

TAG – State Human Resources Policy and Procedures

SECURITY - Common Access Cards (CAC)

References

DOD 5200.08-R, Change 1 5/27/2009

Policy

1. In compliance with Department of Defense's (DOD) physical security program procedures, the common identity standard for State employees and any long term volunteers of the Adjutant General's Department is the Common Access Card (CAC.)
2. Individuals must receive a minimum of a favorable National Agency Check (NAC) or Special Agreement Check (SAC) both of which includes a FBI fingerprint check prior to starting work, being processed for a CAC and processed for temporary computer network access. The only exceptions to this requirement are individuals who have a current national clearance recognized by the DOD.
3. CACs must be renewed every three (3) years.
4. The State Human Resource Office will be responsible for this policy for State employees and volunteers.

Procedures

1. New CACs:

- A. Once a person has been approved for hire by SHRO or selected as a volunteer, SHRO will contact the individual and make a conditional offer of employment pending the results of a NAC/SAC and fingerprint check. If applicable, some individuals will also be required to complete a background questionnaire. (See *Security/Security Clearances* policy.)
- B. The results of a NAC/SAC should be known within 10-20 calendar days.
 - 1) If the results are favorable the individual's information will be entered into the federal 'State Employee Database' (SED) after they have started working.
 - 2) If the results of a NAC/SAC identify any concerns, it will take longer depending on the length of time needed to adjudicate the respective issues.
- C. SHRO will notify the immediate supervisor or worksite designee when the data has been entered into the SED.
- D. After two (2) working days, the supervisor (or employee/volunteer) may check with any DEERS location to see if the CAC is available. (*See attachment A.*)
- E. If a CAC is not available in the DEERS system after 14 calendar days, the supervisor should contact SHRO.

2. **CAC Renewals:**

- A. CACs may remain active for a maximum of three (3) years, at which time they must be renewed.
- B. Employees on the federal network will be provided an electronic notice 45 days before their CAC expires. It is the responsibility of each employee to email SHRO at least **one (1) month prior** to their CAC expiration date in order to have their information re-entered into the SED database. This should allow adequate time for a new CAC to be processed through the system before the old one is inactivated.
- C. Employees on the state network are responsible for knowing their CAC renewal date and notifying SHRO at least **one (1) month prior** to their CAC expiration date.
- D. **NOTE:** If an employee's background check is expiring, the employee should begin that process 3-6 months prior to the expiration of his/her background check (see *Security/Security Clearances* policy) to ensure there is a valid background check date in the SED in order to be issued a new CAC.

3. **CAC Employment Status Changes (Federal/Military Status to State Status):**

- A. If a State employee already has an *active* CAC for their military duty he/she does not need to obtain another CAC as a State employee. **However**, when those individuals separate from the military/federal service, their CAC cards will be inactivated. Therefore, they must obtain a new CAC card as a State employee.
- B. It is the responsibility of each of those employees to email SHRO at least **one (1) month prior** to their CAC inactivation date in order to have their background check information entered into the SED and allow adequate time for a new CAC to be processed through the system before the old one is inactivated.

4. **Contacts:** For assistance see *Attachment B*.

- 5. Any exception to this policy and its procedures may be submitted to the SHRO Director. The merits will be taken into consideration on a case-by-case basis.

REFERENCES

Secretary of Administration Memorandum dated May 6, 1996

POLICY

All state employees of the Adjutant General's Department are required to dress and groom appropriately for their respective positions and project a positive public image that is consistent with the professionalism we desire to achieve. Employees are to adhere to the following minimum standards and supervisors are to fairly apply and enforce these standards:

1. Clothing shall be neat, clean, tasteful, free from offensive odor and of proper fit.
2. Clothing not considered appropriate in any setting includes:
 - a) Tight fitting, revealing or suggestive looking clothing which includes, but is not limited to: tank tops, muscle shirts, halter tops, midriff or tube tops, sleeveless T-shirts.
 - b) Tops or pants which expose the midsection when bending.
 - c) Hem lines more than three (3) to four (4) inches above the knee (where it bends in the back).
 - d) Clothing which is frayed, faded, cut off, has holes or appears excessively worn.
 - e) Clothing which contains graphics or slogans which are obscene, vulgar, demeaning, and/or considered offensive or which are contrary to a drug/alcohol/smoke-free work place.
 - f) Shorts.
 - g) Sweat or jogging pants/suits.
 - h) Athletic or logo type sweat shirts.
 - i) Sunglasses worn indoors.
 - j) Skorts, unless loose fitting and not short-like.
3. Clothing not considered appropriate in an office setting includes:
 1. T-shirts cut in an athletic box style. (Dress-type T-shirts are acceptable.)
 2. Jeans which do not conform to the standards in #2 above.
4. Tops should be tucked in unless designed to be worn outside.
5. Socks/hosiery must be worn.
6. Personal hygiene. Employees are to be clean, non-offensive and well groomed while at work. This includes clean, well groomed, neat hair; being able to see one's face; and having clean fingernails (unless performing work which prevents this).
7. Tattoos which are obscene, vulgar, demeaning, and/or considered offensive or which are contrary to a drug/alcohol/smoke-free work place must be covered.
8. Uniforms, when furnished or authorized by the agency, are required to be worn while on duty.
9. When employees, whose regular work allows the wearing of the more informal clothing, are representing the agency by participating in meetings, seminars and special functions; or who are working in an office setting, dress standards as outlined for office settings are to be worn.
10. Supervisors may develop more restrictive standards based on safety or enhanced public image.

PROCEDURES

1. It is the responsibility of employees to comply with these standards.
2. It is the responsibility of supervisors and the supervisory chain of command to ensure compliance with these standards.

3. An employee reporting to work whose attire or hygiene is out of compliance, may or may not be allowed to work the remainder of the work day depending on the severity and frequency of the noncompliance. Employees not allowed to work will be permitted to work when properly attired and groomed. Time away from work is not considered work time. It is the discretion of the supervisor if an employee may use accrued leave, rearranged time or be in unpaid status.
4. In addressing non-compliance, supervisors should follow progressive discipline guidelines.
5. Dress code may be occasionally relaxed for emergency incidents, such as disasters, technical hazards responses or response drills; or for special work events such as cleaning, moving, casual agency sponsored activities, etc., as authorized by the supervisor.
6. An employee or department director desiring an ongoing waiver of any standard in this policy may do so by submitting a written request to The Adjutant General, through the Director of OSHR. This request should state what standard(s) they would like waived and a justification.

EFFECTIVE DATE: 6/98
OPR: Director of OSHR
New: (6/98)

TAG – State Human Resources Policy and Procedures

SECURITY - Felonies

References

TAG Policy Letter #28
K.A.R. 1-9-19

Definitions - For purposes of this policy

1. **Conviction:** Conviction includes a plea or finding of guilty, a plea of *nolo contendere* (no contest), and all other actions tantamount to a finding of guilty, including adjudication withheld, deferred prosecution, diversion, expungement entry into adult or juvenile pretrial intervention programs, and any similar disposition of charges.
2. **Criminal Law.** A criminal law includes any military or other Federal criminal law; any state, district, commonwealth, or territorial or equivalent criminal law or ordinance; any criminal law or ordinance of any county, parish, municipality, or local subdivision of any such authority. Motor vehicle violations that do not involve a court appearance are excluded.
3. **Flag.** To annotate, mark, designate, a member employee's personnel file or employment application when felony charges are verified pending or a felony conviction is verified adjudicated.
4. **Member Employee.** Any and all full and part-time State employees, persons of the Kansas Adjutant General's Department and persons applying for employment with the Kansas Adjutant General's Department.
5. **Responsible authority.** The employee's division director or worksite manager.
6. **Volunteer.** Person performing services without compensation.

Policy

1. The purpose of this policy is to: document all member employees and volunteers with felonies; determine appropriate action, if any, by the Kansas Adjutant General's Department; and determine during the application and hiring/selection process the appropriateness of a person's prospective employment or volunteerism.
2. Although it is the intent of the Adjutant General to protect employees' rights until a case is adjudicated by civilian authority, the Adjutant General will take all reasonable and prudent steps to ensure the safety and security of other member employees and the public and maintain public confidence in the Adjutant General's Department.
3. Persons convicted of a felony and sentenced to prison for more than one year are definitely prohibited from employment and volunteer opportunities with the Adjutant General's Department as they would not pass the minimum background check criteria established by the Department of Defense.
4. Persons convicted of a felony and sentenced to prison for less than one year may be prohibited from employment and volunteer opportunities, depending on the circumstances of the respective case.
5. All employees, applicants and selectees for employment, and potential/existing volunteers must **self-report** all felony arrests, pending felony charges and convictions* the next agency working day following the event as describe in the 'Procedures' section of this document.

**With respect to felony convictions, this requirement applies even if the sentence has not been imposed or the member employee intends to appeal the conviction.*

6. Employees:

- a) Classified employees may be relieved of duty with pay pending an investigation.
- b) Unclassified employees may be relieved of duty with (or without) pay pending an investigation.
- c) The official personnel file, held in the State Human Resource Office, will be flagged. The flag will not be lifted until the civilian criminal charges are resolved and appropriate legal, administrative, and/or personnel action, if any, is completed.
- d) Employees may not be transferred/promoted/demoted to another position, work schedule, location, organizational unit or have any changes in pay without consultation and approval of Legal and the SHRO Director.
- e) After review of the documentation, information from the employee and/or an internal investigation, the Adjutant General will determine the appropriate action for an employee, if any, to be taken. Action could include dismissal.

7. Applicants and Selectees:

- a) After review of the documentation and/or information obtained from, or on, an applicant/selectee, a determination will be made as to the appropriateness of a person's prospective employment.
- b) Applicants may be allowed to continue with the selection process or they may have their application withdrawn from consideration for that opening as well as not being considered for future openings with the Adjutant General's Department.
- c) Selectees may be allowed to continue with the selection process, have their conditional offer of employment withdrawn or be allowed to be hired pending the results of the criminal action or results of a more thorough background investigation.

8. Volunteers:

- a) May temporarily or permanently be relieved of their association with the agency.
- b) May not be moved to another volunteer position, work schedule, location, organizational unit or have any other changes made without consultation and approval of Legal and the SHRO Director.
- c) After review of the documentation and/or information obtained from, or on, a potential or existing volunteer, a determination will be made as to the person's continued association with the Adjutant General's Department.

9. The responsible authority will, in cooperation with Legal and SHRO, be informed and, when required, engaged in all facets of the case.

10. Any disagreements with the recommendation of the responsible authority, Legal or SHRO will be resolved by the respective chain of command with The Adjutant General being the final authority.

11. Member employee's status will be determined as expeditiously as possible.

12. Failure to comply with any part of this policy or its procedures can, in itself, be grounds for appropriate legal, administrative, and/or personnel action, including immediate dismissal.

13. This policy takes precedence over any competing or contrary application of existing policies.

Procedures

1. No later than the first agency working day following a felony arrest, pending felony charge or felony conviction, an **individual** covered by this policy **must report** the incident to their first-line supervisor, higher level supervisor, or Legal. The person receiving the report must immediately notify the reporting employee's responsible authority (division director or worksite manager.)
2. When the **responsible authority** receives or obtains verification of a felony arrest, charge or conviction, it will immediately:
 - a) Notify **Legal**.
 - b) Contact the agency's **State Human Resources Office Director** (SHRO) (or Assistant Director in the director's absence) to flag the employee's personnel file. The flag will not be lifted until the civilian criminal charges are resolved and appropriate legal, administrative, and/or, personnel action, if any, is completed.
 - c) Notify the respective **Security Manager**.
3. The **responsible authority** will also:
 - a) Consult with the **Information Management Director** (or designee) on suspending the member employee's or volunteer's computer access.
 - b) Consult with the respective **Security Manager** on suspending the member employee's or volunteer's security clearance.
 - c) Prohibit the member employee from having any unsupervised public contact until otherwise notified.
 - d) Immediately, in the case of armed staff, suspend the member employee's access to weapons and ammunition.
4. **Agency Contact Numbers:**
 - a) Legal: 785-274-1027, 1481 or 1024.
 - b) State Human Resources: 785-274-1393 or 1460.
 - c) Security Managers:
 - 1) Army: 785-274-1067
 - 2) 190th: 785-831-4209 or 4207
 - 3) 184th: 376-759-7447
 - d) Information Management: 785-274-1034 or 1031.
5. The **responsible authority, Legal and SHRO** will confer on the nature of the civilian criminal charge and determine if the member employee's presence will create a work distraction for others, is a threat to other member employees, if the person should be relieved of duty, initiate a separation action and/or take other prudent administrative actions.
6. In determining appropriate action, the **responsible authority, Legal and SHRO** will:
 - a) In the case of felony charges and/or convictions of 'Person' felonies as defined by Kansas statutes, presume that the person should be terminated/separated. The burden is on the employee to prove

that he/she should be retained. The burden is also on any responsible authority and those in the chain of command to prove otherwise, if they desire to retain an individual.

- b) In the case of felony charges and/or convictions involving ‘Dishonesty’ as defined by Kansas statutes and consultation with Legal, the member employee’s duties and responsibilities will be scrutinized to determine whether the member employee can continue in their current position. The responsible authority, Legal and SHRO will pay particular attention to, but not limited to, the member employee’s access to personal identifiable information, Federal or State funds, Government credit cards, Federal and State computer and communications systems, and overall danger (physical, material and financial) to the workforce and Kansas Adjutant General’s Department.
 - c) In the case of all other felony charges and/or convictions, determine on a case by case basis if any action is warranted.
7. The **responsible authority**, within ten (10) calendar days, will put a determination in writing with written comments from the JAG office and SHRO and forward it to the next level of authority. Each level of authority has ten (10) calendar days to add their recommendation and refer the case forward to the next level. The Adjutant General is final authority.
8. Legal will track and monitor the case until final resolution.

**LEAVE -
Funeral**

REFERENCES

KAR 1-9-12

POLICY

Employees on benefit eligible positions may be granted paid funeral leave upon the death of a close relative as noted below. Under no circumstance may funeral leave exceed six (6) working days. In making determinations, the relationship to the employee, required travel time and staffing must be considered.

1)	<u>RELATIONSHIP</u>	<u>RECOMMENDED MAXIMUM AUTHORIZED DAYS</u>
	Spouse	6
	Children*	6
	Parents*	6
	Brother & Sister*	6
	Grandparents/Grandchildren	3
	In-Laws: Father/Mother/Daughter/Son/Brother/Sister	3
	Other relative or foster child residing in household	3
	Aunt/Uncle	1
	Niece/Nephew	1

* Includes step and adoptive

- 2) In cases of a divorced employee who has custody of minor children, the death of the child's parent or grandparent may be considered for funeral leave. Recommended authorized days would be three (3) for a child's parent and one (1) for a child's grandparent.
- 3) In cases where an individual was raised by someone other than the mother or father, an allowance should be made to attend the funeral.
- 4) For relatives not covered under paid funeral leave, the employee may request to use vacation, overtime compensatory hours or holiday compensatory hours, if applicable.
- 5) Employees may also request to use other types of leave for additional days or for persons not covered by this policy.

PROCEDURES

- 1) If possible, employees should complete the 'TAG Leave Request' form prior to taking funeral leave. If this is not possible, the employee should immediately notify the supervisor (or a supervisor in the chain of command) and complete the leave request form immediately upon returning to work. There is no guarantee that the maximum allowed will be authorized. Also, it should not be assumed that being absent longer than the recommended authorized days will be approved as funeral or any other leave without prior authorization.
- 2) Leave request forms must specify the relationship to the employee and the location of the funeral.
- 3) Documentation of funeral leave may be requested. If requested, the documentation should be attached to the leave request form which accompanies the timesheet to OSHR.
- 4) For questions or special circumstances contact OSHR.

EFFECTIVE DATE: 6/98

OPR: Director of OSHR

New: 6/98(Date)

TAG – State Human Resources Policy and Procedure

GRIEVANCES- General

REFERENCES

K.A.R. 1-12-1

POLICY

Employees, classified and unclassified, may grieve conditions of work they believe adversely effect them with the following exceptions:

- a) Subjects whose settlement or appeal procedures are covered in Kansas Statutes or Regulations i.e., suspensions, demotions, dismissals, salary reductions and performance reviews.
- b) Non-selection for a job. (However, compliance with procedural requirements may be grieved).
- c) Management's authority to assign work to employees in accordance with their position description.
- d) Disagreements with the laws of the State of Kansas and Civil Service regulations.
- e) Disagreement with written policies of The Adjutant General's Department solely on the basis of opposition on moral or intellectual grounds.
- f) Allegations of sexual harassment or discrimination. (See agency policies addressing these issues.)

Copies of this policy shall be posted on all the department's official bulletin boards. Employees shall not be subject to coercion or reprisal for filing a grievance. Such actions should be reported to State Human Resources (SHR).

PROCEDURES

Grievance Procedures for Working Conditions:

1. Employees are required to bring the matter to the immediate supervisor within seven (7) calendar days of the occurrence.
2. The employee and supervisor should make a good faith effort to successfully resolve the issue.
3. The supervisor is required to respond to the employee within seven (7) calendar days.
4. If unsatisfied, the employee may appeal to the second level supervisor within seven (7) calendar days using the written grievance form. *The employee is responsible for providing copies of the grievance to SHR and the immediate supervisor.*
5. The second level supervisor is required to respond in writing to the employee within 7 calendar days, *with a copy to SHR.*
6. If the employee is still not satisfied with the response and chooses to appeal, the third level supervisor must receive the grievance form within seven (7) calendar days.
7. That supervisor has 14 calendar days in which to respond in writing to the employee, *with a copy to SHR.*
8. If the employee is not satisfied, they must appeal using the grievance form to the office of The Adjutant General within seven (7) calendar days.
9. The Adjutant General has 14 calendar days to respond in writing. The decision of The Adjutant General is final.
10. Copies of the final decision will be distributed to the appropriate supervisory personnel.

Notes

1. Timelines are counted as follows: Date of occurrence is considered Day 1. Date of receipt is considered Day 1.
2. Deadline extensions may be made by mutual agreement or by the Director of SHR for extenuating circumstances.
3. In the event a supervisor is unavailable to process a grievance, a designee may be appointed to address the matter.
4. Those responding to the grievance may meet with the employee to provide a full discussion of the matter. The employee must represent him/herself.
5. At any time during the process if mediation or assistance is desired, the Director of SHR may be contacted.
6. Failure by a supervisor to meet a timeline allows the employee to take the grievance to the next supervisory level.
7. Failure by the employee to meet a timeline shall be considered a settlement of the grievance based on the last decision.
8. Employees covered under a local union may file a grievance under one system only.
9. Employees have the right to file civil rights complaints with appropriate enforcement agencies.

ATTACHMENTS: Grievance Form and Grievance Flow Chart.

OPR: Director of State Human Resources

**The Adjutant General's Department
GRIEVANCE FORM
State of Kansas**

This form is only to be used after an employee has taken the concern to the immediate supervisor, has had an opportunity for a full discussion of the grievance, is not satisfied with the supervisor's response and desires to appeal that decision.

To: _____	From: _____	Date: _____
Worksite: _____	Position Title: _____	Phone: _____
The following incident occurred on: _____ It was presented to my supervisor on: _____ I am not satisfied with the response received on: _____		

Grievance: (Additional pages may be attached.) Grievance information must include the specific alleged adverse effect(s) this matter has on the employee.

Requested Remedy:

Signature of Grievant/Date

- Employee provides copies to:**
- a) State Human Resources (SHR), State Defense Building, 2800 SW Topeka Blvd, Topeka, KS 66611-1287
 - b) The immediate supervisor

Response of Second Level Supervisor

I received the grievance on _____, which was/was not within the 7 calendar day deadline.
(Response must be completed within 7 calendar days, with the date of receipt being day 1.)

Response:

Signature/Date _____
(Send copy of response to SHR)

Response of Third Level Supervisor

I received the grievance on _____, which was/was not within the 7 calendar day deadline.
(Response must be completed within 14 calendar days, with the date of receipt being day 1.)

Response:

Signature/Date _____
(Send copy of response to SHR)

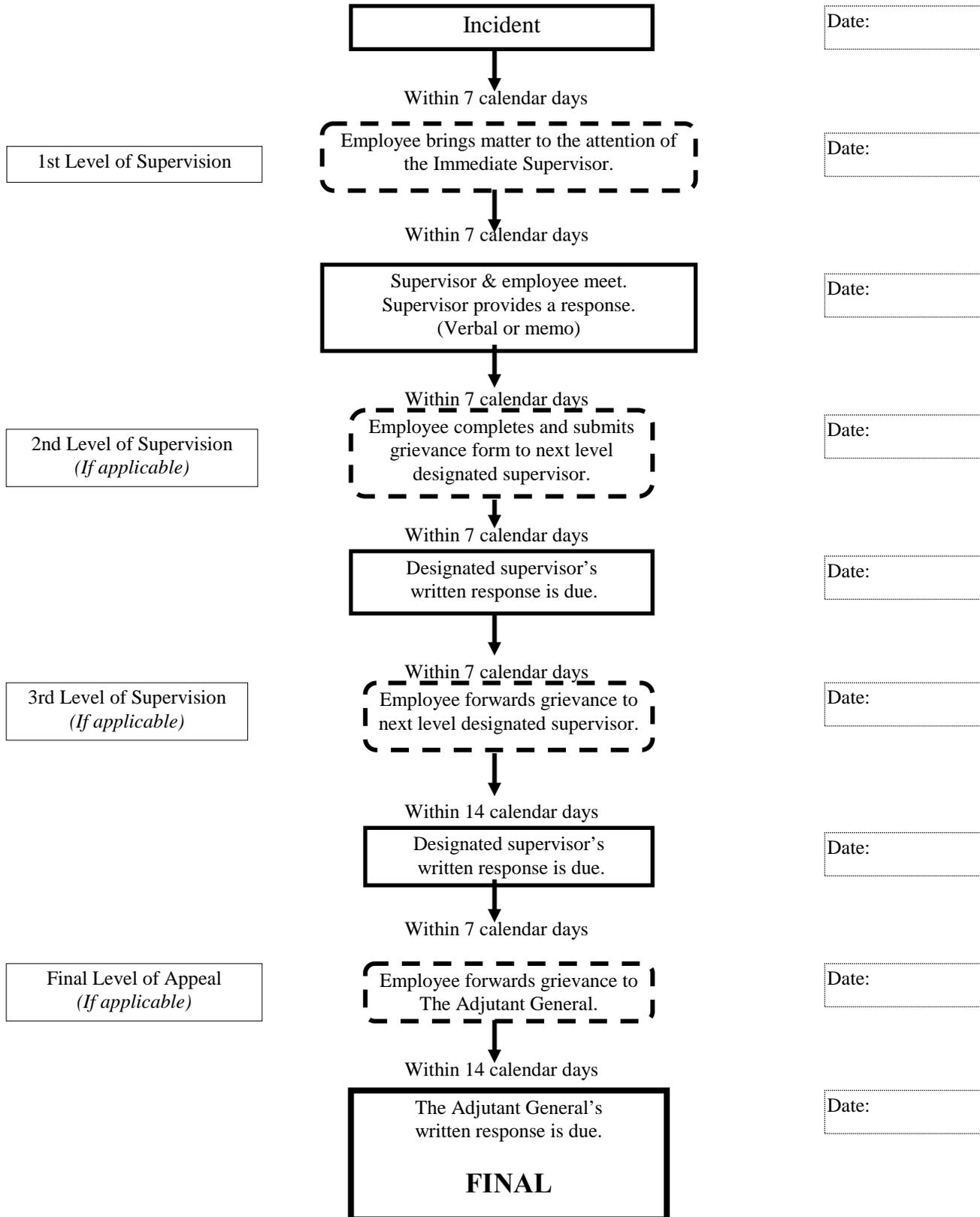
Final Decision of the Adjutant General

I received the grievance on _____, which was/was not within the 7 calendar day deadline.
(Response must be completed within 14 calendar days, with the date of receipt being day 1.)

Response:

Signature/Date _____

The Adjutant General's Department Grievance Procedure State of Kansas



**GUIDANCE &
DISCIPLINE**

Threats & Violence

REFERENCES

Secretary of Administration Memorandum 1-21-97

POLICY

The safety and security of employees and visitors is of utmost importance to The Adjutant General's Department. Threats, threatening behavior, acts of violence against employees or any related conduct which disrupts another's work performance or the organization's ability to execute its mission, will not be tolerated.

PROCEDURES

1. Any person who makes threats, exhibits threatening behavior, or engages in violent acts on The Adjutant General's Department's premises, may be removed from the premises as quickly as safety permits, and may be ordered to remain off The Adjutant General's Department's premises pending the outcome of an investigation.
2. Off-site threats of violent behavior are also covered by this policy. This includes, but is not limited to, threatening or violent behavior executed off agency premises but directed at state employees or members of the public while conducting official state business; and threats made via telephone, fax, electronic or conventional mail or any other communication media. Person(s) involved in these acts may also be relieved of duty pending the outcome of an investigation.
3. Violations of this policy will lead to disciplinary action of employees which may include, but are not limited to, suspension or termination of employment, and/or criminal prosecution. In addition, if the source of the violation is a non-employee, the response may include, but would not be limited to, barring the person(s) from agency premises, termination of any business relationship, and/or criminal prosecution.
4. All Adjutant General's Department state employees are responsible for notifying the agency (worksites) representative of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Even without an actual threat, employees should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on agency premises, or is connected to agency employment. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threaten or were the focus of the threatening behavior. If the designated agency (worksites) representative is not available, employees should report the threat to their supervisor or another member of the management team.
5. All individuals who apply for, or obtain, a protective or restraining order which lists agency locations as being protected areas, must provide to the designated agency (worksites) representative a copy of the petition and declarations used to seek the order, copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.
6. The Adjutant General's Department understands the sensitivity of this information and will protect the confidentiality of the reporting person(s) to the greatest extent possible.

