

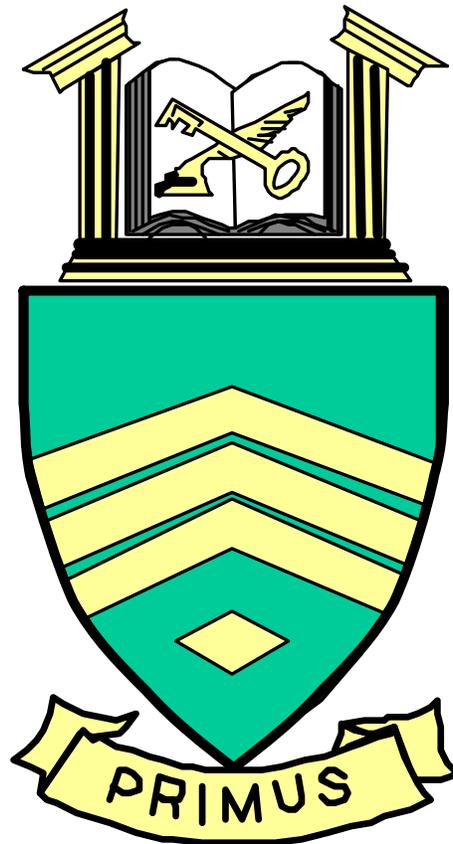
U.S. ARMY SERGEANTS MAJOR ACADEMY (FSC-TATS)

U658

OCT 04

ABSENT WITHOUT LEAVE (AWOL)/UNSATISFACTORY
PARTICIPATION

STUDENT HANDOUT



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Appendix D

HANDOUTS FOR LESSON 1: U658 version 1

This appendix contains the items listed in this table--

Title/Synopsis	Pages
SH-1, Advance Sheet	SH-1-1 and SH-1-2
SH-2, Extract of AR 700-84, para 12-12 and 12-13 and AR 710-2, Table 2-1, item m(a)(b) and (c)	SH-2-1 thru SH-2-3
SH-3, Extract of AR 135-91, para 3-1 to para 3-4 and chapter 4.	SH-3-1 thru SH-3-18
SH-4, Extract of AR 135-178, chapter 13.	SH-4-1 and 4-2
SH-5, Student Handout Notes	SH-5-1 thru SH-5-7

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Student Handout 1

Advance Sheet for U658

Lesson Hours This lesson consists of 2 hours of small group instruction.

Overview This lesson covers your duties as a first sergeant for advising your commander on the status of the personnel assigned to your unit, determining when to report a soldier AWOL, understanding the administrative actions required for AWOL, and the procedures for disposition of an absentee's personal effects. You will also understand the circumstances that you need to know to recognize a Reserve Component soldier as being in a status of a satisfactory or unsatisfactory participant and the type of absences (excused and unexcused) that govern their service obligation.

Learning Objectives Terminal Learning Objective (TLO).

Action:	Identify administrative process for soldiers AWOL or DFR for AC soldiers and for satisfactory and unsatisfactory participation of RC soldiers.
Conditions:	As a first sergeant, in a classroom, given AR 630-10, AR 700-84, AR 710-2, and student handouts.
Standard:	Identified administrative process for soldiers AWOL or DFR for AC soldiers and satisfactory and unsatisfactory participation of RC soldiers IAW AR 630-10 and SH-2, SH-3 and SH-4.

Enabling Learning Objectives (ELOs).

- ELO A** Identify situations that determine when a soldier is AWOL.
 - ELO B** Identify situations that determine when to change an absentee's status to Dropped from the rolls (DFR).
 - ELO C** Identify required AWOL/DFR administrative actions.
 - ELO D** Identify the process for disposition of absentee personal effects and military equipment.
 - ELO E** Identify satisfactory or unsatisfactory participation of RC soldiers.
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Assignment The student assignments for this lesson are:

- Study AR 630-10, chapters 1 thru 3 and Glossary.
 - Study AR 700-84, para 12-12 and 12-13a (Student Handout-2).
 - Study AR 710-2, Table 2-1m (Student Handout-2).
 - Study Student Handout 3 (extract of AR 135-91).
 - Study Student Handout 4 (extract of AR 135-178).
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**Additional
Subject Area
Resources**

None

Bring to Class

- All lesson reference materials.
 - All lesson student handouts.
 - Pencil and writing paper.
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Note to Students

It is your responsibility to do the homework prior to class. We expect you to come to class prepared and participate in the small group discussion by providing information you learned from your individual study, as well as your personal and observed experiences. Failure to study and read the assignments above will result in your inability to fully participate with the rest of the group. Not having your input affects the group's ability to fully discuss the information.

