



T32 to T5 Conversion – Myth vs. Fact

MYTH #1: Degrades/Diminishes State control of the National Guard's full-time workforce.

FACT. Initially, there were unfounded concerns that Adjutant Generals (AGs) would lose control over those individuals converted to T5 because the FY16 NDAA legislation did not specifically state that converted employees would still be 'administered' by the AGs. However, Congress erased all doubts in the FY17 NDAA when they included Section 932, which makes clear that AGs are considered the 'head of the agency' for any individual employed under T5.

MYTH #2: Converting Technicians from T32 to T5 would harm readiness by reducing the total number of National Guard personnel available for state emergency response.

FACT. This is a 'conversion in place' not a 'reduction in force.' Plainly speaking, those positions identified for conversion will continue to serve in a full-time capacity within the National Guard, and will continue to perform the same exact civilian duties after conversion as they did before the conversion.

The only difference between T5 and T32 is that those converted to T5 will no longer be required to remain in the National Guard as a condition of their civilian employment. However, even if a converted individual decides to end their military affiliation with the National Guard, this does not mean that they could not support state emergency operations in their civilian capacity. Federal employees within other Agencies respond to emergencies all the time, either directly or in a support role, within the confines of their position description.

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MYTH #3: Those who convert to T5 will leave the Guard.

FACT. T5 does not require military affiliation, but there is no data to support that all 20% of T5 converts would leave the Guard. Internal surveys conducted in 2013 at the time of the CNA study showed that over 85% percent of those converted to T5 would remain in the Guard, militarily, and available for call-up. However, even if some or all of those converted did choose to end their military affiliation, the Guard is not losing those military billets. They would be able to fill them with drill-status guardsmen (DSGs), so there's no reduction in total manning.

MYTH #4: Technicians are First Responders.

FACT. Technicians are not First Responders!

Governors and AGs have repeatedly made this claimed that technicians are First Responders, and that converting them to T5 would negatively impact readiness because they would no longer be available for emergency tasking.

This particular claim is one of the most deliberately misleading, and patently false, narratives concerning the T5 conversion to date. It is both factually and legally untrue, and it is nothing more than a scare tactic used to garner support against the T5 conversion from those who are unfamiliar with the technician world.

A technician who is a GS-9 auditor or a WG-10 vehicle mechanic is not a trained First Responder in any emergency situation. Except for a handful of technicians that serve in the medical field, the vast majority of dual-status technicians have zero formal training in emergency response.

FACT: This is about money, not readiness.

There is no evidence, factual or anecdotal, that converting any portion of the technician workforce to T5 will have an impact on readiness. Furthermore, the fact that opponents are portraying technicians as 'First Responders' highlights a bigger problem, which is that states are mismanaging the technician workforce.

Technicians are not there to respond to emergencies...technicians are there to maintain equipment, and train and administer the Guard. Using technicians as first responders is a misuse of Federal dollars, period. Except in the rare instance of a bona fide unforeseen emergency, like a tornado or a terrorist attack, most other 'emergency' situations provide states with enough notice to allow adequate personnel activations in a 72-60-48-36-24-12-H fashion. For example, if there's a hurricane over water or a developing snow storm, modern day forecasting provides ample warning so that states can utilize all their personnel assets, to include technicians, in their appropriate State Active Duty status.

In reality, this has nothing to do with readiness or emergency response, and everything to do with who pays for it. This is about control, and about using Federal dollars to respond to state emergencies, period. If states lose 20% of the technician workforce to T5 then Governors and AGs no longer have the option to use those technicians as first responders out in the field for up to 72-hours before placing them in a state-paid active duty status. This means that the Federal government picks up a large portion of the cost for responding to emergencies, not the state, without having to ask for authority.



This is the first in a series of Fact Sheets to be distributed over the next few months regarding this and other legislation affecting National Guard technicians.

