You may, however, file a classification appeal if you disagree with the classification applied to your position

Attachment 19: Overtime Entitlement for CT (NS, NL, NA) Employees

A19.1. Coverage.

A19.1.1. Nonexempt Employees in a Nonforeign Area. These employees are entitled to be paid for overtime for hours worked in excess of 8 hours in a day that does not exceed 40 hours in the workweek, or in excess of 40 hours in a scheduled workweek when ordered, directed, required, approved, or "suffered or permitted" to work the overtime. Exceptions would be employees on an alternative/flexible work schedule. In that event, overtime would be paid for hours worked in excess of that normally and officially scheduled. Any work a nonexempt employee performs for the benefit of the NAFI (whether or not requested) is working time, if the employer knows of or has reason to believe it is being performed. Thus, a nonexempt employee who starts working before the scheduled shift, even though the work was not requested by the supervisor, is entitled to compensation for overtime work. If management does not authorize overtime work, it must make sure that nonexempt employees work only during their scheduled tour of duty. Supervisors must keep accurate records of hours that nonexempt employees work.

A19.1.2. Employees in a Foreign Area. These employees are entitled to be paid overtime for hours worked in excess of 8 hours in a day that does not exceed 40 hours in the workweek, or in excess of 40 hours in a scheduled workweek only when ordered, directed, required or approved to work the overtime. Exceptions would be employees on an alternative/flexible work schedule. In that event, overtime would be paid for hours worked in excess of that normally and officially scheduled.

A19.1.3. Exempt Employees. These employees are entitled to be paid overtime for hours worked in excess of 8 hours in a day that does not exceed 40 hours in the workweek, or in excess of 40 hours in a scheduled workweek only when ordered, directed, required or approved to work the overtime. Exceptions would be employees on an alternative/flexible work schedule. In that event, overtime would be paid for hours worked in excess of that normally and officially scheduled.

A19.2. Standby and On-Call Duty. An employee who is required to remain at or within the confines of his or her post of duty in excess of 8 hours a day, in a standby or an on-call status, is entitled to overtime pay only for hours of duty, exclusive of eating and sleeping time, in excess of 40 hours a week.

A19.3. Work Exceeding 8 Hours in a Day. When an employee works more than 8 hours in 1 day, including a Sunday or a holiday, time in excess of the 8 hours is paid at the overtime rate, even though it is a part of a scheduled 40-hour week, unless the employee is on an alternative/flexible work schedule.

For example:

- Four 10-hour days.
- Four 9-hour days and one 4-hour day.

A19.4. Overtime Rates. Except as otherwise specifically authorized, an employee is paid for overtime work performed at the rate of one and one-half times the rate of basic pay.

A19.5. Overtime Rate for Sunday or Holiday Work. An employee is paid for overtime work on a Sunday or a holiday at the same rate as for overtime work performed on another day.

A19.6. Computing Overtime Rate. The hourly overtime rate is computed by multiplying the basic hourly rate of pay by one and one-half.

A19.7. Computing Overtime Pay for Night Work.

A19.7.1. Overtime pay for an hourly paid employee regularly working a night shift for which a night shift differential is paid, is computed on that night rate, even though the hours of overtime worked extend into or fall entirely within another shift. For example, an employee whose basic pay is based on the second shift and the employee is requested to perform overtime work on either the first or third shift has the overtime computed on the rate of the second shift.

A19.7.2 If the overtime work is performed on a day not regularly scheduled as a workday for the hourly paid employee or his or her organization, overtime pay is computed on the rate of the employee's last previous regularly scheduled shift.

A19.7.3. When the overtime work is performed on a day not regularly scheduled as a workday for the hourly paid employee, but is a regularly scheduled shift for the organization, overtime pay is computed on the rate of the shift actually worked by the employee on that day.

A19.7.4. Overtime pay for an hourly paid employee having a regularly rotating tour of duty that includes two or more shifts is computed on the rate of the employee's regularly scheduled shift in effect for the calendar day on which the overtime is performed. When such overtime work is performed on a day not regularly scheduled as the workday of an employee, overtime pay is computed on the average of basic pay for all regularly scheduled shifts worked by the employee during the workweek.

A19.5. Computation of Overtime Worked. The compensation of the amount of overtime work of an employee is subject to these conditions:

A19.5.1. Leave With Pay. An employee's absence from duty on paid leave, during the time when he or she would otherwise have been required to be on duty during a daily or weekly tour of duty (including authorized absence on a legal holiday or a nonworkday established by an Executive or administrative order), is considered employment. It does not reduce the amount of overtime pay to which the employee is entitled for work performed in excess of 8 hours in a day, or work in excess of 40 hours in an administrative workweek. Payment of the overtime is authorized only if the employee performs work during the hours in excess of the 8-hour day, or the 40-hour workweek.

A19.5.2. Leave Without Pay. For a period of leave without pay in an employee's workweek, an equal period of service performed outside the workweek, but in the same administrative workweek, must be substituted and paid at the rate that applies to his or her workweek. Any remaining period of service is paid on the basis of the rate in excess of 40 hours in the workweek. For a period of leave without pay in an employee's daily tour of duty, an equal period of service performed outside the employee's daily tour of duty, but in the same workday, is substituted and paid for at the rate that applies to the daily tour of duty, before any remaining period of service is paid at the overtime rate, on the basis of exceeding 8 hours in a workday.