The designated agency (worksites) representative is:

Name: Dee Lowe
Title: Director, OSHR
Location: State Defense Building - Topeka
Telephone: (785) 274-1393; DSN 83-720-8393

EFFECTIVE DATE: 6/98

OPR: Director of OSHR

New: 6/98

Progressive Discipline Guidelines

Informal Disciplinary Actions: VC-Verbal Counseling CM-Counseling Memorandum WR-Written Reprimand

Formal Disciplinary Actions: S-Suspension D-Dismissal *(Other options- Demotion and Pay Decrease)*

Note: This list is not inclusive. Greater or lesser penalties than those indicated may be imposed based on particular circumstances involved as exemplified in #3 in the “Policy” section of the “Guidance and Discipline Progressive Discipline Policy.”

<u>Type</u>	<u>1st Occurrence</u>	<u>2nd Occurrence</u>	<u>3rd Occurrence</u>	<u>4th Occurrence</u>
1. Attendance: A habitual pattern of failure to report for duty at the assigned time and place or to remain on duty.				
a. Unexcused tardiness. (Totaling 1 hour or 4 incidents, whichever comes first, in a 3 month period.) This includes returning from breaks, meal periods and from official business away from the work station.)	VC-CM	WR-S (1 day)	WR-S (1-2 days)	S (3 days)-D
b. Unauthorized absence – Failure to report for work on a scheduled work day without proper approval or leaving work without proper authorization.	VC-CM	CM -S (1 day)	WR- S (1-2 days)	S (3 days)-D
c. Unauthorized absence: “ No call-No show. ”	CM-WR	WR-S (1 day)	S (1-3 days)-D	D
d. Five consecutive work days of “No call-No show” grounds for job abandonment. (Must document attempts to contact the employee.)				D
e. Excessive absenteeism. (Guideline-The combination of a 6% or greater overall absenteeism rate and 5 or more incidents per 12 week period.*)	CM-WR	WR-S (1 day)	S (1-3 days)-D	D
* Does not require a 12 week delay between each phase.				
2. Leave: Habitual or flagrantly improper use of leave privileges.				
a. Failure to follow established leave procedures.	VC-WR	WR-S (1 day)	S (1-3 days)-D	D
b. Fraudulent claims of sick leave.	WR-S (1 day)	S (1-3 days)- D	D	
c. Falsification of a medical statement.	S (1 day) - D	D		

VC-Verbal Counseling CM-Counseling Memorandum WR-Written Reprimand S-Suspension D-Dismissal (Other options- Demotion and Pay Decrease)

<u>Type</u>	<u>1st Occurrence</u>	<u>2nd Occurrence</u>	<u>3rd Occurrence</u>	<u>4th Occurrence</u>
3. Sleeping on the job				
a. Posing no safety risk or security risk.	CM-WR	WR-S (1 day)	S (1-3 days)-D	D
b. Potential safety risk or security breach.	WR-S (1-5 days)	S (3-5 days)-D	D	
c. Resulted in injury, destruction or theft of property or a security breach.	S (5-10 days)-D	D		
4. Work Relationships: Failure to maintain satisfactory and harmonious relationships with the public and fellow employees				
a. Rude, insulting, unmannerly or impolite acts or remarks (non-discriminatory.)	VC-S (1 day)	WR-S (1-5 days)	D	
b. Use of profane or obscene language.	CM-S (1-3 days)	WR- S (1-5 days)	S (5 days)-D	D
c. Use of abusive, offensive or obscene language, gestures or similar conduct (non-discriminatory.)	WR-S(1 day)	S (1-5 days)-D	D	
d. Use of insulting, abusive, offensive or obscene language, gestures or similar conduct (discriminatory.)	S (1-5 days)	S (5-10 days)-D	D	
5. Discrimination: Prohibited discriminatory practice in any aspect of employment (recruitment, selection, advancement, performance appraisals, disciplinary actions, training, general treatment, etc.)	WR-S (1-5 days)	S (1-10 days)-D	D	
6. Disruption/Threats/Fighting				
a. Regular interruption to others which causes delays in completing work, is an annoyance or results in the employee being away from his/her work station a noticeable amount of time.	VC-CM	CM-WR	WR-S (1 day)	D
b. Disrupting others by creating a scene or disturbance.	WR- S (1-3 days)	S (1-5 days)-D	D	
c. Threatening to inflict bodily harm.	WR-S (1-5 days)	S (5-10 days)-D	D	
d. Attempting to inflict bodily harm.	S (3-5 days)-D	D		
e. Hitting, pushing or other acts against another without causing injury or property destruction.	S (1-5 days)	S (5-10 days)-D	D	
f. Hitting, pushing or other acts against another causing injury or property destruction.	S (5-10 days)-D	D		
g. Fighting.	S (5-10 days)-D	D		
h. Premeditated injury to another.	D			

<i>VC-Verbal Counseling</i>	<i>CM-Counseling Memorandum</i>	<i>WR-Written Reprimand</i>	<i>S-Suspension</i>	<i>D-Dismissal</i>	<i>(Other options- Demotion and Pay Decrease)</i>	
Type	1st Occurrence		2nd Occurrence		3rd Occurrence	
	4th Occurrence					
7. Inappropriate Material						
a. Displaying or possessing pictures or items of a sexual, pornographic or insensitive nature.	VC-D		D			
b. Accessing websites containing sexual, pornographic or insensitive material.	S (5-10 days)-D		D			
c. Using communication systems for sending materials of a sexual, pornographic or insensitive nature to others.	VC-D		D			
8. Sexual harassment arising out of, or in connection with, employment.						
a. Sexual harassment by non-supervisory or management staff.	VC-D		D			
b. Sexual harassment by supervisory or management staff.	S (5-10 days)-D		D			
c. Failure of supervisory or management staff to report allegations or incidents of sexual harassment.	VC-S (1-5 days)		S (5-14 days)-D		D	
9. Insubordination and related						
a. Insubordination: Refusal to accept a reasonable and proper assignment from an authorized supervisor (insubordination).	WR-S (1 day)		S (1-3 days)-D		D	
b. Failure to cooperate in an investigation or inquiry.	S (1-3 days)		S (3 -5 days)-D			
c. Deliberate neglect of duty.	VC-S (1 day)		WR-D		D	
10. Failure to comply with regulations, policies, procedures, regulations, and other instructions, etc. governing the work or agency.	VC-WR		WR-S (1-3 days)		S (1-5 days)-D	
a. Failure to follow written and verbal safety policies, procedures or instructions not resulting in injury to persons or destruction of property.	WR-S (1-3 days)		S (1-5 days)-D		D	
b. Failure to follow written and verbal safety policies, procedures or instructions resulting in injury to persons and/or destruction of property.	WR-D		S (5-10 days)-D		D	

<i>VC-Verbal Counseling</i>	<i>CM-Counseling Memorandum</i>	<i>WR-Written Reprimand</i>	<i>S-Suspension</i>	<i>D-Dismissal</i>	<i>Other options- Demotion and Pay Decrease)</i>
Type	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence	
11. Alcohol and drugs.					
a. Consuming alcohol or cereal malt beverage during paid/unpaid meal and mid-point breaks.	VC-S (1-3 days)	S (1-3 days)-D	D		
b. Consuming alcohol or a cereal malt beverage while on the job or on state property (unauthorized).	S (3-5 days)-D	D			
c. Being impaired or under the influence when reporting to work or while on duty. (i.e. slow or slurred speech, unsteady, difficulty understanding, belligerent, dilated or red eyes, etc.)	S (1-5 days)-D	D			
d. Smelling of alcohol or illegal substances.	CM-S (1-3 days)	S (1-5 days)-D	D		
e. Possession or use of illegal substances on government property or while in a duty status.	D				
f. Sale or distribution of illegal substances on government property or while in a duty status.	D				
12. Releasing confidential or sensitive information.					
a. Breach of confidential or sensitive information – unintentional.	VC-S (1 day)	WR-S (1-3 days)	S (5-10 days)-D	D	
b. Breach of confidential or sensitive information – intentional.	S (1-3 days)-D	D			
c. Breach of confidential or sensitive information causing significant consequences to the agency, persons or property.	S (3-10 days)-D	D			
13. Gross misconduct or conduct grossly unbecoming a state officer or employee					
a. Immoral conduct	S (1-10 days)-D	D			
b. Conviction of a criminal act	S (1-30 days)-D	D			
c. Using one's position for personal gain.	S (5-10 days)-D	D			
d. Accepting anything of value from a person seeking contracts or other business or financial gain.	VC-D	D			
e. Solicitation of anything of value from a person seeking contracts or other business or financial gain.	S (5-10 days)-D	D			
f. Willful interference with the operation of the agency.	S (1-10 days)-D	D			
14. Possession of unauthorized firearms or other lethal weapons while on the job.	D				

<i>VC-Verbal Counseling</i>	<i>CM-Counseling Memorandum</i>	<i>WR-Written Reprimand</i>	<i>S-Suspension</i>	<i>D-Dismissal</i>	<i>(Other options- Demotion and Pay Decrease)</i>
Type	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence	
15. False Statements					
a. False or misleading statement of a material fact in an employee's application for employment or interview.	S (1-5 days)-D	D			
b. Deliberate misrepresentation, exaggeration, falsification, concealment or withholding of a material fact:					
• During the recruitment and selection process.	D				
• In the course of an investigation.	S (1-10 days)-D	D			
• In the course of performing one's assigned duties.	VC-D	WR-D			
c. Making false, malicious or unfounded statements against other staff which tend to damage the reputation or undermine the authority or effectiveness of those concerned.	WR-D	S (1-10 days)-D	D		
16. Improper use of government property. Using government property in duty status for other than official purposes.					
a. Minor Impact	VC-WR	CM-S (1 day)	S (1-3 days)-D	D	
b. Significant Impact	WR-D	S (3-10 days)-D	D		
17. False claims and willful abuse or misappropriation of government funds, time, material, property or equipment					
a. Falsification of a timesheet.	WR -D	S (1-5 days)-D	D		
b. Making false claims for travel and other work-related expenses.	S (1-5 days)-D	D			
c. Making false statements, misrepresentation or fraud in entitlements or benefits.	S (1-5 days)-D	D			
d. Conducting non-agency business for personal gain while on the job.	CM-D	S (1-10 days)-D	D		
e. Theft-attempted.	S (1-5) days-D	D			
f. Theft-actual	S (3-10 days)-D	D			
g. Embezzlement	D				
h. Willful damage to or destruction of government property	S (1-5 days)-D	D			

<i>VC-Verbal Counseling</i>	<i>CM-Counseling Memorandum</i>	<i>WR-Written Reprimand</i>	<i>S-Suspension</i>	<i>D-Dismissal</i>	<i>(Other options- Demotion and Pay Decrease)</i>
Type	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence	
18. Trespassing on the property of any state official or employee for the purpose of harassing or forcing dialogue or discussion from the occupants or owners of such property.	VC-S (1-5 days)	S (5-10 days)-D	D		
19. Political: Use of the employee's state positions, use of the employee's time on the state job or use of government property or facilities by the employee in connection with a political campaign.	S (1-5 days)-D	S (5+10 days)-D	D		
20. Complaints/Inquires/Investigations.					
a. Interference with or attempting to influence, or attempting to alter testimony or information from witnesses or participants.	WR-D	D			
b. Attempting to impede an inquiry or investigation or to influence investigating officials.	WR-D	D			
c. Retaliation against any person as a result of reporting alleged misconduct or filing a complaint or grievance.	S (1-5 days)	D			
21. Exhibiting other personal conduct detrimental to government services which could cause undue disruption or work or endanger the safety of persons or property of others, as may be determined by the appointing authority.					
a. Carelessness or negligence not resulting in harm to a person or loss of government property.	VC-S (1 day)	CM-S (3-5 days)	S (3-5 days)-D	D	
b. Carelessness or negligence resulting in harm to a person or destruction of government property.	VC-S (1-3 days)	S (1-5 days)-D	D		
c. Horseplay or practical joking.	VC-WR	WR-S (1 day)	S (1-3 days)-D	D	
d. Horseplay or practical joking causing injury or property destruction.	WR-S (1-3 days)	S (1-5 days)-D	D		
e. Participating in any action that would in any way seriously disrupt or disturb the normal operation of the agency, institution, department or any other segment of government	CM-D	S (1-5 days)-D	D		
f. Willful misuse or misappropriation of the property of others.	WR-S (1-5 days)	S (1-5 days)-D			

**Compensation -
In-Grade Pay Increase**

REFERENCES

Executive Directive 04-353 and Guidelines

PURPOSE

To provide permanent or temporary in-grade pay increases for State employees for qualifying reasons by allowing the Adjutant General to move *classified regular* employees from one step to another step on the same pay grade upon the approval of the Department of Administration and move *unclassified* employees within their designated pay range upon approval of the Governor.

POLICY

1. In rare and compelling circumstances State employees *may* receive pay increases for qualifying reasons within the parameters described below.
2. In-grade increases are to be the exception, not the rule.
3. Such increases may be permanent or temporary, depending on the reason for the action.
4. In-grade pay increases are not to be used for:
 - a. Pay for performance.
 - b. Bonuses or awards, since these are one-time issues and in-grade increases affect an employee's rate of pay.
 - c. Where a classification and compensation study action is more appropriate.
5. **“Permanent” Qualifying Reasons:**
 - a) **Correct pay inequities** that could result from any number of circumstances. As an example -- the need to adjust the salary of a long-term and productive employee who has seen newer employees appointed to a higher step because of "exceptional qualifications," promotional policies, or voluntary demotions.
 - b) **Counter an offer** by another employer when they offer** a valued employee an increase in pay. ***This "competition" would not include another State of Kansas agency that offers a legitimate promotional opportunity.*** Managers should consider whether such an increase would create other inequities in the work unit and balance that factor when deciding whether to request this type of increase.
***** May be required to provide written documentation and/or submit a written resignation.***
 - c) **Retain** a valued employee who would **otherwise retire**.
 - d) **Adjust salaries** to, or close to, "market" **without the need for a protracted study**. (These adjustments should only be considered when there is compelling need and when the number of affected employees is small. Formal classification and salary study action is more appropriate in those instances in which salary adjustment is needed for a large number of employees.)
 - e) **Compensate an employee for obtaining** a license, certification, or other type of **credential critical** to the agency's operation. Such instances should be rare and not constitute any type of bonus program.
 - f) **Compensate** an employee for stepping up to **more challenging responsibilities without having to reallocate** to a higher class or create a new level of classification when one does not currently

exist. This is **not** pay for performance -- it is pay for managing more responsibilities or such as filling in a vacant position or more complex and demanding responsibilities.

6. **“Temporary” Qualifying Reasons:**

- a) **Compensate** an employee for **temporarily** stepping up to more challenging responsibilities **without** having to temporarily reallocate to a higher class or make an acting assignment. Again, this is **not** pay for performance; it is pay for managing more complex and demanding responsibilities.
- b) **Compensate** for conditions of employment that may create a **hardship** for an employee, such as travel.
- c) Provide **geographic or language pay differentials**.
- d) A **temporary** in-grade pay increase must be for a **minimum of two pay periods**. Written notification to the employee is required if the increase is to be temporary. Such notice should clearly spell out the circumstances for which the temporary increase is being provided and must include the duration of the temporary increase and explain that the employee will be returned to his or her former step once the temporary circumstances are over.
- e) A **temporary** in-grade increase **may be extended or changed to a permanent** increase when circumstances change and the agency has submitted and received approval for the action. Submit these requests in the same format as the temporary in-grade pay increase.
- f) For the purposes of step movement, time spent on a higher step for a temporary classified in-grade pay increase shall count toward the time-on-step requirements of the step from which the employee is moved.

7. **Returning from Temporary Increase.**

- a) If an employee changes positions for any reason, an agency must return the employee to the salary step/wage the employee was on prior to the temporary increase unless:
 - Across-the-board classified salary step movement/unclassified merit was authorized during the term of the temporary increase, in which case the employee would be placed at the appropriate classified salary step based on time-on-step requirements/unclassified wage; or
 - The agency seeks and receives approval for another separate in-grade pay increase action (either permanent or temporary) based on the circumstance of the position to which the employee is moved.
- b) If neither of the two conditions above applies, the classified employee must be returned to his or her prior step/unclassified employees must return to their comparable wage and then, as appropriate:
 - Be retained at that salary level if the move is a transfer.
 - Have his or her salary increased in accordance with K.A.R. 1-5-13 and agency policy/practice if the move is a promotion.
 - Retain or have his or her salary decreased in accordance with K.A.R. 1-5-15 and agency policy/practice if the move is a demotion.

- c) If a classification salary study action results in a change in the pay grade for any employee receiving a temporary in-grade increase, the conditions for the in-grade increase must be revisited/reconsidered.

8. **Extending a Temporary Increase.** A new request must be submitted.

9. **Temporary to Permanent Increase.** A new request must be submitted.

10. **Transfers.**

a) An in-grade pay increase should only be given to an employee who is being transferred (i.e. moved to another position in the same or similar job classification on the same pay grade as the employee's current position) when:

- * The transfer (within the same agency or to a different agency) requires an employee to move his or her residence and, without an increase in pay, the employee would lose money.

- * The transfer is within the same agency and, even though the work could officially (by classification standards) be considered to be the same, the agency places a premium on the work/position to which the employee is being transferred.

b) In-grade pay increases for transferred employees may be either permanent or temporary depending upon the reason for which the increase was given.

11. **Effective Dates:**

The effective date will be the first date of the pay period in which the request is received or a future pay period as requested by the agency.

12. **Funding:**

In-grade pay increases are to be **funded within an agency's existing budget**. Examples of how agencies could pay for these increases include:

- a) Leaving positions open or eliminating positions, as they become vacant.

- b) Downgrading vacant positions.

- c) Using monies saved by filling vacant positions at a lower salary step, paying less than what was paid to previous incumbents.

13. **In-Grade Movement:**

No classified employee is to be moved to a dollar amount beyond step 15 of the pay grade to which the employee's position is currently assigned and no unclassified employee will be moved to a dollar amount beyond the maximum assigned to the respective job title.

14. **Updates:**

This agency will comply with any changes to the guidelines from the Division of Personnel Services or the Executive Directive as they are received.

PROCEDURES

1. **Internal Process**

- a) Requests are to be on the attached form and submitted to and endorsed by the respective program or department director.

- b) The request is then submitted to the agency State Human Resource Director (SHRD). The SHRD will review the request to ensure its completeness and compliance with the executive directive and agency

policy requirements and forward the request to a committee comprised of the Special Assistant to The Adjutant General (TAG) or designee, the Comptroller and one other senior manager appointed by the TAG for a designated period of time. In addition, up to three (3) senior managers will be selected by the TAG to serve as back-ups to ensure an informed committee of three is available to act on a request in a timely manner.

- c) The committee may request additional information or clarification on requests, past practices, etc. in order to make sound informed decisions.
- d) The committee will recommend to the Adjutant General or designee whether the request should be submitted to the Department of Administration or the Governor's Office and the amount of the increase.
- e) When the agency decision has been made the original documents with the written decision will be returned to the SHRD for the external required approvals, processing of approved increases and/or notification to the respective director/program manager of the final approval or denial of the request.

2. External Clearance Actions:

- a) Agencies must receive approval from the Department of Administration's Division of Budget and the Division of Personnel Services prior to providing an in-grade pay increase for *classified* employees.
- b) *Unclassified* wages must be requested and approved by the Governor's Office.

3. Grieveable:

Any employee, who feels he or she has been disadvantaged by not receiving an in-grade pay increase when others do, or by not receiving a comparable increase when circumstances are comparable, is encouraged to discuss the matter with their supervisor or manager. An employee may also file a grievance within the agency to obtain an equitable outcome or an appropriate hearing and/or response

- 4. For questions or special circumstances contact State Human Resources.

THE ADJUTANT GENERALS DEPARTMENT OF KANSAS
Deputy Chief of Staff Information Management
2800 SOUTHWEST TOPEKA BOULEVARD
TOPEKA KANSAS 66611-1287

AGKS-J6

23 May 2005

MEMORANDUM FOR State Employees of the Adjutant Generals Department

SUBJECT: Information Technology Policy

1. As we move forward in the information age with new computers, software and network we must ensure our systems are compatible and secure in accordance with the information security requirements in AR.380-19. The Director of Information Management (DOIM) is the single point of contact for all matters pertaining to computer systems or networks.
2. Please read and sign the State Information Technology Policy attached. The signed copy will be placed individual personnel folders.



Henry M. Martin
Col, AG
J6

State Information Technology Policy

Notice and Consent

Use of this Government Computer System constitutes consent to monitoring of the system. Please use this technology responsibly. The contents and communications of this information system, including electronic mail (E-mail) and Internet access, may be monitored for inappropriate use. Inappropriate use may result in disciplinary action up to and including termination of employment.

Purchase and Acquisition

The Director of Information Management (DOIM) will review all purchases and acquisition of computer equipment and peripherals for this agency, in order to meet user and network requirements. All offices must coordinate with DOIM through their supervisory chain for purchase of computer systems or software and use of personal software (e.g., use of AOL on a government laptop). Violation of this policy may result in disciplinary actions.

Computer Use Policy

- Government provided hardware and software are for conducting official government business. Supervisors may authorize personnel to use government resources to further professional and technical knowledge if it is determined to be in the best interest of the agency.
- You are accountable and responsible for any transmission you generate, forward, copy, or distribute.
- Electronic communications are not confidential.
- Use of electronic communication (E-mail and Internet) are subject to official agency monitoring, and misuse may result in disciplinary action or criminal prosecution.
- The following activities involving the use of government computer hardware/software or network systems are specifically prohibited:
 - Storing, processing, displaying, sending, or transmitting language or material that is derogatory, discriminatory or offensive (e.g. hate or racist literature or symbols), obscene (pornography or sexually explicit), or sexually harassing material.
 - Storing or processing copyrighted material (including cartoons) unless approved by the author or publisher.
 - Activities for personal or commercial financial gain (e.g. sale of commercial or personal property).
 - Participating in "Chat Lines" or open forum discussion
 - Using another person's account or identity
 - Viewing, changing, damaging, deleting, or blocking access to another user's files or communications without appropriate authorization or permission.
 - Attempting to circumvent or defeat security or auditing systems without prior authorization or permission (such as for legitimate system testing or security research).
 - Installing, copying, storing, or using unauthorized software.
 - Permitting any unauthorized individual access to a government owned or operated system.
 - Modifying or altering the network operating system or system configuration without first obtaining permission from the administrator of that system.
 - Simultaneously being connected to the local area network AND a dial-up Internet service provider (e.g. AOL). This opens the system to outside intrusion.
 - Processing of classified information on any system not approved for classified information.
 - Connection of any non-agency owned equipment with out the written permission of the DOIM.
- Prior to an individual being granted access to a government network, they will sign a statement acknowledging they have reviewed and understand the provisions of this policy. Each individual's immediate supervisor is responsible to ensure that this occurs prior to system access.

I have read and understand this policy. I understand all information, including personal information, placed on or sent over this system may be monitored.

Signature

Date

State Human Resources Bulletin

Subject: *Leave-General*

Reference: K.A.R. 1-9

01-01

1. General Provisions:

- a. The various kinds of leave (Vacation, Sick, Military, Without Pay) are benefits provided by the State of Kansas.
- b. The use of these benefits is *dependent upon supervisory approval*. Supervisors should not be arbitrary or unreasonable in granting leave requests. *However*, approval of leave requests is not guaranteed, even when the employee has leave 'on the books'.
- c. Leave hours requested may be approved in full, approved partially or totally denied, depending upon the circumstances and the work load, staffing and commitments of the organization.
- d. Leave is not accrued until the end of a bi-weekly pay period (Saturday midnight) and can not be used until the beginning of the new pay period (Sunday 12:01 AM).

2. Leave Requests:

- a. Use of accrued leave must be requested in advance, using OSHR-P2, State Employee's Leave Request Form.
- b. In cases of *emergencies and/or unexpected incidents* which require immediate attention, leave must be requested via a telephone call to the immediate supervisor within thirty (30) minutes of the scheduled work shift or as otherwise designated by division, worksite, unit or immediate supervisor.
 - Calls must be made by the employee to his/her immediate supervisor, second level supervisor or other designee.
 - Calls are not be made to, or accepted by, co-workers.
 - Calls will not be accepted from family members or friends unless the employee is incapacitated.
 - The leave request form must be completed no later than the first day the employee returns to work.
- c. With the **exception of pre-scheduled** vacation, overtime compensatory and holiday compensatory leave and the discretionary day, ***all leave requests must indicate a specific reason for the leave***. The reason must be entered in the appropriate block on the leave request form – flat tire, pipe burst, broke arm, etc.
- d. The reason "Sick" is not enough. The reason must state the type of illness or circumstance – Dr. appointment, flu, head cold, etc.

3. Sick Leave:

- a. Sick leave may not be used for any reason other than an employee's illness and doctor's appointments and illnesses and doctor's appointments of family members, which reasonably require the employee to be absent from work.
- b. Sick Leave usage of three or more consecutive days requires a statement from a physician.
- c. An individual may be required to provide a physician's statement for any request or period of sick leave usage.
- d. Sick Leave may not be used as a substitute for Vacation Leave and/or Leave Without Pay (LWP).

4. **Military Leave (MIL):**

- a. MIL is authorized for employees that are members of a reserve component. Twelve days of Military Leave are authorized per calendar year for “active duty training purposes”.
- b. It is the responsibility of the employee to provide his/her supervisor with military orders for ‘active duty for training’, in advance, to accompany the State of Kansas Time and Leave Document (timesheet) and leave request form.
- c. When orders are not provided in advance, the employee must provide them prior to MIL being approved and entered onto the employee’s timesheet.
- d. Not all military orders meet the requirements for use of MIL leave. In those cases the employee may request use of other leaves (with the exception of sick leave), the discretionary day or LWP.

5. **Leave Without Pay (LWP):**

LWP will not be authorized except under extenuating circumstances and must be requested in advance (except for emergencies or unexpected incidents) using the OSHR-P2 Form.

6. **Unauthorized Leave:**

- a. When any, or all requested leave is unauthorized/denied and the employee does not report or stay at work, the employee will be considered ‘Absent Without Leave’ (AWOL). This means the employee may not use leave or their Discretionary Day.
- b. Additionally, the employee may be subject to informal and formal disciplinary actions.

