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**PERSONNEL ADMINISTRATION OF
MASTER LABOR CONTRACT (MLC)
AND INDIRECT HIRE AGREEMENT
(IHA) EMPLOYEES (PA)**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This instruction implements the Master Labor Contract (MLC), Indirect Hire Agreement (IHA), MLC Standing Instructions, IHA Procedures, and USFJ Instruction 36-502. **IF THE MATERIAL TERMS OR POLICIES OF THIS PUBLICATION CONFLICT WITH THE MLC OR IHA, THEN THE MLC OR IHA SHALL TAKE PRECEDENCE.**

It provides managers and supervisors with instructions for the administration of MLC and IHA employees. It applies to all organizations serviced by the Fifth Air Force Civilian Personnel Section (CPS) of the Force Support Squadron or an Army and Air Force Exchange Service (AAFES) Human Resources Office (HRO) in Japan. This publication requires the collection and/or maintenance of information protected by the Privacy Act (PA) of 1974. The authority to collect and/or maintain the records prescribed in this publication is 5 U.S.C. Section 552(e)(3).

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(KADENAAB) The Fifth Air Force Instruction (5 AFI) 36-102, *Personnel Administration of Master Labor Contract (MLC) and Indirect Hire Agreement (IHA) Employees (PA)*, 10 September 2018, is supplemented as follows: This publication provides managers and supervisors with instructions for administration of MLC and IHA employees. It is a standalone publication and must be read in conjunction with 5 AFI 36-102. It applies to all organizations serviced by the Kadena Air Base (AB) Civilian Personnel Flight in Japan using MLC or IHA employees. This supplement requires collecting and maintaining information protected by the Privacy Act of 1974 authorized by 10 U.S.C. 8013, *Secretary of the Air Force: powers and duties; delegation by, and E.O. 9397 (SSN)*. System of Records Notice F036 AFRES A, *Personnel Interview Record*, applies. Refer recommended changes and questions about this publication to the OPR using the AF Form 847, *Recommendation for Change of Publication*; route AF Forms 847 from the field through the appropriate functional chain of command. Ensure that all records generated as a result of processes prescribed in this publication adhere to Air Force Instruction (AFI) 33-322, *Records Management and Information Governance Program*, and are disposed of in accordance with the Air Force Records Disposition Schedule which is located in the Air Force Records Information Management System.

SUMMARY OF CHANGES

This document has been substantially revised and must be reviewed in its entirety. Deleted portions which were redundant with MLC/IHA provisions throughout this publication. Established as a new Chapter “Post-Retirement Employment (PRE)” and described PRE selection criteria, performance evaluation, and appointment process (**Chapter 3**). Established two (2) new 5 AF Forms to certify One-Day of Mourning Leave and Parent’s Memorial Ceremony (**Chapter 9**). Revised 5 AF Form 55EJ, *Tentative Annual Schedule*, to include carried-over annual leave hours to be entered (**Chapter 9**) and 5AF Form 50EJ, *MLC Special Work Allowance Report*, to change the title to “MLC/IHA Special Work Allowance Report” to make available for both MLC and IHA (**Chapter 11**).

(KADENAAB) This publication has been revised and must be reviewed. Recertify the use of Kadena AB Form 1EJ, *Application for Kadena Vacancy Announcement*, and Kadena AB Form 1-1EJ, *Continuation of Employment History*.

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Chapter 1

GENERAL PROVISIONS

1.1. General. The Master Labor Contract (MLC) and Indirect Hire Agreement (IHA) are government-to-government contracts/international agreements. They set forth the agreed terms and conditions concerning utilization of and compensation for the services of Local National (LN) employees employed by the Ministry of Defense (MOD) of the Government of Japan (GOJ) to provide service to the United States Forces, Japan (USFJ). For MLC, the United States Government (USG) is represented by the MLC Contracting Officer. For IHA, the USG is represented by the IHA Administrator. For both MLC and IHA, the GOJ is represented by the Deputy Director General, Bureau of Local Cooperation, MOD.

1.1.1. MLC employees support USG activities funded with appropriated funds. IHA employees support those organizations described in Article XV of the Status of Forces Agreement (SOFA) that are Non-Appropriated Fund Instrumentalities of the USG. The legal employer for both MLC and IHA employees is the GOJ.

1.1.2. USFJ and GOJ are responsible for full utilization and effective management of MLC and IHA employees. Managers and immediate supervisors of MLC and IHA employees are responsible for day-to-day supervision, position management, direction, control, training, discipline, etc. within the scope of the provisions in the agreed contract and agreement.

1.1.3. Under authority delegated by the MLC Contracting Officer and IHA Administrator, Contracting Officer's Representatives (CORs) and IHA Administrator's Representatives (IHARs) of USAF and AAFES Civilian Personnel Section/Human Resources Office (CPS/HRO) work jointly with the cognizant Regional Defense Bureau/Defense Offices (RDB/DO) of the MOD to conduct day-to-day personnel administration and implementation of all personnel actions processed under MLC and IHA provisions. The Labor Management Organization (LMO) serves as the MOD's administrative agent.

1.2. Contracting Officer's Representatives/IHA Administrator's Representatives:

1.2.1. CORs execute the MLC and IHARs execute the IHA within the limits of authority specified in writing by the MLC Contracting Officer and IHA Administrator, respectively. CORs/IHARs are expected to protect the interests of the USG in contractual relationships by their actions, and will not take any positions and/or actions contrary to the best interests of the USG or contrary to guidance and instructions of the MLC Contracting Officer and/or IHA Administrator.

1.2.2. Commanding Officers of CPS/HRO activities will prepare a memorandum to nominate qualified and responsible CPS/HRO members to perform duties as CORs and IHARs. CPS/HRO send new requests for designation, changes, and terminations to 5 AF/A1, along with an original copy of DD Form 577, *Appointment/Termination Record - Authorized Signature*. The memorandum will itemize responsibilities of the designee. 5 AF/A1 will acknowledge new designations, and changes, and termination, and forward the request to the MLC Contracting Officer and IHA Administrator, as appropriate.

1.2.3. Contracting Officer's Representative for Appeals (CORA)/Indirect Hire Agreement Administrator's Representative for Appeals (IHARA). The CORA is responsible for processing and deciding MLC third step grievances in accordance with procedures described in the MLC. Similarly, the IHARA is responsible for processing and deciding IHA third step grievances in accordance with procedures described in the IHA. For Air Force (AF) installations in Japan and for AAFES, 5 AF/A1 serves as the CORA and IHARA for MLC and IHA, respectively. As an exception, alternate CORA/IHARA will be appointed to the cases when the matter of grievance was an action effected by 5AF/A1 as COR per [paragraph 1.2.4](#) below or when 5AF/A1 provided guidance as COR to the matters being grieved.

1.2.4. The 5 AF/A1 shall be appointed as the primary COR for 5 AF and the subordinate wings to resolve disputes between management and the CPS on matters pertaining to:

1.2.4.1. Personnel Action Requests (PARs) under Chapter 2 of the MLC;

1.2.4.2. Position Classification Determinations under Chapter 3 of the MLC;

1.2.4.3. Disciplinary Terminations under Chapter 8 of the MLC;

1.2.4.4. Security Risk Terminations under Chapter 9 of the MLC; and

1.2.4.5. Incapacitation, Disability, and Disqualification Terminations under Chapter 10 of the MLC.

1.2.4.6. In order to ensure the consistent administration of the MLC and IHA, the COR/IHAR will coordinate with the 5 AF/A1 on matters concerning the interpretation and administration of the MLC and IHA to include disagreements between the CPS/HRO and the using units on personnel action requests. Disagreements will be submitted through the servicing CPS/HRO with written statements of the Civilian Personnel Officer (CPO)/Human Resources Manager (HRM) and the using unit's points of view. In cases of position classification disagreements see [Chapter 5](#), as required. 5AF/A1's determinations are final and the CPS/HRO shall forward the USFJ Form 11EJ to the local RDB/DO to be processed based on the final determination.

1.3. The Staff Judge Advocate . The Staff Judge Advocate, 5 AF/JA, through the Chief of General Law, is the principal legal advisor to the MLC Contracting Officer and the IHA Administrator. The legal opinions issued by the Office of the Staff Judge Advocate, 5 AF/JA, are the controlling legal opinions on the interpretation and administration of the MLC and IHA.