A19.5.3. Night, Holiday, or Sunday Work. Hours of night, holiday, or Sunday work are included in determining, for overtime pay purposes, the total number of hours in employment in the same administrative workweek.

A19.5.4. Call-Back, Overtime Work. Irregular or occasional overtime work performed by an employee on a day when work was not scheduled for him or her, or for which the employee is required to return to his or her place of employment, is considered at least 2 hours in duration for the purpose of overtime pay, whether or not

the work is performed. Thus, call-back time is viewed as an exception to the general rule that overtime compensation is only allowed for work actually performed. However, 2 hours is the maximum that is paid for work that is not actually performed.

Attachment 20: Overtime Entitlement for Payband (NF, CY) Employees

A20.1. Coverage.

A20.1.1. Nonexempt Employees. Overtime payment is required for hours worked that are officially ordered or approved, or suffered or permitted to be worked by the employee. Any work a nonexempt employee performs for the benefit of the NAFI (whether or not requested) is working time, if the employer knows of or has reason to believe it is being performed. Thus, a nonexempt employee who starts working before the scheduled shift, even though the work was not requested by the supervisor, is entitled to compensation for overtime work. If management does not authorize overtime work, it must make sure that nonexempt employees work only during their scheduled tour of duty. Supervisors must keep accurate records of hours that nonexempt employees work.

A20.1.2. Exempt Employees. These employees are entitled to be paid for overtime hours worked in excess of 40 hours of work actually performed in the workweek only when the overtime is specifically ordered, directed, required or approved in advance. Refer to paragraph 18.15 for guidance on when compensatory time may be granted.

A20.2. Hours Worked.

A20.2.1. Importance of "Hours Worked." The amount of money an employee receives cannot be determined without knowing the number of hours he or she has "worked."

A20.2.2. Basic Rule. "Hours worked" in general, includes the time an employee is required to be on duty (or on the NAFI's premises or at a prescribed workplace), and for the nonexempt employee all time during which he or she is "suffered or permitted" to work for the NAFI.

A20.2.3. Specific Examples in Determining "Hours Worked." The following examples are (not all inclusive) furnished as a guide to supervisors for determining "hours worked" for their employees:

A20.2.3.1. Time spent traveling (but not other time in travel status) away from his or her official duty station is "hours worked" when it cuts across the employee's workday. The time is not only "hours worked" on regular workdays, during normal workhours but also during the corresponding hours on nonwork-days. Thus, if an employee regularly works from 0830 to 1700 from Monday through Friday, the time spent traveling during these hours is worktime on Saturday and Sunday, as well as on the other days.

A20.2.3.2. Actual meal periods are not considered "hours worked." The employee must be completely relieved from duty for eating regular meals. If an employee's meal periods are uninterrupted, except for rare and infrequent emergency calls, meal periods can be excluded from worktime. On the other hand, if meal periods are frequently interrupted by calls to duty, the employee is not considered relieved of all duties and all meal periods are considered as "hours worked." If an employee is completely free from duties during his or her meal periods, it is not necessary that he or she be permitted to leave the premises for the time to be excluded from worktime.

A20.2.3.3. Excused absences with pay (holidays, sick, annual, or other paid leave) are not periods of work, even though the employee is compensated for these periods of nonwork. Therefore, for the purpose of determining whether more than 40 hours have been worked and whether overtime entitlement exists, such periods of nonwork are not included in the "hours worked" during the workweek. For example, an employee

whose tour of duty is Monday through Friday, takes 8 hours (1 day) of annual leave on Wednesday, and then works 8 hours on Saturday, has 40 "hours worked", and is not entitled to overtime.

A20.3. Overtime Entitlement and Computation:

A20.3.1. Overtime Entitlement. Overtime entitlement does not begin to accrue until the employee has first completed 40 hours of actual work in a week. For example, an employee who has any paid time off during the week (holiday, annual or sick leave, or any excused absence with pay) does not accrue any entitlement to overtime pay until additional actual work exceeds the paid hours of nonwork, and is in excess of 40 hours of actual work in the week.

A20.3.2. Overtime Rate of Pay:

A20.3.2.1. Nonexempt Employees. The overtime hourly rate of pay is one and one-half times the employee's hourly rate of basic pay exclusive of any premiums or differentials.

A20.3.2.2. Exempt Employees. For the exempt NF or CC employee whose rate of basic pay –

- Does not exceed the minimum rate for GS-10, the overtime hourly rate of pay is one and one-half times the employee's hourly rate of basic pay.
- Exceeds the minimum rate for GS-10, the overtime hourly rate of pay is one and one-half times the hourly rate of basic pay at the minimum rate for GS-10.

Attachment 21: Travel Time as Hours of Work for the Exempt Employee

A21.1. Travel Time Considered Employment. Time in travel status away from the official duty station of an employee is deemed employment only when:

- It is within his or her regularly scheduled administrative workweek, including regular overtime work; or
- The travel:
 - Involves the performance of actual work while traveling.
 - Is incident to travel that involves the performance of work while traveling.
 - Is carried out under such arduous and unusual conditions that the travel is inseparable from work.
 - Results from an event that could not be scheduled or controlled administratively.

