Disposition Schedule (RDS). Refer recommended changes and conflicts between this and other publications to the Office of Primary Responsibility (OPR) at HQ AFRC/AICE, 155 Richard Ray Blvd, Robins AFB, GA 31098-1635, using the Air Force (AF) Form 847, Recommendation for Change of Publication; route AF Form 847s from the field through the appropriate functional’s chain of command. This publication may not be supplemented or further implemented/extended. The authorities to waive wing/unit level requirements in this publication are identified with a Tier (“T-0, T-1, T-2, T-3”) number following the compliance statement. See AFI 33-360, Publications and Forms Management, for a description of the authorities associated with the Tier numbers. Submit requests for waivers through the chain of command to the appropriate Tier waiver approval authority, or alternately, to the Publication OPR for non-tiered compliance items. The use of the name or mark of any specific manufacturer, commercial product, commodity, or service in this publication does not imply endorsement by the Air Force.

**SUMMARY OF CHANGES**

This revision clarifies the procedures for handling ARTs who lose active membership in their respective reserve unit.

1. **Concept of an ART.** The Air Force and the Office of Personnel Management (OPM) have agreed that an ART must:
   
   1.1. Meet Air Force physical and military assignment requirements for the reserve position to which assignment is made.
   
   1.2. Maintain active membership in the Air Force Reserve unit in which the position is authorized.
   
   1.3. Be assigned militarily to the designated ART position.

2. **ART.** ARTs are full-time civilian employees who are also active members of the Air Force Reserve unit in which they are employed. In addition to their civilian assignments, they are assigned to equivalent positions in the reserve organization with a reserve military rank or grade. They play vital roles in the combat readiness of their reserve unit by training other reservists and serving as mobilization assets when the unit is mobilized.

3. **Loss of Active Membership in the Reserve.** Active membership in the applicable reserve unit is a condition of employment. Loss of active membership in the Reserve could be for all ART positions or only for the current ART position of assignment. Such loss may result in the involuntary removal from Federal employment for failure to maintain a basic condition of employment for an ART position. The four main categories of loss of active membership in the Reserve are:

   3.1. Officer Mandatory Separation Date (MSD) Program (First Category). ART officers who lose active membership in the Reserve due to reaching their reserve/military MSD face mandatory removal from their ART position. This program helps to ensure military mission capability. Assuming age and length of service requirements are met, such individuals would be eligible for discontinued service retirement (DSR) from their civilian position following the involuntary removal. Eligibility for DSR is based on age and years of potentially creditable service.
3.2. Enlisted High-Year-of-Tenure (HYT) Program (Second Category). ART enlisted members who lose active membership in the Reserve due to reaching their reserve/military HYT date face mandatory removal from their ART position. This program helps to ensure military mission capability. ART reserve/military HYT dates are automatically extended to the first date the ART attains eligibility for optional civil service retirement or age 60, whichever occurs first IAW AFI 36-2612. In some cases, enlisted ARTs may reach age 60 and be militarily retired (losing active membership in the Reserve) before accruing 20 years of potentially creditable service for civilian retirement. In those cases, they are continued in the Part A (civilian) position until reaching civilian optional retirement eligibility (based on age and years of potentially creditable service) or being affected by the separation requirements described in paragraph 3.6.2, whichever occurs first. These members should be coded in the personnel system as “G” in the Assigned ART ID field. These members are not NDSTs by definition. These members are only retained IAW the NDST procedures as outlined in 3.6.2.

3.3. Voluntary or Within the Individual's Control (Third Category). This term has unique meaning in the ART program and should not be confused with the dictionary definition. The term means a loss of active membership in the applicable reserve unit or position of assignment that includes, but is not limited to, those situations that follow. Additional situations may be added through policy letter or subsequent revision to this instruction.

