



**NATIONAL GUARD BUREAU**  
111 SOUTH GEORGE MASON DRIVE, AHS2  
ARLINGTON VA 22204-1373

21 February 2013

MEMORANDUM FOR ALL NATIONAL GUARD HUMAN RESOURCES OFFICERS

SUBJECT: Notification of Potential Furlough Actions (TN 13-04)

1. This letter serves as the National Guard Bureau's advance notice of a possible furlough action affecting all permanent and temporary technicians. The National Guard Bureau, Office of Technician Management recommends you immediately notify your exclusive labor organization representatives and, upon request, bargain over any negotiable impact and implementation proposals the labor organizations may submit, unless the matter of furlough is already covered by a collective bargaining agreement.
2. The Budget Control Act of 2011 requires across-the-board reductions to take place March 1, 2013, unless legislation is enacted that avoids such reductions. If this happens, sequestration will reduce each agency's budgetary resources in non-exempt accounts for the remainder of the fiscal year (which runs through September 30, 2013).
3. The Office of the Secretary of Defense (OSD) concluded the Secretary of Defense, under the provisions of 10 USC 113, has the authority to direct furlough actions of technicians employed under the authority of 32 USC 709. If sequestration occurs, furloughs may be required due to a reduction in Department of Defense wide funding levels. A furlough is the placing of an employee in a temporary nonduty, nonpay status because of lack of work, reduction/ lack of funds, or other non-disciplinary reasons.
4. On 20 February 2013, OSD announced its intentions to Congress to conduct furloughs of civilian (technician) personnel. This notice to Congress starts the countdown clock on furlough execution projected to begin the last week of April. In response, I provided formal notification of potential furlough actions to the labor organizations having national consultation rights.
5. Given the magnitude of our budgetary uncertainty, the National Guard must act now to reduce our technician payroll expenditure rate and mitigate budget execution risks in order to avoid even more serious future fiscal shortfalls. Any actions must be reversible and minimize harmful impacts on National Guard readiness, particularly for personnel and units preparing to deploy.

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6. In order to ensure the Congressionally mandated strength floor of the military technician program is achieved, a National Guard wide hiring freeze will not be implemented. States should continue to maintain FY13 military technician authorized strength levels in accordance with Army and Air National Guard "vouchered" authorizations.

7. The CNGB is requesting authority to delegate limited discretion to Adjutants General to make exceptions for humanitarian and mission-critical purposes.

8. Finally, if furlough actions prove to be necessary, every affected technician would be subject to furlough for up to 22 discontinuous work days (176 total hours), the maximum number of furlough days allowed without triggering additional notification requirements that follow reduction-in-force procedures (though such an extended furlough action would still constitute a temporary placement on nonduty, nonpay status, rather than a permanent separation from service). Technicians will be provided the requisite advance notice before a furlough occurs. As previously stated, you should engage immediately in the necessary and appropriate discussions with technician unions, and discharge any applicable collective bargaining obligations that may arise. In the event an agreement is reached that averts sequestration and restores needed funding, all furloughs will be immediately cancelled as well as all furlough planning.

9. Questions or concerns regarding this correspondence may be addressed to Ms. Brenda DeCruise, Chief, Employee Relations and Labor Management, (703) 607-1478 or [brenda.j.decruise.civ@mail.mil](mailto:brenda.j.decruise.civ@mail.mil); or Mr. Scott Brinker, Labor Relations Office, (501) 307-5111 or [scott.r.brinker.civ@mail.mil](mailto:scott.r.brinker.civ@mail.mil).



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