A21.2. Travel Time Not Considered Employment. It is recognized that there are times when the employee is required to travel away from his or her official duty station outside regularly-scheduled workhours. When this travel is performed under one of those four conditions shown in paragraph A21.1, it is hours of employment for pay purposes. When the travel is not performed under one of those four conditions, it is not hours of employment for pay purposes.

A21.3. Travel Time and Overtime Entitlements. Although time in a travel status away from an employee's official duty station meets conditions for being considered as hours of employment, it is not payable as overtime unless travel outside regularly scheduled duty hours is officially ordered and approved. Thus, to be payable as overtime, an official must require the employee to travel outside his or her regularly scheduled workhours, under one of the qualifying conditions, or after the travel is performed, he or she must approve the time of travel. To this extent, time in a travel status is no different than other overtime hours.

A21.4. When Travel Time is Considered Hours of Work. Before considering those various conditions under which travel is considered hours of work, it is well to consider when an employee's time in travel status begins, and the meaning of "official duty station" and "travel status".

A21.4.1. Official duty station means the employee's designated post of duty, the limits of which are the corporate limits of the city or town in which the employee is stationed. If the employee is not stationed in an incorporated city or town, the official duty station is the AF installation on which stationed, or other established area having definite boundaries within which the designated post of duty is located. The meaning of this term is as used in the JTR.

A21.4.2. In determining the amount of time in a travel status, which would be included as hours of employment, an employee is considered to be in a travel status only for those hours actually spent traveling between the official duty station and the point of destination, or between two TDY points, and for the usual waiting time that interrupts the travel.

A21.4.3. Usually, when traveling by means of a common carrier, time in travel status begins with the scheduled time of departure from the common carrier terminal, and ends upon arrival at the common carrier terminal located at the point of destination. Thus, travel from a station, wharf, or other common carrier terminal to either a place of business or residence (including temporary place of business or residence), and from either a place of business or residence to a station, wharf, or other common carrier terminal, is not considered time in travel status. An exception to this rule is when the employee must spend 1 hour or more in travel between the common carrier and the place of business or residence; then the entire time spent traveling between the carrier

terminal and the place of business or residence (that is, actual time spent traveling, exclusive of any waiting time at terminal before scheduled departure time) is considered hours of employment.

A21.4.4. If an employee travels by automobile, time spent in transit between the residence and the place of business may not be regarded as time spent in travel status away from the official duty station. The time in travel status begins with the departure from the employee's place of business or headquarters, and ends with the arrival at the point of destination. If the employee travels from his or her residence directly to the point of destination, the time used is considered time spent in travel status away from the official duty station. However, the estimated travel time from the employee's place of business to the point of destination is regarded as the maximum limitation on travel time that is payable.

A21.4.5. If an employee, for personal reasons, such as an aversion to flying, does not use the mode of transportation selected by the AF, or, for his or her own convenience, travels by an indirect route or interrupts travel, the employee is considered to be in a travel status only for the estimated time spent in traveling to the point of destination, by the mode of transportation selected by the AF.

A21.5. Travel Under Arduous and Hazardous Conditions. Travel that occurs within the employee's regularly scheduled hours of work, that is carried out under such arduous and unusual conditions that it is inseparable from work, are not new conditions under which travel is considered hours of employment. Usually, the travel or transportation conditions must be viewed in the light of the particular circumstances under which the travel is required. Travel under arduous conditions would include travel over unusually adverse terrain during severe weather conditions, or travel to remote, barely accessible facilities by foot, horseback, or a truck. Travel by automobile over a hard-surfaced road, when no unusual adverse weather conditions are encountered, or travel by rail would not usually constitute travel under arduous conditions. Also, the time of travel (whether to be performed during the day or night) or distance of travel is not usually considered in determining whether the travel is performed under arduous conditions. A distinction is also drawn between arduous conditions and hazardous conditions, keeping in mind that the latter may contribute to the former.

A21.6. Travel That Involves the Performance of Work While Traveling. This means work that can only be performed while traveling. But, if a NAFI requires an employee to work while traveling, the time spent doing the job is considered work, even though it is the kind of work that would ordinarily be done at the employee's place of business. In this latter situation, criteria used in determining whether or not the work is required to be done while traveling are those same standards used in determining whether or not overtime work is officially ordered or approved. Pay, if warranted, is limited to the time actually spent working.

A21.7. Travel Incident to Travel that Involves the Performance of Work While Traveling. An employee is usually in this situation when on a "deadhead" trip, either traveling to a destination to board a means of transportation on which he or she will be doing work while traveling, or, having performed work while traveling, returning to the official duty station. Entitlement under this condition is limited to the situation where the work done while traveling is work that can only be done while traveling. But, the travel must meet the requirements of being "away from the official duty station" to be considered hours of work.