3.3.1. Failure to reenlist or reenlistment denied.

3.3.2. Fraudulent enlistment.

3.3.3. Ineptitude, unsuitability, unfitness, misconduct, or inefficiency, or any other reasons specified for discharge of officers or enlisted members in AFI 36-3209, Separation and Retirement Procedures for Air National Guard and Air Force Reserve Members.

3.3.4. Resignation or voluntary retirement from the Reserves (unless resignation or retirement is in lieu of a military medical disqualification beyond the individual's control and the employee has been notified of pending reserve separation).

3.3.5. Failure to participate in prescribed reserve activities.

3.3.6. Reassignment as inactive member of the Reserve for unsatisfactory participation or failure to meet standards.

3.3.7. Mental conditions or physical conditions, such as being overweight, which authorized military medical personnel consider within the individual's control.

3.3.8. Failure to be promoted to the grade of first lieutenant, or being twice deferred for promotion to captain, major, or lieutenant colonel.

3.3.9. Enlisted ARTs who become commissioned officers.

3.3.10. Accepting a military assignment to a non-ART reservist position.

3.3.11. Accepting military promotion to the grade of colonel (O-6) when it exceeds the military grade authorized for the ART position of assignment.

3.3.12. Voluntary military retirement while on an active duty tour (AGR).
3.4. Involuntary or Beyond the Individual's Control (Fourth Category). The only situation covered by this term involves ARTs who lose active reserve status as a result of failing a reserve medical examination that results in a military medical disqualification for reasons that military medical personnel determine to be beyond the individual's control. ARTs in this situation who are physically/medically qualified to perform the duties of the civilian part (Part A) of the ART position and are not immediately eligible for a civil service annuity unreduced due to age or years of potentially creditable service may be retained in the civilian (Part A) of the ART position IAW the procedures in paragraphs 3.6 and 4.4, below. An agency medical authority, i.e. at a base or contract facility, must make the determination as to whether or not the individual is medically qualified to perform the civilian duties. NOTE: Only the Flight Surgeon has the authority to determine the medical/physical ability of a member whose civilian duty requires the member to maintain flying status.

3.4.1. The military (Part B) of the ART position for a member who is determined to be eligible for retention in the civilian (Part A) of the assigned ART position, may be temporarily filled by a Traditional Reservist for the period covering the ARTs retention.

3.4.2. Members who are immediately eligible for a civil service annuity unreduced due to age or years of potentially creditable service are subject to immediate initiation of removal action and are not considered for retention IAW the procedures in paragraph 3.6 and 4.4.

3.5. Military Technicians Who Lose Active Reserve Membership Due to a Combat Related Disability. Technicians who lose active Reserve membership due to a combat related disability will be retained as a Non-Dual Status Technician (NDST) until reaching eligibility for a civil service retirement unreduced due to age or years of potentially creditable service, regardless of date hired as a military technician, providing the Agency civilian medical authority determines they are physically/medically qualified to perform the duties of the civilian part (Part A) of the ART position. NOTE: Only the Flight Surgeon has the authority to determine the medical/physical ability of a member whose civilian duty requires the member to maintain flying status.

3.6. Non-Dual Status Technician (NDST). Term for employees who meet the conditions in paragraph 3.4 and 3.5 and are retained on the civilian part of their ART positions despite the loss of active membership in the Reserve. NDSTs are subject to the mandatory separation provisions of 10 U.S.C. 10218 as well as the separation provisions based on failure to maintain active membership in the Reserve that are described in paragraph 3.6.2 (see paragraph 3.5 for NDSTs who lose active reserve membership due to a combat related disability).

3.6.1. NDSTs are notified of conditions under which they are being retained in the civilian part of the ART position by providing the employee a memorandum notifying the employee of their retention as a NDST. Employees covered by paragraph 3.4 and 3.5 must be found medically/physically qualified to perform the civilian duties of the ART position in order to be eligible for retention as a NDST. See paragraph 3.4, 3.5 and 4.4 for the appropriate procedures to follow. NDST does not apply to ARTs affected by officer mandatory separation or enlisted high year of tenure.