Editorial:

The Truth About Using Technicians as First Responders

by Ben Banchs

As a 26-year member, and former technician, of the Louisiana National Guard, I have been activated in response to emergencies numerous times, even though I'm an aircraft maintainer by trade. I have participated in search and rescue, law enforcement, shelter management, driven school busses full of evacuees, and recovered human remains, yet I have never, ever, received any formal training on any of these roles. The only 'first responder training' most technicians receive is 'on-the-job' as a result of being activated in response to events like 9/11, Katrina, Sandy, and other manmade/natural disasters over the last 20 years, which the Guard has been asked to respond to.

Emergency activations are more public-relations than anything else. Governors and AGs like to tell the general public that they have 'activated 1,000 members of the National Guard to respond to (insert emergency here).' As a result, the public feels safe because they think 1,000 trained, well-equipped, and ready members of the Guard are manning their posts, ensuring civilians are safe. In reality, what you have is a hodgepodge of men and women in military uniforms running around with limited to no training, ill-equipped, with little idea what their 'emergency' function is from one day to another, and often times sitting idle doing absolutely nothing because there aren't enough taskings or missions to go around. However, their state won't release them from duty because they want to be able to tell the public that the Guard is ready to respond.

Currently, I am assigned, primarily, as an inventory control specialist counting pallets of food, water, and ice. My secondary assignment is as a school bus driver tasked with transporting evacuees from New Orleans to shelters in northern Louisiana. I have never attended a formal school for either assignment. Instead, I receive about 1-hour of 'refresher' training per year so that the Guard can say I am a 'trained' logistician and operator of commercial and/or passenger vehicles.

Is that enough to justify labeling me, or any other technician, a trained first responder? No, definitely not, and it's absurd for the Governors and the AGs to claim as much. In my opinion, the 'First Responder' label has two other purposes: 1. to place the financial burden of an emergency response on the Federal government; and, 2. to shield the state from lawsuits that may arise from allegations of fiscal improprieties, or (worst case scenario) from an accident where civilians are injured or killed. Either way, this is a dangerous practice.



Support TRICARE for Federal Employee Reservists

FY18 NDAA: SASC MARK INCLUDES TRS FOR FEDERAL EMPLOYEE RESERVISTS

The FY18 Senate Defense Bill includes language which would grant Federal Employee Reservists the option of purchasing TRICARE Reserve Select (TRS) coverage in addition to their Federal Employee Health Benefit (FEHB).

WHY IS THIS LEGISLATION NEEDED?

TRS provides members of the Guard and Reserves access to quality, low-cost, health insurance. However, since Federal employees who are also Reservists are eligible for FEHB, they are prohibited from purchasing TRS. In other words, these employees are subject to all the requirements of being a Reservist, including combat deployments and emergency response duty as members of the Guard, but are prevented from taking full advantage of the benefits available to them as Reservists due to a legal technicality.

HOW DOES THIS IMPACT EMPLOYEES?

From an employee-perspective, TRS is a much more affordable program. The average FEHB monthly employee premium for family coverage in 2017 (of all fee-for service nationwide plans combined) is approximately \$380 per month, compared to \$218 for TRS. This means that, on average, an employee is 'penalized' \$2,000 more per year for health coverage than their part-time counterparts. The 'penalty' reaches \$4,000 more per year when you compare TRS to the \$551/mo. for Blue Cross Blue Shield's Standard plan (the most popular FEHB plan since 1990).

CALL TO ACTION

We urge you to join the Senate Armed Services Committee (SASC) in support of this very important provision.

If you have any questions, we recommend you contact SASC at (202) 224-3871.

FACT: A Fed Employee's eligibility for FEHB prevents them from taking advantage of the more affordable TRS health insurance.

CONCERN: Lack of access to TRS financially penalizes Fed Employee Reservists and their families upwards of \$4000 per year.

PROPOSAL: Allow Fed Employees access to the more affordable TRS in addition to FEHB.

You may also contact:

Ben Banchs
LIUNA Local 1776
Business Manager
985-249-2315

benbanchs@liuna-ngdc.org

Leo Gannon
LIUNA Assistant
Legislative Director
202-942-2256

lgannon@liuna.org



Support SASC Study of Natl' Guard Technicians

FY18 NDAA: SASC MARK INCLUDES STUDY ON NATIONAL GUARD TECHNICIANS

The FY18 Senate Defense Bill includes a study of the National Guard Technician Program, as requested by the National Guard Bureau (NGB).