Chapter 2

LABOR AND PERSONNEL RELATIONS WITH EMPLOYEE UNIONS OR GROUPS

2.1. Air Force Personnel Management Policy. It is an AF personnel management policy to recognize the principle that an employee may join or refrain from joining an employee organization without interference, coercion, restraint, discrimination, or reprisal. This principle applies insofar as is consistent with applicable provisions of existing treaties, SOFA, and MLC/IHA.

2.2. Responsibilities of the Government of Japan. As the legal employer of MLC/IHA employees, the MOD is the only authority responsible for the conduct of labor relations with the labor unions and for coordinating such matters with other GOJ offices. The MLC and IHA set forth the GOJ responsibilities on all labor relation issues and litigations before Japanese civil courts and administrative tribunals.

2.3. Responsibilities of Installation Commanders:

2.3.1. Since the provisions of the MLC and IHA can only be executed, interpreted, disputed, or revised by specifically authorized officials representing both the USG and GOJ, installation commanders are limited in the extent to which they can entertain requests from the authorized GOJ representatives for the resolution of locally generated disputes.

2.3.2. Such arrangements require installation commanders to act as the cognizant authorities in the conduct of their liaison relationships on matters requiring proper local labor relations. To ensure strict adherence to AF internal personnel management-employee relations principles and practices, the following guidance applies:

2.3.2.1. Installation commanders immediately submit to 5 AF/A1 for necessary action and resolution such matters on local union activities that would lead to or are in violation of the MLC, IHA, the Contracting Officer's Standing Instructions, the IHA Procedures, USFJ Instructions, or this 5 AF Instruction.

2.3.2.2. Installation commanders govern their command-employee relations and the conduct of their representatives with local government authorities, by observing that:

2.3.2.2.1. Employees have the right to organize, join, or refrain from joining any lawful labor union or other employee group without interference, coercion, restraint, discrimination, or reprisal. Installation commanders will take no action which affects the rights of employees because of membership or non-membership in any such group.

2.3.2.2.2. No single organized labor union or employee group is arbitrarily considered as representing the interests of all employees or given the right of exclusive representation. Representation is on behalf of the bona-fide members of the labor union or employee group.

2.3.2.2.3. Installation commanders' representatives are not a party to the collection of union dues, fines, or assessments on behalf of a labor union or employee group.

2.3.2.2.4. Complaints of individuals may be initiated only by the aggrieved person. Where specific remedial action to the individual is sought, the grievance procedures established in the MLC and IHA apply. Every effort should be made to resolve employee grievances promptly and equitably so that such grievances do not become the basis for petitions or demands from labor unions or employee groups.

2.3.2.2.5. Japanese national labor union or other employee group activities are prohibited within installations. Such activities include, but are not limited to, labor rallies, demonstrations, celebrations, or political or general membership meetings or gatherings, whether formally or informally called or assembled. The display of banners, flags, placards, signs, emblems, etc., and wearing of badges, ribbons, armbands, headbands, etc., which are symbolic of, or which bear any inscription, symbol, or pictures of individuals, agencies, or activities of the USG or GOJ, or of any labor or political organization or movement is prohibited within installations, including lunch hours, recesses, and rest periods.

2.3.2.2.6. Printed or written material submitted by a labor union or employee group for posting on bulletin boards or distributing within USFJ facilities may be allowed only at properly designated locations and only after the prior approval of the installation commander or authorized representative. Such publications must not contain propaganda against individuals, agencies, or activities of the USG or GOJ.

2.3.2.2.7. Regularly scheduled work hours, lunch hours, recesses, and rest periods must not be used for periodic or organized solicitation of membership, collection of dues, assessment of fees, or other funds for labor unions or other employee groups, within installations.

2.3.2.2.8. AF officials must not engage in direct negotiations with representatives of labor unions.

2.4. Submission of Union Flyers. The CPS forwards a copy of each union flyer distributed at or near their installation to 5 AF/A1. Forward such flyers on the date of distribution or in advance, if possible. Attach translations if translation services are immediately available.

Chapter 3

POST-RETIREMENT EMPLOYMENT

3.1. General. Post-Retirement Employment (PRE) is an appointment of a person over 60 years old who has been employed as permanent MLC/IHA employee and is terminated by the advanced age (age 60) provision of MLC Chapter 10, par 3j/IHA Supplement 18, par 6.

3.1.1. The purpose of a PRE appointment is to provide employment opportunities for those who desire to continue working until they reach pension eligible age. PRE appointment will be made for a period not exceeding one year until he/she reaches pension eligible age.

3.2. PRE Appointment Process. Supervisors will prepare USFJ Form 11EJ for appointment and submit to CPS/HRO for processing to the RDB/DO.

3.2.1. Supervisors will conduct an annual performance evaluation using 5 AF Form 51EJ for those PRE employees at or above the age corresponding to each of the periods shown in the table below, as described in MLC Chapter 1, par 9.a/IHA Supplement 13, Section C, par 2j.

Table 3.1. PRE employees at or above the age corresponding to each of the periods.

Period	Age
1 April 2016 through 31 March 2019	62
1 April 2019 through 31 March 2022	63
1 April 2022 through 31 March 2025	64
On and after 1 April 2025	65

Chapter 4

PERSONNEL ACTION REQUESTS

4.1. General. Supervisors are responsible for determining and directing 5 AF manpower requirements for the effective management of the MLC and IHA workforce in support of their missions. When initiating a personnel action for MLC/IHA employees, supervisors shall use USFJ Form 11EJ, *Personnel Action Request/Official Notification of IHA Personnel Action (PA)*.

4.1.1. For MLC employees.

4.1.1.1. CPS will:

4.1.1.1.1. Provide advice and assistance to supervisors in taking personnel actions.

4.1.1.1.2. Furnish an advance copy of each USFJ Form 11EJ to the MLC payroll element.

4.1.1.1.3. When acting as a designated COR, forward USFJ Form 11EJ to the RDB/DO for final action.

4.1.1.1.4. File a copy of the USFJ Form 11EJ in the employee's official personnel folder.

4.1.1.1.5. Return USFJ Form 11EJ approved or disapproved by the RDB/DO to supervisors through channels.

4.1.1.1.6. When acting as a designated COR, forward one copy of USFJ Form 11EJ approved or disapproved USFJ Form 11EJs by the RDB/DO to 5 AF/A1.

4.1.1.2. Supervisors will:

4.1.1.2.1. Indicate the specific action requested and the reasons for it in block 14 of the USFJ Form 11EJ.

4.1.1.2.2. Indicate the proposed effective date of the action in block 5 of the USFJ Form 11EJ. Ensure the action requested is not taken until notified by the CPS of RDB/DO approval.

4.1.1.2.3. For appointments or position review, indicate the manpower position control number, functional code, Air Force Specialty Code (AFSC), and program element code in USFJ Form 11EJ, as necessary.

4.1.1.2.4. For the establishment of a new position or the review of an existing position, include documentation reflecting tasks assigned and changes to the position, if any.

4.1.1.2.5. For mass transfers and mass reassignments, submit USFJ Form 11EJ with a list of employees concerned. If these actions are as a result of an organization re-designation, attach one copy of the authority or include the reason in block 14 of the USFJ Form 11EJ.

4.1.1.2.6. Attach appropriate backup documentation to the USFJ Form 11EJ. Examples: a death certificate, a medical certificate for insanity, or a copy of the family register indicating a change in the name.

- 4.1.1.2.7. Submit USFJ Form 11EJ through the commander, staff agency chief, or a delegated administrative officer, to the CPS for processing.
- 4.1.1.2.8. Keep USFJ Form 11EJ returned approved or disapproved by the RDB/DO in the employees' records.
- 4.1.2. For IHA employees.
 - 4.1.2.1. CPS/HRO will:
 - 4.1.2.1.1. Provide advice and assistance to supervisors in taking personnel actions.
 - 4.1.2.1.2. When acting as a designated IHAR, forward USFJ Form 11EJ to the RDB/DO for final action.
 - 4.1.2.1.3. Return USFJ Form 11EJ approved or disapproved by the RDB/DO to supervisors through channels.
 - 4.1.2.1.4. File a copy of the USFJ Form 11EJ in the employee's official personnel folder and forward a copy to the IHA payroll element.
 - 4.1.2.2. Supervisors will:
 - 4.1.2.2.1. Indicate the specific action requested and the reasons for it in block 14 of the USFJ Form 11EJ.
 - 4.1.2.2.2. Indicate the proposed effective date of the action in block 5 of the USFJ Form 11EJ. Ensure the action requested is not taken until notified by the CPS/HRO of RDB/DO approval.
 - 4.1.2.2.3. For the establishment of a new position or review of an existing position, include documentation reflecting tasks assigned and changes to the position, if any.
 - 4.1.2.2.4. For mass transfers and mass reassignments, submit USFJ Form 11EJ with a list of employees concerned. If these actions are as a result of an organization re-designation, attach one copy of the authority or include the reason in block 14 of the USFJ Form 11EJ.
 - 4.1.2.2.5. Attach appropriate backup documentation to USFJ Form 11EJ. Examples: A death certificate, a medical certificate for insanity, or a copy of the family register indicating a change in the name.
 - 4.1.2.2.6. Submit USFJ Form 11EJs to the CPS/HRO for processing.
 - 4.1.2.2.7. Provide an original of USFJ Form 11EJ returned approved or disapproved by the RDB/DO to the employee, and maintain a copy in the employees' records.