A21.8. Travel Which Results From an Event That Cannot be Scheduled or Controlled Administratively. The phrase "could not be scheduled or controlled administratively" refers to the ability of the NAFI to control the event that necessitates an employee's travel. The control is assumed to be the NAFIs, whether the NAFI has sole control, or the control is achieved through a group of NAFIs or other government organizations acting in concert. For example, training courses throughout the country usually are scheduled to start at the beginning of the workweek, and usually start at 0900 daily. Attendance at training centers located away from an employee's

duty station, therefore, usually require the employee to travel outside normal workhours. Because the government organization that is conducting the training course can schedule the hours of training, the training course is an event that can be scheduled or controlled administratively. The employee's time in travel status outside of normal duty hours, regardless of whether employed by the government organization conducting the training course or another government organization, is not considered as hours of work for pay or compensation purposes. Travel is considered hours of work if it results from unforeseen circumstances (for example, a breakdown of equipment) or from an event that is scheduled or controlled by someone or some organization outside of the government.

A21.9. Examples of Travel Not Administratively Scheduled or Controlled.

A21.9.1. Case Number 1:

SITUATION: For reasons of economy, an employee is directed to travel by military aircraft, boat, etc., although commercial transportation is available within the employee's regularly scheduled tour of duty.

DETERMINATION: Availability or limitation on travel funds does not constitute an administratively uncontrollable event, and the hours of travel are not hours of work.

A21.9.2. Case Number 2:

SITUATION: Training courses by private organizations usually are scheduled to start at the beginning of the workweek. Attendance at a training course conducted in a location away from the employee's duty station may require the employee to travel outside normal workhours.

DETERMINATION: Unless the training course is conducted by a private institution (outside the government) for the benefit of the government, it is an event that cannot be scheduled or controlled administratively. Required travel outside the employee's regular workhours to attend the training course is considered hours of work. However, if a training course is conducted by an institution for the benefit of the government, the event is considered under the administrative control of the government.

A21.9.2.1. Thus, if a training course is conducted by a private institution, but not solely for the benefit of the government, and if the course is completed on Thursday, and the employee returns that night, the hours spent traveling are hours of work. This applies only if the employee is ordered to return that night, and return is required by an event that could not be scheduled or controlled administratively.

A21.9.2.2. If permitted the option of returning during regularly scheduled workhours on Friday, return on Thursday night is not payable because he or she is not officially ordered to return that night.

A21.9.2.3. But, if the employee (whose regular hours of work are 0800 to 1700, Monday through Friday) completes the course at 1700 Friday, travel on either Friday night or Saturday (depending on available transportation) is payable, because he or she is not entitled to per diem if remaining until Monday. Thus, travel time cannot be controlled realistically.

A21.10. Condition Under Which Travel Is Work. The above conditions do not apply to work situations involving travel time that is an inherent part of, and inseparable from, the work itself. In such events, when the NAFI determines that the travel represents an additional incidental duty directly connected with the

performance of a given job, and is considered to be an assigned duty, the time spent in travel is worktime and is payable at regular or overtime rates.

A21.11. Responsibility for Scheduling Travel. NAFIs are required to record reasons for requiring travel outside the workweek, if the travel is not payable according to this attachment. The official who has the authority to order or approve overtime work has the authority to determine when travel is required to be performed outside the workweek, subject to this attachment.

A21.12. Conclusion. If possible, an employee's travel should be scheduled within regular workhours. However, situations may develop when the employee is required to travel outside regular workhours, and that travel takes him or her away from the official duty station. If the travel meets criteria for one of the four conditions described in paragraph A21.1, the travel time is considered hours of work and payable; if not, the travel time is not payable, and the reasons for requiring the travel must be recorded.

Attachment 22: Travel Time as Hours of Work for the Nonexempt Employee

A22.1. General Information.

A22.1.1. Whether time spent in authorized travel by an employee is to be considered hours of work depends on the kind of travel involved. This attachment contains basic principles for determining whether travel time is properly considered hours of work, when the travel is:

A22.1.1.1. From home to work (work to home).

A22.1.1.2. Within the limits of the employee's official duty station.

A22.1.1.3. Away from the official duty station and the travel involves the performance of work while traveling (including travel as a driver of a vehicle).

A22.1.1.4. Away from the official duty station as a passenger in a public or private conveyance. A further consideration for determining hours worked for travel as a passenger is whether the employee travels to, and returns from, a temporary duty station during the same day, or whether the employee remains overnight at the temporary duty station.

A22.1.2. These instructions apply only to the time actually spent traveling between an employee's official duty station and the point of destination, or between two temporary duty points, and for usual waiting time that interrupts such travel.

A22.2. Definitions.

A22.2.1. Authorized Travel. Authorized travel is defined as travel that is performed:

- Under the direction or control of a responsible official of the employing NAFI.
- For the benefit of the employing NAFI.

A22.2.2. Official Duty Station:

A22.2.2.1. Official duty station has been defined in federal travel regulations as the employee's designated post of duty, the limits of which will be: "...the corporate limits of the city or town in which the employee is stationed. If the employee is not stationed in an incorporated city or town, the official station is the reservation, station, or established area, or, in the case of large reservations, the established subdivision thereof having definite boundaries within which the designated post of duty is located."