State Human Resources Bulletins are designed to provide a quick reference and/or clarification on state or federal regulations or laws and serve as operating procedures and practices until more formal, detailed agency policies and procedures are published.

References

Policy

When feasible, employees injured on or off the job, will be provided an opportunity for light duty on a temporary basis. This should assist: a) employees return to full duty more quickly, b) worksites complete required responsibilities and c) the agency contain workers' compensation costs. The opportunity for light duty is not a right and there is no guarantee of light duty or the continuation of light duty.

Procedures

1. An employee with temporary restrictions must provide the worksite with a completed Temporary Work Capacities Form (TWC) signed by a licensed medical professional describing the specific temporary restrictions and the expected duration of those restrictions. If there are questions concerning the restrictions, the State Human Resource Office (SHRO) will clarify them with the licensed medical professional. That clarification process may delay a light duty decision.
2. In determining if light duty is feasible, various factors are taken into consideration, i.e: the type and length of the restrictions, the background and skills of the individual employee, the parts of his/her regular position which can be performed within the restrictions, availability of productive light duty in other sections of the worksite or agency, the amount of time to complete any potential light duty tasks, the number of employees already on light duty, length of time to train an individual on a light duty assignment, budgetary impact, staffing, etc.
3. The employee, supervisor and/or other management personnel may need to go over individual tasks and discuss the likelihood of the employee performing each task safely, competently and in a timely manner.
 - a. If the supervisor, worksite manager or appropriate management designee determines that light duty **can be** accommodated and the Temporary Work Capacities (TWC) form* is at the worksite, the designee may complete the Agency Only-Worksite section and forward it to SHRO for its records.

If the form is not at the worksite, the following information is sent to SHRO for its records: **Name of employee, Light Duty Start Date, End Date, Work Schedule, Duties and Location of light duty.**
 - b. If the worksite does **not have light duty or does not recommend** accommodating light duty, the reasoning for that decision is submitted to the SHRO Director. If the Temporary Work Capacities (TWC) form* is at the worksite, the management designee may complete the Agency Only-Worksite section and forward it to SHRO for review.

If the form is not at the worksite, the **reason(s)** for not placing an employee on light duty is sent to the Director of SHRO.
 - c. If SHRO does not agree with the recommendation of "no light duty," the director will contact the respective directorate/division director to resolve the issue.
4.
 - a. Unless otherwise approved for extenuating circumstances, the amount of time spent working on light duty is 30 calendar days.
 - b. The 30 day period commences with the first day the employee is placed on a light duty assignment.
 - c. However, longer periods of time, up to a total of three (3) months, may be approved in consultation with SHRO Director, if it appears to be in the best interest of the agency.

5. An employee on light duty must be productive. If there are only four (4) hours of light duty work available each day, then the employee would only be scheduled four (4) hours a day. At no time is an employee to be placed on light duty and have nothing or very little to do.
6. Light duty can be continuous or intermittent based on the needs of the agency.
7. An employee on light duty may be reassigned to another light duty assignment, within or outside their directorate, at any time as determined by management.
8. A light duty job may be performed by one employee or divided among several employees at the discretion of worksite management.
9. If a light duty assignment is on a different shift, the worksite may need to provide the employee an opportunity to make arrangements in their personal life before beginning light duty.
10.
 - a. Employees may be removed from light duty assignments if they are not performing at an acceptable level or for other sufficient reasons, such as unacceptable attendance while on light duty, budget constraints, etc.
 - b. The determination of removing an employee from light duty is made by the manager or designee after the employee has been informed of the deficiency and given an opportunity to improve. If there is no immediate, acceptable level of improvement, the management designee will evaluate the situation and make a determination regarding the continuation or reassignment of light duty.
 - c. If it is determined to remove (or reassign) an employee from his/her light duty assignment, the employee will be advised and a brief written notice explaining the action and when it occurred is sent to SHRO for its records.
11. Any employee not complying with his/her restrictions will be removed from light duty. The manager or designee, after evaluating reports of noncompliance, will make a determination whether an employee has or has not complied with his/her light duty restrictions and whether or not he/she will continue on that light duty assignment.
12. Employees with permanent restrictions which could affect the performance of essential functions of their job will be evaluated by SHRO for coverage under the American with Disabilities Act (ADA). If it is determined that an employee is covered under the ADA, SHRO will contact worksite management and the employee to explain that process.
13. Any exceptions to these procedures may be requested and approved by the Director of SHRO. The merits of which will be taken on a case-by-case basis.

OPR: Director of SHRO

References

K.S.A. 75-2925 thru 2945, 75-2935b and 75-2955
K.A.R. 1-6
Department of Administration Bulletin 03-01

Policy

1. To recruit and select the most qualified, suitable, highly effective employees in a timely manner.
2. To comply with applicable state and federal equal employment and civil service related laws, statutes, regulations and guidelines and sound interviewing and selection practices.
3. To provide fair and consistent access to jobs and promotional opportunities.
4. To utilize selection processes that fairly assesses the capacity and fitness of applicants to perform specific duties.
5. To provide consistent and equitable starting and promotional wages.
6. To maintain appropriate and sufficient documentation.

Definitions

1. **Benefits Eligible Positions:** Positions which are established to work 20 or more hours per week.
2. **Transfer:** Changing from one position to another position with a close similarity of duties, essentially the same basic qualifications and the same pay grade. (This does not apply to changes from unclassified to classified positions.)
3. **Division Director:** The position designated as fully responsible for a large or significant organizational unit, including funding.
4. **Classified Positions:** Classified positions have protection under the Civil Service Act. An applicant for a classified position must meet the minimum requirements for the position to be certified as eligible for the position. From the certified list of eligible candidates, agencies select a group of candidates to interview for the position. If selected, the successful applicant is placed on the pay matrix in the pay grade that is assigned to the job class. Once a classified employee completes an original probationary period and attains permanent status, he or she has appeal rights to the Civil Service Board if disciplinary action is taken against them.
5. **Unclassified Positions:** Employees in unclassified positions, in most cases, are selected by the appointing authority and approved and appointed by the Governor. Employees in unclassified positions do not have appeal rights to the Civil Service Board and are considered to be "at will" employees. These employees are not placed on the pay matrix but are paid at a salary approved by the Governor.

Procedures

1. **Vacancies:** Vacancies occur when a new position has been officially established or an employee officially separates from an existing position.
 - A. **Resignations** from the Adjutant General's Department.
 - (1) The *employee* completes and submits a "[Notice of Resignation](#)" form to management, preferably the immediate supervisor.
 - (2) The *immediate supervisor*:
 - Completes an "[SHRO Transaction Request Form](#)" (referred to as the Green Sheet),
 - Attaches the written resignation to it,
 - Obtains the Division Director's signature and
 - Submits it to State Human Resources Office (SHRO).

B. Voluntary Transfers and Demotions

- (1) The *employee* provides a written, signed statement to management, preferably the immediate supervisor, requesting the desired action.
- (2) The immediate supervisor may approve or disapprove the request. If approved, the supervisor:
 - Completes a [Green Sheet](#).
 - Attaches the employee's signed transfer or demotion request,
 - Obtains the Division Director's signature and
 - Submits it to SHRO for approval.

C. Employer initiated position separations:

- (1) Competitive promotions, competitive or management initiated transfers, or competitive demotions require the internal hiring supervisor to complete and submit a [Green Sheet](#) to SHRO as described above.
- (2) Dismissal and Job Abandonment. The immediate supervisor requests termination by completing a [Green Sheet](#) as described above accompanied by supporting documentation to the SHRO director. The Adjutant General (or designee) is the only one with the authority to dismiss an employee and may do so after following the appropriate process.

2. Pre-Advertising:

A. Funding Verification. Funding is to be verified with the Comptroller's Office or designated funding controller, even when replacing an existing position. This is done in order to ensure that there continues to be adequate funding for the position as changes in budgets, use of Federal or State money or other payroll expenses could affect the availability of funding. (A request to fill should only be submitted to SHRO **after** the verification of available funding.)

B. Position Description Review.

- (1) The immediate supervisor reviews the most recent position description to ensure it adequately reflects the work performed.
- (2) If the duties have changed, the position description is rewritten and submitted to SHRO for review.
 - a) If the position is "**classified**" and it appears reallocation may be appropriate, additional information is gathered and a request for reallocation is submitted to the Division of Personnel Services.
 - b) If the position is "**unclassified**" and it appears a title change may be appropriate, additional information is gathered and submitted to SHRO for a title code determination.
- (3) In addition to job tasks, position descriptions should reflect:
 - a) Job-related minimum qualifications
 - b) Desired qualifications and/or special knowledges, abilities, skills and/or personal characteristics,
 - c) Any specialized requirements, i.e. required licenses, types of security clearance, drug screens, physical abilities, etc., and
 - d) Any post employment requirements, i.e. completion of required training or certifications within pre-established timelines.

C. Transfer Option.

- (1) With SHRO approval, worksites/program/units may post an internal **transfer** opportunity within a respective organizational unit. This allows for the changing of shifts, work schedules, locations, job tasks, etc., among existing staff of the same job title. After any transfers are approved, the position that is ultimately vacant will be formally advertised.
- (2) When doing this, a written posting of a transfer opportunity is to be placed in a conspicuous place(s) and/or all eligible employees personally advised of the transfer opportunity.
 - a) If posting, a deadline must be specified.
 - b) If directly contacting all eligible employees, the supervisor or designee will either provide SHRO with a written statement verifying that all appropriate employees were contacted or list of those employees contacted with the dates and times of the contacts. This is to be done prior to the approval of any transfer.
- (3) Management is not obligated to approve a transfer request.

- D. **Voluntary Demotion Option.** Occasionally, for personal and/or work related reasons (i.e. shift, work schedule, travel, etc.) an employee desires a demotion. An employee must submit a written request to the supervisor. The supervisor, with the approval of their chain of command and SHRO, may grant the request if it is believed to be in the best service of the agency. If approved, the position vacated by the employee will be submitted for advertising.
- E. **State of Kansas Classified Employee Preference Program.** The State Employees Preference Program, K.A.R. 1-6-23, for *classified* positions will be followed prior to consideration of any other hiring options.

3. **Initiating Advertising:** Complete the “[Green Sheet](#).”

- A. Select “**Advertising.**”
- B. **Advertising options:** Generally vacancies will be open to both internal and external applicants. However, if a sufficient number of suitable Adjutant General Department *state* employees and/or other state employees are anticipated, the advertising may be restricted.
 - (1) ***AG Dept.** - Open to all present State employees of the Adjutant General’s Dept. only.
 - (2) ***Statewide Internal** – Open to all State employees.
 - (3) ***Public** – Open to anyone. (*Select this option to be able to consider Guard members.*)
 - (4) **Paid Ads (i.e., employment websites, newspapers, trades publications)** – Designate specific advertising sources. (*The cost of ads is paid for by the respective worksite.*)

* *Generally all job postings are placed on the State of Kansas website at no cost to the worksite.*
- C. **Remarks:** List any special qualifications or job perks in the “Remarks” section of the [Green Sheet](#) located towards the bottom of the form
- D. The [Green Sheet](#) is **signed** by the supervisor and the respective division director. By signing, these individuals verify that the position description still adequately describes the position, the minimum qualifications as stated on the position description are accurate, that funding is still available for the position and there is money for any paid advertising desired.
- E. The [Green Sheet](#) is then **submitted** to SHRO (with an AGO 503 form **if** paid advertising is desired). In addition, a copy of the most current position description is to be submitted *electronically* to SHRO. (This may be waived for worksites with multiple, identical positions if an electronic copy is already on file in SHRO.)

4. **Posting/Application Periods:**

- A. The *minimum* period for accepting applications is seven (7) calendar days. A longer period may be requested or the application period may be “open continuously” and then closed at a future date without notice.
- B. All internal vacancy lists distributed by SHRO must be posted in an area that can be viewed by all employees and/or distributed to all employees.
- C. Application periods may be extended or late applications accepted as determined by the supervisor and SHRO.

5. **Ads:**

- A. If paid advertising is desired, the supervisor submits an AGO 503 form with the [Green Sheet](#) and SHRO will forward it to the State Comptroller’s Office.
- B. The supervisor in collaboration with SHRO will determine the final placement of ads.
- C. SHRO will draft ads, forward them to the supervisor or designee for review and approval and submit them to the selected source(s). All ads need to include special requirements, i.e. valid driver’s license, KBI and other security clearance checks, drug screens, etc.
- D. SHRO or the advertising vendor(s) will provide specific cost information to the worksite.
- E. The cost is to be approved by an authorized worksite or program staff member prior to running an ad.

6. **Employee Preference Program:** Vacancies in regular *classified* positions are subject to the [Employee Preference Program](#) (EPP) as outlined in K.A. R. 1-6-23. Therefore, when a classified position is advertised there is the possibility that the position will be filled by an EPP individual without competition.

7. **Evaluation of Applications**

A. Once the application deadline has passed, SHRO reviews application materials, checks for minimum qualifications and then notifies the supervisor of the number of qualified applicants including those with verified Veteran's Preference*.

B. Veteran's Preference (VP): K.S.A. 75-2955

(1) *Classified* positions: Per K.A.R. 1-6-21, any applicant applying for a regular classified position who meets the civil service minimum qualifications for the position and the State's personnel definition of a "veteran" will be granted an interview *unless* the veteran was dismissed or did not resign in good standing from state service.

(2) *Unclassified positions.* Although applicants for *unclassified* position are not covered under K.A.R. 1-6-21, the agency will attempt to meet the intent of veteran's preference for unclassified vacancies. Since many of our applicant pools include a significant number of qualified veterans, it would not be feasible or practical to interview every veteran. Therefore, we will meet the intent by the following:

- Any applicant applying for an unclassified position who meets the minimum qualifications for the position and the State's regulation definition of a "veteran" will be granted an interview as described above *except* in cases where it would not be feasible to interview every qualified veteran due to the number of qualified applicants who are veterans.
- In those cases VP will be given to qualified veterans by adding bonus points to their screening scores. Bonus points will equal 5% of the total number of points possible on the screening mechanism. (Example: A 100 point screening mechanism would add 5 points to the veteran's screening score.)
- The agency reserves the right to not consider veterans who: a) have been previously interviewed and b) have unacceptable references and/or work history.

Note: The hiring process will not be delayed waiting for receipt of DD-214s to verify VP.

8. **Screening for Interviews:** If further screening is desired, SHRO and the immediate supervisor will develop a job related, written screening mechanism and screen candidates for interview. SHRO will notify those applicants not selected for interview.

9. **Selection Instruments - Interview Questions/Work Sampling Exercises, etc**

A. Selection instruments may include ratings of training, experience, and other qualifications; written tests; performance tests; interviews; physical fitness tests; assessment center evaluations; medical examinations; or other selection procedures related to the work of the vacant position. For classified vacancies, the agency shall make all selection instruments, procedures, records, or other selection materials available to the Director of the State Division of Personnel Services upon request.

B. Interview questions and other selection instruments are to be drafted by the supervisor in the standard format ([Appendix C](#)), with assigned point values. SHRO will provide assistance, [sample questions](#) and/or "A Guide to Interviewing" ([Appendix B](#)) upon request. (See [Appendix C](#) for examples of [behavioral](#) and [performance skill questions](#).)

C. The point values for each question are to reflect that question's or series of questions overall value/importance to the respective job.

D. There are mandatory questions which supervisors are to include when drafting a set of questions. ([Appendix C](#).)

E. Selection instruments are submitted to SHRO for review and approval prior to interviewing. Although not required, it is most helpful in evaluating responses to have the desired answers for each question in writing prior to interviewing.

- F. SHRO reviews the questions to ensure that there are no illegal or improper questions, that the correct minimum wage is quoted and that any less traditional selection instruments (i.e. work sampling) will be properly used.
 - G. Upon request SHRO will also review the selection instruments for job relatedness, compliance with legal standards, potential to distinguish the most knowledgeable and/or desirable candidates from those least knowledgeable and/or desirable.
 - H. Applications will not be released to the supervisor until selection instruments are approved by SHRO.
 - I. If the interview questions are identical to those approved for the same position the previous time it was open, the supervisor may state in the Remarks section of the [Green Sheet](#) and not be required to submit another set of questions.
- Option:* On an approved exception basis, a supervisor may opt to not assign point values or have the selection instrument reflective of items listed in B, C and G above. In doing so the supervisor then accepts full responsibility for any repercussions that may occur.

10. **Interview Teams**

- A. The immediate supervisor provides the names of the team to SHRO.
- B. Generally, the interview team consists of three (3) interviewers who are at higher wage ranges than the position being filled. All interviews must be conducted by the same team members. Substitutions cannot be made once interviews have commenced. If a team member is unable to complete all the interviews, his/her score sheets will not be used and the selection will be based on the scores and assessments of the remaining interviewers.
- C. The chairperson of the interview team is the immediate supervisor.
- D. Other members of the interview team should, as much as possible, be reflective of the applicant pool and workforce with respect to gender, race, etc.
- E. Interview team members may be individuals outside this agency, i.e. staff from other state agencies or community entities that work closely with the position being filled or are considered subject matter experts.
- F. When internal applicants are in the interview pool it is recommended that one member of the team be an individual who is not part of the immediate organizational unit and who does not know or work with the applicants being interviewed.
- G. SHRO will assist in securing non-agency interview team members upon request.

11. **Interview Packets.** Once the candidates for interview are selected and interview questions finalized and approved, an interview packet will be provided to the supervisor. The packet will contain all the necessary interview materials, including the applications of those to be interviewed and [“Guide to Interviewing.”](#)

12. **Scheduling Interviews**

- A. The immediate supervisor is responsible for selecting the dates and times of the interviews, securing a location and scheduling candidates. Candidates should have at least a two (2) day notice of interview dates.
- B. When scheduling interviews, the following must be documented: dates and times of candidate contacts and attempted contacts, any messages left and by what means messages were left, i.e. answering machine or name of person taking message. SHRO is to be notified of any candidate unable to be reached for interview. If time permits the supervisor may send written notifications of the interview date and time.
- C. When scheduling, candidates should be informed to arrive approximately 15-20 minutes prior to their scheduled interview time in order to sign forms, read the position description and organizational information and/or familiarize themselves with the interview questions. If work sampling exercises are being utilized, candidates should be advised as to how much earlier to arrive in order to ensure there is a reasonable amount of time to complete the exercises.
- D. If a candidate cannot interview when originally scheduled and requests an alternative date and/or interview time, if at all possible the interview team should try and accommodate the candidate with at least one alternative time.

In circumstances where an alternate day and/or time are not possible, the supervisor should notify SHRO immediately.

- E. If a candidate is late, calls the day of the interview requesting a reschedule or is a “no-show” and calls later to request another interview, the granting of another interview is at the discretion of the interview team.
- F. Phone interviews are permissible. SHRO must be notified in advance in order to advise on proper procedures.

13. Pre-Interview

A. Interview Team:

- (1) Interview team members are required to sign and abide by the [Confidentiality Agreement](#).
- (2) Interviewers need to **review each application prior** to the interview to determine if there are any questions regarding the information, or lack thereof, in an individual’s application materials. **Members should then request specific clarification from the candidate** as opposed to making personal assumptions. Interviewers should do this prior to the conclusion of the interview.
- (3) Common areas of clarification include: reason for leaving previous positions, more thorough description of duties performed, breaks in work history, names of immediate supervisors and phone numbers, etc.
- (4) **Each interview** team member will be provided a set of identical questions which contains space for documenting and scoring the content of the candidates’ responses.
- (5) Interviewers are to familiarize themselves with the questions and determine by whom each question will be asked. To maintain a fair playing field, interviewers should adhere to the same rotation and ask the questions in the same manner throughout the interview process.
- (6) When reviewing the questions prior to the first interview, there is a new question(s) the team wants to ask, they are to contact SHRO for approval. If approved, the question(s) is to be asked to all applicants.

B. Candidates:

Upon arrival, candidates are to:

- (1) [Sign a Release of Information form](#), Adjutant [General’s Department-State Application Supplement](#), [State of Kansas Tax Clearance Form](#), [Security Clearance Form](#) (and any other forms required of that particular position);
- (2) Be given the position description and selected policies to read; and
- (3) Usually be given an applicant version of the interview questions which does not contain scoring information.

Note: Candidates may make notes on their copy of the interview questions and take them into the interview.

Upon completion of the interview, the questions must be returned to the interview team.

14. Interviews

- A. Interviewers should make candidates feel at ease and make the interview more like a conversation than a rigid, verbal inquiry.
- B. Team members should ask any questions they have over a candidate’s application materials. Common questions may include: reasons for leaving previous positions, more thorough description of duties performed, breaks in work history, names of immediate supervisors and phone numbers, etc.
- C. Interviewers should maintain **eye contact** with candidates throughout the entire interview so as to avoid candidates talking to the tops of heads.
- D. Interviews are to be conducted in a consistent and legal manner.

- E. Interview team members may ask follow-up questions to a candidate's response in order to gain clarification of the response.
- F. Interviewers need not document verbatim each applicant's response but rather jot down enough of an answer to remember the content and essence of the response and to help assess the quality of responses consistently among the candidates.

15. **Post Interview**

- A. Team members total their respective points on each candidate, rank order them and record them on the "[Interviewer Ranking](#)" (referred to as the "Orange Sheet") form and then discuss differences in rankings and points among the interviewers.
- B. Selections should not be based on scores alone. Other factors may include, but are not limited to: position related communication skills, work history, specific experience, specific education & training, reference check results, skills of existing staff, professional appearance/hygiene, etc.
- C. After those discussions the team decides which candidate(s) will have reference checks performed.
- D. The team may also decide on their top choices in rank order in case the top candidate's references are not as favorable as desired.

16. **Reference Checks Required**

- A. Employment reference checks are required to be completed on the top candidate(s). (See **State Employee Reference Check form** often referred to as a "Blue Sheet")
- B. Only job references from a supervisor, someone in the management chain or a human resources office are acceptable. Personal references and those from co-workers are not acceptable and should not be considered.
- C. Generally reference checks are done covering the previous 10 years, on jobs which are directly related to the work performed in the vacant position and for any State job held by a candidate.
- D. In cases where the supervisor is unable to obtain a pertinent reference after concerted efforts SHRO is to be contacted for possible alternative reference sources. The attempts by the supervisor to obtain references should be recorded on a Blue Sheet and returned with the interview materials to SHRO. If possible, SHRO will also attempt to secure the information and provide a report to the supervisor.
- E. If there are any difficulties obtaining a reference from a state agency, SHRO should be notified immediately. SHRO will make the necessary contacts for the reference to be obtained.
- F. After the reference checks are completed a final selection recommendation is made.

17. **Selection Documentation**

- A. A [Candidate Interview Record](#) form (referred to as the "Yellow Sheet") is then completed by the supervisor. This form must accurately reflect the primary, distinguishing reason(s) for the selection or non-selection of each candidate, as well distinctions between candidates placed on an order of merit list.*
 - * If desired, a notation (or an attached order of merit list) specifying the priority order of applicants may be included on the Yellow Sheet in case the first candidate does not accept the job or if additional vacancies are anticipated in the near future.
- B. A [Green Sheet](#) is also completed on the selected candidate(s) and signed by the supervisor and the Division Director. In doing so, they are taking responsibility that the reasons noted on the Yellow, Orange and Blue sheets are accurate and verifiable.
- C. If the recommended wage rate is greater than the established minimum wage rate, a written justification for the higher rate must accompany the Green Sheet including a statement that there is adequate funding for the higher rate.
- D. All forms, as well as all interview materials, are returned to SHRO.

- E. If a selection is not made from those interviewed contact SHRO for options.

18. Human Resource Review/Approval/Processing

- A. SHRO will ensure all selection related materials are returned, agency policies and procedures followed, no nepotism issues need addressed, the requesting starting wage is correct and justified, and that appropriate reference checks were completed.
- B. If there are routine questions, omissions or other issues, SHRO will contact the chairperson of the interview team and/or other members of the team to attempt to resolve the concerns in an expeditious manner.
- C. If there are issues with a wage rate, SHRO will call and discuss the issue with the Division Director or designee. If an agreement is not reached, the issue is forwarded to The Adjutant General for a final decision.
- D. Requested hire or promotional wage rates for *unclassified* appointments which are greater than those pre-approved by the Governor, must be submitted by SHRO to the Governor's Office for approval.
- E. Once an appointment has been approved, SHRO will notify the supervisor to contact the candidate of choice. Job offers (and wage rates above the established minimums) are **not** to be made until approval has been obtained.

19. Offering a Job

After receiving approval from SHRO, the supervisor will contact the candidate(s) of choice and given a conditional offer of employment, and if necessary, make arrangements to have the candidate complete the necessary paperwork and be fingerprinted for the appropriate security clearance for the position.

- 1. Individuals selected for employment will be given a conditional offer of employment pending the results of their SAC/NAC.
- 2. **Results of the SAC/NAC.** Individuals who receive:
 - A. A '**Favorable**' result and only need a SAC/NAC may begin work according to the information listed under "Starting Dates" below..
 - B. A '**Favorable**' result and require a **NACI** will be given a tentative start date pending the results of their NACI.
 - C. A '**Favorable**' result and require a **Secret or higher level clearance** will be given a tentative start date pending electronic submission of their background information on e-QIP.
 - D. '**Concerned**' result will be requested to provide additional information and/or documentation.
 - E. '**Unfavorable**' results will have their conditional offers of employment or their potential association with the agency withdrawn.

20. Starting Dates

- A. **New hires** to the State may begin work until on any day; however hiring the last few days of a pay period is discouraged.
- B. **Present state employees** moving to or from the *same type* of position with respect to benefits (i.e. 999-hour or position with benefits) and overtime eligibility (i.e. exempt/salaried or non-exempt/hourly), must start at the beginning of a workweek, *preferably* at the beginning of a pay period.
- C. **Present state employees** moving to or from a *different type* of position with respect to benefits (i.e. 999-hour or position with benefits) and overtime eligibility (i.e. exempt/salaried or non-exempt/hourly), **MUST** start at the beginning of a pay period.