4.2. Employment of Family Members. Do not endorse the selection of a person to a position where a relative would supervise that person in the chain of command. Do not endorse the selection of a person who would be authorized to approve or influence any personnel action on a relative. Do not endorse the selection of a person who would make recommendations or approve the evaluation of a relative.

Chapter 5

POSITION CLASSIFICATION

5.1. General:

5.1.1. Job Definitions provide the basis for identifying the job title, basic wage table, grade level, and language proficiency level for positions based on duties and responsibilities assigned to the employees by supervisors. Job Definitions are incorporated into the MLC and IHA and published in the Job Definition Manuals, Appendix I to the MLC and Appendix I to the IHA.

5.1.2. The task list is determined by the supervisor and contains an actual statement of the major duties, responsibilities, and supervisory relationship assigned to a position. Any type of format can be used for this purpose; however, the task list must at least contain (1) official office designation in which the position is assigned; (2) job definition number; (3) job title; (4) Basic Wage Table number; (5) grade; (6) description of permanent duties and responsibilities assigned to the position and percentage of time the incumbent spends performing each major duty; (7) employment requirements of the position such as license(s), if applicable; (8) supervisor's name, title, and signature; and (9) the CPS/HRO staff member's name, title, and signature who advised on the classification of the position. Supervisors are responsible for reviewing the task list for accuracy and to establish or update one as required prior to submitting USFJ Form 11EJ. A sample Task List is provided in [Attachment 2](#).

5.1.3. Site audits are defined as a review by a CPS/HRO classification technician/specialist of the duties and responsibilities normally assigned to the employee. When possible, examples of actual work accomplished are observed during the site audit.

5.1.4. Supervisors are defined as a civilian or military personnel (includes MLC/IHA employees who serve as official supervisors) who accomplishes work through the supervision of other employees; and MLC/IHA supervisors must meet the minimum requirements for MLC or IHA supervisory positions as defined in the MLC Chapter 3, IHA Supplement 2. A military member or USG civilian employee of any Service Branch may serve as a supervisor of an MLC or IHA employee. Working Leaders (Foreman A) are not considered to be supervisors for the purpose of this chapter.

5.2. Program Responsibilities. Supervisors have the primary responsibility for assigning position duties and managing those positions under their responsibility. The Civilian Personnel Officer (CPO)/Human Resources Manager (HRM) provides advice and assistance in the position classification and position management of MLC/IHA positions. The goal of the MLC/IHA classification program is to accurately describe and classify task lists for all positions, consistent within 5 AF and amongst similar positions across USFJ Service Components.

5.2.1. CPS/HRO will:

5.2.1.1. Assist management in establishing new positions.

5.2.1.2. Review and provide advice on changes to existing positions.

5.2.1.3. Provide supervisors with appropriate guidance, advice, and assistance concerning classification and position management.

5.2.1.4. Plan, develop, and implement a training program for supervisors of MLC/IHA position classification principles and procedures used.

5.2.1.5. Conduct periodic program evaluations, and at the request of management, conduct position reviews when necessary to maintain classification accuracy and submit a written report of findings to supervisors directly concerned with the positions.

5.2.1.6. Inform supervisors on what position or personnel actions are required as a result of individual or organizational classification reviews.

5.2.1.7. When a position involves duties associated with more than one job definition, supervisors and CPS classification specialists shall comply with Chapter 3, par. 4.c of the MLC and classify the position based on the higher or highest job definition associated with 25% of the duties.

5.2.2. Supervisors will:

5.2.2.1. Organize duties into positions so as to conform with the approved mission and manpower authorizations.

5.2.2.2. Make the most of position management and structuring techniques to achieve the best balance of economy and effectiveness (minimum use of higher-level positions and maximum use of lower-level positions). Coordinate with the CPS/HRO and servicing manpower office in conducting organizational and position management reviews.

5.2.2.3. Submit requests to the servicing manpower office to change AFSCs on the unit manpower document, implement realignment of positions to authorized work locations, report proposed organizational and structure changes, or establish or change supervisory positions.

5.2.2.4. Review positions and task lists of employees under their supervision and determine if adjustments are needed. If the duties and responsibilities on the existing task list are significantly different from those assigned to and performed by an employee, develop an accurate task list and organization chart for position review.

5.2.2.5. Promptly submit USFJ Form 11EJ with a task list to establish a new position, report a change in a position, make changes required as a result of a site audit, or cancel a position. If there is a change in the task list, attach a document stating the reasons for the change.

5.2.2.6. Inform employees of various aspects of the classification to include how grievances are processed, how changes in duties affect position classification, etc.

5.2.2.7. Participate in training conducted by CPS/HRO.

5.3. Establishing New Job Definitions. If the duties of an employee do not properly match any of the job definitions in the MLC/IHA, and/or when the present job definitions do not properly reflect the skills, qualification, or license(s) required for a position, the supervisor may submit a request to the CPS/HRO to forward to the 5 AF A/1, requesting the Joint Labor Affairs Committee (JLAC) to consider establishing a new job definition or to revise an existing job definition. The CPS/HRO shall prepare a proposed definition, Japanese translation, organization chart, and coordination worksheet as described in **Attachment 3**, and forward a proposal to 5 AF/A1 for consideration by the JLAC. Such requested changes shall not be effective until published in Job Definition Manuals, Appendix I to the MLC and Appendix I to the IHA.

5.4. Civilian Personnel Section/Human Resources Office Records. CPS/HRO maintain:

5.4.1. A complete file of authorized job definitions.

5.4.2. An up-to-date organization chart which shows all established positions, functional code, AFSC, title, supervisory level, basic wage table, job definition number, and grade for each position.

5.4.3. Position review files consisting of memorandums indicating results of reviews and other pertinent information.

5.5. Supervisor Records. Supervisors maintain:

5.5.1. An up-to-date organization chart.

5.5.2. Copies of current task lists for the positions they supervise.

5.5.3. A copy of the latest classification review report.

5.6. Resolving Disagreements. If a supervisor does not concur with a classification recommendation made by the CPS/HRO technician/specialist, then the CPS/HRO shall provide the supervisor with a detailed summary of its classification evaluation and analysis. The supervisor can submit a memorandum, non-concurring on the CPS/HRO recommendation and request reconsideration. The supervisor's memorandum shall specifically address how the assigned job duties meet at least 25% of the duties for the higher or highest graded job definition as described in the MLC and the IHA. The CPO/HRM shall advise and work with the supervisor to resolve the disagreements within 30 calendar days of the supervisor's request for reconsideration. If the supervisor and CPO/HRM are unable to reach an agreement, the 5 AF COR shall make the final classification decision for 5 AF and subordinate Wings.

Chapter 6

WORK SCHEDULES

6.1. General:

6.1.1. Work schedules are established and changed by supervisors. Supervisors shall notify the CPS/HRO in advance of any work schedule changes so the CPS/HRO can advise on the proposed changes. The established work schedule will include weekly workdays and hours, starting time, ending time, recess period, non-work day and rest day. Management should notify affected employees of the proposed change and reasons for it as far in advance as possible so an orderly changeover can be made.

6.1.2. A new work schedule is normally effective on the first day of the month. A proposal for a work schedule change (Figure 6.1) must be received by the CPS/HRO at least 20 calendar days before the proposed effective date for MLC employees and 10 (ten) calendar days before the proposed effective date for IHA employees. This provides the CPS/HRO the necessary time to coordinate with the LMO on the change and notify the requester of LMO’s approval or disapproval before the effective date. A copy of the approved work schedule is posted in the office or shop.

6.1.3. When a work schedule needs to be changed for a short time due to an emergency or an abnormal situation, the requirement for advance submission does not apply. Submit each such change to the CPS/HRO as soon as possible.