Student Handout 2

This Student Handout contains an extract of chapter 12, paragraphs 12-12 and 12-13 from AR 700-84, and Table 2-1, Types of inventories of discrepancies, item m (a), (b) and (c) from AR 710-2.

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12.12 Clothing of absentees

a. Inventory. The abandoned property of a soldier absent from the unit without authority will be inventoried without delay (see (1) and (2) below). These procedures apply only if the enlisted soldier resides in troop billets.

(1) The unit commander will designate a commissioned officer, warrant officer, or noncommissioned officer (sergeant through sergeant major) to conduct the inventory. The unit commander will assure the inventory officer that the clothing abandoned actually belongs to the absent enlisted soldier. A witness is also required.

(2) The inventory officer will--

(a) Make sure the clothing is not exchanged for clothing of any other unit enlisted soldier.

(b) Prepare a DA Form 3078, in original and three copies. Record on this form the items and quantities of personal military clothing issued. Excesses of personal military clothing above authorized levels will not be recorded on DA Form 3078. These items will be included on the personal effects inventory. (See DA Pam 600-8 for instructions on how privately owned military personal property is inventoried.) The person conducting the inventory will enter the words "Inventoried by" and sign in the REMARKS block of the DA Form 3078.

(c) The witness, and the unit commander or designated representative will verify and initial this form.

(d) Place the original copy of the inventory in the enlisted soldier's duffel bag or other suitable container. Retain the other three copies in the unit suspense file pending further action.

b. Safekeeping. Inventoried clothing of an absent enlisted soldier (a above) is secured in the unit's facilities or in a secured storage area designated by the installation commander.

c. Return of absent enlisted soldier. Clothing is returned to the absentee, should he or she return to the unit or organization before being dropped from the rolls. The enlisted soldier will acknowledge receipt of the clothing by signing all copies of DA Form 3078. The enlisted soldier will be given copy three of the inventory. The unit commander determines whether the enlisted soldier has the initial allowances of personal clothing. Shortages are replaced at the enlisted soldier's expense.

12.13 Clothing of enlisted soldiers dropped from the rolls

Clothing of enlisted soldiers who are absent without leave (AWOL) are inventoried, safeguarded, and retained in the unit facilities or other suitable storage area (para 12-12). When the enlisted soldier is returned to military custody or dropped from the rolls as a deserter, clothing is disposed of as follows:

a. If the absentee is returned to an installation other than his or her home station before being dropped from the rolls, the home station commander--

(1) Ships the abandoned clothes to the enlisted soldier's new station if the enlisted soldier will not be returned to the home station unit.

(2) Determines the expense to the Government for shipping the clothes.

(3) Forwards the information to the new station for collection of shipping expenses from the enlisted soldier's pay.

b. When an enlisted soldier is dropped from the rolls as deserter, clothing is removed from the unit facilities or other secure areas. Recoverable items are turned-in to the ISD.

(1) The following information will be entered on the turn-in document:

(a) Identity of the enlisted soldier and his or her assigned unit.

(b) Statements that the enlisted soldier was dropped from the rolls on a certain date.

(c) Statement that all abandoned recoverable items listed on the inventory form are included on the turn-in.

c. The unit commander or representative, above the grade of E4, will inventory clothing of ARNG and USAR soldiers dropped from the rolls.

(1) Appropriate forms will be prepared and accompany the clothing upon turn-in. The turn-in documents will--

(a) Identity of the enlisted soldier and his or her assigned unit.

(b) Contain a statement that the enlisted soldier was dropped from the rolls on a certain date.

(c) Contain a statement that all abandoned recoverable items listed on the inventory form are included in the turn-in.

(2) The appropriate accountable officer ((USPFO) for ARNG) retains the original of the turn-in document. One copy is sent to the soldier's unit for filing. In the USAR, a copy is sent to the State adjutant general (AG) for inclusion in the soldier's permanent MPRJ. All abandoned property in the ARNG is turned in to the USPFO per paragraph 15-7.

(3) Records are disposed of according to DA Pam 600-8.

d. Clothing for enlisted soldiers returned to military control after abandoned clothing has been disposed of is replaced at the enlisted soldier's expense. This includes soldiers of the ARNG and USAR.

e. Adjustment action (AR 735-5) will be taken for clothing not returned or recovered from ARNG soldiers who are discharged or dropped from the rolls.

