NEIL ABERCROMBIE
GOVERNOR

DARRYLL D.M. WONG
MAJOR GENERAL
ADJUTANT GENERAL

JOSEPH K. KIM
BRIGADIER GENERAL
DEPUTY ADJUTANT GENERAL

STATE OF HAWAII
DEPARTMENT OF DEFENSE
OFFICE OF THE ADJUTANT GENERAL
3949 DIAMOND HEAD ROAD
HONOLULU, HAWAII 96816-4495

NGHI-HRO

7 April 2011

MEMORANDUM FOR ALL HAWAII NATIONAL GUARD DUAL AND NONDUAL STATUS FEDERAL TECHNICIANS

SUBJECT: Furlough Decision Notice Due to Lapse of Appropriations (5 CFR Part 752)

1. References:

a. 5 CFR 2635, Standards of Ethical Conduct for Employees of the Executive Branch, 1 June 2009.

b. Technician Personnel Regulation (TPR) 715, Voluntary and Non-Disciplinary Actions, 13 July 2007.

c. Memorandum, NGB-ZA, 11 March 2011, subject: National Guard Bureau Guidance in the Event of a Personnel Furlough.

d. Memorandum, NGB-J1-TN, 11 March 2011, subject: Furlough (TN-11-05).

e. Memorandum, NGB-J1-TN, 31 March 2011, subject: Guidance for Processing a Mass Furlough and a Mass Return to Duty within the Defense Civilian Personnel Database (DCPDS) (TN-11-09).

f. Memorandum, NGB-J1-TN, 7 April 2011, subject: Additional Guidance for Processing a Mass Furlough and a Mass Return to Duty within the Defense Civilian Personnel Database (DCPDS) (TN-11-11).

2. The Fiscal Year (FY) 2011 Continuing Resolution Authority (CRA) is scheduled to expire at 11:59 pm EST on 8 April 2011. In the absence of either a FY 2011 budget appropriation or a continuing resolution for the National Guard Bureau, no further financial obligations may be incurred by the Hawaii National Guard, except for those related to the orderly suspension of National Guard operations or performance of exempt activities.

3. All military personnel (i.e., Active Guard Reserve (AGR), Active Duty Operational Support (ADOS), etc.) will continue in a normal duty status regardless of their affiliation with exempt or non-exempt activities. Military personnel will serve without pay until such time as appropriated funds are available to compensate them for this period of service.

4. Technician personnel (Dual Status and Non-Dual Status), who are engaged in exempt activities will also continue to work and be paid until all available Operations and Maintenance funds are expended. Technicians not engaged in exempt activities will be furloughed effective **9 April 2011**. Furlough is

defined as the placement of an employee in a temporary non-pay and non-duty status; and is expected not to exceed 30 days. This action is necessary because the federal funding for the FY 2011 National Guard technician payroll has not been approved. You will be issued a Standard Form 50 (Notification of Personnel Action) to document this action.

5. Furloughed technicians should listen to public broadcasts to obtain the information that either a continuing resolution or the FY 2011 DOD appropriation has been approved. Once the FY 2011 DOD appropriation is passed, you will be expected to return to work on the next regularly scheduled duty day. The Human Resources Office (HRO) will notify the appropriate directorates, who will in turn notify their managers and supervisors to notify their personnel for recall. Technicians unable to report to work will be charged annual leave, sick leave (if appropriate), compensatory time, or leave without pay.

6. Furloughed technicians will not be permitted to provide their services as a volunteer in appropriated fund activities. You must remain away from the work place until you are recalled. In addition, you will not be authorized the use of any paid leave (annual, military, sick, court, compensatory time, etc.) during the furlough period.

7. In accordance with 5 CFR 2635.802, technicians may accept outside employment, which does not create a conflict of interest or violate standards of conduct. Technician temporary duty (TDY) and training scheduled during the period of the furlough will be cancelled. Technicians currently on TDY that extends beyond 8 April 2011 will return to home station as soon as possible.

8. Life and health insurance benefits will continue without interruption. Furloughed technicians will be required to pay only the employee's share of the health insurance cost upon return to duty. You may file a claim for unemployment compensation benefits. However, you may or may not be eligible for these benefits depending on the duration of the furlough.

9. By law, technicians in a non-pay status cannot contribute to their Thrift Savings Plan (TSP) account while on furlough. This also applies to the automatic agency 1% and matching contributions under the Federal Employees Retirement System (FERS). Please reference TSP Fact Sheet 11-5 for guidance on obtaining a TSP loan while in furlough status.

10. As a general rule, a technician may not appeal a furlough action. However, a technician may request a review of the furlough action, in writing, through the HRO to the Adjutant General (Ref: TPR 715, paragraph 3-7). If you want to appeal this action, you must file a request within 30 calendar days after the effective date of your furlough. Please notify MAJ Edward Kaimihana, LRS, at 808-672-1226 if you require additional guidance.

11. Bargaining unit employees may grieve this action in accordance with the applicable negotiated agreement or may appeal to the Adjutant General in accordance with the procedures outlined above, but not both. To obtain information on filing a grievance under the negotiated grievance procedure, contact your union representative.

12. This notice must be signed by all furloughed technicians. Please sign and date the Acknowledgement Statement below and return a copy to the HRO.

13. Any questions specific to the furlough may be directed to Col Randy Tom at 808-672-1226, MAJ Edward Kaimihana, Labor Relations, 808-672-1247, and SMSgt Blossom Logan, Staffing, 808-672-1229. Questions specific to employee benefits may be directed to Sandy Hashimoto at 808-672-1235.

FOR THE ADJUTANT GENERAL:

Randall Tom

RANDALL TOM
Colonel, HIANG
Human Resources Officer

Encls
1. NGB FAQs on Furlough
2. TSP Fact Sheet, 4 Mar 2011

ACKNOWLEMENT:

I acknowledge receipt of this decision.

_____ _____
(Printed Name) (Signature/Date)