Figure 6.1. Format for Work Schedule Change Request.

(Date)																		
MEMORANDUM FOR (CPS or AAFES Human Resources Office)																		
FROM: (Requesting Organization)																		
SUBJECT: Change in Work Schedule																		
1. Request approval to change the work schedule as shown below effective (date) for the following employees:																		
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: left; border-bottom: 1px solid black;"><u>Name of Employee</u></td> <td style="text-align: left; border-bottom: 1px solid black;"><u>Job Title</u></td> <td style="text-align: left; border-bottom: 1px solid black;"><u>BWT No., Job No., Grade</u></td> </tr> </table>	<u>Name of Employee</u>	<u>Job Title</u>	<u>BWT No., Job No., Grade</u>															
<u>Name of Employee</u>	<u>Job Title</u>	<u>BWT No., Job No., Grade</u>																
2. Work schedule change:																		
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="text-align: center; border-bottom: 1px solid black;"><u>From</u></td> <td style="text-align: center; border-bottom: 1px solid black;"><u>To</u></td> </tr> <tr> <td style="padding-left: 20px;">a. Weekly work days:</td> <td></td> <td></td> </tr> <tr> <td style="padding-left: 20px;">b. Weekly work hours:</td> <td></td> <td></td> </tr> <tr> <td style="padding-left: 20px;">c. Starting time and ending time:</td> <td></td> <td></td> </tr> <tr> <td style="padding-left: 20px;">d. Recess period:</td> <td></td> <td></td> </tr> <tr> <td style="padding-left: 20px;">e. Designated rest day and non-work day:</td> <td></td> <td></td> </tr> </table>		<u>From</u>	<u>To</u>	a. Weekly work days:			b. Weekly work hours:			c. Starting time and ending time:			d. Recess period:			e. Designated rest day and non-work day:		
	<u>From</u>	<u>To</u>																
a. Weekly work days:																		
b. Weekly work hours:																		
c. Starting time and ending time:																		
d. Recess period:																		
e. Designated rest day and non-work day:																		
3. Reason for change(s):																		
(Signature Element of Requesting Official)																		

6.2. Rest Periods. A short rest period, not more than 15 minutes for each four hours of continuous work, may be granted during the tour of duty. Each employee shall be notified of the policy.

6.2.1. The supervisor should consider the following when granting a rest period:

6.2.1.1. Is the job a hazardous one or does it require the continual or considerable use of physical strength? If so, will the rest help the employee's health?

6.2.1.2. Will the rest eliminate fatigue and cut down on the accident rate?

6.2.1.3. Does the employee work in a confined space or area where normal physical activities are limited?

6.2.1.4. Will the rest improve work performance?

6.2.2. A rest period may not be scheduled to coincide with a lunch break or at the start or end of the day.

6.2.3. A rest period is a part of the scheduled work hours for which pay is received.

6.3. Non-Work Allowance. Employees are authorized non-work allowance (60% of regular wages) when they are not permitted to work due to USFJ reasons.

6.3.1. An alternate worksite and/or temporary work schedule change will be considered prior to placing employees on non-work allowance status. Non-work allowance is not authorized for mere workplace closure due to down days for military personnel at an installation or lack of sufficient workload.

6.3.2. Except in emergency situations, all non-work allowance authorizations require CPS/HRO prior coordination.

6.4. Time and Attendance Record. The unit prepares a USFJ Form 34, *MLC Personnel Time and Attendance Record*, or USFJ Form 364, *IHA Personnel Time and Attendance Record*, as appropriate, on a daily basis, to indicate the duty status of employees. If the employee is on detail or temporary promotion, the time and attendance record will be forwarded to the unit of employee's permanent assignment.

Chapter 7

LEAVE AND ABSENCE

7.1. General. Employees submit requests for leave on USFJ Form 23EJ, *Leave Application*.

7.1.1. Leave requests are submitted via original document only. However, an original and one copy are required when requesting a status change to either leave without pay after 90 days sick leave, pregnancy leave, child-care leave, or family-care leave. The original USFJ Form 23EJ must be attached to the time and attendance record and the duplicate is submitted to the CPS/HRO within seven (7) calendar days of receipt. For detailed guidance on the calculation of days see MLC/MLC SI Chapter 7, IHA/IHA Procedures Supplement 10.

7.1.2. Employees submit leave requests to the leave approving official as far in advance of the desired leave day(s) as possible. The leave approving official is normally the first-line supervisor, who has full responsibility over the employee(s).

7.1.3. If the employee is on detail or temporary promotion, leave requests may be approved by the supervisor where the employee is temporarily detailed to.

7.2. Annual Leave:

7.2.1. Permanent and PREs submit a 5 AF Form 55EJ, *Tentative Annual Leave Schedule*, to their supervisor not later than 1 February of each year or within one month of hire as a permanent or post-retirement employee.

7.2.2. Tentative annual leave schedules will include the number of annual leave hours carried over from the previous calendar year, and the number of annual leave hours the employee plans to take during the present calendar year, and number of annual leave hours the employee plans to carry over and take in the following calendar year. For final approval, employees submit USFJ Form 23EJ at least 48 hours before desired leave commencement date.

7.2.3. Supervisor may change the tentative annual leave schedule for an operational reason or when the employee requests a change.

7.3. Mourning Leave. Employees may be required to submit satisfactory proof of death of a spouse or relative by blood, adoption or marriage, when requesting Mourning Leave. When an employee requests one-day Mourning Leave, satisfactory proof of death may be satisfied by a letter, an e-mail, or a statement made by a blood relative, certifying the employee's relationship with the deceased, or by 5 AF Form 52EJ, *One-day Mourning Leave Certificate*.

7.4. Parent's Memorial Leave. Employees should submit a request for Parent's Memorial Leave to his/her supervisor at least ten (10) days in advance of the desired date. Certification of a memorial ceremony is required which contains the name and date of the memorial ceremony, name of the deceased parent being honored, and name and address of the place of the memorial ceremony. Certification of a memorial ceremony may be substituted by 5 AF Form 53EJ, *Memorial Ceremony Certificate*.

7.5. Sick Leave Without Pay. Employees who are still incapacitated at the end of their 90-day sick leave period are continued on the payroll in a "leave without pay" status. USFJ Form 11EJ to effect the change in status, accompanied by a leave request and a doctor's medical certificate, will be submitted to the CPS/HRO.

7.6. Administrative Leave. Supervisors of IHA and MLC employees have the discretion to grant administrative leave on a case-by-case basis when such absences are in the interest of the USFJ Component or organization. Employees will be granted administrative leave on the specific bases set forth in IHA Supplement 10, Section C, par 1 and MLC Chapter 7, Section G, par. 1. Administrative leave of over 60 minutes shall be recorded on an employee's timesheet.

7.7. Leave Records. All approved USFJ Form 23EJ with required substantiating documentation will be submitted to the MLC/IHA payroll office. The MLC/IHA payroll office will verify leave annotated on the monthly payroll sheet with the approved USFJ Form 23EJ and substantiating documentation. It is a joint responsibility of supervisors, timekeepers, and the MLC/IHA payroll offices for accurately keeping track of leave days taken by the employee. The CPS/HRO will periodically inform employees and their supervisors of leave definitions, eligibility and specific requirements on procedures and assist the MLC/IHA payroll office in verifying and recording authorized leave on the monthly payroll. The approved USFJ Form 23EJ and substantiating documentation must be attached to the monthly payroll and submitted to LMO. The approved USFJ Form 23EJ for annual and summer leave are excluded from this requirement.

Chapter 8

SPECIAL WORK ALLOWANCE

8.1. General. Special Work Allowance (SWA) is an additional pay to employees when they work under conditions defined in MLC Chapter 4, Section F/IHA Supplement 1, Section E.

8.2. Responsibilities Assigned:

8.2.1. Supervisors will:

8.2.1.1. Ensure every effort is made to create a safe, healthful, and pleasant work environment within which employees perform their duties.

8.2.1.2. Review and determine the requirement for work to be performed under conditions that warrant payment of SWA. Obtain assistance from appropriate base officials to eliminate or minimize unhealthful, dangerous, or disagreeable working conditions when such action requires the improvement of physical work location or other measures within the control of management.

8.2.1.3. Obtain technical assistance of ground safety or other subject matter specialists as required to determine whether the specific working conditions are compensable under the SWA criteria.