A22.3. Home to Work Travel.

A22.3.1. Hours of Work. Travel by an employee to and from work, before and after the regular workday, is a normal incident of employment. The usual travel from home to work is not counted as hours worked. However, there are some cases where an employee may perform an activity, as a requirement of his or her employing NAFI while traveling from home to work, that could result in such travel time being considered hours worked.

A22.3.2. Official Duty Station:

A22.3.2.1. Usually, an employee's home to work travel to his or her usual duty location or a job site within the limits of the official duty station is not considered compensable hours worked. For instance, if an employee travels directly from his or her home to a job site, located within the official duty station instead of reporting to his or her normal duty location, this is considered the usual home to work travel and is not compensable.

A22.3.2.2. The rules in this attachment are used to determine whether an employee is compensated for time spent traveling (in excess of the usual home to work travel) to a TDY station located outside the limits of the official duty station. When determining travel time entitlements, an employee may only have one "official duty station." If an employee reports to a headquarters located in one city, but usually works at a branch office or at various job sites located in another city, a NAFI may establish the place where the employee performs the greater portion of his or her duties as the employee's "official duty station." In this case, the employee is not entitled to compensation for travel within the designated "official duty station."

A22.3.3. At a TDY Station:

A22.3.3.1. An employee is not compensated for the usual home to work travel. This same principle applies to the commuting time of NAFI employees while assigned to a TDY station overnight. The employee's TDY station is equivalent to the official duty station during the period of the TDY assignment. Therefore, the time spent by the employee commuting from his or her temporary lodgings (hotel, motel, etc.) to the usual duty location, or to a job site within the limits of the TDY station, is considered home to work travel. It is not considered worktime, unless it meets one of those specific conditions discussed in paragraph A22.1.1.

A22.3.3.2. When an employee, for personal reasons, does not use temporary lodgings provided at a TDY station and commutes daily from his or her home (or from temporary lodgings other than those specified at the TDY station), the daily home to work travel (commuting time) is not worktime. However, the employee's travel time, in excess of the usual home to work travel, to and from the TDY station on the first day of the temporary duty assignment, is considered hours worked. Of course, such travel must meet the rules for compensable travel time discussed in paragraph A22.5.

A22.3.4. While Driving a Passenger Vehicle. If an employee drives a passenger vehicle outside regular working hours (including outside corresponding hours on a nonworkday) from his or her home to a TDY station, the employee may only count as "hours of work" the time spent driving that is in excess of the usual home to work travel. This deduction of the normal home to work travel is also proper when the driver of a passenger vehicle picks up and drives another employee or a group of employees directly to a TDY station, if the driver was not required to do so by the employing NAFI. If the employee drives from his or her home directly to temporary lodgings at the TDY station (or between lodgings at one TDY station and another TDY station), this travel is not considered home to work travel and, therefore, is not deducted from compensable travel time.

A22.4. Travel Within the Limits of the Official Duty Station. Time spent by an employee in authorized travel, as part of a job assignment during the workday, is considered travel that is all in the day's work. Such travel time is counted as hours worked. This rule applies to time spent traveling by an employee (either as a driver of a vehicle or as a passenger in a vehicle) during regular working hours, within the limits of the official duty station. Also, when an employee must travel before or after regular working hours within the limits of the official duty station as a part of a job assignment that extends the employee's regular tour of duty, the time

spent traveling is also considered hours worked. The usual home to work (work to home) travel and bona fide meal periods are not included in hours worked.

A22.5. Travel Away From Official Duty Station.

A22.5.1. Work Done While Traveling. Any work that an employee must do while traveling is counted as hours worked. When an employee is required by an employing NAFI to drive a vehicle, pilot an aircraft, or (when the seaman exemption does not apply) pilot a boat to a given destination, the time spent traveling is counted as hours worked. An employee who rides on such trips and who is required to help in operating the conveyance is working while riding, and such time spent traveling is similarly counted as hours worked. Also, any other employee required to work while traveling must have the time spent traveling counted as hours worked. Bona fide meal periods are deducted from hours worked. Under certain conditions, sleeping periods or periods when an employee is relieved from duty are not included in hours worked.

A22.5.1.1. When an employee is required to be on duty (traveling continuously) for 24 hours or more, authorized sleeping periods of not more than 8 hours may be deducted from hours worked, if adequate sleeping facilities are furnished and the employee can usually enjoy an uninterrupted period of sleep. However, if the sleeping period is interrupted by a call to duty, the interruption must be counted as hours worked and if the employee cannot get at least 5 hours sleep during the sleeping period, the entire time is working time.

A22.5.1.2. When an employee is completely relieved from duty for a period long enough to enable the employee to use the time effectively for his or her own purpose, this off-duty period is not hours worked. For example, driver of an automobile terminates his or her travel at 0600 the next morning; or a security specialist guarding classified equipment aboard a train is relieved from duty at 1800 and is not scheduled to report for duty until 0600 the next morning.