21. Post Job Offer

- A. The supervisor will contact SHRO with the hire date and coordinate a time and date for the "signing in" process.
- B. SHRO will provide written notification to all non-selected candidates.
- C. Announcement of the selected candidate(s) should not be made until notification of all non-selected candidates has occurred.
- D. **Note:** If additional openings occur in the same position classification/job title after a selection has been completed, additional candidates *may* be hired from the previous set of interviews, if the selection occurs within

60 days of the closing date or last accepted application (whichever is longer). The 60 day limit may be extended for the filling of *unclassified* positions but not to exceed 90 days unless there are compelling reasons and SHRO approves the request.

22. Summary of Supervisor's Responsibilities:

A. The immediate supervisor (or designee) is responsible for:

- (1) Submitting the [Green Sheet](#) for separations and recommended selections with any appropriate supporting documentation through the designated chain of command to SHRO.
- (2) Submitting a current position description.
- (3) Ensuring that adequate funding is still available through the designated chain of command.
- (4) Drafting interview questions, work sampling exercises or any other desired selection instruments and submitting them to SHRO for approval.
- (5) Assisting with the screening of applicants, if necessary.
- (6) Securing an interview team.
- (7) Selecting the location, dates and times of the interviews
- (8) Scheduling candidates for interview.
- (9) Conducting interviews.
- (10) Facilitating the discussion and selection recommendation.
- (11) Performing post-interview reference checks on the top applicant(s).
- (12) Making a recommendation for hire by completing the appropriate paperwork and returning all selection materials to SHRO through the designated chain of command for approval.
- (13) Providing additional follow-up as requested by SHRO.
- (14) After receiving approval from SHRO, making the job offer and setting a start date.
- (15) Contacting SHRO with the starting and scheduling a "Signing In" time.

B. Supervisors not complying with this policy or choosing any of the designated options accepts full responsibility for any repercussions that may occur and may have greater restrictions placed on them for filling future vacancies.

23. Any exceptions to this policy and its procedures may be requested and approved by the Director of SHRO. The merits of which will be taken on a case-by-case basis.

EFFECTIVE DATE: 12/2006; Rev: 4/2010

OPR: Director of SHRO

TAG – State Human Resources Policy and Procedures

**SECURITY -
Security Clearances**

References

DoD 5200.08-R, Change 1 5/27/2009
 DoD 5200.2-R, June 2002 (Draft)
 NGB Executive order 10450, 27 April 1953
 NGB Regulation, AR 25-2, 11 November 2003
 NGB Memorandum 14 April 2004
 Army Regulations 25-2 Chapter 4, section V

Policy

1. In order to comply with United States Department of Defense (DoD) requirements and ensure the safety and security of the missions, programs, property and employees of the Adjutant General’s Department, employees and volunteers must obtain and maintain the level of security clearance assigned to their respective work.

Sensitivity Level	Type of Clearance	Type of Check	Job Criteria Guidelines.
N/A	Suitability Determination (None or Confidential)	SAC or NAC*	Minimum for every State employee & volunteer. This includes temporary and seasonal persons.
Nonsensitive	Suitability Determination (None or Confidential)	NACI	Minimum for every State employee & volunteer with access to the computer network. This includes temporary and seasonal persons.
Noncritical Sensitive	Secret (S)	ANACI	Minimum for persons, who in the normal course of their job have access to, or need access to: <ol style="list-style-type: none"> 1. Classified information. 2. Information on, including the movement of, senior leadership. (TAG and other Generals) 3. Schematics and detailed designs of the buildings on the Joint Forces Headquarters Complex. 4. Social Security Numbers, other confidential personal information, or confidential agency data or information. 5. Information Technology network administrative rights.
Critical Sensitive & Special Sensitive	Top Secret (TS) & Single Scope Background Investigation (SSBI)	SSBI	Persons <ol style="list-style-type: none"> 1. With unrestricted access to computer network data centers 2. With access to a certified Sensitive Classified Information Facility (SCIF.) 3. With access to sensitive national security information 4. Others required by the TAG, DoD &/or Security Mgrs

* SAC is the term used by the Army Guard and NAC is the term used by the Air Guard

2. For each position/individual a level of clearance will be determined by the respective Security Manager in conjunction with the respective division director or worksite manager.
3. If clearance levels or the respective criteria change, individuals must meet the new standards.
4. Persons must receive a favorable NAC/SAC before they can begin working/volunteering.
5. Prior to being appointed to any position/association requiring a higher clearance level than an individual presently possesses, he/she must complete and submit the appropriate background information for the higher level background check.
6. A clearance decision can be overturned at any time, if at a later date, it is revealed that a person lied or concealed information during any part of the clearance process.

7. The type of clearance and/or background investigation for:
 - A. Benefits eligible employees will be identified in the State position description form DA 281-2.
 - B. Non-benefits eligible employees will be identified on the SHRO Transaction Form (Green Sheet.)
 - C. Volunteers will be identified in a memo from the supervisor notifying the State Human Resource Office (SHRO) of the future volunteer.
8. Persons already possessing a valid national security clearance recognized by the DoD will not need a new SAC/NAC, NACI or ANACI equivalent. Valid military clearances remain active for two (2) years after separation. Any equivalents must be submitted at the time of the conditional offer of employment.
9. A minimum background investigation (SAC/NAC) consists of a: a) search of investigative files and other records held by federal agencies such as the Federal Bureau of Investigation (FBI) and the Office of Personnel Management (OPM); b) fingerprint check and c) credit search. A SAC/NAC background check is also the first step in the clearance process for individuals requiring a higher level background check or clearance.
10. Four (4) criteria definitely resulting in a clearance denial are:
 - A. Conviction of a crime and sentenced to prison for more than one year
 - B. Currently an illegal user of, or is addicted to, a controlled substance
 - C. Mentally incompetent
 - D. Discharged or dismissed from the armed forces under dishonorable conditions.
11. Other variables taken under consideration in clearance determinations include:
 - A. Allegiance to the United States;
 - B. Foreign Influence;
 - C. Foreign Preference;
 - D. Sexual Behavior - of a criminal nature;
 - E. Personal Conduct – truthful, trustworthiness, credible;
 - F. Financial Issues – inability or unwillingness to satisfy debts, unexplained affluence;
 - G. Alcohol Consumption Issues;
 - H. Drug Involvement;
 - I. Psychological Conditions – judgment, reliability, emotional stability;
 - J. Criminal Conduct;
 - K. Handling Protected Information;
 - L. Outside Activities – related to foreign or international activities;
 - M. Use of Information Technology Systems – illegal activities.
12. All candidates for employment and potential volunteers are required to acknowledge that they have been advised of the agency's security clearance and background check requirements.
13. Individuals selected for employment will be given a conditional offer of employment pending the results of their SAC/NAC.
14. **Results of the SAC/NAC.** Individuals who receive:
 - A. A '**Favorable**' result and only need a SAC/NAC may begin work at any time.
 - B. A '**Favorable**' result and require a **NACI** may begin work at any time with the understanding that if the result of the NACI is less than 'Favorable' their continued employment depends on the results of the adjudication process.
 - C. A '**Favorable**' result and require a **Secret or higher level clearance** will be given a tentative start date pending electronic submission of their background information on e-QIP.
 - D. '**Concerned**' result will be requested to provide additional information and/or documentation.
 - E. '**Unfavorable**' results will have their conditional offers of employment or their potential association with the agency withdrawn.
15. **Failure to Obtain a Clearance:** Failure to obtain and maintain a favorable SAC/NAC, as well as the designated type of security clearance/background check, may result in a job offer being rescinded, separation of employment, separation of the association with the agency and/or other actions as may be deemed in the best interest of the agency.
16. **Interim Clearance:** An interim security clearance may be granted to persons after receiving a favorable SAC/NAC while a full investigation of their NACI, ANACI or SSBI and final clearance decision are being processed.

17. **Common Access Card (CAC):** Individuals must receive a minimum of a favorable SAC/NAC to obtain a Common Access Card (CAC.) The only exceptions to this requirement are individuals who have a current national clearance recognized by the DoD.
18. **Computer Access:** ‘Temporary’ computer access may be granted after receiving a favorable SAC/NAC while a NACI, ANACI or SSBI is being processed. Persons must also sign the Information Technology policy. (*Attachment G.*)
19. **Renewal Interval:** Persons must successfully renew their required clearance level at designated intervals.

Type/Level of Clearance	Type of Check	Renewal/Investigation Interval
Suitability Determination (None or Confidential)	SAC/NAC	15 years
Suitability Determination (None or Confidential)	NACI	15 years
Secret (S)	ANACI	10 years
Top Secret (TS)	SSBI	5 years
Single Scope Background Investigation (SSBI)	SSBI	Varying individual lengths

20. **Self Reporting of Arrests and/or Convictions:**
 - A. All employees and volunteers must self report, within one working day of the event, any arrests and/or convictions. Individuals must provide verification, or a means to verify, the arrest and/or conviction.
 - B. Failure to make these reports may result in disciplinary action, up to and including, immediate dismissal/separation.
 - C. For additional policies and procedures regarding ‘Felony’ arrests and/or convictions please see policy ‘Security-Felonies.’
21. The State Human Resource Office (SHRO) will be responsible for this policy for State employees and volunteers.

Procedures

1. **Prior to selection of an employee or volunteer:**
 All candidates for employment and potential volunteers will be provided:
 - A. A ‘*Security Clearance Informational Summary*’ form (*attachment A*) and ‘*An Authorization of Release of Information to the US Office of Personnel Management*’ form (*attachment B.*)
 - B. After reading the summary form, if an individual is still interested in pursuing a position or association with the agency, he/she is to read, sign and return both the summary and release forms to his/her potential agency supervisor. These forms are then sent to the Assistant Director of SHRO (ADSHRO).
2. **Selection of an employee or volunteer:** Once:
 - A. A **Selectee** has been approved for hire by SHRO, SHRO will contact the individual or worksite designee to make a conditional offer of employment pending the results of a SAC/NAC.
 - B. A **Volunteer** has been identified; the supervisor of the volunteer will contact the ADSHRO with the volunteer’s contact information.
 - C. The ADSHRO or the worksite designee (i.e. Office Manager) will provide individuals with information and/or forms concerning the security clearance process.

3. **Required Forms** are submitted together to the respective Air Wing Security Manager or to SHRO for all others.

Type	Forms
SAC/ NAC & NACI	Fingerprints - Two (2) cards <i>(Attachment C -Locations)</i>
ANACI & SBI	1. Initially: <ul style="list-style-type: none"> a. Fingerprints – Two (2) cards b. Job application &/or resume which contains the names & contact numbers of supervisors. c. Request for Security Clearance <i>(Attachment D1 for Air/ D2 others)</i> 2. After receiving a ‘Favorable’ SAC/NAC result: <ul style="list-style-type: none"> a. e-QIP, Electronic Questionnaire for Investigations Processing b. Classified Information Nondisclosure Agreement-SF312 <i>(Attachment E)</i>

4. **Security Manager (Designee) Locations:** *(Attachment F)*

5. **SAC/NAC Timelines:** Once the packet (See #3 above) is received by the respective Security Manager, the results of the check should be known within two (2) weeks.

6. **SAC/NAC Results & Actions:**

A. **Favorable Results for ‘Confidential’ Clearances:** The respective Security Manager will provide the SAC/NAC approval date in writing to the ADSHRO. HRO in turn will notify the supervisor to contact the new individual and determine a start date.

B. **‘Favorable’ SAC/NAC Results for Individuals Requiring a NACI:** The respective Security Manager will notify, in writing, the ADSHRO with the SAC/NAC approval date.

1) The ADSHRO will then notify the supervisor that the employee may be contacted for a start date. When offering the job and before the individual makes his/her decision whether or not to accept the offer, the supervisor **must inform the candidate** that when the NACI result is received (which could take a couple of months) if the result is ‘Concerned’ or ‘Unfavorable’, the ability of the individual to work could be affected, including immediate termination.

2) **Interim Computer Access:** If the individual will have access to any agency computers or networks, the supervisor should also contact the respective Information Technology section to request temporary access.

3) **Common Access Card:**

- a. Individuals needing a CAC should be able to obtain their CAC within five (5) working days of the date their background check date was entered into the federal State Employee Database (SED.)
- b. Individual should contact their nearest DEERS location to ensure their CAC is available prior to going to the location.
- c. Individuals will need to provide specific identification documents required by the DEERS office, including one picture ID.

C. **‘Favorable’ SAC/NAC Results for Individuals Requiring an ANACI or Higher Level Background Check:**

1) The respective Security Manager will notify, in writing, the ADSHRO with the SAC/NAC approval date. The ADSHRO will then notify the supervisor that the employee may be contacted for a start date with the understanding that the individual:

- a. Before their first day of work, must complete and electronically submit their background information on e-QIP.
- b. On or before their first day at work, read, **initial each of the 11 paragraphs**, have witnessed and return to their respective Wing Security Manager or the ADSHRO (all others), a SF 312 ‘Classified Information Nondisclosure Agreement’ (CINA) *(Attachment E.)*

- c. Is made aware that when the ANACI or SSBI results are received (which could be months or over a year) if the result is 'Concerned' or 'Unfavorable', the ability of the individual to work could be affected, including immediate termination.
- 2) The respective Wing Security Manager or ADSHRO (all others) will contact the individual and explain the e-QIP process (See #7 on page 5) and instructions for completing the CINA form. The original completed CINA will be filed with the respective Security Manager. The ADSHRO will verify the e-QIP submission and receipt of the CINA. If either is missing, the ADSHRO will contact the supervisor and SHRO liaison and inform them that the individual may not start work or sign any new employee forms until both requirements can be verified.
- 3) **Interim Computer Access:** Individuals who will have access to any agency computers or networks must read and sign the Information Technology policy (*Attachment G*) and return it to SHRO. The supervisor may then contact the respective Information Technology section to request temporary access.
- 4) **Common Access Card (CAC):**
 - a. Individuals needing a CAC should be able to obtain their CAC within five (5) working days of the date their background check date was entered into the SED.
 - b. Individual should contact their nearest DEERS location to ensure their CAC is available prior to going to the location.
 - c. Individuals will need to provide specific identification documents required by the DEERS office, including one picture ID.

D. 'Concerned' Results:

- 1) If there are any concerns, Security Managers will either contact the individual directly (Air Guard) for follow up or notify SHRO (all others.)
- 2) Once additional information and/or documentation are provided to the Security Manager, the Security Manager will make a decision on the interim employability/association of the individual following DoD guidelines. If the determination is favorable, the Security Manager will notify in writing the ADSHRO with the date the decision on the favorable check was made.

E. 'Unfavorable' Determinations: If the determination is unfavorable, the Security Manager will submit his/her determination to his/her supervisor for a final review. If the Security Manager's supervisor concurs with the unfavorable determination, the Security Manager will contact SHRO.

SHRO will in turn contact the supervisor of the:

- 1) **Selectee** prior to contacting the individual and rescinding the job offer.
- 2) **Volunteer** and have the supervisor inform the person he/she will not be a volunteer.

7. **E-QIP Required for 'Secret' and Higher Clearance Levels:** Electronic submission of background information must be completed prior to an individual's first day at work.

A. The respective Security Manager or SHRO designee will contact individuals from information on their 'Request for Security Clearance' (*Attachment D1 or D2*) form and direct them to the background clearance website to which the Security Manager has given them access.

B. Individuals must:

- 1) Complete and electronically submit their information **prior** to reporting to their first day of work.
- 2) Accurately report all information requested. **Concealing information may well result in an unfavorable determination** due to an individual being considered unreliable and dishonest. A person's loyalty, character, trustworthiness and reliability are traits strongly evaluated.
- 3) Print, sign and submit the three (3) signature pages from the e-QIP website to the respective Security Manager (Air) or SHRO designee (all others.)

8. **NACI and ANACI Results:** NACI and ANACI results are usually received by the respective Security Manager within 30 days of submission. Higher levels of clearance will take much longer. If the results are:
- A. **'Favorable':** The Security Manager will notify in writing the ADSHRO with the ANACI approval date. The ADSHRO will enter that date in the federal State Employee Database (SED.)
 - B. **'Questionable':** The Security Manager will either contact the individual directly (Air Guard) or notify SHRO (all others), for follow up. The individual will also be given an 'Intent to Deny Civil Security Clearance' letter from the respective Security Manager and a notice requesting information.
 - 1) The request for information will specify what is needed and a date by which the individual needs to respond **in writing**. If a response is not received by the deadline, it will be assumed that the individual refuses to comply. If the individual is unable to provide the requested documentation by the deadline, he/she must immediately contact the person who signed the request to discuss the issue and determine if an extension is possible.
 - 2) Once additional written information and/or documentation are provided to the Security Manager, the Security Manager will make a decision on the continued employability/association of the individual following DoD guidelines.
 - a) If the decision is **'Favorable'**, follow '8.A.' above.
 - b) If the decision is **'Unfavorable'**, the Security Manager's supervisor must concur. If there is concurrence, then the Security Manager (Air) notifies the supervisor; for all other individuals the Army Security Manager contacts SHRO who in turn informs the worksite director/manager.

If worksite management:

 - **Accepts** the decision, SHRO processes the dismissal action.
 - **Disagrees** with the decision and wants to retain the individual, they must request the employee to file an appeal.
9. **SSBI Results:** SSBI results take months to complete. The process is the same as outlined above for NACI's and ANACI's.
10. **Appeals:**
- A. The supervisor, with concurrence of the respective division director, will inform the individual of their desire to have him/her appeal the denial of clearance decision within the period specified on the 'Intent to Deny Letter.'
 - B. The individual must prepare a **Rebuttal letter** following the format described in the 'Intent to Deny Letter.'
 - 1) List each security concern from the background inquiry separately and state: 'Admit' or 'Deny.'
 - 2) Provide supporting information for each concern.
 - 3) Organize supporting documents in the order they are referenced in the letter.
 - 4) Sign and date the letter.
 - C. The individual must secure a written endorsement from their division director.
 - D. The individual must place the rebuttal letter, supporting documents and the division director's endorsement letter in a single envelope or package.
 - E. The individual must submit the rebuttal package directly to the Security Manager (Air Guard) for a decision or the ADSHRO (all others) who will forward it to the Army Guard Security Manager for a decision.
 - F. The Security Manager will then submit the documents to The Adjutant General for a final decision.
 - G. The decision of The Adjutant General is final and cannot be appealed.
11. **Renewal of Background Checks**
- A. Background checks are valid as outlined on page 3 under 'Renewal Intervals.'
 - B. Renewals for NAC/SAC and NACI's should be started three (3) months prior to the expiration date.
 - C. Renewals for ANACI and SSBI's should be started six (6) months prior to the expiration date.
 - D. Individuals must contact their respective Security Manager to receive 'Renewal' instructions.
 - E. Failure to obtain a timely renewal could affect the ability of an individual to continue working.

12. **Reporting of Arrests and/or Convictions:**

- A. All employees and volunteers must **self report** to their supervisor, **within one (1) working day* of the event**, any arrests and/or convictions.
 - * Some components of the agency may require notification within 24 hours.
- B. The supervisor then reports the information to the ADSHRO or the respective Wing Security Manager.
- C. The supervisor also contacts the SHRO Director if an employee failed to report an arrest or conviction as required in order to discuss possible disciplinary action.
- D. The respective Security Manager will review relevant information and make a determination as to retaining the individual or recommending separation.
- E. Any recommended separations will also be reviewed by the Security Manager’s supervisor before a final decision is made regarding the individual’s continued employment or association with the agency. If the recommendation is termination, that recommendation will be provided to SHRO for action.
- F. **Felony** arrests and/or convictions are covered in policy ‘Security-Felonies’.

13. **Attachment List:**

	Title
A	Security Clearance Informational Summary
B	Authorization for Release of Information to OPM
C	Fingerprint Locations
D1	Air –Request for Personnel Security Action
D2	All Others – Request for Security Clearance
E	Security Clearance Contacts
F	Classified Information Nondisclosure Agreement
G	Informational Technology Policy

- 14. Any exceptions to this policy and its procedures must be submitted to the Director of SHRO. The merits of which will be taken on a case-by-case basis

TAG – State Human Resources Policy and Procedure

Sexual Harassment/ Hostile Work Environment

References

Kansas Civil Service Act 75-2925 and 75-2926
K.A.R. 1-9-18(a)
Title VII of the Civil Rights Act of 1964

Policy

Sexual harassment will not be condoned or tolerated. It is the commitment of this agency to provide employees a work environment that respects people, provides equal opportunity for all personnel, maintains a positive environment that eliminates discriminatory behaviors or practices and is free of sexual harassment and of any inappropriate behavior and language that may be hostile, intimidating or offensive. This harassment-free environment also applies to agency customers.

Definitions

Sexual harassment is defined as unwelcomed sexual advances, requests for sexual favors, as well as any verbal, physical or visual conduct of a sexual nature when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. This includes, but is not limited to:

- a) sexually demeaning language or harassing conduct;
- b) sexual oriented teasing, kidding or joking;
- c) unwelcomed flirtations or touching;
- d) patting;
- e) hand gestures;
- f) displays of pictures of a sexual nature or that exploit male or female persons;
- g) discussing sexual activities; and
- h) explicit or implicit insinuation that submission to, or rejection of, sexual advances will in any way influence personnel decisions regarding an employee's employment, wages, advancement, assigned duties, shift, or any other conditions of employment or career advancement.

Sexual harassment may occur as a single event or as a series of incidents.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- a) The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- b) The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- c) The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- d) Unlawful sexual harassment may occur without economic injury to or discharge of the victim.

Procedures

1. If an employee believes he/she is being sexually harassed, the employee is encouraged (but not required) to immediately confront the harasser clearly stating what behaviors are offensive and asking the person to cease those kinds of comments or behavior. If an employee is unable to confront a harasser in person, the employee may write the harasser a letter stating what behavior was offensive, when and where it occurred, that it is to be stopped and how the employee would like to be treated in the future. Employees may also seek assistance from staff noted below in bringing the unwanted/offensive behavior to the attention of a harasser.
2. Employees who believe they have been harassed should immediately report alleged sexual harassment/hostile work environment violations to the agency's Director of State Human Resources (SHR). In the absence of the director, employees may report to the following federal Adjutant General's Department staff knowledgeable in this subject area: State Equal Employment Manager (SEEM), the Judge Advocate General (JAG) or the Inspector General (IG). Employees have the option of reporting directly to the Adjutant General at any time.
3. Likewise, employees who believe they have witnessed unacceptable behavior should document what has been seen or heard and report as designated in #2 above.
4. Employees need to keep a record of what has happened, including specific dates, comments, behaviors, lists of possible witnesses and copies of any correspondence to or from the alleged harasser.
5. Supervisors who have incidents of alleged unacceptable behavior reported to them should immediately report such incidents to the agency's Director of SHR. Failure at any supervisory level to immediately forward such reports, or failure to take corrective action as determined appropriate, will be considered condoning sexual harassment and the supervisor may be subject to disciplinary action.

6. The agency's Director of SHR is responsible for conducting investigations. A panel may be appointed to assist in the investigation. In the absence of the agency's Director of SHR the Adjutant General will be responsible for the assignment of the investigation.
7. Alleged harassers may be relieved of duty with pay or reassigned while an investigation is being conducted.
8. Confidentiality will be maintained to the fullest extent possible during the investigation. Staff interviewed during an investigation should not discuss the investigation with co-workers or the employee(s) being investigated. Likewise, the employee being investigated should not discuss the investigation with co-workers or contact employees that might be involved. Employees that interfere with an investigation, discuss interviews with others or retaliate in any manner may be subject to disciplinary actions.
9. This policy prohibits any form of retaliation to an employee who without malice or personal revenge, reports an allegation. Any employee retaliating against a reporter or person associated with filing the complaint will be subject to disciplinary procedures as describe in #10 below.
10. Employees engaging in any form of sexual harassment, sexually harassing behavior or hostile work environment behavior will be disciplined in accordance with progressive disciplinary measures. This may include verbal or written counseling, letter of reprimand, suspension and/or dismissal. The severity and frequency of incidents will determine the level of any formal or informal disciplinary action. Additionally, training may also be recommended.
11. Sexual affairs between supervisors and employees have the potential for sexual harassment allegations and are inappropriate. Workplace affairs may affect job performance, suggest favoritism and compromise confidential information. These behaviors may also be the basis for a claim of hostile work environment.
12. A log of reports covered by this policy will be maintained.
13. Training: Employees will annually complete training (including sensitivity training, climate surveys and /or knowledge assessments) related topics to Equal Opportunity, Affirmative Action and Sexual Harassment. Training will be documented and records maintained in SHR.

Responsibilities

Employees: Responsibilities of every employee are to: a) strive to maintain a sensitive, harassment-free work environment, b) treat co-workers and visitors with respect and dignity, c) refrain from inappropriate behavior, d) properly report all allegations of inappropriate behavior and e) adopt an attitude that reporting is important in providing a good working environment.

Supervisors/ Managers: The additional responsibilities of every supervisor and manager are to: a) be alert and pro-active in providing a good working environment for all employees, b) report allegations as directed by this policy, and c) ensure all employees successfully complete the annual training requirements and request consultation or special training as needed.

State Human Resources Director: The additional responsibilities of the director are to: a) ensure employees are provided information and/or training on the agency's sexual harassment policy, b) investigate allegations promptly, c) maintain a log of reports, d) provide or secure training as requested and e) provide consultation and/or technical assistance, including information on filing complaints with enforcement agencies when requested.