However, the Senate Armed Services Committee (SASC) adds the following requirements:

1. A review of the extent to which the Department of Defense (DoD) and the Guard use selective retention boards to separate technicians before they are eligible for an unreduced civilian annuity, and whether this practice is consistent with the authority in 10 USC 10216(f) to retain technicians until they qualify for an unreduced annuity.
2. A review of the extent to which the Guard assigns military duties to technicians that are inconsistent with their civilian duties.
3. What the budgetary impact may be of allowing technicians to retain an enlistment or reenlistment incentive bonus received prior to becoming a technician.

If you have any questions, we recommend you contact SASC at (202) 224-3871.

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LIUNA Local 1776
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Leo Gannon
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Legislative Director
202-942-2256
lgannon@liuna.org

TECHNICIANS AND THE ADVERSE CAREER IMPACT OF MILITARY RETENTION BOARDS

We applaud SASCs modifications to NGBs request for a study of the technician program, especially as it relates to retention boards.

WHY IS THIS IMPORTANT?

SASC Report No. 1446 dated July 22, 1968, made it clear that Technician employment was expected to be career employment, with retention of qualified Technicians in the military until age 60. However, the National Guard has not honored Congressional intent.

Technicians are routinely separated involuntarily from military service before reaching full civil service retirement age, even though they are properly performing their civilian job and are in full compliance with military standards. This not only harms the employee financially, but it also prematurely removes a trained and experienced asset from amongst the government workforce.

We support SASCs desire to look into this practice and determine the adverse impact it's having on service members and the workforce.

FACT: A Technician's civil service job is directly tied to their military membership.

CONCERN: Military non-retention means termination of civil service position, often before an employee reaches full civilian retirement age.



Job Security for National Guard Technicians

ISSUE #1: EXEMPTING TECHNICIANS FROM MILITARY RETENTION BOARDS

The National Guard has not honored Congress' original intent to exempt Dual-Status Technicians from military retention boards. SASC Report No. 1446 dated July 22, 1968, made it clear that Technician employment was expected to be career employment, with retention of qualified Technicians in the military until age 60.

FACT: A Technician's civil service job is directly tied to their military membership.

CONCERN: Termination of civil service position before reaching retirement age.

PROPOSAL: Exclude Technicians who are fully qualified in their military position and are properly performing their technician job from involuntary separation.

These modifications will help the government save money by retaining top-notch and experienced personnel while at the same time ensuring that deserving employees are given the opportunity to serve long enough to reach their minimum civil service retirement age. It's a 'win-win' for all concerned.

We ask that you join us in looking out for those who protect us.

Please contact:

Ben Banchs
LIUNA Local 1776
Business Manager
985-249-2315
benbanchs@liuna-ngdc.org

Leo Gannon
LIUNA Assistant
Legislative Director
202-942-2256
lgannon@liuna.org

ISSUE #2: MODIFYING TECHNICIAN COMPATIBILITY REQUIREMENTS

Compatibility is derived from the statutory requirement that Technicians are also members of the Reserves, so their civilian position should be the same or similar to their military position. However, in 2013 the Center for Naval Analysis (CNA) identified concerns about how current Compatibility requirements are hurting the Technician workforce.

FACT: A Technician's civil service job is directly tied to their military membership.

CONCERN: Military Compatibility Requirements severely limit the use of the Technician workforce, while at the same time negatively impacting a Technician's individual career progression.

PROPOSAL: Modify Compatibility requirements.

The Technician program of today is not the same as it was in 1968, and some of the antiquated requirements should be revised and updated to allow more flexibility.

In 2013, CNA reported that approximately 3% of Air National Guard and upwards of 25% of Army National Guard Technicians are 'incompatible.' According to regulations, a Technician that is incompatible is supposed to be terminated from their civil service position. Based on these figures, there are (theoretically) 15,000 Technicians who are in jeopardy of losing their jobs if compatibility requirements were enforced. We're asking that Congress modernize the Compatibility program.