A22.5.2. Travel as a Passenger on a One-Day Assignment. Travel as a passenger to and from a TDY station, outside the limits of the official duty station during the same day, is viewed as a part of the employee's principal duties for that particular day. The time spent in authorized travel as a passenger (by common carrier or by automobile) during the 1-day assignment is considered working time. Bona fide meal periods are deducted from hours worked. The unusual home to work (work to home) travel and time spent waiting at a common carrier terminal in excess of the normal waiting time, which occur outside regular working hours, are not included in hours worked.

A22.5.2.1. A common carrier may require an employee to arrive at a common carrier terminal at a designated predeparture time (for example, 30 minutes before the scheduled departure time of the common carrier). Such waiting time at the common carrier, from designated predeparture time until scheduled departure time of the common carrier, is counted as hours worked. Also, if an employee has to wait for a connecting flight at an intervening common carrier terminal to continue traveling to a TDY station, the usual waiting time at the intervening common carrier terminal is considered the usual waiting time and is counted as hours worked.

A22.5.3. Travel as a Passenger That Keeps an Employee Away From Official Duty Station Overnight. When an employee must travel as a passenger to a TDY station outside the limits of the official duty station and must remain at the TDY station overnight, such travel is in excess of the 1-day assignment and, therefore, is considered to be travel that keeps an employee away from an official duty station overnight.

A22.5.3.1. When an employee travels during regular working hours on regular workdays, the time spent traveling is considered hours worked. This rule also applies when an employee travels as a passenger during

corresponding hours on a nonworkday (hours that correspond to an employee's regular working hours on regular workdays).

A22.5.3.2. When an employee travels as a passenger outside regular working hours (and outside corresponding hours on nonworkdays), the time spent traveling is not considered hours of work, if the travel keeps the employee away from the official duty station overnight and the employee performs no work while traveling. Thus, if an employee regularly works from 0900 to 1730 (with a 30-minute meal period), from Monday through Friday, travel performed during these hours on any of the 7 days of the workweek (including travel time on Saturday, Sunday or a holiday), is working time. Bona fide meal periods are deducted from hours worked. Time spent waiting at a common carrier terminal, in excess of the usual waiting time that occurs during corresponding hours on nonworkdays, is not included in hours worked.

A22.6. Special Situations.

A22.6.1. Travel by Mode of Transportation Other Than That Selected by the Employing NAFI. When an employee, for personal reasons, such as an aversion to flying, does not use the mode of transportation selected by the employing NAFI, the employee is credited with the lesser of that portion of the:

A22.6.1.1. Actual travel time that is considered worktime, under these instructions; or

A22.6.1.2. Estimated travel time that would have been considered worktime, under these instructions, had the employee used the mode of transportation selected by the employing NAFI.

A22.6.2. Travel at a Time Other Than That Selected by the Employing NAFI. Employing NAFIs must specify, within reasonable limits, the time during which authorized travel must be performed by its employees. To the maximum extent practicable, the travel of an employee away from official duty station is scheduled within the employee's regularly scheduled workweek. When an employee, for personal reasons, travels at a time other than the time selected by the employing NAFI or, for personal convenience, travels by an indirect route or interrupts such travel, the employee is credited with the lesser of that portion of the:

A22.6.2.1. Actual travel time considered worktime, under these instructions; or

A22.6.2.2. Estimated travel time that would have been considered worktime, under these instructions, had the employee traveled at the time and by the route selected by the employing NAFI.

A22.6.3. Travel That Involves Two or More Time Zones. If an employee's travel involves two or more time zones, the time zone from the point of the first departure for the workday is used to determine whether the employee performed the travel during regular workhours (or during corresponding hours on nonworkdays). For example, an employee commences travel on Monday in Washington DC, with a short stop-over in Denver, Colorado, and then travels to Los Angeles, California, later that same day. The eastern time zone (point of first departure for that workday) is used to determine whether the travel was performed during the employee's regular working hours. If the same employee later returns from Los Angeles, California, to Washington DC, on Saturday (a nonworkday), the pacific time zone is used to determine whether the travel was performed by the employee during hours that correspond to his or her regular workhours.

Attachment 23: Recruitment/Relocation Incentive Service Agreement

Recruitment/Relocation Incentive Service Agreement

Employee’s Name (Last, First, MI): _____ **RPA Number:** _____ **Incentive Amount:** _____

 (Specify percent of basic pay, including locality and/or special pay)

Title, Series, Grade, and Location of New Position: _____ **Service Agreement Starting and Ending Dates:**
From: _____ **To:** _____

A. INTRODUCTION: The Air Force delegated authority to approve a Recruitment or Relocation Incentive to officials with appointing authority. The provisions of 5 U.S.C. 5753, part 575 of title 5, Code of Federal Regulations (CFR) and Department of Defense (DoD) Policy and Plan for Implementing Recruitment, Relocation, and Retention Incentives require, as a condition for receiving the incentive, that the employee sign a written service agreement prior to receiving a Recruitment or Relocation Incentive.

B. CONDITIONS OF SERVICE: (employee’s name) is being offered a Recruitment/Relocation Incentive of \$ _____, which is _____ percent of basic pay (including either Locality and/or Special Rate supplement).

An employee who accepts a Recruitment or Relocation Incentive is required to serve a minimum of _____ months in the DoD. This service period will begin on _____ and will end on _____ .