Call:	The Adjutant General:	(785) 274-1001 or 83-720-8001
	Director, State Human Resources:	(785) 274-1393 or 83-720-8393
	KS National Guard Equal Employment Manager:	(785) 274-1168 or 83-720-8168
	KS National Guard Judge Advocate:	(785) 274-1024 or 83-720-8024
	KS National Guard Inspector General:	(785) 274-1021 or 83-720-8021

Write: The Adjutant General's Department
Attn: Director, State Human Resources
2800 Topeka Blvd.
Topeka, KS 66611-1287

OPR: Director of State Human Resources

TAG – State Human Resources Policy and Procedures

**TIMEKEEPING & PAY -
Shift Differential**

References

K.A.R.1-5-28

Policy

1. Shift differential is paid for hours worked by employees in non-exempt (hourly) positions* on regularly established shifts other than the normal day shift.
2. The normal day shift (referred to as 1st shift) is a regularly scheduled shift that both begins and ends between 5:30 A.M. and 5:30 P.M.
3. Employees working ‘regularly’ scheduled ‘non-day’ shifts (referred to as 2nd and 3rd shifts) receive shift differential for all the hours worked during those regularly scheduled shifts, even the few consecutive hours that may fall within normal day shift hours.
4. Shift differential is not paid:
 - When an employee is on any type of leave or holiday.
 - When an employee is working during the day shift, i.e. attending training, orientation, covering a day shift, etc.
 - When 2nd and 3rd shift employees work a partial shift with all of their hours worked that day falling in between 5:30 AM and 5:30 P.M.
 - When a ‘day shift employee’ works 2nd or 3rd shifts on an ‘irregular or occasional’ basis. *However, if a day shift employee’s schedule is changed to a 2nd or 3rd shift temporarily for a period of one or more full work weeks (Sunday – Saturday), he/she would be eligible for shift differential during that period.*
 - For additional day shift hours worked either before or after a ‘regularly scheduled’ 2nd or 3rd shift.
5. Any questions or exceptions to this policy may be requested for approval by the Director of SHRO, the merits of which will be taken on a case-by-case basis.

**Does not include fire fighters who work 24 hours shifts.*

References

Governor's Inclement Weather Policy 12-01

Policy

1. The Adjutant General's Department may temporarily suspend non-essential services under extreme, extenuating weather conditions. Conditions warranting this rare action are: when highway travel is significantly compromised; efficient/effective clearing of roads is an urgent need and cannot be done without a major reduction in the level of traffic; that without that level of reduction in traffic, law enforcement/emergency vehicle responsiveness to accidents is seriously impaired; **and** when most employees traveling to/from work are in imminent danger of being stranded, stuck or involved in an accident. A declaration should not be made in situations where the precipitation is such that it will just take extra time, caution and driving at slower speeds to travel to and from work.
2. The rare temporary suspension of non-essential services is done by an authorized Declaration of Inclement Weather.
 - **Shawnee County: Only the Governor of the State of Kansas** or the Governor's designee has the sole authority to issue a Declaration of Inclement Weather for Shawnee County.
 - **Outside Shawnee County: The Governor, The Adjutant General (TAG), or their designees** may issue Declarations of Inclement Weather outside Shawnee County. If a declaration has not been made by the Governor or Adjutant General and the **worksite administrator/manager** desires a declaration for their worksite, he/she **must** request and be granted approval for a Declaration of Inclement Weather **from The Adjutant General's Department prior** to authorizing any Inclement Weather Leave for State employees.
 - **Exception: McConnell ANG:** "Non-essential" State employees **will comply** with emergency weather media announcements covering 'non-essential' military personnel.
 - **Exception: Ft. Riley Military Base:** "Non-essential" State employees **will comply** with emergency weather media announcements covering 'non-essential' military personnel.
3. Non-essential, benefits eligible (not 999-hour), employees not reporting for work, or not remaining at work, during an authorized designated inclement weather declaration will be placed on 'Inclement Weather Leave' in accordance with the procedures stipulated in this document. *Employees are to remain available for contact by supervisors and other agency personnel.*
4. Although an employee is designated as 'non-essential', if circumstances warrant, (a critical deadline, important meeting, an emergency, etc.) he/she may still be called to work. In those rare cases the employee will be expected to report to work. An employee who refuses to work may no longer use Inclement Weather Leave and may be subject to disciplinary action.
5. Essential employees who are scheduled to work and do not work must request to use their own leave.
6. When a **declaration has not been issued**, employees not reporting to work, reporting late or leaving early due to weather conditions will be expected to use their accrued leave. The agency recognizes that employees have different comfort levels and abilities driving in inclement weather. It also recognizes that some employees live significant distances from their worksites where weather conditions may be more severe. Therefore, to the extent possible, supervisors should approve employees' request for leave in those situations. At the discretion of the supervisor, employees may rearrange work hours *within the same workweek* to make up for those hours not worked.

Definitions

1. 'Essential' employees are those employees designated by administration who are required to continue essential mission functions during hazardous weather conditions.
2. 'Non-Essential' employees are all other employees not defined as 'essential'.
3. 'Essential mission functions' are those tasks which: a) are indispensable for the direct mission of the agency and/or unit, b) provide for the safety or security of persons and/or property, and/or c) for which delay in completing work tasks would not be feasible or prudent.

Procedures

1. **Prior** to requesting an Inclement Weather Declaration from the TAG or designee, *worksite administrators/managers* need to:
 - a) Take into consideration the mission of the worksite/office; the amount, kind and projected duration of precipitation; the location of the worksite; the condition of the area roadways and bridges surrounding the worksite; the expected duration of unsafe roadway conditions; general safety hazards; other large employers' actions; perception of the public/taxpayers, etc. Resources include:
 - **Calling toll-free 1-866-511-KDOT (5368).**
 - **Kansas' road conditions website, <http://www.ksdot.org/>**
 - **National Weather Service - http://weather.noaa.gov/weather/KS_cc_us.html**
 - b) Determine the following information: a) worksite(s) affected, b) staff affected, and c) the beginning and ending *date(s)* and the beginning and ending *time(s)** of the declaration. ***Could be any length of time; i.e. 30 minutes, 4 hours, all day, etc.**
2. When worksite administrators/managers believe circumstances warrant a declaration of inclement weather they must request authorization by contacting the TAG's **primary designee, Chief of the Joint Staff, at (785) 274-1141 (Wk) or 817-2998 (Cell)**, or if unavailable, the **back-up designee, State Human Resource Director, at (785) 274-1460 (Wk) or 250-6788 (Cell)**.
3. If approved, the *authorized TAG designee* will notify the Governor's Office. The **declaration must include** the following information: **a) employer identified as "The Adjutant General's Department", b) worksite(s) affected, c) staff affected, and d) the beginning and ending date(s) and the beginning and ending times of the declaration.**
4. **After** contacting the Governor's Office, notice of the authorized declaration is to be called into the agency's State Human Resource Department at (785) 274-1460 or cell (785) 250-6788.
5. The declaration will be communicated by the most feasible means as pre-determined by each worksite and unit. (See attachment.) This may include direct calls to employees at home, designated 'Call in' numbers, websites, calling trees, media outlets, etc. The information will be placed on the TAG Website (<http://kansastag.ks.gov/STATEHRO.asp?PageID=372>) and on **voice mails of the following phones in SHR (785) 274-1460; 1392 & 1391.**
6. If at all possible, decisions as to temporarily suspending of non-essential mission functions should be made, and affected employees notified, 30-60 minutes prior to the employees scheduled work time.
7. Declarations made by the Governor and other entities, i.e. **McConnell ANG commander**, will be made directly to media outlets. Therefore, in those situations, non-essential employees may be aware of an Inclement Emergency Declaration much sooner than the Adjutant General's Department administration. Worksite managers should immediately call the Chief of the Joint Staff or the State Human Resource Director at the numbers above to inform them of any non-Shawnee County declarations.
8. Employee Timekeeping:
 - a) **Non-essential employees** who **do not work** during an authorized inclement weather declaration will code those hours on their timesheet as **IWN (for non-exempt, hourly employees)** and **IWE (for exempt, salaried employees)**. This Inclement Weather Leave begins at the effective time stated in the declaration unless otherwise notified.
 - b) **Essential employees** who are suppose to work and **do not work** must use **their own leave**.
 - c) **Employees** who **work** during an Inclement Weather Declaration will be compensated as usual.
 - d) **Employees** who had **previously authorized leave** (verbal or written prior to the declaration notice being effective) will not be affected and will use their leave as approved. As a general rule during extreme weather conditions, 'call-ins' or e-mails left on a supervisor's (or designee's) phone or computer will be considered as having leave authorized.
 - e) Individual exceptions to these procedures must be submitted for approval to the HR Director in a timely manner.

Attachments

Shawnee County - Essential & Non-Essential State Employees for Inclement Weather Declarations Chart
Shawnee County – Contingency Plan for Essential State Employees for Inclement Weather Declarations
Other Counties - Essential & Non-Essential State Employees for Inclement Weather Declarations/Contingency Chart

“Shawnee” County: Governor makes all declarations.

Essential and Non-Essential State Employees for Inclement Weather Declarations

Communication:

Bolded used by the Governor.

Television
KSNT-27
KTKA-49
WIBW-13

Radio
WIBW FM 97.3
KDVV FM V100

State Human Resource Voice Mails
 (785) 274-1391, 1392, 1393 & 1460
 (DSN) 83-720-8391, 8392, 8393 & 8460

Agency Website:
<http://kansastag.ks.gov/STATEHRO.asp?PageID=372>

Worksite	Unit	Essential* Staff	Non-Essential** Staff
Headquarters	Archives		All
	Command Group	Adjutant General	All others
	Comptroller		All
	Emergency Mgmt	Administrator & On-Duty Operations Officer	All others
	Human Resources	Director	Auditor & Office Spec's
	Info Mgmt	Network Administrator on SDO's	Other user support staff.
	Public Affairs	Director	Asst. Public Affairs & Secretary
	Security	All Resource Protection Officers	
DOFE	Armory	Custodian	
	Environment		All
	Engineering		All
	Facilities Mgmt	All except →	Admin Asst, Accountant, Off Asst, CAD Tech, Mil Const Analyst & Property Ctrl
	Security Sys		All
RSMS	Surface Maint		All
	USPFO		All
	Warehouse		All
190th	Civil Engineering	All except →	Real Property & Engineering Tech
	Environment		All
	Fire Dept	All	
	Security Police	All Resource Protection Officers	Office Spec
AASF			All

* Expected to report for work unless otherwise notified by supervisor or authorized designee.

** Does not report to work unless work situation warrants **and** is notified by supervisor or authorized designee.

“Shawnee” County

Contingency Plan for **Essential** State Employees for Inclement Weather Declarations

Worksite	Unit	Essential Staff	Contingency
Headquarters	Command Group	Adjutant General	Work via telecommunications equipment.
	Emergency Mgmt	Administrator & On-Duty Ops Officer	Work via telecommunications equipment. Ops Officer: Call in another trained staff member.
	Human Resources	Director	Work via telecommunications equipment.
	Info Mgmt	Network Admin on SDO's	AGR or Techs.
	Public Affairs	Director	Work via telecommunications equipment.
	Security	All Resource Protection Officers	Hold over or call in other shift RPO's.
DOFE	Armory	Custodian	a) DOFE's essential staff covers. b) Armory National Guard members.
	Facilities Mgmt	Facilities direct maintenance staff.	a) Work with less. b) Call in other State employees.
190th	Civil Engineering	Facilities direct maintenance staff.	AGR & Techs.
	Fire Dept	All	a) Hold over or call in State employees. b) AGR & Techs.
	Security Police	All Resource Protection Officers	a) Hold over or call in other shift RPO's. b) AGR & Techs.

“Other” Counties

Essential and Non-Essential State Employees for Inclement Weather Declarations/Contingency

Authority: Governor, Adjutant General, Army Chief of Staff or State Human Resource Director. (Except: Active Mil. Installation Commanders)

Communication:

- All **media announcements**, other than those made by the Governor’s Office (or **AMIC’s**), must include **“The Adjutant General’s Department”** as the **employer**. Announcements may *also* include the individual worksite name.
- See **Chart Below**. (**Bolded** used by the Governor’s Office.)
- **State Human Resource Voice Mails: (785) 274-1391, 1392 & 1460; (DSN) 83-720-8391, 8393 & 8460**

County	Requestor	Worksite	Unit	Essential* Staff	Non-Ess**	Radio	TV	Call-in	Other/Contingency (C)
Allen	***	KDEM			All	99.3 FM & 94.3			
Brown	OIC	Hiawatha Armory		All		93.7 FM			Supv calls staff at home. C: AGR & Techs
Ellis	***	KDEM			All	99.5 & 103.3	KOOD -9		
Ford	***	KDEM			All	KRPH	KDCK-21		
Johnson	***	KDEM			All	All major	All major		
Leavenworth	OIC	BCTC		All					Supv calls staff at home. C: AGR & Techs
Reno	OIC	Hutch Armory		All					Supv calls staff at home. C: AGR & Techs
Riley	RSMS Manager	RSMS			All	KMAN 1350 AM KJCK AM/FM	KSNT-27 KTKA-49 WIBW-13	239-8891, 239-0415	Calling Tree
	Facilities Manager	CFTA		All					Supv calls staff at home. C: a) Work with less b) AGR & Tech
Saline	OIC	KSRTI		All		KSAL-AM KINA-AM	KAKE-10 KSNW-3 KWCH-12 WIBW-13		Supv calls staff at home. C: AGR & Techs.
	***	Civil Air			All				Supv calls staff at home.
	OIC	Smoky			All				Supv calls staff at home.
	***	KDEM			All				
	KSRTI OIC	RSMS			All				Calling Tree
Sedgwick	McConnell AFB Commander or Wing Commander	184 th	Civil Eng	All except →	Custodial Real Propty Eng Techs Procurement	KFDI AM/FM KRZZ FM KSJM FM	KAKE-10 KSNW-3 KWCH-12		Supv calls staff at home. C: a) Work with less. b) AGR & Techs.
			Security		All				Supv calls staff at home.
	***	KDEM			All				

OIC: Officer-in-Charge

* Expected to report for work unless otherwise notified by supervisor or authorized designee.

** Does not report to work unless work situation warrants **and** is notified by supervisor or authorized designee.

*** Follows declarations for the local Social and Rehabilitation Services (SRS) Office that will be announced on various local media outlets.

C – Contingency Plan

References

K.A.R. 1-5-26

Purpose:

To ensure coverage outside of regular business hours for likely emergency situations, ensure that stand-by pay is properly administered and help balance the agency's need for coverage and response with employees' personal lives.

Policy

1. This policy applies to non-exempt (hourly) employees.
2. Provisions specific to The Adjutant General's Department will be designated with (TAGD) throughout this document.
3. **Eligibility:** Employees are eligible for stand-by pay under the following conditions:
 - a) the period of time is outside an employee's regular work hours*
*If there is a staff shortage during business hours and an employee is on a rearranged work schedule, the employee may be authorized to continue on stand-by status during regular business hours while not at work. (TAGD);
Example: An employee has already worked 40 hours by Thursday and is on Stand-by duty for the week. If on Friday, other staff are out-of-town and unavailable to take emergency calls, the employee on Stand-by, as authorized by the supervisor, will continue to take emergency calls even during regular business hours and be compensated the respective Stand-by rate.
 - b) during this period of time, the employee is required, at agency direction, to remain available to the agency to perform necessary work within a specified response time as determined by program or worksite management; and
 - c) is limited to work situations where a reasonable probability of emergency recall exists.
4. **Regular or Periodic:** Stand-by may be required for employees on a regular, reoccurring basis or "as needed." Examples of potential "as needed" stand-by include, but are not limited, to the following: predictions of severe weather where employees may be needed to clear ice or snow from the premises and immediately respond to after hours mechanical breakdowns on drill weekends or second and third shifts.
5. **Failure to Respond:** At the discretion of the agency, any employee on stand-by who is not available in accordance with the terms and conditions contained in the Agreement for Stand-By Compensation, and who does not present reasonable justification for failure to call and/or report as required when called, may be subject to disciplinary action and forfeiture of stand-by compensation for that stand-by period.
6. **Schedule and Stand-by Hours Limitations:**
 - a) Employees are not to work more than seven (7) consecutive days in a stand-by status. Occasionally, due to unforeseen circumstances, employees may be required to be in stand-by status for longer than seven (7) consecutive days. However, the maximum number of days in stand-by status shall not exceed 14 days in any twenty-eight (28) day period without prior written approval from the Adjutant General or his designated representative.
 - b) Likewise, employees are not to be scheduled for stand-by more than every other weekend. Occasionally, due to unforeseen circumstances, employees may be required to be in stand-by status two consecutive weekends. However, the maximum number of weekends in stand-by status shall not exceed two (2) weekends in any twenty-eight (28) day period without prior written approval from the Adjutant General or his designated representative.
 - c) Employees may switch stand-by duty with the prior approval of the respective director or worksite manager (or designee) so long as the switch does not cause either employee to violate 5 a) and b) above.
 - d) Employees must notify their supervisor or designee at least 72 hours prior to scheduled stand-by duty if they are unable to perform stand-by duty as scheduled.

- e) Excessive periods of unavailability for stand-by may be causes for loss of eligibility for stand-by status, at the discretion of the supervisor or designee. Additionally, employees in positions requiring stand-by may also be subject to disciplinary action, including dismissal.
7. **Stand-by and Leave:** Employees on leave are not to be scheduled for stand-by until the employee returns to regular work status. *(Regular work status - If authorized leave ends the day before a weekend or holiday, the employee may perform stand-by duties throughout the weekend and/or holiday.)*
8. **Relieved of Duty.** Employees relieved of duty pending an investigation (K.A. R. 1-9-19) will not perform stand-by until the investigation is completed and the employee returns to work. In such cases, the director will determine the appropriateness of scheduling the employee for stand-by duty. The agency may permanently or temporarily remove an employee from working stand-by at its discretion. Employees will be provided such notices in writing.
9. **Compensation and Timekeeping:**
- a) Calls or work in excess of seven (7) minutes are compensable and are to be reflected on timesheets.
 - b) Calls or work of seven (7) minutes or less (de minimis rule) are not compensable unless: a) they are regular or daily calls or b) there are multiple calls with such frequency that it interferes with the employee's personal activities.
 - c) Employees are to maintain a log (or an approved equivalent) of calls taken and any work performed while on stand-by. This log is to be attached to the timesheet. (See attachment #2.)
 - d) Employees are compensated \$1.00 per hour on stand-by in accordance with state regulation 1-5-26, or as provided for in respective labor agreements or unclassified pay plans.
 - e) Each employee on stand-by who is called in to work shall be compensated for the actual hours worked at the appropriate rate of pay, but shall not be paid stand-by compensation for that time actually worked. (i.e. If an employee works three hours during a 16 hour stand-by period, he/she will receive stand-by pay for 13 hours since the employee is being compensated at their appropriate regular pay rate for three hours.)
 - f) When an employee on stand-by is "called in" or "called back" to work within a two-hour period of their regular work schedule, the minimum of two hours compensation specified in K.A. R. 1-2-25 of "Call in and call back pay" does not apply.
 - g) Only the hours actually worked by the non-exempt employee shall be credited in determining eligibility for overtime compensation.
 - h) Holidays: Employees may only be compensated for a maximum of 24 hours in a day. On holidays, employees on stand-by receive Holiday Credit Paid (HDC) for the number of hours they are regularly scheduled to work. Therefore, the maximum number of stand-by hours possible on a holiday is the difference between the number of hours regularly scheduled for that holiday and 24. (i.e. 24-8 hour day=16 hours of stand-by; 24-10 hour day=14 hours of stand-by.)
 - i) Time during which an employee is restricted to a particular telephone number at a 'specific location designated by the employer', or to the 'employer's premises', in order to remain personally available to the employer shall be considered hours worked and the employee shall be compensated at the employee's regular rate of pay instead of receiving stand-by compensation. With the use of wireless communication devices employees on stand-by are able to effectively use their time for their own purposes. It would be rare for employee to be restricted to a specific location and phone where they could not pursue their personal interests.
 - j) If an employee performs stand-by related work, the employee will be compensated for that work in the following priority order unless otherwise determined by the agency.
 - 1) Rearranged time within the same work week (i.e. week, Sun-Sat) as the stand-by was performed.
 - 2) Compensatory time.
 - 3) Pay.

While every effort will be made to meet the needs of the individual, the final determination as to how an employee will be compensated shall be determined by the agency, in its absolute discretion unless otherwise covered under a labor agreement.

10. Any changes to the state regulations or agency policies and procedures regarding timekeeping and stand-by compensation will be provided to employees in writing.
11. Any deviations from this policy will be submitted by the Director, through the State Human Resource Office (SHRO) Director, to the Adjutant General (or his designee) for consideration and approval.

Procedures

1. The respective **director or worksite manager** (or their designees) determines if stand-by, as defined in State regulation and agency policy, is warranted for a particular situation. If so, a written plan sufficiently describing the reasoning and position(s) involved is submitted to SHRO.
2. **SHRO** will review the written plan and determine if the employee/position and the reasoning for placing him/her on stand-by is consistent with State intent and agency policy for stand-by.
3. If the SHRO Director approves the written plan an effective date for starting stand-by will be determined by the requesting director or worksite manager (or designee). If the SHRO Director does not believe the plan is consistent with the applicable rules, regulation and policies, he/she will respond back to the director within seven (7) business days from the day SHRO receives the request explaining in writing how the plan is non-complaint. The director or worksite manager may then modify the plan accordingly or make a written request for reconsideration through the SHRO Director to the Adjutant General (or designee) for a final decision.
4. **Director or worksite manager** (or their designees) who have an existing document they would prefer to use for logging stand-by calls and work (other than attachment 2) must obtain prior approval from SHRO prior to using such a non-standard log..
5. Prior to beginning stand-by duty, the **supervisor or designee** will provide an employee with copies of K. A. R. 1-5-26 (Attachment 3), the agency's Stand-By policy, the approved reporting log (Attachment 2) and "Agreement for Stand-By Compensation." (See attachment #1). The supervisor will explain those documents and answer any questions from the employee. The supervisor will decide on a reasonable "specified response time" for notification purposes, and enter the response times on the Agreement. When the director approves the Agreement, he/she is also approving the response times.
6. The **employee** and supervisor will sign the agreement followed by the director's signature of approval. The director or supervisor will provide a copy of the signed agreement to the employee and submit the original to SHRO for filing in the employee's official personnel file.
7. The **director or worksite manager** (or designee) will develop a stand-by schedule in compliance with this policy and inform all affected employees. A courtesy copy should be provided to SHRO to aid in checking timesheets and resolving stand-by discrepancies.
8. As employees or positions designated for stand-by change, written notification from the **director or worksite manager** (or designee) is to be sent to SHRO.
9. While on stand-by, **employees** are to keep a "Stand-by Log" (or its approved equivalent) and attach it to their timesheet. The **supervisor**, as with any timekeeping document, will review it for compliance with policy and accuracy; make any necessary corrections and submit it to SHRO.

OPR: Director SHRO

**The Adjutant General's Department
State Employee's Request for Authorization of Overtime**

Name: (Print)

1. This form is to be completed by the employee and supervisor with the understanding that overtime is to be kept to a minimum.
2. Authorization for **overtime (OT)**, whether it is for compensatory time or pay, **must be approved in advance**.
3. *Unless otherwise justified and approved, all overtime will be in the form of compensatory time (comp time.)*
4. Overtime applies to non-exempt staff only.
5. Overtime is defined as time **actually worked in excess of 40 hours** during the workweek. *(Designated firefighting positions 106 hrs/14 day workweek.)*
6. Work weeks begin on Sunday at midnight and run through Saturday.
7. This completed form must be submitted with the respective timesheet.

	<u>Date</u>	<u>Estimate # OT Hours</u>	<u>Purpose & Reason why time cannot be rearranged during the work week.</u>	<u>Preliminary Supervisor's Approval/Date</u>	*	<u>Actual time start OT</u>	<u>Actual time end OT</u>	<u>Total OT hours</u>	<u>Final Supervisor's Approval/Date</u>
1.					*				
2.					*				
3.					*				
4.					*				

If pay is requested the following must be completed and signed.

Justification for pay as opposed to compensatory time:	
Is this consistent with department/unit policy &/or practice?	If not, please explain the departure from policy/practice.
Supervisor Approval/Date:	Fiscal Acknowledgement/Date:

REFERENCES

Fair Labor Standards Act 29CFR 785.33-41

POLICY-*General* Provisions

1. Non-exempt (hourly) State employees of The Adjutant General’s Department (TAGD) will be compensated for travel time in a consistent manner and in compliance with the Fair Labor Standards Act (FLSA). This policy does not pertain to Exempt (salaried) employees.
2. Per the FLSA, employers may choose to compensate employees in a greater manner than that provided for in federal law. Specific agency provisions are designated with ‘(TAGD)’ throughout this document.
3. Supervisors and employees are to keep travel expenditures as cost effective as possible.
4. **During a week in which an employee travels, supervisors should pre-approve a rearranged work schedule in order to avoid overtime if at all possible.**
5. If overtime is unavoidable, the employee and supervisor will complete and submit the regular agency overtime form with the timesheet.

POLICY-*Situational* Provisions

1. **Home to Work Travel.**
 - A. **Normal:** As a general rule, an employee’s time is not considered ‘compensable’ until he reaches the first worksite. Time spent in normal home to work travel and vice versa is not compensable unless the employee is required to meet someone or pick up work materials, in which case work time starts at the meeting place.
 - B. **Emergency*:** When contacted at home and required to travel a substantial distance to perform an emergency job all time spent traveling is compensable.
 - * In order to have some parameters for the definition of ‘emergency’ the following is provided: The situation is unexpected or is a result of an uncontrollable act of nature; and for which urgent, prompt action must be taken and response cannot wait until the next scheduled work day.
2. **Travel To and From Home to Transportation Terminals**
 - A. Employees, both driver and passengers, will be compensated for travel to/from transportation terminals (i.e. airports) depending on the **lesser of: a) the travel time from one’s home to the airport or b) the estimated travel time had one departed from the regular worksite.** (TAGD)

Example 1: An employee who works in Topeka and lives in Lawrence must catch a flight from the Kansas City Airport at 8:00 AM. Since it is shorter to leave from his home in Lawrence than it is from his Topeka worksite, he would be compensated from the time he left home.

Example 2: An employee who works in Topeka and lives in Manhattan must catch a flight from the Kansas City Airport at 8:00 AM. Since the distance from her worksite (Topeka) to the airport is less than from her home (Manhattan), she may leave from home but will only be compensated for the amount of time it would have taken her had she left from Topeka.
 - B. Employees are not authorized to arrive at an airport terminal more than two (2) hours prior to the departure of their flight (TAGD).