3.6.2. NDSTs are separated IAW 10 U.S.C. 10218 and command policy as outlined in the following rules initially contained in the NDAA of 2000.
3.6.2.1. NDSTs first hired as an ART or military reserve technician (dual status) on or before 10 Feb 96 must be separated no later than 30 days after attaining eligibility for civil service retirement unreduced due to age or years of potentially creditable service. This date will depend on whether the employee is covered by CSRS or FERS. OPM has determined the earliest eligibility for CSRS employees or FERS employees with a CSRS component is reached at age 55 with 20 years of service or age 62 with 5 years of service. FERS employees reach eligibility at age 50 with 20 years of service, any age with 25 years of service, or age 62 with 5 years of service.

3.6.2.2. NDSTs first hired as an ART or military reserve technician (dual status) after 10 Feb 96 must be separated no later than one year after loss of active membership in the Reserve, if ineligible for a civil service retirement unreduced due to age or years of potentially creditable service at the time dual status is lost. If eligible for a civil service retirement unreduced due to age or years of potentially creditable service as discussed in paragraph 3.6.2.1, the NDST must be separated no later than 30 days after loss of active membership in the Reserve. If an NDST is ineligible for a civil service retirement unreduced due to age or years of service at the time active membership in the Reserve is lost, but becomes eligible within 11 months, the NDST must be separated no later than 30 days after becoming eligible for a civil service retirement unreduced due to age or years of service.

3.6.3. NDSTs cannot be retained when AFRC units are mobilized. In the event of the unit's demobilization, former NDSTs who lost their employment as a result of the unit's mobilization will be given consideration for reemployment to non-ART positions in the same manner and with the same entitlement as any other employee on the Reemployment Priority List (RPL).

3.7. Valid Offer. For ARTs, a valid offer is an offer of assignment to a non-ART position at any grade level or Air Force activity for which registered in the Department of Defense (DoD) Priority Placement Program (PPP). If the employee refuses a valid offer, he or she is precluded from further consideration for placement that otherwise would have been provided under this instruction.

3.8. Determining Eligibility for Civil Service Retirement. All service that is potentially creditable for civilian retirement will be considered in eligibility determinations, even though deposits for some service may be required. For example, all FERS or CSRS covered service, all active duty military service, refunded CSRS service, and temporary service prior to 1989 is potentially creditable. Although creditable toward a CSRS retirement, temporary service after 1988 can never be credited toward a FERS retirement and would not be counted when determining FERS eligibility dates. Employees are responsible for ensuring that all service is actually creditable by making any required deposits. Failure to ensure all necessary deposits are made will not extend the date of an employee’s separation from the civilian ART position.

4. Effect of Loss of Active Membership in the Reserve. The processes applicable to ARTs who lose active membership in the applicable reserve unit for any reason are:

4.1. Officer MSD Program (paragraph 3.1). Officers must ensure they are registered in the DoD PPP, by HQ AFRC/A1CSA, to avail themselves of AFRC's intent to provide them with a one-year registration period prior to their separation. However, failure to be registered one
year prior to a member's MSD will not extend the date of separation. Separation is normally
effectected on the officer’s MSD but NLT 30 days after the MSD regardless of the length of
registration. Placement for members registered in the DoD PPP will be administered in
accordance with guidance in the DoD PPP Handbook.

4.2. Enlisted HYT Program (paragraph 3.2). Enlisted members must ensure they are
registered in the DoD PPP, by the servicing Civilian Personnel Section (CPS), to avail
themselves of AFRC’s intent to provide them with a one-year registration period prior to their
separation. However, failure to be registered one year prior to a member’s HYT date will not
extend the date of separation. Separation is normally effected on the member’s HYT date but
NLT 30 days after the HYT date regardless of the length of registration. Placement for
members registered in the DoD PPP will be administered in accordance with guidance in the
DoD PPP Handbook.