The Recruitment/Relocation Incentive will be paid as follows (only complete the method of payments that is being paid):

- \$ _____ lump sum paid at the beginning of this incentive agreement
- \$ _____ lump sum paid at the end of this incentive agreement
- \$ _____ equal or variable installments paid: list specific dates if not paid bi-weekly

The service agreement will be terminated if the employee is demoted, is separated for cause, or receives a less than “Fully Successful” or equivalent rating of record. An employee who fails to complete the period of service specified in this agreement for these reasons will place the employee in debt to the DoD and he or she will be required to repay the incentive on a pro rata basis. The amount to be repaid will be determined by providing credit for each full month of employment completed under the service agreement. The service agreement will be terminated if the employee moves to another position within the same office, facility, activity, or organization. If the movement is the result of management action, the employee is entitled to retain any recruitment incentive payments that are attributable to completed service. The service agreement may be terminated by management solely due to the needs of the organization, (e.g., lack of funds, reduction in force). In such a case, the employee is entitled to retain any recruitment incentive payments that are attributable to completed service and to receive any portion of a recruitment incentive payment owed by the agency for

completed service. Any recruitment incentive payment paid in error after the termination of the service agreement will be collected by the processes outlined in Department of Defense Financial Management Regulation, DoD 7000.14-R, Volume 8, for continuing employees. DoD 7000.14-R, Volume 5, will be used for debt collection for debtors' no longer in Government service. Periods of details, annual leave, and leave without pay will not affect the period of service of the agreement. Periods on a detail, in a non-pay status, or on leave exceeding 30 consecutive calendar days will extend this agreement by the excess amount of time, other than such periods of time due to military service. Management may choose what effects this will have on the service agreement. Above are samples only.

The decision to terminate a service agreement may not be grieved or appealed. The authorizing official must notify an employee in writing when an employee's service agreement is terminated. The incentive is subject to the aggregate limitation on pay prescribed in 5 CFR 530, Subpart B. It is also considered to be income for federal income tax purposes. Actual payment of a relocation incentive will not occur until the employee has established a residence in the new geographic area, if relocation incentive authorized.

C. AGREEMENT: I (employee's name) have read the preceding paragraphs and understand that I must complete at least _____ months of service in the DoD as a condition of my receipt of a Recruitment or Relocation Incentive. I further understand that failure to complete this period of service will result in my indebtedness to the DoD and I will be required to repay the incentive on a pro rata basis. I understand that termination of this service agreement cannot be grieved nor can it be appealed. I agree to these terms and accept Recruitment or Relocation Incentive in the amount identified in paragraph B above.

Check all that apply:

FOR RELOCATION INCENTIVE ADD EMPLOYEE STATEMENT: I understand that I must establish residence in the new geographic area **AND** maintain residency in the new geographic area for the duration of the service agreement.

FOR RELOCATION INCENTIVE ADD SUPERVISOR AFFIRMATION: I affirm that the employee's new position is in a different geographic area (50 miles or more) from the worksite of the position held immediately before the move and that the employee has established a residence in the new geographic area.

Employee' Signature/Date:

Authorized Management Official Signature/Date:

Attachment 24: Retention Incentive Service Agreement for Base Closure or Relocation of Organization

**Retention Incentive Service Agreement for Base Closure or Relocation of Organization
(Likely to leave for a different federal position; Legal Authority Code: VPA or VPB)**

Employee’s Name (Last, First, M): _____ RPA No. _____ Retention Incentive Amount : _____

 (Specify % of Basic Pay, including
 Locality or Special Rate):

Title, Series, Grade, & Location of New Position: _____ Service Agreement Starting & Ending Dates: _____
 _____ FROM: _____ TO: _____

A. INTRODUCTION: The Air Force delegated authority to approve a Retention Incentive to officials with appointing authority. The provisions of 5 U.S.C. 5754, part 575 of title 5, Code of Federal Regulations, and Department of Defense (DoD) policies allow, as a condition for receiving the incentive, that employees sign a written service agreement to complete a period of service with the Air Force. This service agreement is based on the 05 Feb 2008 DoD memorandum *Implementation of Enhanced Retention Incentives Authorities.*

B. CONDITIONS OF SERVICE: The ___ percent Retention Incentive will be divided by paying ___ percent in biweekly payments and the remaining ___ percent will be paid upon completion of ___ months of service.

The service agreement will be terminated if the employee is demoted, separated for cause, or receives a less than “Fully Successful” or equivalent rating of record. An employee who fails to complete the period of service specified in this agreement for these reasons may retain any retention incentive payments that are attributable to completed service, but the organization is not obligated to pay any amount attributable to completed service that had not yet been paid at the time of termination of the service agreement. The service agreement will be terminated if the base closure or relocation is cancelled or no longer affects the employee’s position. The employee is entitled to retain any retention incentive payments that are attributable to completed service and to receive any part of a retention incentive payment still owed by the organization that is attributable to the completed service. The service agreement will be terminated if the employee moves to another position not affected by the closure or relocation (including another position within the same agency). An employee whose movement is the result of management action is entitled to any retention incentive payments that are attributable to completed service and to receive any part of a retention incentive payment still owed by the organization that is attributable to the completed service. An employee whose movement is voluntary is only entitled to retain any retention incentive payments attributable to completed service already received. No further payment is due. The service agreement will be terminated if the employee accepts the organization’s offer to relocate with his or her office, facility, activity, or organization. An employee who accepts relocation is only entitled to retain any retention incentive payments attributable to completed service already received. No further payment is due. The service agreement will be terminated if the employee moves to another position within the same agency or the same office, facility, activity, or organization subject to