AR 710-2

Table 2-1. Types of Inventories and Discrepancies		
Inventory Type	Requirements	Time Allotted/Frequency
m. Organizational Clothing and Individual Equipment (OCIE).	Commanders will ensure--	
	a. Soldiers newly assigned or departing the unit will have OCIE physically counted to ensure items agree with OCIE records.	[a. Within 5 work days after arrival or before departure.]
	b. Physical count of OCIE for soldiers placed in an AWOL status, hospitalized, confined to military or civilian correctional facility or emergency leave. Place results on separate DA Form 3645 (Organization Clothing and Individual Equipment Record) and DA Form 3645-1 (Additional Organization Clothing and Individual Equipment Record). Secure soldier's OCIE.	b. Immediately upon notification of status.
	c. Soldier's OCIE is turned in to the issue point. Place a copy of the cleared OCIE record in the soldier's Military Personnel Records Jacket (MPRJ) when-- (1) Dropped from rolls (DFR).	c. Immediately upon notification of status (30 days for USAR, 45 days for ARNG).

Student Handout 3

This Student Handout contains an extract of chapter 3 paragraphs 3-1 thru 3-5, and chapters 4-2 to 4-29 and figures 4-1 thru 4-5 from AR 135-91, dated September 2000.

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Chapter 3 Participation Requirements

Section I General

3—1. Satisfactory participation in troop program units

TPU soldiers are required to participate in at least 48 scheduled inactive duty training (IDT)s, and not less than 14 days, exclusive of travel time, of annual training. Satisfactory participation is defined below.

a. Attending all scheduled inactive duty training (IDT) (IDT)s unless excused by the unit commander or granted a leave of absence. Soldiers present at a scheduled inactive duty training (IDT) will not receive credit for attendance unless they are wearing the prescribed uniform. They must also present a neat and soldierly appearance and perform assigned duties in a satisfactory manner as determined by the unit commander. Soldiers who do not receive credit for attendance for any of the reasons noted above will be charged with an unexcused absence (chap 4, sec III).

b. Attending and satisfactorily completing the entire period of AT unless excused by proper authority.

c. Obtaining a unit assignment during an authorized leave of absence (chap 4, sec IV).

3—2. Satisfactory participation in the Individual Mobilization Augmentation (IMA) Program

AR 140-145 governs the IMA program. Satisfactory participation as an Individual Mobilization Augmentee (IMA) is defined as:

a. Attending all required inactive duty training (IDT)s for pay unless excused by proper authority. Soldiers present at scheduled IDT will not receive credit for attendance unless they are wearing the prescribed uniform. They must also present a neat and soldierly appearance and perform assigned duties in a satisfactory manner as determined by the proponent IMA organization commander. Soldiers who do not receive credit for attendance for any of the reasons noted above will be charged with an unexcused absence (chap 4, sec III).

b. Attending and satisfactorily completing the entire period of AT unless excused by proper authority.

c. Promptly reporting any change of address to appropriate IMA organization commander and Commander, ARPERSCOM, ATTN: ARPC-OP (officers) or ARPC-EPO (enlisted), 1 Reserve Way, St. Louis, MO 63132-5200.

d. Completing and promptly returning all military correspondence (This includes the Ready Reserve qualification record forms specified in AR 135-133, chap 3.)

3—3. Satisfactory participation of USAR control group soldiers

a. Soldiers assigned to the Control Groups Annual Training (AT), Reinforcement (Reint), and Officer Active Duty Obligor (OADO) have participation requirements. Those not directed to participate in some phase of training for which they would get pay are satisfactory participants if they—

(1) Complete and promptly return all military correspondence. (This includes the Ready Reserve qualification record forms specified in AR 135-133, chap 3.)

(2) Promptly report any change of address to Cdr, AR-PERSCOM.

(3) Comply with other requirements imposed by Cdr, AR-PERSCOM.

(4) Report for a one day muster each year when directed by proper authority. (See AR 135-200, paragraph 3-Se.)

b. Satisfactory participation in a Ready Reserve control group will be credited toward the Ready Reserve portion of the statutory service obligation. It will not reduce the AD or ADT which a soldier contracts to serve or is required by law to perform.

c. IRR bonus reenlistment soldiers are required to participate in training on an annual basis as provided in AR 135-7, paragraph 5.2-6.