4.3. Voluntary or Within the Individual's Control (paragraph 3.3). Members face
immediate initiation of removal action. Although not entitled to any type of priority
consideration, management may consider such employees for possible placement in non-
ART vacant positions, for which they qualify, within the unit. Pay retention is not
appropriate. Placement efforts must not, however, delay removal from the ART position.

4.4. Involuntary or Beyond the Individual's Control (paragraph 3.4). Members should be
treated according to the designation of their position (key or non-key) and their date of first
hire into an ART or military reserve technician (dual status) position. Key positions are
declared in Appendix D of FPM Supplement 930-71 (Internal) as well as the Air Reserve
Technician (ART) Guide for Human Resource Specialists and the Air Reserve Technician
Guide. Key and Non-key members retained as NDSTs or IAW the NDST procedures should
be coded in the Assigned ART ID field of the civilian data system based on the appropriate
designator. (B – NDST initially hired dual-status on or before 10 Feb 96; D – NDST initially
hired after 10 Feb 96; G – Former enlisted dual status technician who is militarily retired at
age 60 and continued in the civilian part of the ART position IAW para. 3.2.)

4.4.1. ARTs in key positions are eligible for registration in the DoD PPP for Air Force
activities in their local commuting area. Registration is voluntary and is for one year from
the date reserve status is lost. Members must ensure they are registered in the DoD PPP,
by the servicing Civilian Personnel Section (CPS), to avail themselves of AFRC's intent
to provide them with a one-year registration period prior to their separation. If not placed
in a non-ART position during the registration, removal action is effected one year from
the date reserve status is lost, unless the provisions detailed in paragraph 3.6.2 require
an earlier separation date. Declination of a valid offer precludes them from further
consideration for placement that otherwise would have been provided under this
instruction. For members (enlisted and officer) meeting the eligibility requirements for
retention in the ART position, as to which reserve status was lost due to military medical
disqualification, registration in the DoD PPP is accomplished by the servicing CPS, upon
the members request.

4.4.2. ARTs in non-key positions are eligible for registration in the DoD PPP for Air
Force activities in their local commuting area one year prior to the separation date
determined IAW paragraph 3.6.2. Registration is voluntary. Members must ensure
they are registered in the DoD PPP, by the servicing Civilian Personnel Section (CPS), to
avail themselves of AFRC's intent to provide them with a one-year registration period prior to their separation. They remain as NDSTs until affected by the separation provisions of paragraph 3.6.2. Declination of a valid offer precludes them from further consideration for placement that otherwise would have been provided under this instruction. For members (enlisted and officer) meeting the eligibility requirements for retention in the ART position, as to which reserve status was lost due to military medical disqualification, registration in the DoD PPP is accomplished by the servicing CPS, upon the members request.

4.5. In any of the above situations where employees are registered in the DoD PPP, registration is in accordance with the DoD PPP Handbook. Registration may continue for one year after separation so long as the employee (1) has not applied for optional civil service retirement and (2) is not receiving civil service retirement benefits.

4.6. Before assigning a medically disqualified ART to NDST under paragraph 4.4, unit commanders/senior ARTs will ensure the appropriate personnel actions are taken in the following order:

4.6.1. Assign the employee to an equivalent non-ART civilian position for which otherwise qualified.

4.6.2. Offer the individual a lower-grade non-ART civilian position acceptable to the employee and for which otherwise qualified. Pay retention is appropriate for this type of action.

4.6.3. Consider waiver of qualification requirements under applicable regulatory directives for actions listed above.

4.7. If the ART is not medically qualified to perform the civilian duties, the ART is treated in the same manner as any civilian employee who is medically unable to perform. Generally, ART positions are not reworked for accommodation purposes due to the military mission necessity for the duties as described.