3. Out-of-Town Travel.

A. *Same Day:*

- 1) If an employee is required to travel and return in one day, all travel time is compensable with the *exception* of mealtimes and 'ordinary home-to-work.'** This applies to both the driver and passenger. (TAGD)

** If it is more feasible for an employee to travel from home rather than report to their regular worksite first, the employee may leave from home if authorized by their supervisor.

In those cases, employees will be compensated for the amount of time which is the lesser of: a) the travel time from home to the destination or b) the estimated travel time had the employee departed from the regular worksite. (TAGD)

Example 3: An employee's worksite is Topeka; she lives in Lawrence and is required to attend a meeting in Kansas City. Since it is more feasible for the employee to leave from Lawrence her supervisor approves her leaving from home and being compensated for the travel time from Lawrence to Kansas City since it takes less time to reach Kansas City from Lawrence than it does Topeka.

Example 4: An employee lives in Kansas City, his regular worksite is Topeka and he is required to attend a meeting in Manhattan. His supervisor determines that it is more feasible for him to leave from home. Since it is a shorter distance from Topeka to Manhattan than Kansas City to Manhattan, the employee would be compensated for the estimated time it would normally take someone to travel from his Topeka worksite to Manhattan.

B. *Overnight:*

- 1) All time spent traveling by employees are compensable even on non-regular workdays with the following exceptions: (TAGD)
 - a. Scheduled layovers falling outside the individual's regular work hours for which he/she is able to leave the transportation terminal and pursue personal interests.
 - b. Meal breaks based on the individual's regular schedule.
 - c. Unscheduled flight delays at the end of the day greater than two hours. Within the two hour delay period an employee must determine whether to rebook the next day and stay in a hotel or stay at the airport overnight in a non-pay status.
- 2) Time spent in non-travel or non-work activities is not compensable.

Example E5: An employee travels Sunday for a conference that begins at 1:00 PM Monday. The employee would be compensated for travel time on Sunday, but would not be compensated on Monday until 1:00 PM. as the employee was free to pursue activities of her own interest Monday morning. *(Unless the supervisor had **pre-authorized** the employee to perform work for which the supervisor confirms a work product.)*

Example E6: A conference ends at noon on Tuesday and the employee's flight leaves at 7 PM. It takes 15 minutes to arrive at the airport and the employee needs to be there two (2) hours early to go through airport security and board. The employee would not be compensated from noon until 4:45 PM as he was free to pursue activities of his own interest from noon to 4:45 PM. *(Unless the supervisor had **pre-authorized** the employee to perform work for which the supervisor confirms a work product.)*

- 3) Lost Luggage: Employees may be compensated up to one (1) hour for waiting for lost luggage.

C. *Private Automobile Use:*

If public transportation (i.e. air flight) is available but an employee requests, and is approved, to drive a private vehicle, the compensable work hours are the lesser of: a) time actually spent driving the car or b) the hours that would have been compensable had the employee used public transportation.

PROCEDURES

The following procedures are designed to more efficiently check and process timesheets, provide for consistency in time reporting and ensure that all employees are appropriately compensated in accordance with agency policies, and State and Federal regulations.

1. For **same day travel**, employees are to note on their timesheet the beginning and ending work times if different than their regular work hours for that particular day.
2. For **overnight travel**, employees are to attach to their timesheet a copy of their:
 - A. Travel Payment Voucher DA-125*
 - B. Flight Itinerary to the timesheet*

*Unforeseen issues, such as flight delays of 30 minutes or more should be noted on the Flight Itinerary or travel payment voucher and initialed by the immediate supervisor.

3. During periods of travel, the immediate supervisor is required to sign the timesheet, verify and initial the itinerary and work hours**. This is particularly important when an employee has been on an overnight trip and the supervisor has pre-approved the employee to perform work during non-travel or non-attendance periods. (See example in Section '3B 2' in the Policy section.)

**If the immediate supervisor is not available to sign and initial the physical documents, he/she may submit them by email or fax to the State Human Resource Office (SHRO) with their approval.
4. If employees travel together, the names of the traveling companions are to be noted on the timesheets or Travel Payment Vouchers (DA-125) in order to ensure they are similarly compensated
5. Any exceptions to this policy may be requested and approved by the SHRO Director. The merits of which will be taken on a case-by-case basis.

**GUIDANCE &
DISCIPLINE**

Threats & Violence

REFERENCES

Secretary of Administration Memorandum 1-21-97

POLICY

The safety and security of employees and visitors is of utmost importance to The Adjutant General's Department. Threats, threatening behavior, acts of violence against employees or any related conduct which disrupts another's work performance or the organization's ability to execute its mission, will not be tolerated.

PROCEDURES

1. Any person who makes threats, exhibits threatening behavior, or engages in violent acts on The Adjutant General's Department's premises, may be removed from the premises as quickly as safety permits, and may be ordered to remain off The Adjutant General's Department's premises pending the outcome of an investigation.
2. Off-site threats of violent behavior are also covered by this policy. This includes, but is not limited to, threatening or violent behavior executed off agency premises but directed at state employees or members of the public while conducting official state business; and threats made via telephone, fax, electronic or conventional mail or any other communication media. Person(s) involved in these acts may also be relieved of duty pending the outcome of an investigation.
3. Violations of this policy will lead to disciplinary action of employees which may include, but are not limited to, suspension or termination of employment, and/or criminal prosecution. In addition, if the source of the violation is a non-employee, the response may include, but would not be limited to, barring the person(s) from agency premises, termination of any business relationship, and/or criminal prosecution.
4. All Adjutant General's Department state employees are responsible for notifying the agency (worksites) representative of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Even without an actual threat, employees should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on agency premises, or is connected to agency employment. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threaten or were the focus of the threatening behavior. If the designated agency (worksites) representative is not available, employees should report the threat to their supervisor or another member of the management team.
5. All individuals who apply for, or obtain, a protective or restraining order which lists agency locations as being protected areas, must provide to the designated agency (worksites) representative a copy of the petition and declarations used to seek the order, copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.
6. The Adjutant General's Department understands the sensitivity of this information and will protect the confidentiality of the reporting person(s) to the greatest extent possible.

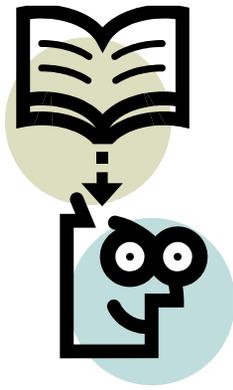
The designated agency (worksites) representative is:

Name: Dee Lowe
Title: Director, OSHR
Location: State Defense Building - Topeka
Telephone: (785) 274-1393; DSN 83-720-8393

EFFECTIVE DATE: 6/98

OPR: Director of OSHR

New: 6/98



TAG Policies



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCES HEADQUARTERS KANSAS
2800 SOUTHWEST TOPEKA BOULEVARD
TOPEKA, KS 66611-1287

JFHQ-KS-TAG

5 November 2004

MEMORANDUM FOR All KSNG Members and Employees Assigned to the SDB

SUBJECT: SDB Smoking Policy

1. The purpose of this policy is to establish the designated smoking area for the State Defense Building. Since 6 May 1992, all interior space of Kansas National Guard workplaces have been designated smoke free to include cigarettes, cigars, snuff, and chewing tobacco.
2. Specific guidance regarding designating smoking areas can be found in NGR 600-3 (KSARNG) or AFI 40-102 (KSANG). Effective 1 December 2004, smoking will be limited to the loading dock in the southeast corner on the lower level of the building. This area is not a common point of access to and from the building and affords protection from the elements.
3. Because people are the most valuable asset in the Kansas National Guard/Adjutant General's Department, assistance is available for Federal Employees through the Employee Assistance Program. Ms Karen Morrow is the POC and can be reached at DSN 720-8170 or Coml (785) 274-1170. AGR members can contact any Active Duty Medical Treatment Facility or Ms Dottie Clark at DSN 720-8185 or Coml (785) 274-1185 for enrollment or eligibility information. State employees/Kansas residents can contact the Kansas Tobacco Use Prevention Program, "KANSTOP", which provides toll-free access to trained tobacco cessation counselors at no charge. 1-866-KAN-STOP or website: www.Kanstop.org.
4. For employees who continue to smoke; smoke breaks will be part of the regular break policy. Supervisors are responsible for the proper administration of all breaks, to include smoke breaks.
5. This policy supersedes TAG Smoking Policy dated 1 April 1992.


TOD M. BUNTING
Major General (KS), KSNG
The Adjutant General

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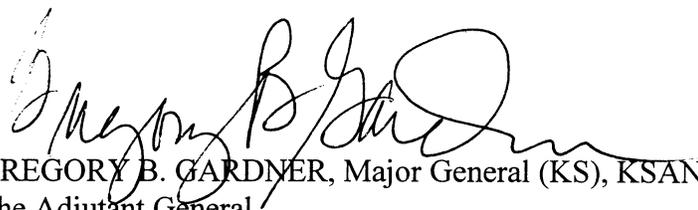
TAG

1 June 2000

MEMORANDUM FOR All KSARNG Commanders

SUBJECT: TAG Policy Letter No. 2, Appointment of Unit Public Affairs Representative (UPAR) and Use of Armory Funds

1. Unit Public Affairs Representatives (UPARs) will be appointed from each KSARNG unit. They are to reach out to as many Kansas communities and leaders as possible to offer assistance, let them know what we do, and foster positive relationships. They will accomplish this by organizing events, developing relations with local community leaders, contacting local media, writing stories and taking photographs when necessary. They will also provide stories and photographs to be published in the Plains Guardian.
2. For them to provide this service, the UPARs must have supplies. It is my policy that cost of film and cost of developing may be purchased from the armory funds..
3. This letter supersedes Command Policy Letter No. 14, Armory Funds, dated 1 June 1987.


GREGORY B. GARDNER, Major General (KS), KSANG
The Adjutant General

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DEPARTMENTS OF THE ARMY AND THE AIR FORCE
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2800 SOUTHWEST TOPEKA BOULEVARD
TOPEKA, KS 66611-1287

JFHQ-KS-TAG

19 June 2007

MEMORANDUM FOR See Distribution

SUBJECT: TAG Policy Letter No. 3, Drug and Alcohol Abuse

1. Substance abuse is incompatible with military service. The Kansas National Guard will be a drug-free organization. All soldiers and airmen are subject to random drug testing.
2. Commanders are responsible for unit participation in the drug testing program. An active, aggressive drug testing program conducted on a regular and consistent basis serves as an effective deterrent to drug abuse. It also provides a safe training environment. Commanders will follow appropriate Army and Air regulations, instructions and directives for the testing of soldiers and airmen.
3. Soldiers and airmen who test positive for illicit drugs are subject to disciplinary action and/or processed for separation of the Kansas National Guard. Soldiers and airmen who are alcohol impaired will be subject to disciplinary action.
4. Commanders will conduct substance abuse resistance training. Training will include information and the location of professional help for those needing evaluation and treatment for drug and alcohol problems. The Drug Demand Reduction section and Social Actions and Human Resources Office employees will be able to assist those individuals with an identified substance abuse problem.
5. Drug and alcohol abuse by Kansas National Guard members can seriously damage physical and mental capabilities and jeopardize an individual's safety. It can also jeopardize the safety of others and is detrimental to the good order, discipline and readiness of the National Guard.
6. This memorandum updates Command Policy Letter No. 3, dated 26 February 2004, and will be posted at all units.

TOD M. BUNTING, Major General, KSNG
The Adjutant General

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TAG

29 May 2002

MEMORANDUM FOR See Distribution

SUBJECT: TAG Policy Letter No. 4, Use of Federal Equipment to Support Community Relations and Domestic Action Programs

1. Over the years, the Kansas National Guard has been a strong supporter of community organizations and events. We have traditionally supported our community organizations through the loan of equipment such as water buffalos, tents, trailers, and other material. In the estimation of our leadership, this has been a key element in maintaining the unique bond between the National Guard and the citizenry we serve.

2. With the enactment of the Joint Ethics Regulation (JER), the Army Regulations (AR) and Air Force Manuals (AFMAN) were changed to reflect the new guidance imposed by Congress. This guidance, found in AR 700-131, dated 1 September 1996 and in AFMAN 23-110 dated 1 April 2001, specifies how we must deal with the loan of federal equipment. The Adjutant General or his representatives can no longer authorize the usage of military equipment by civilian organizations without proper documentation to include a lease agreement. In addition, it requires that an amount be charged to the organization, which includes government entities, and that the charge is commensurate with local rental rates. We must not compete with local merchants who are in the lease and rental business.

3. This means that there are few situations where we can provide military equipment for community activities or events without a lease agreement and remuneration. The following guidance is provided for commanders and full-time support personnel of the Kansas Army and Air National Guard.

a. Requests for the use of federal equipment by law enforcement agencies and governmental units charged with the safety and well being of our citizens will be directed to the Plans, Operation & Military Support Officer (POMSO) for the Kansas Army National Guard and the Executive Support Staff Officer (ESSO) for the Kansas Air National Guard. They will make the appropriate determination regarding the loan or lease of such equipment. They will then forward requests to the United States Property & Fiscal Office (USP&FO) for Kansas to enact the required loan or lease agreements and remuneration.

b. Requests for the use of federal equipment by community based organizations, military support organizations, scouting organizations and subordinate elements of local governments which do not have ramifications regarding public safety and the duties of law enforcement, should be evaluated and actions taken in accordance with guidance below.

TAG

SUBJECT: TAG Policy Letter No. 4, Use of Federal Equipment to Support Community Relations and Domestic Action Programs

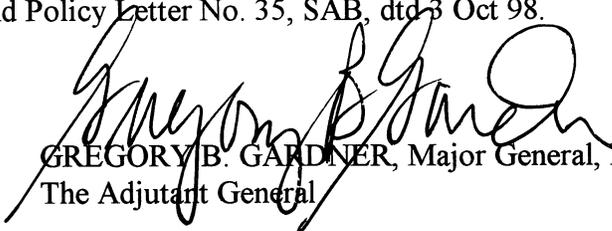
(1) If the request is considered viable by the local commander it may be supported utilizing recruiters and full-time unit support personnel as a strength improvement activity. In such cases, the equipment being utilized must remain under the care, custody and control of the Kansas National Guard at all times.

(2) If the request for support can be utilized as a valid training activity for the unit, it should be evaluated under KS SOP 360-61/KANGI 10-8021, Public Affairs, Civil-Military Innovative Readiness Training. Requests will be submitted through command channels to the Community Support Advisory Council (CSAC) for approval. If the training activity will use less than 100 man hours, the local commander has the authority to submit the request to the CSAC for validation. Point of Contact (POC) is the Secretary to the General Staff (SGS).

(3) Requestors should be strongly encouraged to use their own resources. When commercial sources are available, it will be noted in the command response to the request. In some cases, this will absolutely preclude our ability to provide any support. We can only provide equipment that is not immediately required to support the ongoing mission of the Kansas National Guard or any other element of the Department of Defense. When a request is received from an organization, which cannot be supported as above, it should be forwarded through the appropriate headquarters to the Adjutant General of Kansas, ATTN: Chief of Staff, for the Army National Guard, or ATTN: ESSO, for the Air National Guard. In coordination with the USP&FO for Kansas, The Chief of Staff or ESSO will determine if a lease agreement can be entered into in accordance with the appropriate regulations. If so, the USP&FO will action the appropriate agreements and determine the proper remuneration. If not, the Chief of Staff or ESSO will respond to the requesting agency on behalf of The Adjutant General and delineate the reasons why the request cannot be honored.

4. This matter is of the utmost concern to the Adjutants' General and United States Property & Fiscal Officers nationwide. The interpretation of the JER and the new guidelines of the Army and Air Force have seriously curtailed the access of the public to National Guard equipment. When fielding public concerns regarding our inability to fulfill an organization's request, please let them know that we must follow current laws and regulations. POCs at this office regarding this guidance are the Chief of Staff, Kansas Army National Guard and the Executive Support Staff Officer, Headquarters, Kansas Air National Guard.

5. This letter supersedes Command Policy Letter No. 35, SAB, dtd 3 Oct 98.


GREGORY B. GARDNER, Major General, KSANG
The Adjutant General

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TAG

24 June 2002

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TAG Policy Letter No. 5, Security Precautions for General Officers

1. The security procedures for General Officers are a matter of concern worldwide as a result of increased terrorist activities. While the attitudes of our communities across our State is positive relative to the military in general, precautions are a necessity in meeting and maintaining our objectives for mobilization and readiness.

2. Commanders and supervisors at all levels must be aware of the need for certain precautions with regard to General Officers. Protocol officers, General Officer execs and aides, Command Sergeants Major, Command Chief Master Sergeants and drivers will place particular precautions, when and where applicable, in the display of General Officer auto flags and star plates. Instances that require immediate attention are:

a. General Officer auto flags and star plates for military sedans and aircraft are to be displayed on military installations only. Upon entering a military installation, the sedan driver will stop the vehicle and display the appropriate auto flag or star plate and then proceed to the General Officer's destination. Upon departure from the military installation, the driver will stop at the gate or exit to remove the auto flag or star plate. Star plates for aircraft will be displayed only on take-off and landing at a military installation.

b. General Officers' itineraries will be provided on a "NEED TO KNOW" basis only.

c. Protocol officers, General Officer execs and aides, Command Sergeants Major, Command Chief Master Sergeants and drivers will ensure that this policy is enforced.

3. The purpose of this policy is to ensure the safety, in as much as possible, of the General Officer and ensure the understanding of requirements and policy of The Adjutant General.

4. This letter supersedes Command Policy Letter No. 8, Subject as above, dtd 1 Jun 87.


GREGORY B. GARDNER, Major General, KSANG
The Adjutant General

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TAG

25 February 2004

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TAG Policy Letter No. 6, General Services Administration (GSA) Vehicles

1. GSA vehicles are National Guard Bureau (NGB) controlled items that will not be replaced until age and mileage have been exceeded (i.e., 12 years and 120,000 miles for buses, 4 years or 60,000 miles for sedans, etc.) The users must help to keep these vehicles in good shape or the vehicles will not be available for use.

2. GSA vehicles will be carefully controlled, supervised and monitored by commanders and supervisors at all levels. At no time will GSA vehicles be abused.

a. GSA vehicles are for "**Official Use Only**". No vehicles will be used for other than National Guard missions and operations without prior permission of the Chief of Staff.

b. Transportation requirements will be consolidated at all levels of command. It is not cost effective to have several vehicles going to the same location for the same event. It is not cost effective to lease buses from a commercial source if we do not fill all available buses to capacity.

c. GSA vehicles will be used for their intended purpose. Buses are not cargo trucks. Buses will carry personnel only. All equipment or baggage should be transported by truck. Sedans will not be overloaded.

d. All GSA vehicles (except 4WD) are to be operated on hard surface or county maintained roads only. GSA vehicles are not permitted on dirt roads in training areas or on tank trails. Any damage incurred while off of hard surface is negligence and will require a report of survey.

e. GSA vehicles will be returned to the Temporary Motor Pool (TMP) cleaned (inside and out) and fueled. Vehicle interior cleanliness is an operator responsibility and cannot be charged on a GSA credit card. Exterior washes are limited to two per month at the lowest price available and may be charged on a GSA credit card.

f. Requesting and scheduling of GSA vehicles will be accomplished at the earliest possible time. Once a vehicle has been requested, commanders will ensure that it is picked up on time, returned on time, and cancelled if not needed, so that full utilization of assets may be accomplished.

TAG

SUBJECT: TAG Policy Letter No. 6, General Services Administration (GSA) Vehicles

g. Any incident that involves damage to GSA vehicles must be reported. Any incident that involves a civilian, negligence, or the possibility of negligence must have a report of survey initiated immediately.

h. Federal Property Management Regulation 101-39.300(D) prohibits the use of tobacco products in GSA vehicles.

i. Federal Property Management Regulation 101-39.300(C) requires all drivers and occupants to wear seat belts whenever vehicle is in operation.

j. General Services Administration, FMR Bulletin B-2, discourages the use of hand held wireless phones by the driver while operating any motor vehicle owned or leased by the Federal Government. The use of a hands free accessory or device for the cell phone may be used.

3. This letter supersedes Command Policy Ltr No. 6, General Services Administration (GSA) Vehicles, dated 24 June 2002.


TOD M. BUNTING, Maj Gen (KS), KSNB
The Adjutant General

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JFHQKS-TAG (200-1)

26 September 2007

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TAG Policy Letter No. 7, Kansas Army and Air National Guard Environmental Policy

1. I am committed to environmental leadership in all of our activities. This Environmental Policy is based on our commitment to being a good steward by providing a clean and safe environment in our communities throughout Kansas. We must ensure a safe and healthy workplace for our military and civilian staff by complying with all applicable environmental laws and regulations. We can sustain readiness and efficiently accomplish our mission by leveraging our resources while reducing material procurement, waste management costs and liabilities.
2. Kansas Army and Air National Guard units and facilities are committed to continual environmental improvement through preventing pollution, obtaining training, complying with all applicable environmental laws and regulations, and bringing deficiencies to the attention of their Commander or Supervisor. Environmental management procedures will be developed and followed in order to improve and monitor our overall environmental performance and to set and review overall environmental objectives and targets.
3. The Kansas Army and Air National Guard will work closely with federal, state, and local environmental regulatory agencies and other interested parties in order to meet all environmental compliance requirements, but also communicate our commitment to sustained environmental quality and improvement to the citizens we serve.
4. Environmental stewardship is the responsibility of every member of the Kansas Army and Air National Guard. Preventing pollution provides us with an opportunity to increase our stewardship of the environment in which we live, work, and play.
5. This memorandum updates TAG Policy Letter #7, dated 3 June 2005.


TOD M. BUNTING, Major General, KSNG
The Adjutant General

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JFHQS-TAG

28 September 2007

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TAG Policy Letter No. 8, Kansas Army National Guard Qualified Recycling Program (QRP) Instructions

1. Recycling turns materials that would have been thrown away into valuable resources that generate a wide range of environmental and financial benefits, including reducing waste disposal costs. Through recycling, we conserve our natural resources, prevent pollution, and reduce the need for new landfills. This is an important and easy way for all of us to contribute to the protection of our environment, and the citizens of Kansas.
2. Recycling of reusable materials by Army activities is required by Army Regulation (AR) 200-1 and DoD Instruction 4715.4, and is a cornerstone of sound environmental stewardship as outlined in the TAG Policy Letter No. 7, Kansas Army and Air National Guard Environmental Policy, dated 26 September 2007.
3. I am committed to ensuring that all Kansas Army National Guard (KSARNG) activities recycle paper, cardboard, and scrap metals to the greatest extent possible, and am establishing a KSARNG Qualified Recycling Program (QRP) with the following goals:
 - a. To divert or recover reusable materials from waste streams, and
 - b. To identify and properly segregate the materials to maintain their recycling potential.
4. All KSARNG units, facilities, and activities will comply with the following requirements:
 - a. Aircraft and vehicle maintenance activities (AASFs, FMSS, CSMS, MATES, RTS-M, RSMS-Riley, RSMS-Salina, A-TEAM) will continue to collect scrap metal in proper containers and recycle those through the USPFO Warehouse.
 - b. The State Defense Building Complex (Topeka) and the Kansas Training Center (Salina), as well as the AASFs, FMSS, and RSMS-Salina will properly segregate and collect white paper, mixed paper (newspaper, magazines, etc), and cardboard and recycle those materials through the USPFO Warehouse. KSARNG tenant activities at Fort Riley (the Camp Funston Training Area (CFTA), MATES, A-TEAM, RSMS) and at Fort Leavenworth should recycle paper and cardboard through their respective installation's recycling program. These tenant activities should obtain receipts or other records showing how much paper and cardboard

JFHQKS-TAG

SUBJECT: TAG Policy Letter No. 8, Kansas Army National Guard Qualified Recycling Program (QRP) Instructions

were recycled and submit them to the USPFO Warehouse, ATTN: Recycling Manager, within five (5) business days to ensure that required tracking of recycled materials is accomplished.

c. All other activities may choose to transport their recyclable materials to their supporting FMS for recycling, or recycle materials locally through a local recycler. If activities choose to recycle locally, the following requirements apply:

(1) A receipt or other document showing the type and amount of material recycled must be obtained from the recycler. A copy should be submitted to the USPFO Warehouse, ATTN: CW4 Shafer, within five (5) business days to ensure that required tracking of recycled materials is accomplished.

(2) Activities are prohibited from receiving money (or any other type of compensation) from recyclers. This does not apply to the recycling of aluminum cans, which is permitted at the local level.

5. Proceeds from the materials recycled through the USPFO Warehouse will be handled in accordance with DoD QRP guidelines. These proceeds will be used for purchasing equipment and other materials required ensuring the continued operation of the recycling program. Of the remaining balance, up to 50% may be used to fund other environmental projects with the remainder expended that will directly benefit the facilities and units through Morale, Welfare, and Recreation (MWR) type projects.

6. This memorandum updates TAG Policy Letter #8, dated 18 November 2003.

7. The POC for this program and all other environmental issues is MAJ Anthony Randall, Environmental Program Manager, at (785) 274-1151, anthony.randall@us.army.mil.



TOD M. BUNTING, Major General, KSNG
The Adjutant General

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JFHQKS-TAG

15 October 2009

MEMORANDUM FOR: All Title 32 Technicians of the Kansas Army National Guard and Kansas Air Guard

SUBJECT: TAG Policy Letter No. 9, Equal Employment Opportunity (EEO) Policy for the Kansas National Guard

1. Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in employment based on race, color, religion, gender, national origin, age (over 40), or handicap condition (physical and/or mental). This act will be strictly enforced throughout the Kansas National Guard.
2. My policy on discrimination is clear and unequivocal. Every employee of the Kansas National Guard, both military and civilian, will be provided equal treatment in all facets of their employment. Conduct which violates this policy is outlined in NGR (AR) 690-600/NGR (AF) 40-1614. It is unlawful to discriminate against an individual or group based on their race, color, religion, sex (gender), national origin, age, or physical or mental handicap.
3. Questions regarding complaints may be addressed with your supervisor, an EEO Counselor or you may contact the State Equal Employment Manager or the Equal Employment Opportunity Specialist at (785) 274-1166 or (785) 274-1168.
4. This policy letter supersedes the previous TAG Policy letter No. 9 dated 21 September 2007. This policy letter will be posted on all unit/organizational bulletin boards.