closure or relocation that is not covered by this service agreement. If the movement is the result of management action, the employee is entitled to any retention incentive payments that are attributable to completed service and to receive any part of a retention incentive payment still owed by the organization that is attributable to the completed service. If the movement is voluntary, the employee is only entitled to retain any retention incentive payments attributable to completed service already received. No further payment is due. The service agreement may be terminated by management solely due to the needs of the organization, (e.g., lack of funds, conditions no longer warrant the incentive). In such a case, the employee is entitled to retain any retention incentive payments that are attributable to completed service and to receive any portion of a retention incentive payment owed by the agency for completed service. **The determination to pay a retention incentive must be reviewed at least annually to determine if payment is still warranted.** Periods of details, annual leave, and leave without pay will not affect the period of service of the agreement. Periods on a detail, in a non-pay status, or on leave exceeding 30 consecutive calendar days will extend this agreement by the excess amount of time, other than such periods of time due to military service. *Management may choose what effects this will have on the service agreement. Above are samples only.*

The decision to terminate a service agreement may not be grieved or appealed. The authorizing official must notify an employee in writing when an employee’s service agreement is terminated. Any retention incentive payments paid in error after the termination of the service agreement will be collected by the processes outlined in Department of Defense Financial Management Regulation (DoDFMR), DoD 7000.14-R, Volume 8, for continuing employees. DoD 7000.14-R, Volume 5, will be used for debt collection for debtor’s no longer in Government service. The incentive is subject to the aggregate limitation on pay prescribed in 5 CFR 530, Subpart B. It is also considered to be income for federal income tax purposes.

C. AGREEMENT. I, _____, have read the preceding paragraphs and understand that I must complete the required period of time in the _____ (organization) as a condition of my receipt of a Retention Incentive. I further understand failure to complete this period of service will result in termination of this service agreement, and I will be required to repay any indebtedness to the Federal government. I agree to these terms and accept a Retention Incentive in the amount specified in paragraph B above to commence _____ and end _____.

Employee’s Signature/Date:

Authorized Management Official’s Signature/Date:

Attachment 25: Substituting Education, Experience and Training for Positive Education Requirements

1. Applicants requesting to substitute education, experience, and training for positive education requirements must submit a portfolio consisting of:

- a. An Application/Resume for NAF Employment.
- b. Official college transcripts that have an official seal of the institution. Personal lists of courses and credit hours will not be evaluated.
- c. Formal education sheets that describe in detail the content of each course in Early Childhood Education, Child Development, or Youth Education/Recreation that normally constitute part of a major at a college or university. Submit only courses that have been successfully completed and listed on the transcript. Use the Formal Education Evaluation worksheet in Figure A25.1 to describe individual courses.
- d. A list of professional achievements and examples demonstrating advocacy for children/youth and families. This list must include dates and details of professional achievements. Examples of professional achievements include:
 - (1) Experiences attending training and leading, facilitating, and coordinating workshops and conferences;
 - (2) Membership or affiliation with a state or national early childhood or youth organization;
 - (3) Serving on the board of a state or national early childhood/youth professional organization;
 - (4) Publishing related to child care/youth development;
 - (5) Serving as a member of a child care/youth task force; or
 - (6) other similar experiences.
- e. Responses to seven Core Experience Area (CEA) questions. These responses should explain how the candidate demonstrates an understanding of each of the seven CEAs, and how he/she used that understanding to improve the quality of program for children and families. Each response must be typed on a separate page and double spaced.

Core Area I-Explain how your experience demonstrates a basic understanding of child development or youth education/recreation.

Core Area II-Explain how your experience demonstrates you have established and maintained an environment that ensures children/youth a healthy and safe environment.

Core Area III-Describe how your professional development relates to a basic understanding and commitment to the early childhood or youth education/recreation profession.

Core Area IV-Describe how your program plans and implements a developmentally appropriate curriculum for children/youth.

Core Area V-Explain how you have established supportive relationships with children/youth and their families and implemented developmentally appropriate techniques of guidance and group management.

Core Area VI-Explain how you have established positive and productive relationships with families.

Core Area VII-Describe how you have supported the cultural and individual diversity and uniqueness of each child/youth in your program.

Figure A25.1. Formal Education Evaluation Worksheet

Applicant/Employee:		Position Title/Series/Grade:		Date:
Course name:				
Course Number	Name of School		Address	
Total Credit Hours		Completion Date (Mo/Yr)		Transcript Attached: Yes
Course Objective:				
Course Description:				
Course name:				
Course Number	Name of School		Address	
Total Credit Hours		Completion Date (Mo/Yr)		Transcript Attached: Yes
Course Objective:				
Course Description:				