4.8. Loss of Reserve Status in Conjunction with Restoration Rights under USERRA. ART employees who are eligible for the statutory restoration rights provided by USERRA upon completion of an active duty tour (e.g., have not exceeded a cumulative five years of non-exempt time on active duty), but have lost active membership in the Reserve during the tour, are treated in the same manner as if they had not left the ART position. Note: Consistent with USERRA (specifically, 38 U.S.C. Section 4312), the restoration rights of employees absent from their position for more than the cumulative five years allowed under USERRA (subject only to extensions and exemptions authorized in the statute) may have expired. Such employees are subject to removal based upon that continued absence of more than five years cumulative non-exempt military service, rather than on removal for loss of active membership in the Reserves described in paragraph 3, above.

4.8.1. Employees who lose their military status while on active duty due to a voluntary action are not entitled to continuing employment under USERRA. They may exercise their restoration rights, but face immediate initiation of removal action upon restoration for failure to maintain a condition of employment IAW para 3.3 and 4.3. For example, an ART on an active duty tour who lost active membership in the Reserve for reasons
within his or her control under paragraph 3.3 would be returned to an ART position for a minimum of 30 days during which time removal action would be initiated.

4.8.2. Employees who are restored and subsequently fail to maintain eligibility for active membership in the Reserve because of a voluntary action for reasons within their control (see paragraph 3.3) are not entitled to continued employment (i.e. they are not entitled to protection from removal after restoration under Section 4316 of USERRA). They face immediate initiation of removal action for failure to maintain a condition of employment. For example, an ART who restored from active duty and lost his or her active membership in the Reserve six months later for failure to participate in prescribed reserve activities would face removal action for failure to maintain a condition of employment.

4.8.3. Employees on active duty who lose their military status for medical disqualification are treated as though they never left their ART employment. Refer to paragraph 3.4 and paragraph 4.4 for involuntary actions determined to be beyond the individual's control. For example, an ART assigned to a non-key position who lost active membership in the Reserve for medical reasons while on tour, would be restored as a NDST if not immediately eligible for a civil service retirement unreduced due to age and years of potentially creditable service and is found to be medically fit to perform the civilian duties of that position.

5. Adverse Action Procedures:

5.1. Loss of Status Based on HYTD/MSD. CPS should prepare a notice of proposed removal not later than ninety (90) days prior to the employee’s HYTD/MSD. After the required reply period ends, the CPS prepares a notice of decision to remove. Decision notices should be provided in all cases – even those in which the ART is eligible for an optional civil service retirement. Except on rare occasions the effective date of separation should coincide with the employee’s HYTD/MSD. Both notices must be coordinated with HQ AFRC/A1CE IAW AFI 36-2132, Volume 1, Air Reserve Technician (ART) Program. NOTE: Actions should not be issued to employee any earlier than 120 days in advance of the employee’s HYTD/MSD.

5.2. Loss of Status Based on Military Medical Disqualification. Providing the employee is eligible for an unreduced annuity based on age and years of potentially creditable service the CPS should prepare a notice of proposed removal as soon as the effective date of the employee’s loss of reserve status is known. Decision notices should be provided as soon as possible after the reply period ends. The effective date of separation should be no earlier than 30 days after the employee receives the notice of proposed separation and no later than 60 days after the date the employee receives the notice of proposed separation. Decision notices should be provided in all cases – even those in which the ART is has applied for civil service retirement. Both notices must be coordinated with HQ AFRC/A1CE IAW AFI 36-2132, Volume 1, Air Reserve Technician (ART).

5.3. Loss of Status Based on Reasons Deemed to be Within the Individual’s Control. CPS should prepare a notice of proposed removal as soon as the effective date of the employee’s loss of reserve status is known. After the required reply period ends, the CPS prepares a notice of decision to remove. Decision notices should be provided in all cases – even those in which the ART is eligible for a civil service retirement. When possible the effective date of separation should coincide with the date employee loses active reserve status. Both
notices must be coordinated with HQ AFRC/A1CE IAW AFI 36-2132, Volume 1, Air Reserve Technician (ART) Program.