TOD M. BUNTING, Major General, R.SNG
The Adjutant General

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15 October 2009

MEMORANDUM FOR: All Members and Employees of the Kansas Army National Guard and Kansas Air National Guard

SUBJECT: TAG Policy Letter No. 10, Equal Opportunity (EO) Policy for the Kansas National Guard

1. I am committed to providing a work environment that is free from illegal discrimination and harassment for the soldiers, airmen and all employees of the Kansas National Guard to include their families.
2. It is my policy not to condone or tolerate unlawful discrimination or sexual harassment within the Kansas National Guard. It is unlawful to discriminate against an individual or group because of their race, color, national origin, religion or gender.
3. I expect leaders, at all levels, to view equal opportunity as an essential foundation upon which to build readiness. Each command must have the appropriate personnel appointed and trained as their Brigade Equal Opportunity Advisor (EOA), Unit Equal Opportunity Leader, and Wing Equal Opportunity Officers.
4. I expect commanders to establish and maintain an active equal opportunity program within their commands. Commanders will conduct required annual climate assessments and training in accordance with their regulatory guidelines.
5. It is my goal to establish an affirmative action plan/program to guarantee equal opportunity in recruiting, hiring, training, assigning, rewarding, promoting, disciplining and separating our Guard members.
6. Questions regarding complaints may be addressed with your supervisor, an EO Representative, or you may contact the State Equal Employment Manager or the Equal Employment Opportunity Specialist at (785) 274-1166 or (785) 274-1168.
7. This policy letter supersedes the previous TAG Policy letter No. 10 dated 21 September 2007. This policy letter will be posted on all unit/organizational bulletin boards.


TOD M. BUNTING, Major General, KSNG
The Adjutant General

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15 October 2009

MEMORANDUM FOR: All Members and Employees of the Kansas Army National Guard and Kansas Air National Guard

SUBJECT: TAG Policy Letter No. 11, Sexual Harassment Policy for the Kansas National Guard

1. All Kansas National Guard personnel are entitled to work in an environment free from sexual harassment. Ensuring a working environment that is free of any form of sexual harassment is both an individual and a corporate responsibility at every level of supervision and command. My policy is "Zero Tolerance".
2. Military members that feel they have been sexually harassed should report such conduct through their chain of command, their Unit Equal Opportunity personnel or to the State Equal Employment Manager.
3. Technicians that feel they have been sexually harassed should report such conduct to an Equal Employment Opportunity (EEO) Counselor or the State Equal Employment Manager.
4. I expect complaints to be expeditiously, fairly, and thoroughly addressed and immediate, appropriate, corrective action will be taken against military members and employees engaging in sexual harassment. I will not tolerate retaliation against individuals who report sexual harassment.
5. If you have questions, contact the State Equal Employment Manager or Specialist at (785) 274-1166 or (785) 274-1168.
6. This policy letter supersedes the previous TAG Policy letter No. 11 dated 21 September 2007. This policy letter will be posted on all unit/organizational bulletin boards.


TOD M. BUNTING, Major General, KSNG
The Adjutant General

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26 February 2004

MEMORANDUM FOR All Members of the Recruiting Staff of the Kansas Army and Air National Guard

SUBJECT: TAG Policy Letter No.12, Recruiting Tour Renewals

1. In order to maintain a viable Kansas National Guard it is important that we have the best recruiting personnel in place to ensure we maintain our military strength. The most important purpose of the recruiting staff is to provide TAG and commanders with quality personnel resources to fill critical positions and vacancies.
2. The objective of recruiting is to fill all military positions at 100 percent; priority is given to fill critical positions that impact the ability to perform wartime taskings. Additional resources have been provided recruiting staff when requested to make the recruiting process more productive. Unfortunately, strength numbers indicate that even with the addition of resources the numbers in Kansas have not significantly increased.
3. The Executive Support Staff Officer (ESSO) for the Air Guard and the Chief of Staff (COS) for the Army Guard, acting for the Adjutant General, are ultimately responsible for the oversight of the recruiting and retention programs. Therefore, a summary of each recruiter's activities/production with the supervisor's recommendation will be submitted to the ESSO/COS prior to extension/renewal of every AGR tour. This information will be used by the ESSO/COS to provide a final determination for length of tour extension/renewal.
4. It is my goal to establish the best recruiting staff for the Kansas National Guard. This initiative will help us meet the strength challenges we face in the years ahead and to keep the Kansas National Guard relevant.

Tod M. Bunting
TOD M. BUNTING, Maj Gen (KS) KSNB
The Adjutant General

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19 June 2007

MEMORANDUM FOR See Distribution

SUBJECT: TAG Policy Letter No. 13, Urinalysis Testing of AGR Personnel

1. LAW DOD directive 1010.0, D (2) (b), every soldier will test annually. The Substance Abuse Office will select dates for AGR testing to accomplish this directive.
2. Dates elected for AGR testing may be drill weekend, annual training or any other normal duty day for the selected AGR soldier or group of soldiers. When drill weekends are selected, the AGR soldiers may be tested in addition to or in lieu of normal random testing for their units. During drill weekend, AGR soldiers are specifically selected because of the AGR status, not by random sampling as part of their unit. They will appear on a separate DD Form 2624 and will be accompanied with special instructions.
3. Unit Commanders will report by memorandum to the Alcohol and Drug Control Officer (ADCO) which AGR soldiers listed on the DD Form 2624 were not tested. They will cite the justification for not having the soldier's sample collected. When AGR soldiers are selected as a part of the unit's normal random selection, they will be tested as a part of the unit regardless of whether or not they have been tested previously and will also be subject to an unannounced AGR testing as well.
4. When an AGR soldier is selected for testing other than on drill weekend, the collection may be done by trained local unit personnel or by Substance Abuse personnel. These tests will be unannounced and will be conducted randomly.
5. POC's are SSgt John Fagan, Substance Abuse Prevention Program Manager, or LTC Brian Sholar, State Alcohol and Drug Control Officer, at 785-861-3936. The mailing address is Kansas National Guard Counter-Narcotics Program, P.O. Box 19012, Topeka, KS 66619-0012.
6. This policy supersedes the previous TAG Policy Letter No. 13, Urinalysis Testing of AGR Personnel, dtd 26 Feb 04.

TOD M. BUNTING, Major General, KSNG
The Adjutant General

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JFHQKS-TAG

21 September 2007

MEMORANDUM FOR: All Members and Employees of the Kansas Army National Guard and Kansas Air National Guard

SUBJECT: TAG Policy Letter No.14, Diversity Policy for the Kansas National Guard

1. America's demographics are rapidly changing. The Kansas National Guard must mirror the diversity of our community's and Kansas as a whole. My intent is that all soldiers and airmen embrace diversity, because it's the right thing to do. I direct all commanders and staffs to continually energize their efforts and ensure unit participation in diversity and mentoring. Now is the time to diversify and enhance our mission capability and readiness.
2. The Kansas National Guard is made great by our people. Our challenge is to capitalize on the changing demographics in our society by valuing ethnic and cultural differences, as well as similarities. Embracing diversity better enables us to recruit, mentor, retain and promote the best talent to achieve our goals. Our dedication to diversity will foster dignity and respect, while providing continuity with Army and Air Force values.
3. The foundation of a successful diversity program must include:
 - a. Allocating resources to leverage the potential of diverse communities
 - b. Recruiting members from diverse communities
 - c. Retaining a diverse force through team building and mutual respect
 - d. Fostering mentorship and training to develop our soldiers
 - e. Monitoring and assessing progress through clear expectations, accountability, evaluation and recognition
4. Questions regarding diversity may be directed to the State Diversity Initiatives Coordinator, MAJ Monte C. Weathers at 785-274-1166 or DSN 720-8166.
7. This policy letter supersedes the previous TAG Policy letter No. 14 dated 17 July 2006. This policy letter will be posted on all unit/organizational bulletin boards.


TOD M. BUNTING
Major General, KSNG
The Adjutant General

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6 May 2009

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TAG Policy Letter #15 UPDATED, Tobacco Free Workplace Policy

1. The purpose of this policy is to restate the Smoke Free Environmental Policy for the Kansas National Guard. Since 6 May 1992, all interior space of Kansas National Guard workplaces have been smoke free to include cigarettes, cigars, snuff, and chewing tobacco.
2. Specific guidance for implementing designated smoking areas can be found in NGR 600-3 (KSARNG) or AFI 40-102 (KSANG). Commanders should review governing directives for compliance.
3. Because people are the most valuable asset in the Kansas National Guard, assistance is available for Federal Employees through the Employee Assistance Program. The HRO ERS Branch Chief is the POC and can be reached at DSN 720-8170 or Com1 (785) 274-1170. AGR members can contact any Active Duty Medical Treatment Facility or the AGR Tricare Manager at DSN 720-8185 or Com1 (785) 274-1185 for enrollment or eligibility information. Assistance is also available for State Employees through the Employee Assistance Program, HealthQuest. State Employees can contact HealthQuest directly at 1-888-275-1205 or the SHRO personnel at (785) 274-1391/1392 for enrollment or eligibility information.
4. For employees who continue to smoke; smoke breaks will be part of the regular break policy. Supervisors are responsible for the proper administration of all breaks, to include smoke breaks.
5. This policy supersedes TAG Policy Letter #15, SAB, dated 5 Nov 04.

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TOD M. BUNTING, Major General, KSNG
The Adjutant General



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JFHQ-KS-TAG

19 January 2005

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TAG Policy Letter #16, National Flag at Half Staff during Memorial Ceremonies

1. Reference Army Regulation 600-25, Appendix B, Salutes, Honors and Visits of Courtesy, dated 1 September 1983, and FORSCOM Policy letter dated 05 January 2004.
2. Referenced regulation provides guidance concerning the flying of the National Flag at half staff on military installations where the funeral or death of a soldier occurs. Missing is regulatory specific guidance for units having memorial ceremonies for their soldiers who have died and whose funeral is conducted elsewhere. The referenced policy letter provides specific guidance on this issue.
3. The Adjutant General of Kansas or his designee will notify the units required to fly the National Flag at half staff for their soldiers who died in the line of duty. Unit locations designated to fly the National Flag at half staff will be determined on a case by case basis. The National Flag will fly at half staff at the designated locations from sunrise on the day of the funeral until the last volley is fired over the casket.
4. By flying our National Flag at half staff during memorial ceremonies, we honor our brave men and women who have made the ultimate sacrifice for their country.


TOD M. BUNTING, Major General (KS), KSNG
The Adjutant General

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23 November 2009

MEMORANDUM FOR Employees of the Adjutant General's Dept and Members of the KS National Guard

SUBJECT: TAG Policy Letter #17, Electronic Communications Device Use While Driving in Performance of Duty

1. This policy applies to all employees of the Adjutant General's Department and members of the Kansas National Guard.
2. Hand-held Equipment Guidance:
 - a. While driving in the performance of duty, employees will not, under any circumstance, use a hand-held cellular phone (personal or agency issued), Blackberry or other communications device. Use of these devices includes talking, reading or replying to text messages.
 - b. While driving any type of Government owned vehicle, to include tactical vehicles, use of a hand-held cellular phone (personal or agency issued), Blackberry or other communications device is prohibited. Use of these devices includes talking, reading or replying to text messages.
3. Hands-free Equipment Guidance:
 - a. While driving in the performance of duty, employees will not, under any circumstance, use a hands-free cellular phone (personal or agency issued), Blackberry or other communications device. Use of these devices includes talking, reading or replying to text messages.
 - b. While driving any type of Government owned vehicle, to include tactical vehicles, Kansas Adjutant General Department employees will be required to quickly respond to incoming calls with a short response advising that the call will be continued once the driver can safely stop and park the vehicle. Drivers will not utilize agency provided hands-free equipment to initiate calls while driving. Drivers will not read or respond to text messages while driving.
4. Violation of this policy may result in disciplinary and/or adverse action, IAW appropriate guidance, which may result in termination.
5. While this policy technically covers employees while on duty, or in the performance of duty related activities (which, for AGR personnel is seven days a week, 24 hours a day), I strongly urge you to practice this policy at all times. The safety of each employee, as well as your family's safety and well-being, cannot be overstated.
6. This policy letter supersedes the previous TAG Policy letter No. 17 dated 24 February 2005.

A handwritten signature in black ink that reads "Tod M. Bunting".

TOD M. BUNTING, Major General, KSNG
The Adjutant General



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JFHQKS-TAG

17 June 2005

MEMORANDUM FOR All Kansas National Guard Employees

SUBJECT: TAG Policy Letter #18, Workplace Violence

1. It is The Adjutant General's policy to promote a safe environment for employees of the Kansas National Guard. The Department is committed to working with its employees to maintain a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. While this kind of conduct is not pervasive at our agency, no agency is immune. Every agency will be affected by disruptive behavior at one time or another.

2. Violence, threats, harassment, intimidation, and other disruptive behavior in our workplace will not be tolerated; that is, all reports of incidents will be taken seriously and will be dealt with appropriately. Such behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal penalties, or both.

3. We need your cooperation to implement this policy effectively and maintain a safe working environment. Do not ignore violent, threatening, harassing, intimidating, or other disruptive behavior. If you observe or experience such behavior by anyone on agency premises, whether he or she is an agency employee or not, report it immediately to a supervisor or manager. Supervisors and managers who receive such reports should seek advice from the Labor Relations Office at 785-274-1162 regarding investigating the incident and initiating appropriate action. **[PLEASE NOTE: Threats or assaults that require immediate attention by security or police should be reported first to security at your local agency or to police at 911.]**

4. I will support all efforts made by supervisors and agency specialists in dealing with violent, threatening, harassing, intimidating or other disruptive behavior in our workplace and will monitor whether this policy is being implemented effectively. If you have any questions about this policy statement, please contact SMSgt Keith Guffy at 785-274-1162.


TOD M. BUNTING, Major General (KS), KSNG
The Adjutant General

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DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCES HEADQUARTERS KANSAS
2800 SOUTHWEST TOPEKA BOULEVARD
TOPEKA, KS 66611-1287

JFHQ-KS-TAG

16 November 2005

MEMORANDUM FOR All Kansas National Guard Personnel

SUBJECT: TAG Policy Letter #19, Unprofessional Relationships

1. References:

- (a) Air Force Instruction 36-2909, Professional and Unprofessional Relationships, 1 May 1999.
- (b) Army Regulation 600-20, Army Command Policy, chapter 4, 13 May 2002.
- (c) Department of the Army Pamphlet 600-35, Relationships between Soldiers of Different Rank, 21 February 2000.

2. Professional relationships contribute to the effective operation of the Kansas National Guard. Both the Army and the Air Force have set standards for proper relationships between individuals in the military. Even the perception that individuals are violating the professional relationship standard erodes our ability to complete our mission. I expect members of the Kansas National Guard to comport their behavior to both the intent and spirit of the standard. This command will adhere to and enforce that standard.

3. Any violation of AFI 36-2909 or AR 600-20, chapter 4 will be taken seriously, and corrective action will be taken. Members of this command who have questions about the applicable policy regarding professional and unprofessional relationships should address those questions to their commander or judge advocate.

4. POC for this policy is the Legal Advisor's Office, Major Fran Brunner, (785) 274-1481.


TOD M. BUNTING, Major General (KS), KSNG
The Adjutant General



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
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JFHQ-KS-TAG

6 March 2008

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TAG Policy Letter #20, Mobilization Dwell Policy regarding Army National Guard Soldiers

1. The previous policy of limiting involuntary mobilizations pursuant to Title 10, United States Code 12302 to 24 cumulative months is rescinded based on the Secretary of Defense Memorandum, "Utilization of the Total Force," dated January 19, 2007. **Therefore, this memorandum rescinds TAG Policy Letter #20, "Mobilization of Army National Guard Soldiers," dated 12 June 2006.** The nation no longer uses Contingency Operations Temporary Tour of Active Duty orders to manage Reserve or Guard Soldiers who are called up for multiple mobilizations.

2. Terms of Partial Mobilization under 10 USC 12302 (Pursuant to Executive Order 13223):

a. **STATUTORY:** The statutory authority for ordering units and members of the Ready Reserve to involuntary active duty in response to the World Trade Center and Pentagon attacks is 10 U.S.C. 12302. The provision specifies that the period of involuntary active duty for units and members of the Ready Reserve shall not exceed 24 consecutive months. The provision also requires the fair treatment of members of the Ready Reserve regarding their involuntary call-up by considering members' previous duty, family responsibility, and employment to maintain national health, safety, or interest.

b. POLICY:

(1) Units or individuals with mobilization orders pursuant to 10 USC 12302 published on or after January 19, 2007 shall comply with their mobilization orders for the full period specified, which will not exceed 12 months at any one time, except at Service discretion this period may exclude individual skill training required for deployment and post-mobilization leave. However, such orders may be amended to extend the period of mobilization with approval by the Secretary of Defense, or designee.

(2) Effective 19 January 2007, the planning objective for involuntary mobilization of Guard units will remain one year mobilized to five years demobilized (1:5). However, today's global demands will require a number of selected units and individuals be mobilized again sooner than this standard.

JFHQ-KS-TAG

SUBJECT: TAG Policy Letter #20, Mobilization Dwell Policy regarding Army National Guard Soldiers

(3) No Soldier shall be involuntarily mobilized again under Title 10 U.S.C. 12302 without a minimum of 2 years dwell (home station) time. This policy includes Soldiers transferring to the Kansas National Guard from any Active component. Furthermore, I will personally review and approve or deny any Soldier generated request to volunteer for re-mobilization before the individual has less than 1 year dwell. Each level of a Soldier's chain of command, (Company/Battery, Battalion, Brigade) must approve by separate memorandum the Soldier's request before I will entertain any appeals. Personal interviews with Soldiers requesting re-mobilization within the first year of their dwell time is required without exception. The approval authority for Soldiers with more than one (1) year of dwell time but less than two (2) total years is the Brigade commander or equivalent who will personally interview the Soldier and provide a document confirming their approval or denial to JFHQKS-DCSOPS-MRO. Voluntary tours of duty (i.e., those tours authorized pursuant to Title 10 U.S.C. 12301(d)), shall be considered as dwell time for members performing such tours.

(4) The only exceptions to this policy are: key leaders who are assigned to the unit when the unit is notified by the Joint Forces Headquarters and full-time Soldiers who are expected to deploy with their unit of assignment.

3. Soldiers will not be permitted to conduct Soldier Readiness Processing or be added to a unit Deployment Manning Document until a dwell waiver has been approved.

4. The staff proponent for this policy is the Deputy Chief of Staff Operations who can be reached at (785) 274-1101.

5. This policy must be conspicuously posted to armory/unit bulletin boards and each Soldier is to be made aware of this policy.



TOD M. BUNTING, Major General, KSNG
The Adjutant General

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JFHQKS-TAG

9 March 2007

MEMORANDUM FOR All Kansas National Guard Personnel

SUBJECT: TAG Policy Letter #21 UPDATED, Possession of Privately Owned Weapons on Kansas National Guard Installations and Property

1. References:

- a. Kansas Statutes Annotated 21-4201, Criminal Use of Weapons.
- b. Kansas Statutes Annotated 21-4218, Unauthorized Possession of Firearms on State Property.
- c. Kansas Statutes Annotated 74-5602.
- d. Kansas Administrative Regulation 1-49-11.
- e. 2006 Kansas House Bill 2118 amending 2006 Kansas Senate Bill No. 418, The Personal and Family Protection Act (commonly referred to as the Kansas Concealed Carry Act).
- f. AR 190-11, AFI 31-201-4, AFPD 31-1, and AFPD 31-2.

2. Definitions:

a. Weapon:

(1) Any firearm, including any revolver, pistol, rifle, shotgun, or other device designed for, or capable of propelling a bullet or other projectile by means of an explosive or compressed charge.

NOTE: This definition does not include air rifles (BB and pellet guns) or compressed air paint ball guns used by members of the Kansas National Guard for training and recruiting purposes.

(2) Any knife with a blade longer than four inches; a straight razor, spring or elastic powered BB guns; a sap, slapper, or bludgeon; brass knuckles; numchucks, throwing stars, or like or similar martial arts items; bows and arrows; crossbows and bolts, or like or similar items; spears, swords, sabers or dirks, other than those designed and used exclusively for ornamental, ceremonial, or sporting purposes.

b. Privately-owned weapon: Any firearm or weapon in the possession of an individual, other than an authorized military weapon in an individual's possession as part of official military duties.

c. Possession: Either, actual ownership of a weapon or exercise of dominion and control over a weapon, regardless of actual ownership. Possession includes weapons stored in vehicle trunks or other such secure locations within a vehicle.

3. The possession of privately owned weapons on Kansas National Guard installations and property constitutes an unacceptable threat to the safety of military and civilian employees of the Kansas National Guard. Accordingly, the possession of a privately owned weapon on any property owned or leased by the Kansas National Guard is expressly prohibited. This prohibition specifically includes any individual issued a license to carry a concealed weapon under the Personal and Family Protection Act of Kansas.

JFHQKS-TAG

SUBJECT: TAG Policy Letter #21 UPDATED, Possession of Privately Owned Weapons on Kansas National Guard Installations and Property

4. Other than military personnel in possession of an authorized military weapon while in the performance of their official duty, the only other individuals authorized to carry weapons onto property owned or leased by the Kansas National Guard are:
 - a. Law Enforcement Officers, while actually engaged in the performance of their official duties as defined by KSA 74-5602;
 - b. Wardens, Superintendents, Directors, Security Personnel and Keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;
 - c. Resource Protection Officers employed by the Kansas National Guard while in the performance of their official duties;
 - d. Certified instructors and participants in Kansas Hunter Safety classes, so long as all weapons have been cleared by the instructor and no ammunition is brought in;
 - e. Licensed auctioneers who have entered into a valid armory rental agreement to use the armory for an auction, so long as gun locks or zip ties are used to make the weapon inoperable.
5. The Adjutant General, or his designated representative in his absence, may grant specific exceptions to this policy on a case by case basis.
6. I hereby direct that all Kansas National Guard installations and property be posted with approved signs and/or notices indicating the area restrictions on weapons.
7. Violation of this policy by military or civilian employees of the Kansas National Guard will result in the person being directed to leave the installation or property with the weapon, and may result in disciplinary action taken IAW applicable military and civilian regulations and statutes.
8. Point of contact for this policy is the Office of the Staff Judge Advocate, ATTN: LTC Bruce Woolpert or Maj Frances Oleen at 785-274-1027.


TOD M. BUNTING, Major General, KSNG
The Adjutant General

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OFFICE OF THE ADJUTANT GENERAL OF KANSAS
JOINT FORCE HEADQUARTERS - KANSAS
2722 SW TOPEKA, BLVD
TOPEKA, KANSAS 66611-1298

REPLY TO
ATTENTION OF

JFHQKS-TAG

22 June 2009

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TAG Policy Letter No. 22, Troop Feeding

1. This memorandum updates TAG Policy Letter No. 22, Troop Feeding, dated 13 March 2007.
2. The KSARNG meal standard is three (3) quality meals per day. These meals will be selected from the KSARNG Food Service Menu approved by the KSARNG Menu Management Board. The KSARNG has acquired a Blanket Purchase Agreement (BPA) for a Subsistence Prime Vendor. All KSARNG units will procure all their subsistence from the prime vendor during Inactive Duty Training and Annual Training conducted within the state of Kansas.
3. The tactical commander's feeding plan will be governed by Mission. Commanders will ensure their 92G soldiers, are being utilized and performing their required duties at all levels. In addition, with reduction in IDT and AT subsistence funds, commanders that have attached or assigned 92G personnel must feed "class A" Rations. This will ensure that the KSARNG units can be monitery supported for the entire year.
4. KSARNG receives their funding for subsistence based upon the total strength, number of operatable dining facilities and the Basis Daily Food Allowence for the (BPA). There is no additional authorization within the subsistence budget for commercially prepared meals. The KSARNG cannot continue to acquire funds from other internal sources to be utilized to support commercially prepared meals.
5. Commanders will ensure that required food service training is being conducted, documented and filed in the food service files. Unit Commanders having assigned/attached cooks must ensure their cooks are licensed to operate all field fuel-fired equipment, appoint a Food Service Officer and a unit Field Sanitation Team. Coordinate with the food program manager and the KSARNG Surgeons office for required additional training for these additional duties.
6. While the KSARNG Food Program Manager is responsible for the food program, it takes a "Team Effort" to efficiently manage this program. Commanders at all levels will support this program and ensure that their assigned 92G personnel and food advisors/senior food service management NCO's are performing their required duties, IAW AR 30-22, KSARNG Food Service LOI and other directives published from the DOL.
7. Commanders possessing 92G personnel must coordinate with their Subordinate Commanders, Administrative Officers and the Food Program Manager, and initiate a plan of action to co located and attached enough cooks and equipment down to their subordinate units in order for them to utilize "A" Rations, if possible. Units with limited cooks or kitchen equipment may still be able to prepare "A" Rations utilizing the Rapid Preparations meals offered in the KSARNG 14 Day Menu.