8.2.1.4. Approve payment of SWA only for hours actually worked. Supervisors prepare and maintain 5 AF Form 50EJ, *MLC/IHA Special Work Allowance Report*, every workday to record actual time spent in performing work for which SWA is granted. 5 AF Form 50EJ is maintained with USFJ Form 34 for MLC or with USFJ Form 364 for IHA.

8.2.1.5. Consult with the CPS/HRO to resolve questions on the validity of SWA payment.

8.2.1.6. Submit a written request to CPS/HRO for initial authorization of SWA. Request will include such information as number and job title of employees involved, description of the work situation warrants SWA, number of hours estimated to be spent in the work, and justification.

8.2.2. CPS/HRO will:

8.2.2.1. Monitor the SWA program by providing guidance to supervisors and employees on the meaning and intent of the MLC/IHA provisions pertaining to SWA, including conditions and definitions of the MLC/IHA SWA payments.

8.2.2.2. Orient supervisors on their responsibility to control the authorization of work performed under conditions that are considered dangerous, unhealthful, or disagreeable.

8.2.2.3. Continuously review and control administration of SWA and effect corrective actions when necessary. Conduct periodic staff assistance visits with responsible supervisors at various operating levels to ensure they fully understand the various facets of SWA administration.

Chapter 9

PROTECTIVE CLOTHING AND UNIFORMS

9.1. General:

9.1.1. Protective clothing and uniforms, as defined in MLC Chapter 17, par 3/ IHA Supplement 5.2. are those items of clothing prescribed by the USG that MLC and IHA employees are required to wear for their respective positions during duty hours only, as directed by the USG.

9.1.2. A table of uniforms (TU) is a list of items of clothing with stock number, number of issue per employee, life expectancy period, style, and standards specifying material and color approved for use by employees in specified positions. The GOJ purchases the items of clothing listed in the TU and issue to employees on a loan basis. MLC and IHA employees may be required to wear other clothing items not listed in TU, in which case, the using unit will purchase the protective clothing or uniform with its own budget and will not request GOJ for reimbursement. When purchasing clothing outside of the TU, units must comply with appropriated fund and nonappropriated fund fiscal laws, regulations, and policies.

9.2. Responsibilities Assigned:

9.2.1. Supervisors will:

9.2.1.1. Identify positions that require the employee to wear a uniform or protective clothing while on duty. Such positions include, but are not limited to, security guards, firefighters, sentry dog handlers, manual and trade occupations, cooks, nurses, etc.

9.2.1.2. Select the kinds of material and color for the uniform or protective clothing.

9.2.1.3. Request the uniform or protective clothing.

9.2.1.3.1. Fill out RFP Form 22, *Request for Purchase of Protective Clothing and Uniforms*, when items of clothing are required for employees who are newly hired, whose jobs are changed, or whose uniforms wore out earlier than expected. Submit the original to the CPS/HRO, as applicable.

9.2.1.3.2. Obtain the Renewal Uniform Item List from CPS/HRO annually and annotate if the listed items are valid or not. Identify items no longer required and those requiring replacement, and submit the completed list to CPS/HRO by the suspense date.

9.2.1.4. Submit a request to the CPS/HRO when the TU must be changed to add or delete a job or an item of clothing, or to change a style or standard.

9.2.1.5. When informed by employees of any worn-out, lost, or damaged items of clothing, promptly investigate if the employees are at fault for the loss or damage. Notify CPS/HRO of the findings.

9.2.2. CPS/HRO will:

9.2.2.1. Review RFP Form 22 and Renewal Uniform Item List submitted by supervisors and forward to LMO for action.

9.2.2.2. Review TU change requests submitted by supervisors for accuracy and completeness, and forward them to 5 AF/A1. Inform the requesters of the status of the request.

9.2.2.3. Coordinate with the LMO to determine the date and place to issue the items of clothing to employees and notify using organizations.

9.2.2.4. Complete USFJ Form 21, *Annual Requirement of Protective Clothing and Uniforms*, and submit to 5 AF/A1 by 31 May prior to the next Japanese fiscal year (JFY). Any revisions must be submitted by 31 January prior to the next JFY.

9.2.3. Employees will:

9.2.3.1. Notify the supervisor when any issued item wears out or is lost or damaged.

9.2.3.2. Sign or stamp their seal (inkan) on the receipt when items are issued.

9.2.3.3. Return items to the LMO when separated or transferred.

Chapter 10

PERFORMANCE EVALUATION AND AWARDS

10.1. General. Supervisors of MLC/IHA employees are not required to conduct formal, periodic or annual performance evaluations of their employees; however, performance evaluations are necessary to rate the trial period performance of new employees and to assist permanent employees to improve under an MLC Help and Assistance Program (HAP) or an IHA Work Trial. Performance evaluations are also necessary to rate and recognize employees whose performance is superior and exceeds expectations. Although the MLC/IHA do not have formalized, annual performance evaluation processes, supervisors should continually discuss performance with employees, informing them as to how well they are performing or where they need to improve.

10.2. Responsibilities Assigned:

10.2.1. Supervisors will:

10.2.1.1. Annotate dates of performance evaluations or discussions and any pertinent comments on performance in the Supervisor's Employee Brief.

10.2.1.2. Assist a marginal employee, and develop a program consistent with Chapter 10 of the MLC for a HAP and IHA Supplement 18, Work Trial.

10.2.1.3. Recognize employees who have demonstrated superior performance.

10.2.2. CPS/HRO assist supervisors in reassigning or separating employees whose performance cannot be improved.

10.3. Evaluation of Employee Performance:

10.3.1. Trial Period Employees.

10.3.1.1. New employees serve a six-month trial period. At the time of the job induction process, supervisor reviews the task list with the employee to ensure the employee has a full understanding of the job. During this trial period, the supervisor closely observes and rates the employee's job performance, work attitude, conduct, and character traits to determine if he or she is acceptable for retention in the job.

10.3.1.2. In the evaluation process, the supervisor provides guidance and assistance as well as rates and discusses work with the employee. If necessary, the supervisor will assist the employee to adjust to the job.

10.3.1.3. When the rating indicates the employee is not able to perform satisfactorily, supervisor immediately consults with a CPS/HRO specialist. If it is decided the employee should be terminated, supervisor completes USFJ Form 11EJ and forwards to the CPS/HRO at least 45 days before the trial period expires so that a 30-day advance notice for termination can be issued to the employee. If a termination is proposed within the first 14 days of the trial period, there is no need for an advance notice or payment of a discharge allowance. Upon the expiration of the trial period, the employee changes to permanent employee status.

10.3.2. Permanent Employees.

10.3.2.1. When a permanent employee is not able to perform satisfactorily, the supervisor notifies the employee of his or her shortcomings and develops a HAP/Work Trial to improve performance.

10.3.2.1.1. Supervisors will consult with CPS/HRO personnel prior to beginning a HAP/Work Trial

10.3.2.1.2. The HAP/Work Trial will be based on the employee's classified task list, Job Definition, and any other specific duties and expectations established by the supervisor.

10.3.2.1.3. The HAP/Work Trial will be in writing, translated into Japanese if necessary, and indicate where the employee is failing to meet his or her performance expectations.

10.3.2.1.4. The HAP/Work Trial will explain to the employee how improvements must be made and what assistance the supervisor will provide during the period of the HAP/Work Trial.

10.3.2.1.5. The HAP/Work Trial will explain that the employee will be retained in the job if performance improves to required standards. If performance does not improve, the HAP/Work Trial shall inform the employee of the personnel actions that may result to include a reassignment, change to lower grade, and possibly separation.

10.3.2.1.6. The supervisor will sign the notice of the HAP/Work Trial and obtain acknowledgment of receipt from employee, and submit a copy to the CPS/HRO. If the employee refuses to sign, the Supervisor shall annotate the notice of the HAP/Work Trial with a statement that the employee received the notice but refused to sign.

10.3.2.1.7. The supervisor will maintain a detailed record of the employee's progress on the Supervisor's Employee Brief to support any adverse action that may be necessary.

10.3.2.1.8. The length of the HAP/Work Trial is at the discretion of the supervisor but must be of a sufficient length of time to allow the employee a meaningful opportunity to improve his or her performance, typically 30, 60, or 90 calendar days.

10.3.2.1.9. The COR or IHAR, shall immediately notify the local RDB/DO of the initiation of the HAP/Work Trial and continue to keep the RDB/DO informed on the employee's progress during the HAP/Work Trial.