5.4. Loss of Status Based on Expiration of NDST Retention. CPS should prepare a notice of proposed removal not later than ninety (90) days prior to the employee’s NDST retention date. After the required reply period ends, the CPS prepares a notice of decision to remove. Decision notices should be provided in all cases – even those in which the ART is eligible for a civil service retirement. Except on rare occasions the effective date of separation should coincide with the expiration of the employee’s NDST retention date. Both notices must be coordinated with HQ AFRC/A1CE IAW AFI 36-2132, Volume 1, Air Reserve Technician (ART) Program.

6. Responsibilities:

6.1. ART Military Personnel Section (MPS) chiefs notify appropriate Civilian Personnel Section (CPS) when, for any reason, an ART loses or is about to lose active membership in the Reserve. The MPS chief also notifies appropriate CPSs fourteen (14) months in advance of an enlisted ART’s HYT date IAW AFI 36-2612, paragraph 7.5.2.2. MPS and CPS jointly establish local procedures for this purpose.

6.2. ART unit commanders/senior ARTs, MPSs, and CPSs jointly determines if loss of active membership in the Reserve is within an individual's control, consistent with this instruction. Refer questionable cases to HQ AFRC/A1CE for a decision.

JAMES F. JACKSON, Lt Gen, USAF
Commander
Attachment 1

GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

References
AFI 36-2132, Volume 1, Air Reserve Technician (ART) Program, 20 March 2012
AFI 36-2612, United States Air Force Reserve (USAFR) Reenlistment and Retention Program, 25 July 1994
AFRCI 36-201, Air Reserve Technician (ART) Officer--Extension to Mandatory Separation Date (MSD), 6 August 2015
AFI 36-704, Discipline and Adverse Actions, 22 July 1994
AFPD 36-1, General Civilian Personnel Provisions and Authorities, 7 March 1995
DoD Directive 1205.18, Full-Time Support (FTS) to the Reserve Components, 4 May 2007
FPM Supplement (Internal) 930-71, Recruitment of Air Reserve Technicians Through Competitive Examination (ART Agreement), January 1988
The Air Reserve Technician (ART) Guide, 10 October 2014
The Air Reserve Technician (ART) Guide for Human Resources Specialists, 1 June 2015
10 U.S.C. Sec. 10216, Military technicians (dual status)
10 U.S.C. Sec. 10217, Non-dual status technicians
10 U.S.C. Sec. 10218, Army and Air Force Reserve technicians: conditions for retention; mandatory retirement under civil service laws

Adopted Forms
Air Force (AF) IMT Form 847, Recommendation for Change of Publication

Abbreviations and Acronyms
AF—Air Force
AFRC—Air Force Reserve Command
AGR—Air Guard Reserve
ART—Air Reserve Technician
CPS—Civilian Personnel Section
CSRS—Civil Service Retirement System
DoD—Department of Defense
Terms

Air Reserve Technician (ART)—ARTs are full-time civilian employees who are also active members of the Air Force Reserve unit in which they are employed. In addition to their civilian assignments, they are assigned to equivalent positions in the reserve organization with a reserve military rank or grade. They play vital roles in the combat readiness of their reserve unit by training other reservists and serving as mobilization assets when the unit is mobilized.

Military Technician (Dual Status)—a Federal civilian employee who is (1) employed under Title 5, Section 3101 (2) is required as a condition of civilian employment to maintain membership in the Selected Reserve; and (3) is assigned to a civilian position as a technician in the organizing, administering, instructing, or training of the Selected Reserve or in the maintenance and repair of supplies or equipment issued to the Selected Reserve or the armed forces.

Non-Dual Status Technician (NDST)—Term for dual status employees who have lost status due to a military medical disqualification, are not immediately eligible for an unreduced annuity due to age and years of potentially creditable service, and who are found medically/physical qualified to perform the duties of the ART position as to which reserve status was lost.

Potentially Creditable Service—Service that is creditable toward an employee’s civilian retirement whether or not the necessary deposits have been made to ensure all service is creditable toward civilian retirement eligibility.