



CHIEF NATIONAL GUARD BUREAU INSTRUCTION

NGB-J1
DISTRIBUTION: A

CNGBI 1400.25A
11 May 2020

NATIONAL GUARD TECHNICIAN AND CIVILIAN PERSONNEL

References: See Enclosure B.

1. Purpose. This instruction is composed of several volumes, each containing its own purpose. The purpose of the overall instruction is to establish policy and assign responsibilities for National Guard (NG) Technician and Civilian Personnel Policy Division (TCP) in accordance with (IAW) the references.
2. Cancellation. This instruction cancels and supersedes its previous edition, Chief of the National Guard Bureau (CNGB) Instruction 1400.25A, 10 October 2017, "National Guard Technician Personnel Program."
3. Applicability. This instruction:
 - a. Applies to the NG of the 54 States, Territories, and District of Columbia, hereafter referred to collectively as "States;"; and all NG employees. The term "NG employees" throughout this instruction and the corresponding volumes is defined IAW references c, h, i, and j as Title 32 military technician (dual status) excepted service employees and Title 5 NG excepted or competitive service employees within the States.
 - b. Does not apply to the civilian employees of the Office of the CNGB, NGB Joint Staff, Air National Guard Directorate, Army National Guard Directorate, and Directorate of Space Operations.
4. Policy. It is NG policy to maintain a program for the employment and administration of NG employees, IAW references a and c, and Title 5 NG employees IAW reference i. Compliance with NG policy is mandatory, except as otherwise provided by law.
 - a. Accompanying volumes to this instruction will be issued as necessary to comply with Executive Orders, law, and policy, or to assist State Human

UNCLASSIFIED

11 May 2020

Resource Officers (HROs), managers, supervisors, employees, and their representatives in addressing NG employee personnel management issues.

b. When The Adjutants General (TAGs) and HROs are considering personnel management issues affecting military technicians (dual-status) the first consideration to be taken in regard to that action should be the employee status. Military procedures are not applicable to civilian personnel actions and vice versa. Both the status of the employee and the action taken must be considered in determining the procedures to be used in the applicable military or civilian employment policy and or regulation. Furthermore, nothing in this instruction limits the agency from taking action regarding both the military and civilian aspects of employment where appropriate.

c. The NGB Joint Staff Manpower and Personnel Directorate (NGB-J1), Technician and Civilian Personnel Division (NGB-J1-TCP), as the office of primary responsibility, with advice from the NGB Chief Counsel (NGB-JA), will determine the applicability of a law or regulation to NG employees.

d. The accompanying volumes to this instruction outline the specific policy and procedures for the additional programs within the NG Personnel Program to include information regarding the functional areas of Benefits, Employment and Pay; Labor and Employee Relations; Human Resources Development; Human Resources Information Systems; and Program Management Evaluation.

5. Definitions. See Glossary.

6. Responsibilities. See Enclosure A.

7. Summary of Changes. This instruction amends its previous edition.

8. Releasability. This instruction is approved for public release; distribution is unlimited. It is available at <<https://www.ngbpmc.ng.mil/>>.

9. Effective Date. This instruction is effective upon publication and must be revised, reissued, cancelled, or certified as current every five years.



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Enclosures:

A -- Responsibilities
B -- References
GL -- Glossary

ENCLOSURE A

RESPONSIBILITIES

1. Chief of the National Guard Bureau (CNGB). The CNGB will:

a. Maintain oversight of the employment and use of National Guard (NG) employees to ensure The Adjutant Generals (TAGs) establish policy and procedures consistent with this instruction.

b. Ensure the NG Personnel Program is executed in a nondiscriminatory manner in accordance with (IAW) reference ed.

2. Director of the National Guard Bureau Joint Staff Manpower and Personnel Directorate (NGB-J1). The Director of NGB-J1 will:

a. Serve as the primary advisor to the CNGB on all NG technician and civilian policy and personnel issues.

b. Maintain oversight of the employment and use of NG employees to ensure TAGs establish policy and procedures consistent with this instruction.

c. Execute the NG Personnel Program in a nondiscriminatory manner IAW reference d.

d. Develop and issue the full spectrum of policies and programs for the employment and use of NG employees IAW references b, c, and i.

e. Approve agreements for the use of NG technicians as TAGs IAW reference fe, as appropriate.

3. Chief of Technician and Civilian Personnel Policy Division (NGB-J1-TCP). The Chief of NGB-J1-TCP will:

a. Advise the Director of NGB-J1, as well as commanders, administrative officers, and other staff, on all matters pertaining to NG employees.

b. Oversee the development, staffing, and execution of NG technician and civilian personnel.

c. Ensure staff coordination.

11 May 2020

4. Chief of NGB Equal Opportunity (NGB-EO). The Chief of NGB-EO will promulgate discrimination policy and complaint resolution procedures for NG employees with advice from NGB Chief Counsel (NGB-JA) IAW reference g.

5. TAGs. All personnel actions pertaining to a person appointed, employed, and administered by TAGs IAW reference d, i, and j will be accomplished by TAG of the jurisdiction concerned. In order to ensure effective and efficient administration of Federal resources, TAGs will execute all designated authorities to appoint, employ, and administer NG employees. TAGs may not selectively choose which designated authorities to execute.

ENCLOSURE B

REFERENCES

- a. Title 10 United States Code (U.S.C.), Section 10503, “Functions of National Guard Bureau: Charter”
- b. Department of Defense (DoD) Directive 5105.77, 30 October 2015, “National Guard Bureau (NGB),” Incorporating Change 1, 10 October 2017
- c. Title 32 U.S.C. § 709, “Technicians: Employment, Use, Status”
- d. Title 42 U.S.C. § 2000d, “Prohibition Against Exclusion from Participation in, Denial of Benefits of, and Discrimination under Federally Assisted Programs on Ground of Race, Color, or National Origin”
- e. Title 5 U.S.C. §§ 3371-3375, “Intergovernmental Personnel Act”
- f. Title 10 U.S.C. § 976, “Membership in Military Unions, Organizing of Military Unions, and Recognition of Military Unions Prohibited”
- g. DoD Instruction 1400.25, 01 December 1996, “DoD Civilian Personnel Management System,”
- h. Title 10 U.S.C. § 10508, “National Guard Bureau: General Provisions”
- i. Chief of the National Guard Bureau Memorandum, 16 February 2017, “Designation of The Adjutants General to Appoint, Employ, and Administer National Guard Employees”
- j. Public Law 114-328, 23 December 2016, “National Defense Authorization Act for Fiscal Year 2017”

GLOSSARY

PART I. ACRONYMS

CNGB	Chief of the National Guard Bureau
HRO	Human Resources Officer
IAW	In accordance with
NG	National Guard
NGB	National Guard Bureau
NGB-EO	Equal Opportunity Office
NGB-JA	Office of the National Guard Bureau Chief Counsel
NGB-J1	Manpower and Personnel Directorate
NGB-J1-TCP	Technician and Civilian Personnel Policy Division
TAG	The Adjutants General
TCP	Technician and Civilian Personnel

PART II. DEFINITIONS

National Guard Employees -- Individuals employed as Title 32 military technician (dual status) excepted service employees and Title 5 National Guard excepted or competitive service employees within the 54 States, Territories, and District of Columbia.