10.3.2.1.10. At the conclusion of the HAP/Work Trial, if the supervisor determines the employee's performance remains unsatisfactory, the supervisor and CPS/HRO will consult with legal counsel on the next step in the process to reassign the employee. The COR/IHAR will immediately notify the RDB/DO of the outcome of the HAP/Work Trial and forward the supervisor's determination and findings along with the necessary supporting documentation.

10.3.3. Post Retirement Employees. The above HAP/Work Trial provisions will be applicable to the employees who are below the age corresponding to each of the period shown in the table set forth under [para 3.2, Chapter 3](#).

10.4. Special Step Increase. As authorized in the MLC/IHA, a Special Step Increase (SSI) may be granted to a permanent employee who met the service requirements and was rated with exceptional work performance during the step increase period.

10.4.1. The awardee(s) will receive additional two (2) micro-step increases to annual Longevity Step Increase (LSI).

10.4.2. The minimum evaluation period for exceptional performance is one(1) year.

10.4.3. Only one (1) SSI will be granted during a 36-month period. The starting period will begin from the ending date of the evaluation period for which the last SSI was made.

10.4.4. Supervisors will fill out a USFJ Form 12 for each eligible employee recommended for a SSI. Supervisors will provide a brief justification in Section 9 of the Form 12. A longer justification may be submitted but is not required.

10.4.5. The officials listed below are approving officials for SSIs.

10.4.5.1. For employees assigned to 5 AF: Vice Commander or Chief of Staff.

10.4.5.2. For employees assigned to Wing staff agencies: Wing or Vice Commander.

10.4.5.3. For employees assigned to Department of Defense Dependents' Schools (DoDDs): District Superintendent or Chief of Staff.

10.4.5.4. For employees assigned to Groups, Squadrons, or other tenant organizations: Commander or Deputy Commander.

10.4.5.5. For employees assigned to AAFES: Local installation General Manager.

Chapter 11

GRIEVANCES

11.1. General:

11.1.1. A grievance is an employee's stated dissatisfaction with any aspect of his or her employment.

11.1.2. Prior to the acceptance and processing of a grievance, the employee and the supervisor shall make every effort to resolve the problem through consultation. Grievances should be settled informally, promptly, and satisfactorily at the first-level supervisor, when possible.

11.1.3. Employees shall be free from restraint, interference, coercion, discrimination, or reprisal in presenting a grievance, filing a grievance appeal, and requesting a grievance review.

11.2. Responsibilities Assigned.

11.2.1. Supervisors will ensure the provisions of this chapter and the MLC/IHA are brought to the attention of, and are made available to, each employee.

11.2.2. CPS/HRO will:

11.2.2.1. Keep employees, supervisors, and operating officials fully informed of the grievance process.

11.2.2.2. Seek the advice of legal counsel early in the grievance process and request legal review of all settlement agreements and/or proposed grievance decisions. All second step grievance decisions must have a legal review prior to issuing to the grievant.

11.2.2.3. Advise and assist supervisors and operating officials as much as possible to informally resolve or settle at any step of the grievance process.

11.2.2.4. Assist employees, with the advice of legal counsel, on the proper appeal procedures if they are not satisfied with the second step decision and want to appeal to the third step.

11.2.2.5. Provide all documentation to the CORA/IHARA, including necessary background information, such as the chronology of events, personnel actions taken, and investigation results, which supported the second step decision, legal opinion, etc., if an employee decides to appeal to the third step.

Chapter 12

IMPENDING LABOR RELATIONS PROBLEMS AND STRIKE ACTIONS

12.1. General. This chapter is applicable to all Department of the AF agencies in Japan and all other USG agencies or MLC/IHA employees whose personnel servicing is provided by 5 AF installation CPS or administration of it is being supported by 5 AF.

12.2. Responsibilities of Installation Commanders. Installation commanders:

12.2.1. Ascertain the facts concerning impending problems which arise and cause labor relations disputes or tactics affecting MLC or IHA employees.

12.2.2. Ensure the implementation of the reporting requirements in this chapter by the CPS/HRO serving the installation.

12.2.3. Take appropriate action to provide proper security measures during labor unrest.

12.3. Report of Impending Labor Relations Problems:

12.3.1. Submission of Reports. When the facts indicate potential fiscal or manning problems or reveal tactics (slowdown, walkouts, etc.) which might impair operations during the early stages of disputes or tactics prior to strike actions, CPS/HRO will immediately submit reports of the situation and measures undertaken through command channels to 5 AF/A1. Reports may be submitted via telephone, fax, or email. Such reports are confirmed in writing as soon as practicable. Progress reports will follow, indicating the manner by which the problems are being resolved.

12.3.2. Contents of Reports. The reports will include as much of the information in **Figure 12.1** as is available at the time of initial submission or progressive reports. Such initial and progressive reports are not delayed for lack of supporting data to cover the required information.

Figure 12.1. Contents of Reports.

1. US Forces unit or units involved.
2. Location of the dispute.
3. Labor union demands and basic issues causing the dispute.
4. Commencement date and duration of any proposed strike.
5. Number of MLC and IHA employees directly involved in the dispute.
6. Background leading to the dispute.
7. Impact of the proposed strike upon US operations and combat effectiveness.
8. Countermeasures being planned by US Forces in the event of a strike.
9. Actions being taken to resolve the dispute.
10. Other facts germane to the dispute.

12.4. Report on Actual Strike Actions:

12.4.1. Initial Reports. CPS/HRO will provide initial reports to 5 AF/A1 via telephone, fax, or email, any strike actions resulting from either a stalemate or unresolved impending problems or strike actions announced spontaneously without prior consultation, immediately at the start of the strike and during prolonged as well as periodic or aggravating strikes. Installations establish local procedures for timely collection of necessary data and submit the report by 0830 each day of the strike using the format in [Figure 12.2](#).

Figure 12.2. Initial Reports of Report on Actual Strike Actions.

1. Date of strike: _____, time reported: _____.
2. Strike scheduled from _____ hours to _____ hours.
3. Picket formation from _____ hours to _____ hours.
4. Total number of picketers: _____.
5. Police attendance from _____ hours to _____ hours.
6. Number of police: _____.
7. Number of employees: <i>MLC</i> <i>IHA</i> <i>AAFES</i>
7.1. Current assigned strength: _____
7.2. Scheduled to work: _____
7.3. Total reported for duty: _____
7.4. Total absent from duty: _____
7.5. Percentage present: _____
7.6. Accommodated on base: _____
8. Incidents reported: _____.

12.4.2. Written Reports. CPS/HRO will provide written reports to 5 AF/A1 upon cessation of the strike, to include but not limited to, the information in [Figure 12.3](#).

Figure 12.3. Written Reports.

1. Date and hour of commencement of the strike.
2. Date and hour of commencement of picketing activities.
3. Number of employees scheduled to work.
4. Number of employees absent from work.
5. Number of employees accommodated on installations.
6. Number of employees given passes to pass through picket lines.
7. Number of employees permitted to pass through picket lines.
8. Factual evidence and records, including photographs, of all activities of pickets considered to be unusual or illegal.
9. Any evidence of failure to comply with instructions.
10. Date and hour of termination of the strike.
11. Specific information on the direct and/or indirect costs of the strike to the US Government, and of other effects on the mission of the activity concerned.
12. Any other facts or data germane to the strike.

12.5. Actions During Labor Unrest:

12.5.1. During picketing activities, neither AF military nor privately owned vehicles will be used to transport MLC and IHA employees across picket lines. The word "transport" does not restrict the use of MLC and IHA employees as drivers, crew members, etc., of such vehicles engaged in their normal day-to-day functions.

12.5.1.1. If MLC and IHA employees are passengers in vehicles being transported to an installation, they will be dropped off from the vehicles at the entrance of the installation. They will then proceed through the picket lines to enter the installation.

12.5.1.2. MLC and IHA employees are not used as drivers of such vehicles when the movement of the vehicles involves crossing picket lines.

12.5.2. It is within the authority of installation commanders to accommodate employees on installations overnight or for such periods as desired, if such action is necessary or desirable for the functioning of the installation and if acceptance of such accommodation is voluntary on the part of the employees.

12.5.3. Nothing contained herein cancels responsibility of installation commanders to take such actions in times of emergency or threat of emergency, which they deem necessary for the safe and effective functioning of the installation.

12.6. Retaliation Against Strikers:

12.6.1. AF labor policy precludes action against individual MLC and IHA employees who participate in strikes for the following reasons:

12.6.1.1. The GOJ interprets Japanese legislation to afford strike rights to MLC and IHA employees.

12.6.1.2. In other than small, isolated, or short strikes, it would be impossible to replace Japanese employees with US personnel.

