CHIEF OF THE NATIONAL GUARD BUREAU INSTRUCTION

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NATIONAL GUARD TECHNICIAN AND CIVILIAN PERSONNEL
HOURS OF WORK

References: See Enclosure A.

1. Purpose.

a. Instruction. This instruction is composed of several volumes, each containing its own purpose. The purpose of the overall instruction is to establish policy and assign responsibilities for the National Guard Bureau (NGB) Manpower and Personnel Directorate Technician and Civilian Personnel Policy Division in accordance with (IAW) reference a through reference d.

b. Volume. This volume provides policy and assigns responsibilities for the National Guard (NG) Technician and Civilian Personnel Hours of Work IAW reference e through reference j. This volume should be used in conjunction with reference e.

2. Cancellation. This instruction cancels and replaces NGB Memorandum, 28 November 2018, "Administrative Leave Time Card Codes for Physical Fitness."

3. Applicability. This instruction:

a. Applies to the NG of the States, Territories, and the District of Columbia, hereinafter referred to collectively as "States," and to all NG employees. The term "NG employees" throughout this volume is defined IAW reference a, reference b, and reference c, as Title 32 military technician (dual status) excepted service employees and Title 5 NG excepted or competitive service employees within the States.

b. Does not apply to the civilian employees of the Office of the Chief of the NGB, NGB Joint Staff, Army National Guard Directorate, and Air National Guard Directorate.

4. Policy. It is NGB policy to authorize and process NG employees' hours of duty IAW the references and this volume.

a. Physical Activities. NG employee performance of physical fitness and physical training during regular work schedules may be classified as hours of work when performed under a training program IAW reference h.

b. Military Technician (Dual Status) Work Schedules. All military technicians (dual status) work schedules are no more than 80 hours biweekly IAW reference b.

c. Hours of Work Requirements. Physical activity assists in achieving the States' mission, IAW reference b for military technicians (dual status), and the performance of firefighter duties IAW reference f. Physical activity consists of two programs: Physical Training and Physical Fitness. States may classify physical activities as hours of work when under the direction and control of the State performed as part of a supervised program IAW reference g and reference h, by military technicians (dual status) or firefighters; and is limited to activities necessary to maintain or improve the employees' ability to perform their duties. Those duties should be of such a critical nature that they affect the performance of the entire organization's mission.

d. Physical Activity Requirements. Physical activity includes physical training and fitness and must meet the following requirements:

(1) Physical training is a formal, monitored training program intended to improve upon individual physical requirements needed to successfully perform the mission or meet conditions of employment. Formal training programs should be developed and conducted IAW reference h.

(2) Physical fitness should be supervised by the State and used to maintain individual physical fitness. Physical fitness is not a formal training program, but a flexible program offered to employees who meet the requirements of paragraph 4. items a. through f.

(3) Physical fitness and training must have a mechanism to verify attendance.

e. Physical Activity Prohibitions.

(1) No military physical fitness tests may occur when a military technician is in a civilian status as it interferes with a Service member's entitlement to military compensation IAW reference i.

(2) Activities that improve team performance or morale are not authorized under this volume.

(3) A NG employee will not be required to participate in a State program. NG employee participation is voluntary.

(4) Civilian and military requirements must be considered separately IAW reference a.

(5) It is prohibited by this instruction to allow physical activity as compensatory time or overtime. Employees who cannot complete required duties outside of physical activity within the time constraints of their regularly scheduled work schedule are prohibited from participating in voluntary physical activities.

f. Physical Activities That are Not Hours of Work Requirements.

(1) Physical activities for most Title 5 NG employees are not hours of work because it is not an agency benefit. There is no special leave authorized for physical activities. Therefore, physical activities performed where paragraph 4. d. (1) and (2) do not apply, are considered administrative leave IAW reference j or must be performed outside the employee's regular work schedule.

(2) States may offer administrative leave to employees IAW reference j as part of the health services programs. Administrative leave is not an entitlement.

5. Definitions. See Glossary.

6. Responsibilities. The Adjutants General and the Commanding General of the District of Columbia will create a training program IAW reference h when exercising the authority to declare physical fitness hours of work.

7. Summary of Changes. This is the initial publication of Chief of the NGB Instruction 1400.25, Volume 610.

8. Releasability. This instruction is approved for public release; distribution is unlimited. It is available at <https://www.ngbpmc.ng.mil/>.

9. Effective Date. This instruction is effective upon publication and must be reviewed annually by the Proponent/Office of Primary Responsibility for continued validity, and must be revised, reissued, canceled, or certified as current every ten years.



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Enclosures:

A -- References
GL -- Glossary

ENCLOSURE A

REFERENCES

a. Chief of the National Guard Bureau Instruction 1400.25A, 11 May 2020, “National Guard Technician and Civilian Personnel”

b. Title 32 United States Code (U.S.C.), Section 709, “Technicians: Employment, Use, Status”

c. 10 U.S.C. § 10508, “National Guard Bureau: General Provisions”

d. Department of Defense Directive 5105.77, 30 October 2015, “National Guard Bureau (NGB),” Incorporating Change 1, 10 October 2017

e. Department of Defense Instruction 1400.25, Volume 610, 28 November 2014, “DoD Civilian Personnel Management System: Hours of Duty,” Incorporating Change 2, 20 September 2024

f. 5 U.S.C. 8401, “Definitions”

g. Title 5 Code of Federal Regulations 551.104, “Definitions”

h. 5 Code of Federal Regulations 410, “Training”

i. 37 U.S.C. § 204, “Entitlement”

j. 5 U.S.C. 6329a, “Administrative Leave”

GLOSSARY

PART I. ACRONYMS

IAW	In accordance with
NG	National Guard
NGB	National Guard Bureau

PART II. DEFINITIONS

National Guard Employee -- Title 32 military technician (dual status) excepted service employees and Title 5 National Guard excepted or competitive service employees within the States.

Physical Activity -- There are three categories of hours: physical fitness, physical training, or administrative leave for physical activities provided as part of a health services program.

States -- The States, Territories, and the District of Columbia.