JFHQKS-TAG

SUBJECT: TAG Policy Letter No. 22, Troop Feeding

8. Units co-located in armories and drilling on the same weekend will combine food service operations. Supporting units will be on a rotating basis. Supported unit commanders will ensure that their 92G personnel are performing PMCS on assigned equipment or conducting food service training training or other training related tasks that the unit may have.
9. Commanders will ensure that the Armory or field kitchens are inspected after each use, by their assigned field sanitation teams in order to ensure sanitary controls are IAW AR 40-5, (Preventive Medician), Para, 14-3, b. Units will utilize the checklist published by the food program manager to conduct this inspection.
10. Food service personnel will wear the cook white uniform while preparing meals in armory garrison dining facilities IAW AR 67-1 (Wear and Appearance of Army Uniforms), Chapter 9 , Para, 9-1 thru 9-5.
11. MRE's will not be served during IDT home station unless approved by the food program manager. MRE's will mainly be utilized during AT and IDT field training events for lunch meals.
12. KSARNG units training at an active duty installation will utilize the KSARNG Prime Vendor unless not authorized from the supporting installation TISA. If utilizing the TISA, units will follow their guidance.
13. S-4/G-4 Officers must ensure their assigned food advisor or chief/senior food operations management NCO's are performing their required duties IAW AR 30-22, KSARNG Food Service LOI and other directives implemented by the KSARNG Food Program Manager.
14. Requests for exception to this policy will be submitted to the JFHQKS, DOL, Food Program Manager. Each request will be considered on its own merit.
15. This policy authorizes all officers and enlisted AGR soldiers receiving BAS to subsist in Appropriated Fund Dining Facilities IAW AR 30-22, Para 3-30 and 3-34.
16. This memorandum updates TAG Policy Letter No. 22, Troop Feeding, dated 13 March 2007.
17. POC for this policy is MSG David C. Raska, KSARNG State Food Program Manager, and can be reached at (785) 274-1894 or david.raska@us.army.mil.


TOD M. BUNTING
MAJOR GENERAL, KSNG
The Adjutant General

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JFHQKS-TAG

26 April 2007

MEMORANDUM FOR All Members of the Kansas National Guard

SUBJECT: TAG Policy Letter #23, Motorcycle Accident Prevention

1. As motorcycling continues to become an increasingly popular mode of transportation and recreation, it is imperative that our Kansas National Guard Family be aware of the educational and personal protective equipment (PPE) requirements for operation of motorcycles. The Department of Defense Instruction (DODI) 6055.4 the DOD Traffic Safety Program and AR 385-55, Prevention of Motor Vehicle Accidents, dictate the educational and PPE requirements for civilians and military personnel operating motorcycles.
2. All AGR personnel must comply with the requirements of the appropriate regulations both on and off duty. Traditional soldiers and airmen will comply with the regulatory guidance when performing in any military status operating a motorcycle. Off duty compliance is strongly encouraged.
3. The current regulations require that everyone operating a motorcycle in conjunction with Para 2, is required to have completed a motorcycle safety course commensurate with those provided by the Motorcycle Safety Foundation. The information about these courses and availability may be obtained from the State Safety Manager or Wing Safety Personnel.
4. The minimum required Personal Protective Equipment in accordance with current regulations is a Department of Transportation approved helmet, face shield or approved goggles properly attached to the helmet, sturdy over the ankle footwear, long sleeved shirt or jacket, long pants, full fingered gloves or mittens designed for motorcycles and a brightly colored outer garment vest/belt/riding jacket (day) / retro-reflective upper garment (night).
5. The State of Kansas does not have a helmet or PPE requirement except for protective eyewear when a windshield is not in place and a helmet requirement for those under 18 years of age. This policy is to illustrate that regardless of State requirements, Military and DOD Civilian personnel have a requirement to comply with the appropriate regulations when acting in conjunction with these positions.


TOD M. BUNTING, Major General, KSNG
The Adjutant General



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JOINT FORCES HEADQUARTERS KANSAS
2800 SOUTHWEST TOPEKA BOULEVARD
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JFHQKS-TAG

21 March 2007

MEMORANDUM FOR All Kansas National Guard Personnel

SUBJECT: TAG Policy Letter #24, State Sponsored Life Insurance

1. The United States Congress has authorized each individual state to establish and administer its own life insurance program for the benefit of members of the state National Guard members and their families. 37 U.S.C. Sec. 707.
2. To that end, I hereby name the National Guard Association of Kansas, underwritten by American Equity Life Insurance, Des Moines, Iowa, as the state sponsored life insurance agency for the Kansas National Guard to administer our life insurance program for the benefit of members of the Kansas National Guard members and families.
3. With this action comes the authorization to access Kansas National Guard members' payroll for the purpose of paying premiums as determined by the individual soldier or airman through the various DFAS (Defense Finance Accounting System). This insurance program is in addition to government sponsored life insurance programs such as SGLI (Serviceman's Group Life Insurance) and is voluntary on the part of each member of the Kansas National Guard.
4. The registered insurance agent of the National Guard Association of Kansas is authorized to present the life insurance program to Kansas Army and Air National Guardsmen. This agent should be licensed with the State of Kansas Insurance Commissioner to establish and maintain high ethical standards of the insurance program and act in behalf of and in the best interests of soldiers, airmen and their families. I expect the agent and association to meet the reasonable expectation of providing prompt and full payment to families in the event of loss of a loved one to minimize stress associated with the financial burden of final expenses.
5. On behalf of the Kansas National Guard and all our members, we appreciate all the hard work displayed by the employees and agents of the National Guard Association of Kansas' life insurance program, and look forward to our relationship ahead.


TOD M. BUNTING, Major General, KSNG
The Adjutant General

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JOINT FORCES HEADQUARTERS KANSAS
2800 SOUTHWEST TOPEKA BOULEVARD
TOPEKA, KS 66611-1287

JFHQKS-TAG

26 April 2007

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TAG Policy Letter #25, Service Member Medical Injuries

1. It is my intent that all KSNG Soldiers and Airmen who are injured and either in hospital care or awaiting treatment, return to duty or return to their home as quickly as possible. They should be in the same or better condition than when they reported for duty where possible. We must aggressively monitor their care just as we would our own family members.
2. Effective immediately the following responsibilities are assigned:
 - a. Joint Force Headquarters:
 - (1) All personnel who are injured in combat operations will be visited within 72 hours of arrival in CONUS by a KSNG senior leader to check on their medical condition, family care and potential issues in either area. All other injured Soldiers or Airmen will be visited as soon as absolutely possible. These visits will be coordinated by the Chief of Staff – LC for Army personnel, and by the Deputy JCS for Airmen.
 - (2) The State Medical Section will track the status of Army Service Members, including when they entered into medical care, date and time of each change in medical status, any issues raised by the caregiver, the patient or the family. The Air Wings will track Airmen. They will determine and document the expected outcome of the caregiver, the patient, the family and our organization including, end state for the injury, timeline and location. An update report will be published weekly and as needed for the Adjutant General and component commanders.
 - (3) The State Surgeon, in conjunction with the CoS-LC and the Deputy JCS will develop a decision point matrix or chart NLT 15 May 07 to guide the State Medical section in determining when and to whom they should raise issues on medical care of our injured Service Members.
 - (4) The State Family Program Coordinator's office will ensure they make periodic contact with affected families, on a least a bi-weekly basis.
 - (5) The State Chaplain will provide personal support where necessary.
 - b. Major Subordinate Commands & Air Wings:
 - (1) Make weekly contact with all Soldiers or Airmen still in a Title X status to see if there are any issues with their care or support. Once they are released from Title X status, I still expect their unit of assignment to make contact with them at least monthly to see how they are doing.

JFHQKS-TAG

SUBJECT: TAG Policy Letter #25, Service Member Medical Injuries

(2) Aggressively monitor each and every service member injured in unit operations. Ensure they feel like they will always be a member of our team and Guard family, which they are.

(3) Report all contact with wounded Soldiers or Airmen up through the chain of command to the CoS-LC and/or Deputy JCS.

3. Additionally, I have extended an invitation to select elected officials to visit our wounded Soldiers or Airmen. Where possible, a military escort will be assigned to visit with them.

4. My expectation is that each Soldier or Airman will receive the best care available, by the Military or other health care providers. The goal is to ensure the fastest recovery and quickest return possible to his or her mission, family and community. Issues that arise regarding treatment and/or recovery that could impede meeting this expectation will be raised immediately to the appropriate command or staff level for the earliest resolution possible.



TOD M. BUNTING, Major General, KSNG
The Adjutant General

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DEPARTMENTS OF THE ARMY AND AIR FORCE
Joint Forces Headquarters Kansas
2800 Southwest Topeka Boulevard
Topeka, Kansas 66611-1287

JFHQKS-TAG

1 May 2007

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TAG Policy Letter #26, Sexual Assault Prevention and Response Program (SAPR) Awareness Policy for the Kansas National Guard

1. Reference Department of Defense Directive (DoDD) 6495.01 "SAPR Program," dated 6 October 2005, Department of Defense Instruction (DoDI) 6495.02 "SAPR Program Procedures," dated 23 June 2006, The Adjutant General's policy letter #11 Sexual Harassment and policy letter #18 Workplace Violence.
2. Sexual assault is a crime that demeans the value of others, erodes the trust, good order and discipline that are vital to the success of any military unit. The Kansas National Guard will focus on the prevention of sexual assault, effectively implement the Sexual Assault Prevention & Response Program, and pursuing or assisting with the prosecution of offenders to the fullest extent allowed under either civilian or military law.
3. The SAPR Program defines sexual assault as: "intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent. Sexual assault can occur without regard to gender or spousal relationship or age of the victim." DoDD 6395.01, October 6, 2005.
4. My policy is clear and unequivocal on the support of the SAPR program. All Soldiers and Airmen of the Kansas National Guard will be afforded the same level of support and treatment in all facets of their membership. Support for this policy is outlined in DoDI 6495.02 Para 5 entitled Responsibilities dtd 23 June 2006.
5. Questions in regards to this policy can be accessed at the following website: http://www.sexualassault.army.mil/content/leader_prevent.cfm, by calling the Inspector General's Office at 785-274-1020, Military One Source for trained counselors at 1-800-464-8107 or through the Joint Force Headquarters (JFHQ) Sexual Assault Response Coordinator (SARC), CPT Robert Parvin at 785-861-3973 or robert.parvin@us.army.mil.
6. This policy letter will be posted on all unit/organizational bulletin boards.

Distribution:
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Todd M. Bunting, Major General, KSNG
The Adjutant General



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCES HEADQUARTERS KANSAS
2800 SOUTHWEST TOPEKA BOULEVARD
TOPEKA, KS 66611-1287

TAG

21 April 2009

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TAG Policy Letter No. 27, Waivers and Exception to Policy Requests for Army Regulation 190-11 and Army Regulation 190-51.

1. To ensure that Arms, Ammunition and Explosives (AA&E) and Army property meet or exceed the security and accountability standards of AR 190-11 and AR 190-51, the following will be implemented:
 - a. Units will submit a memorandum requesting waivers or exceptions to policy to the State Security Specialist. Units will clearly state the reason for the request, duration, and compensatory measures to be taken, if needed.
 - b. The State Security Specialist will review the request ensuring it is a valid request for waiver or exception to policy and no lapse in security exists.
 - c. Waivers or exceptions to policy will be approved by the Chief of Staff, KSARNG.
2. Approved waivers will be valid for one year. Units requiring a continuation will submit a new written request. Units will state the circumstances for why the original deficiencies were not corrected and include a plan of action to ensure correction.
3. Exceptions to policy will be reviewed annually by the State Security Specialist.
4. Commanders will not approve their own waivers or exceptions to policy.
5. POC is SSG Joseph H. Cole Jr., State Security Specialist, 785-274-1125.


TOD M. BUNTING, Major General, KSNB
The Adjutant General

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NGKS-Z

10 March 2010

MEMORANDUM FOR Kansas Adjutant General's Department Employees

SUBJECT: TAG Policy Letter #28, Hiring, Administrative Actions involving Felony Convictions

1. All member employees of the Kansas Adjutant General's Department with a past felony or a pending felony charge will be documented. The documentation will be forwarded through appropriate channels to determine appropriate action, if any, by the Kansas Adjutant General's Department. This includes a determination during the application and hiring process of the appropriateness of a person's prospective employment. The policy applies to all member employees of the Kansas Adjutant General's Department.
2. It is the intent of the Adjutant General to protect the member employee's rights until the case is adjudicated by civilian authority. However, the Adjutant General will take all reasonable and prudent steps to ensure the safety and security of other member employees and maintain public confidence in the Adjutant General's Department.
3. A member employee's status will be determined as expeditiously as possible.
4. The Office of the State Staff Judge Advocate will promulgate the procedures, rules, and definitions required to implement this policy.
5. This policy is new and takes precedence over any competing or contrary application of existing policies.


TOD M. BUNTING, Major General, KSNG
The Adjutant General

Attachment:
NGKS-JA Implementation of TAG Policy #28



DEPARTMENT OF THE ARMY AND THE AIR FORCE

KANSAS NATIONAL GUARD
JOINT FORCES HEADQUARTERS KANSAS
OFFICE OF THE STAFF JUDGE ADVOCATE
2800 SOUTHWEST TOPEKA BOULEVARD
TOPEKA, KANSAS 66611-1287

NGKS-JA

10 March 2010

MEMORANDUM FOR Kansas Adjutant General's Department Employees

SUBJECT: Implementation of TAG Policy Letter #28, Hiring, Administrative Actions involving Felony Convictions

1. Reference: SecDef Policy dated 2 April 2008, Self-Reporting by Officers and Senior Enlisted Members of Criminal Convictions; Army Regulation 135-178, Administrative Separation of Enlisted and Officers; Air Force Instruction 35-3206, Administrative Discharge Procedures; State of Kansas Statutes and Procedures as provided by the Kansas Adjutant General's Department, State Human Resources Office.

2. Definitions, for purposes of this policy:

a. The term "conviction" includes a plea or finding of guilty, a plea of *nolo contendere* (no contest), and all other actions tantamount to a finding of guilty, including adjudication withheld, deferred prosecution, diversion, entry into adult or juvenile pretrial intervention programs, and any similar disposition of charges. Expungements or other similar actions resulting in the removal of a felony from a criminal record or history are specifically included.

b. A criminal law includes any military or other Federal criminal law; any state, district, commonwealth, or territorial or equivalent criminal law or ordinance; any criminal law or ordinance of any county, parish, municipality, or local subdivision of any such authority. Motor vehicle violations that do not involve a court appearance are expressly not included.

c. "Member employee" means any and all full-time/temporary full-time, part-time/temporary part-time, and drill/traditional/M-day status military members; full-time, part-time, and temporary, contract civilian employees; contractors; full and part-time volunteers; and any other persons of the Kansas Adjutant General's Department and persons applying for employment with the Kansas Adjutant General's Department. This policy specifically excludes full and part-time prisoner/probationer/parolee employees working through various programs with municipal, county, state, and federal departments of corrections.

NGKS-JA

SUBJECT: Implementation of TAG Policy Letter #28, Hiring, Administrative Actions involving Felony Convictions

d. "Responsible authority" means the member employee's first-line supervisor, unless the authority has been withheld by a higher level supervisor or member of the chain of command. For dual/multiple status member employees, all responsible authorities will meet to determine which responsible authority will take the lead and to coordinate all actions.

e. "Flag" means to annotate, mark, designate, a member employee's personnel file or employment application when felony charges are verified pending or a felony conviction is verified adjudicated, each appropriate Personnel/Human Resources offices may define through their own regulations/instructions/policies the ramifications of a "Flag" on current and future personnel actions.

3. Purpose: The purpose of this policy is to document all member employees with felonies and to determine appropriate action, if any, by the Kansas Adjutant General's Department and to determine during the application and hiring process the appropriateness of a person's prospective employment. The policy applies to all member employees of the Kansas Adjutant General's Department. When a member employee is charged with a felony in a civilian court or when the responsible authority becomes aware of a member employee being charged with a felony or having a past felony conviction, the following actions will be taken:

a. When the responsible authority receives verification of a felony charge or conviction, it will immediately flag the member employee's personnel file. The flag will not be lifted until the civilian criminal charges are resolved and appropriate legal, administrative, and/or, personnel action, if any, is completed.

b. The responsible authority will determine, after consultation with Legal and the appropriate Personnel/Human Resources offices, if the member employee's presence will create a work distraction for others or is a threat to other member employees. This determination will be in writing with written endorsement from Legal and the appropriate Personnel/Human Resources offices. Conflicts will be resolved by the applicable responsible authority chain. The Adjutant General is the Department's final authority.

c. The responsible authority will consult with the Legal office on the nature of the civilian criminal charge and make a determination on appropriate legal, administrative, and/or, personnel action, if any. The Legal office will track and monitor the case until final resolution. The responsible authority will be, in cooperation with Legal and appropriate Personnel/Human Resources offices, informed and, when required, engaged in all facets of the case.

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SUBJECT: Implementation of TAG Policy Letter #28, Hiring, Administrative Actions involving Felony Convictions

d. The responsible authority will consult with the J6 on suspending the member employee's computer access.

e. The responsible authority will consult with the J2 in suspending the member employee's security clearance.

f. The responsible authority will immediately suspend the member employee's access to weapons and ammunition.

g. The responsible authority will not place the member employee on State Active Duty, pre-mobilization, or mobilization orders without specific approval of the Adjutant General or the Adjutant General's designee.

4. All member employees have an affirmative obligation to self report a pending felony charge or felony conviction to their first-line responsible authority or the Legal office. Full and part-time member employees must report the first working day following their charge or conviction. Drill status military members must report their charge or conviction no later than their next scheduled drill date, orders date, or 30 days, whichever comes first. This obligation applies even if sentence has not been imposed or the member employee intends to appeal the conviction. Failure to comply can, in itself, be ground for appropriate legal, administrative, and/or personnel action.

5. Upon notification of a member employee's felony charge or conviction, the responsible authority will determine, after consultation with Legal and the appropriate Personnel/Human Resources offices, whether to initiate separation or termination action. Within ten (10) days, the responsible authority will forward, in writing, their recommendation and refer the case to the next level of authority. Each level of authority has ten (10) to add their recommendation and refer the case forward. The Adjutant General is the Department's final authority.

6. When determining appropriate action, if any, the responsible authority, Legal and appropriate Personnel/Human Resources offices will:

a. Apply a rebuttal presumption to separate or terminate a member employee charged or convicted of a Person Felony, as defined by Kansas Statutes.

b. Apply no presumption on appropriate action, if any, for a member employee charged or convicted of a felony involving dishonesty, as defined by Kansas Statute and consultation with Legal. This is a case by case analysis. However, the member employee's duties and responsibilities will be scrutinized to determine whether the member employee can

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continue in their current position. The responsible authority, Legal, and appropriate Personnel/Human Resources offices will pay particular attention to, but not limited to, the member employee's access to personal identifiable information, Federal or State funds, Government credit cards, Federal and State computer and communication systems, and overall danger (physical, material, and financial) to the workforce and Kansas Adjutant General's Department.

c. Apply no presumption on appropriate action, if any, for member employees charged or convicted of all other Felonies including expungements or other similar actions resulting in removal of a felony from a criminal record or history, of any type of felony. This is a case by case analysis.

7. It is the intent of the Adjutant General to protect the member employee's rights until the case is adjudicated by civilian authority. However, the Adjutant General will take all reasonable and prudent steps to ensure the safety and security of other member employees and maintain public confidence in the Adjutant General's Department.

8. Member employee's status will be determined as expeditiously as possible.

9. This policy is new and takes precedence over any competing or contrary application of existing policies.

FOR THE ADJUTANT GENERAL:

A handwritten signature in black ink, appearing to read 'S. Dold', written in a cursive style.

SCOTT A. DOLD, Col, KSANG
Senior Legal Advisor to the Adjutant General



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
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NGKS-TAG

10 May 2010

MEMORANDUM FOR KSNG Unit Commanders

SUBJECT: TAG Policy Letter #29, Official Policy for the Adjutant General's Mounted Color Guard (MCG)

1. This is the official policy letter that was verbally approved on 16 September 2004 based upon recommendations of JAG, HRO, Chief of Staff and TAG MCG Commander

2. **MISSION STATEMENT:** The Adjutant General's Mounted Color Guard and Cavalry Troop demonstrate the Horse Soldier heritage and traditions of the Kansas National Guard. The unit participates in military and civic events that enhance recruiting, retention and good public relations by demonstrating the history and pageantry of the mounted Kansas National Guard Soldier.

3. The unit is made up of volunteer members, FTM (TECH/AGR) and M-day officer, enlisted, civilian and retired members of the Kansas Army and Air National Guard. Family members of volunteers may participate in certain supervised events based upon the approval of the unit commander. There is certain risk involved in all equine events and the Kansas National Guard assumes no liability. Volunteer Troopers provide their own mounts, horse maintenance and transportation. Periodic uniforms and horse equipment will be provided by the agency as accountable station property.

4. Troopers and mounts are trained in basic cavalry mounted drills. Equine units require extensive and frequent training. SAFETY is paramount in all unit activities. Composite Risk Management will be conducted and applies to all missions at all times. The health of the mounts is the responsibility of the owner. Yearly veterinary health certificates and Coggins test is required on each animal.

5. The MCG Commander will maintain a roster of active MCG members that will be updated quarterly and ensure distribution of that roster to KSNG organizations. The Commander will appoint the MCG Staff consisting of members of the unit. The Staff and responsibilities shall consist of:

* **Commander:** The MCG Commander is the primary trainer and coordinator of unit events. He/She will chair all unit meetings or designate someone to do so. The Commander will represent the unit at all event meetings and official functions.

* **First Sergeant:** The 1SG will assist the Commander in the execution of his duties. He/She will have primary responsibility for instructing the unit in drill. He/She will inspect both troopers and the camp to see that they present a proper military appearance.

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SUBJECT: TAG Policy Letter #29, Official Policy for the Adjutant General's Mounted Color Guard (MCG)

- * Adjutant: The Adjutant will assist the unit Commander in the execution of his duties. He/She will be responsible for maintaining all unit personnel records and the minutes of unit meetings. He/She will develop and maintain a unit "alert roster", be responsible for handling incoming and outgoing unit correspondence, and edit the unit newsletter.
- * Quartermaster Sergeant: The Quartermaster will be responsible for maintaining all unit financial and equipment records. He/She will be prepared to give an accounting of same when required.
- * Add'l Leadership Roles: As it becomes necessary, the unit Commander and his Staff (the other elected leaders) may appoint officer/noncommissioned officers to other necessary roles. In addition, the elected leaders may appoint a unit member as chairman of a special or temporary committee. The Commander may, at his discretion, appoint another unit member to function in a leadership capacity, in particular situations.

6. MCG members that are full-time employees of the Kansas National Guard will reference HRO Policy Letter #14 for proper leave policies and procedures.

7. All official event participation by the MCG will be in some form of legally authorized military status, i.e. State Active Duty, IDT, AT, ADSW, No-Pay IDT (points only) to ensure liability protection for both the individual and organization.


TOD M. BUNTING, Major General, KSNG
The Adjutant General

Distribution:
Army (All)
Air (All)



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NGKS-TAG

27 July 2010

MEMORANDUM FOR NGKS Army Distribution (All)

SUBJECT: TAG Policy Letter #30, Energy Conservation Heating and Cooling Regulations According to AR 420-1, Chapter 22-12

1. Due to the current rewrite status of the KSSOP 11-27, this official policy letter is drafted in accordance with AR 420-1, Chapter 22-12 (2 November 07) establishing heating and cooling regulations, specifically thermostat settings, humidity control and portable heating and cooling devices, effective upon receipt.
2. During the heating season, temperatures in occupied facilities will be maintained in the range of 72 degrees Fahrenheit plus or minus 2 degrees Fahrenheit during working hours and heating setback temperatures during unoccupied times shall be set at 60 degrees Fahrenheit plus or minus 5 degrees Fahrenheit. Temperatures in warehouses and similar active working spaces, like maintenance bays, will be at 55 degrees Fahrenheit plus or minus 5 degrees Fahrenheit during occupancy and 45 degrees Fahrenheit plus or minus 5 degrees Fahrenheit during unoccupied periods. Warehouses will not be heated if they are usually devoid of human activity and if freezing and condensation are not issues.
3. Wherever mechanical cooling is authorized, cooling season temperatures for occupied working and living spaces shall be maintained in the range 74 degrees Fahrenheit plus or minus 2 degrees Fahrenheit. Cooling set-up temperatures during unoccupied times shall be set at 85 degrees Fahrenheit plus or minus 5 degrees Fahrenheit. Space temperature for medical and medical research operations will comply with these standards.
4. Seasonal humidity levels may be adjusted to improve personnel comfort if the system is capable of humidity control. Adjustments in humidity control will be accomplished in the most efficient manner to minimize the increase in total consumption.
5. The operation of portable heating and cooling devices is prohibited where the intent is to circumvent the heating and cooling standards outlined above. Supplemental heating and cooling may be used when cost effective energy reductions can be achieved by reducing usage of primary heating and cooling systems or personal comfort levels cannot be achieved by reasonable adjustments of the primary system. Such devices are particularly effective where only a few people occupy a portion of a large building, and conditioning is only required in a small section of the facility. Use of personal supplemental heating or mechanical cooling devices must have supervisor written approval and must only be used when the area is occupied.

SUBJECT: Energy Conservation Heating and Cooling Regulations According To AR 420-1,
Chapter 22-12

6. All Commanders, Supervisors and Building Managers are charged with monitoring energy usage in your facilities for compliance.

7. The point of contact for energy issues is Sarah Karlin, KSARNG Energy Conservation Manager, at (785) 274-1148.


TOD M. BUNTING, Major General, KSNG
The Adjutant General



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NGKS-TAG

15 October 2010

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TAG Policy Letter #31, Security and Vehicle Registration

1. Reference AR 190-5, Motor Vehicle Traffic Supervision, 22 May 06
2. In an attempt to increase security at active duty installations, the Army directed that these facilities have restricted access and mandated that frequent visitors to Army posts be required to register their vehicles and possess a Department of Defense vehicle decal (DD Form 2220). Army Regulation 190-5 permits motor vehicle registration provisions to be applied to State-operated or State-owned Army National Guard Installations at the discretion of the controlling State Adjutant General.
3. Based upon this directive, all civilian employees and Kansas National Guard personnel who frequent, or are employed on, active Army or Army National Guard installations (with controlled access) will register their POV with the appropriate installation.
3. This memorandum supersedes all previous Command policy letters regarding POV registration of Kansas National Guard Members.
4. This policy supersedes ATAG Policy Letter #4, Security and Vehicle Registration, dated 13 Sept 2009.


TOD M. BUNTING, Major General, KSNG
The Adjutant General

DISTRIBUTION:

Army (All)
Air (All)
State (All)