12.6.2. Pending reappraisal of the entire strike problem, installations are directed to take no punitive action against individuals because they participated in a strike.

12.6.3. This instruction does not limit the prerogatives of commanders and supervisors to determine what type of manpower, either US military personnel, US civilian employees, or MLC/IHA employees, should be used in the performance of various functions. If, in order to maintain combat effectiveness, the potential threat of work stoppages to essential operations results in the decision that it is feasible to permanently replace MLC/IHA employees with US military or civilian personnel in the performance of essential functions, such replacement is authorized. Any reduction in force that results is effected in accordance with the established procedures in the MLC/IHA.

Chapter 13

DUTY-CONNECTED INJURY AND ILLNESS REPORTING

13.1. General:

13.1.1. Duty-Connected Injury or Illness. An injury or illness sustained in the performance of official duties, including injury or illness during commutation.

13.1.2. Workmen's Accident Compensation Insurance (WACI) Law of Japan. An insurance which provides prompt and equitable compensation to an employee in the event of injury, disability, or death due to an occupational accident or disease. It also provides necessary arrangements for the welfare of the employees.

13.1.3. MLC and IHA employees with a duty-connected injury or illness are paid for treatment of such injury or illness as specified in the WACI Law of Japan. The LMO requires a report of each duty-connected injury or illness from the CPS/HRO to support a claim for benefits prescribed by the law.

13.2. Responsibilities Assigned.

13.2.1. Supervisors will:

13.2.1.1. Inform employees to immediately report a duty-connected injury or illness, no matter how slight.

13.2.1.2. Obtain prompt medical care for injured or sick employees.

13.2.1.3. Report a duty-connected injury or illness to the CPS/HRO, and inform them of any changes in the status of the injured or sick employee.

13.2.1.4. Promptly notify the proper safety officials of a duty-connected injury or illness.

13.2.1.5. Keep each employee's emergency contact information address on Supervisor's Employee Brief or AAFES Form 1100-24.

13.2.2. Employees will:

13.2.2.1. Immediately report a duty-connected injury or illness to the supervisor, if able.

13.2.2.2. Keep the supervisor informed of their current address and emergency contact information.

13.2.3. CPS/HRO will:

13.2.3.1. Inform employees and supervisors of the compensation procedures for duty-connected injuries and illnesses.

13.2.3.2. Submit necessary reports to the LMO.

13.2.3.3. Assist management to find a job in which to place the injured employee, if necessary.

13.3. Reporting and Other Procedures:

13.3.1. After reporting a duty-connected injury or illness to the supervisor, if able, employees will immediately proceed to the proper medical facility for assistance. If necessary, supervisors ensure employees report to the medical facility.

13.3.2. Supervisors will submit a report of duty-connected injury or illness, as shown in **Figure 13.1**, and forward it to the CPS/HRO within 48 hours of the accident or incident and notify safety officials.

13.3.3. CPS/HRO will review reports of duty-connected injuries or illnesses and forward them to the safety office and LMO as soon as possible. In the case of serious injuries, illnesses, and fatal accidents and incidents, CPS/HRO will immediately report to 5 AF/A1. CPS/HRO will also notify 5 AF/A1 when the GOJ Labor Standards Inspection Bureau requests an investigation on the case.

Figure 13.1. Format for Report of Duty-Connected Injury or Illness.

	(Date)
MEMORANDUM FOR (CPS or AAFES Human Resources Office)	
FROM: (Reporting Organization)	
Unit 5XXX	
APO AP 963XX-5XXX	
SUBJECT: Report of (MLC) (IHA) Duty-Connected Injury (Illness)	
The following information is reported in accordance with 5 AFI 36-102, Chapter 18:	
a. Name, date of birth, and present address:	
b. Job title, job number, and assigned organization:	
c. Description of how the accident or incident occurred (including the date, time, and place):	
d. Extent of the injury:	
e. Name and address of the medical facility to which the injured was taken:	
f. Name and job title of the witness:	
g. Name of the supervisor and telephone number:	
(Signature of Responsible Supervisor)	

Chapter 14

OFFICIAL TRAVEL

14.1. General:

14.1.1. Domestic Travel is travel within Japan.

14.1.2. Foreign travel is travel to countries outside of Japan. MLC and IHA employees are employed to perform duties within Japan in support of the United States armed forces. MLC and IHA employees are allowed foreign travel to perform official duties under limited circumstances: a) to attend training courses, conferences, developmental workshops, and other similar activities, b) to receive an award or attend special ceremonial events. Travel to countries outside of Japan for other purposes directly related to their official duties in Japan, such as to perform duties in support of the US armed forces in Japan mission and defense of Japan, may be allowed only after coordination with 5 AF/A1 and 5 AF/JA who may be required to make further coordination with MOD.

14.2. Procedures for Travel Expense Claims:

14.2.1. Management will appoint travel authorization issuing officers. Prepare DD Form 577 for each appointee and forward an original copy to the Comptroller Squadron (for MLC) or NAF Resources Flight (for IHA), as applicable. These offices will furnish a copy of the form to the LMO.

14.2.2. Employees will coordinate with supervisors on the method of travel as well as the agreed travel time prior to commencing official travel.

14.2.3. Employees will submit a USFJ Form 356EJ, *MLC/MC/IHA Travel Authorization*, as soon as returning from travel, to the travel authorization issuing officer for both domestic and foreign travel with substantiating documents such as a copy of the travel order, transportation request, receipts of fare for commercial air, train, bus, and lodging, etc.. Travel authorization issuing officer will forward the USFJ Form 356EJ and substantiating documents to the COR/IHAR through Comptroller Squadron (MLC) or NAF Resources Flight (IHA) for review and verification of substantiating documents.

14.2.4. Employees will ensure travel is performed in the most economical manner. Employee will normally utilize the installation Travel Office for the procurement of airline tickets. The travel authorization issuing officers and the COR/IHAR shall be the approval authority for exceptions to travel policies. When an unusual circumstance requires increasing the amount of travel expenses (e.g., use of commercial taxis, additional lodging expense, etc.), employees will submit justification and obtain approval from the COR/IHAR. The COR/IHAR may approve an upward adjustment within an amount not to exceed the actual expenses.

14.2.5. The COR/IHAR will submit an approved USFJ Form 356EJ and substantiating documents to LMO within two weeks after the employee's completion of travel.

Chapter 15

MISSION ESSENTIAL EMPLOYEES

15.1. Mission Essential Positions and Duties. Section 16 of USFJ Instruction 36-502, *Utilization of Local National Personnel*, 9 August 2017, provides USFJ guidance on the administration of LN employees during emergencies.

15.1.1. Mission Essential Local National Employees are those employees, not involved in direct activity with military combat operations or mobilization, who are determined by their chain of command as required to accomplish the mission of USFJ during emergencies or exigent situations.

15.1.2. AFI 36-507, *Mobilization of the Civilian Workforce*, 21 July 1994, requires the identification of “contingency-essential civilian employees” during a base level planning process for contingency and wartime planning. A contingency essential civilian employee is a direct or indirect hire local national civilian employee occupying a position required in a crisis situation. According to the AFI, this contingency essential designation is “the local national equivalent of a key or emergency essential designation.” However, the GOJ is the legal employer of MLC/IHA employees and the administration of their employment is governed by Japanese labor laws and the international agreements between the United States and Japan. Accordingly, the terms and conditions of employment for a local national contingency essential employee in Japan are not equivalent to those of US civilian employee serving in key and essential or emergency essential designated positions. The term “contingency essential civilian employee” as applied to IHA or MLC employees shall be consistent with the term “mission essential” as described in USFJ Instruction 36-502.

15.1.3. When it is necessary to designate a position as mission essential in advance, supervisors shall prepare a document to notify the employee of the following information:

15.1.3.1. The scope of the mission essential functions or duties to be performed during the emergency situations;

15.1.3.2. A statement from the employee acknowledging their understanding that the positions they encumber are designated as mission essential and are aware of the scope of the Mission Essential functions; and

15.1.3.3. A statement of any training requirements or conditions of employment that must be met to perform mission essential duties of the position.

15.1.4. Prior to designating any position as mission essential in advance, the supervisor will coordinate the designation notice with the CPS/HRO who will provide a copy to 5 AF/A1.

Chapter 16 (Added-KADENAAB)**LOCAL OPERATING PROCEDURES**

16.1. (Added-KADENAAB) Scope. This supplement establishes local operating procedures for all units with MLC and IHA employees serviced by the Japanese National (JN) Civilian Personnel Section, 718th Force Support Squadron, Kadena AB and supplements the basic instruction.

16.2. (Added-KADENAAB) Internal Recruitment. Current U.S. Forces Japan (USFJ) MLC and IHA employees applying for positions under the internal recruitment program (Kadena vacancy announcements open to current USFJ employees) will utilize the Kadena AB Form 1EJ, *Application for Kadena Vacancy Announcement*, and Kadena AB Form 1-1EJ, *Continuation of Employment History*. The form and substantiating documents must be completed and submitted to the JN Civilian Personnel Section, 718th Force Support Squadron, Kadena AB by the closing date of the announcement for consideration.

JERRY P. MARTINEZ,
Lt General, USAF
Commander

(KADENAAB)

DAVID S. EAGLIN
Brigadier General, USAF
Commander

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

SOFA

(Added-KADENAAB) AFI 33-322, *Records Management and Information Governance Program*, 23 March 2020

MLC

IHA

MLC Standing Instructions (SI)

IHA Procedures

USFJ Inst 36-502, *Utilization of Local National Personnel*, 9 August 2017

Prescribed Forms

5AF Form 50EJ, *MLC/IHA Special Work Allowance Report*

5AF Form 51EJ, *Performance Rating for Selection of Post-Retirement Employment*

5AF Form 55EJ, *Tentative Annual Leave Schedule*

(Added-KADENAAB) Kadena AB Form 1-1EJ, *Continuation of Employment History*

5 AF Form 52EJ, *One Day Mourning Leave Certificate*

(Added-KADENAAB) Kadena AB Form 1EJ, *Application for Kadena Vacancy Announcement*

5AF Form 53EJ, *Memorial Leave Certificate*

Adopted Forms

AAFES Form 1100-24, *Supervisor/Employee Communication Record*

AF Form 847, *Recommendation for Change of Publication*

DD Form 577, *Appointment/Termination Record - Authorized Signature*

USFJ Form 11EJ, *Personnel Action Request/Official Notification of IHA Personnel Action (PA)*

USFJ Form 12, *Request for Payment of Cash Award/Special Step Increase (SSI)*

USFJ Form 21, *Annual Requirement of Protective Clothing and Uniforms*

USFJ Form 23EJ, *Leave Application*

USFJ Form 34, *MLC Personnel Time and Attendance Record*

USFJ Form 356EJ, *MLC/MC/IHA Personnel Travel Authorization*

USFJ Form 364, *IHA Personnel Time and Attendance Record*

Abbreviations and Acronyms

AAFES—Army and Air Force Exchange Service
(Added-KADENAAB) AB—Air Base
AF—Air Force
(Added-KADENAAB) AFI—Air Force Instruction
AFSC—Air Force Specialty Code
COR—Contracting Officer's Representative
CORA—Contracting Officer's Representative for Appeals
CPS—Civilian Personnel Section
CPO—Civilian Personnel Officer
5 AF—Fifth Air Force
GOJ—Government of Japan
HAP—Help and Assistance Program
HRM—Human Resources Manager
HRO—Human Resources Office
IHA—Indirect Hire Agreement
IHAR—IHA Administrator's Representative
IHARA—IHA Administrator's Representative for Appeals
JLAC—Joint Labor Affairs Committee
(Added-KADENAAB) JN—Japanese National
LMO—Labor Management Organization
MLC—Master Labor Contract
MOD—Ministry of Defense
NAF—Non-appropriated Fund
PAR—Personnel Action Request
PRE—Post-Retirement Employment
RDB/DO—Regional Defense Bureaus/Defense Offices
SSI—Special Step Increase
SOFA—Status of Forces Agreement
SWA—Special Work Allowance
TU—Table of Uniforms
US—United States

USFJ—US Forces, Japan

USG—US Government

WACI—Workmen's Accident Compensation Insurance

Attachment 2

SAMPLE TASK LIST

Figure A2.1. Sample Task List.

Organization (Office Symbol):			
Job Title:		Job Definition Number:	
Basic Wage Table:		Grade:	
Task No.	Description of Task	Hours Per Week	%
1	Receives, reviews, and distributes correspondence	10	25%
2	Types correspondence, messages, and other material	10	25%
3	Greets visitors and receives telephone calls	10	25%
4	Maintains publications and records	8	20%
5	Assists other clerical personnel in the office	2	5%
Performs any other related or incidental duties as assigned.			
Total Hours of Work:		40	100%
Physical requirement: Must be able to lift up to XXX pounds of office furniture.			
Experience/Education: One year of general work experience or completion of 2-year junior college.			
Licensing requirement: Must hold ordinary driver's license.			
Signature of Immediate Supervisor:		Date:	
Signature of CPS/HRO Classifier:		Date:	

Attachment 3

WRITING MLC AND IHA JOB DEFINITIONS

A3.1. Format for Job Definitions. This attachment explains how to write and propose job definitions for inclusion in the MLC or IHA Job Definition Manual. Each job definition has three sections, "General," "Duties and Responsibilities," and "Others". (See **Figure A3.1**)

A3.1.1. The "General" section includes information that is essential to evaluate and classify the job. It includes the duties or tasks that are so different from those in existing job definitions that a new and separate one is required to fit the classification, pay, recruitment, and other personnel processes.

A3.1.2. The "Duties and Responsibilities" section includes information that supports the "General" section. It serves as the basis for the classification of the job. Each duty is shown in descending order of difficulty or sequence of performance. The level of difficulty is the best method and should be used unless the sequence method provides a better view of the knowledge and skills essential to good job performance.

A3.1.3. The "Others" section includes such things as license requirements, physical requirements, educational requirements, or known hazard exposure that could occur on the job.

A3.1.4. Do not use abbreviations for shop or office names.

A3.1.5. Express duty statements in the third person, singular, present tense, active voice, and begin with the verb. The subject (incumbent) is not repeated unnecessarily.

A3.1.6. Keep the job title short but as descriptive as possible.

Figure A3.1. Format for Job Definition.

<u>JOB DEFINITION TITLE</u>
<u>GENERAL:</u>
<u>DUTIES AND RESPONSIBILITIES:</u>
<u>OTHERS:</u>
BWT# ____ - GRADE ____

A3.2. Writing a Job Definition:

A3.2.1. Write a job definition for use for all Service Components. If this is not possible, state just the specialized nature of the work to be accomplished.

A3.2.2. Write a basic wage **table 2** job definition for a nonsupervisory position only.

A3.2.3. When writing a job definition in other than basic wage **table 2** for a job with supervisory or managerial duties that include the direction of the work to be performed by subordinate workers, include the full scope and degree of the supervisory tasks in personnel management; for example, selection, assignment of work, review of work, and discipline. Include a supervisory or managerial designation in the job title and a statement that the job will not be made any higher based on supervisory responsibilities.

A3.2.4. Do not write a job definition for clerical and manual jobs with a low grade when an existing one covers tasks that require a relatively short time for training or instruction.

A3.3. Establishing a Proposed Grade Structure. The grade structure is made by means of an objective analysis of the facts. The grade selected is compared to those of related job definitions in the same occupational family, if there are any, and with those in other occupational families to ensure horizontal alignment.

A3.4. Justification of Grade and Essentiality. Submit a complete Job Definition Coordination Worksheet to provide full justification to support the proposed grade with any proposed job definition (see **Figure A3.2**). Provide an explanation of the grade relationship between the new and others as well as background information of the occupational data of the definition. Also, include other data, such as the placement source, number of jobs, and using activity.

Figure A3.2. Format for Job Definition Coordination Worksheet.

<u>JD COORDINATION WORKSHEET</u>
<u>BACKGROUND:</u> (Briefly describe the assignments and organizational locations, etc. of the position covered. When the position is encumbered, indicate current classification of the incumbent.)
<u>ESSENTIALITY:</u> (Provide reasons for the need of new job definition. Make reference to existing definitions for jobs of similar nature or in the same occupational groups, if any have been established. Describe how the assignments to the proposed definition differ from those described in the existing definitions.)
<u>GRADE PROPOSAL:</u> (Provide rationale for the proposed grade by comparison with related definitions within the same occupational group if any, and with ones in the other occupational group at the same time, next lower and/or higher grade level.)
<u>JOB TITLE:</u> (Provide specific reason, if any, for the selection of particular title.)
<u>PLACEMENT SOURCE:</u>
<u>NUMBER OF POSITIONS:</u>
<u>USING UNIT:</u>