3—4. Participation before initial active duty for training

Enlistees in the categories described in a through d below are authorized to attend the specified number of inactive duty training (IDT)s or AT with their assigned unit for pay purposes before completing IADT. (All others may voluntarily participate in inactive duty training (IDT)s without pay during the period before IADT.) Failure of a soldier to attend inactive duty training (IDT)s while in the training pipeline awaiting entrance on IADT (to include both phases of the Alternate Training Program) will not subject the soldier to unsatisfactory participation processing of paragraph 4-14.

a. High school graduates and bona fide high school seniors are authorized to participate in not more than 36 paid inactive duty training (IDT)s within 270 days of entry on IADT.

b. Non-high school graduates (who are not high school seniors) and GED equivalents are authorized to participate in not more than 12 paid inactive duty training (IDT)s within 90 days of entry on IADT.

c. Soldiers in b above may be enlisted up to within 180 days of entry on IADT. Individuals in this category may attend an additional 12 inactive duty training (IDT)s in a nonpay status.

d. Persons enlisted in the Alternate Training Program (AR 601-210, para 5-67) are authorized and required to attend inactive duty training (IDT)s in a pay status on completion of Phase I (basic training (BT)). At the discretion of the unit commander, the soldier may attend AT between BT and advanced individual training (AIT)

4—2. Authority

a. The unit commander or acting commander is authorized to excuse absences and authorize equivalent training (ET). This authority will not be further delegated.

b. State adjutants general (for ARNGUS) and general officer commanders (for USAR) are authorized to grant exceptions to unexcused absences. This authority may be delegated to commanders who are LTCs or higher.

4—3. Equivalent training

This chapter does not change the policies governing ET (AR 140-1, para 3-11, and NGR 350-1, para 2-7). When authorized by the unit commander (para 4-8 and 4-13), ET will be performed in a pay status within 60 days of the absence.

4—4. Orientation for soldiers assigned to Selected Reserve units (ARNGUS/USAR)

Recruiters, guidance counselors, reenlistment officials, unit commanders, unit personnel officers, or personnel noncommissioned officers (NCOs) must ensure that ARNGUS and USAR soldiers are fully aware of and understand their obligations. The soldier must further be made aware of the prerequisites for participation and the actions that will result from unsatisfactory participation.

a. *Initial orientation.* All soldiers enlisting and re-enlisting in the ARNGUS and USAR (except enlistment in conjunction with enrollment in the Senior ROTC program) and enlisted soldiers transferred or reassigned from active duty to a unit or IMA duty assignment will receive an initial orientation. During this orientation, emphasize the soldier's responsibility to keep his or her commander informed of current mailing address as required by AR 135-133, chapter 3. Each enlisted soldier will also be required to furnish the name and address of a person who will always know the soldier's address. USAR soldiers will acknowledge attendance at this initial orientation and their understanding of service obligations and participation requirements by signing and dating section X of the DA Form 3540 (Certificate and Acknowledgment of Service Requirements and Methods of Fulfillment in the U.S. Army Reserve). The witnessing official will sign in section XI of the DA Form 3540. ARNGUS soldiers will sign National Guard Bureau (NGB) Form 590 (Statement of Understanding of Reserve Obligation and Responsibilities) (NGR 600-200, table 2-16). The statements will be signed in the presence of and countersigned by the witnessing official. DA Form 3540 will be locally reproduced on 8 1/2 by 11-inch paper. (A local reproduction master copy of DA Form 3540 is furnished at the end of this regulation.) In addition, the initial orientation will cover—

- (1) Service obligations (chap 2).
- (2) Participation requirements (chap 3).
- (3) Excused absences from training (chap 4, sec II).
- (4) Unexcused absences from training (chap 4, sec III).
- (5) Relocation of residence (chap 4, sec IV).
- (6) Unit training schedule. Inform each newly assigned soldier where it is posted and that it is the individual soldier's responsibility to keep informed of the training schedule.
- (7) Reassignment and removal from assignment (chap 5).
- (8) Consequences of failure to participate satisfactorily (chap 6).

b. *Annual orientation.* Provide an annual orientation for all statutorily or contractually obligated ARNGUS and USAR enlisted unit soldiers. The unit commander, unit personnel officers, or personnel noncommissioned officers (NCOs) will administer this orientation. Soldier will acknowledge that they have had this orientation and understand their obligations and participation requirements by signing and dating section XII of the DA Form 3540 or NGB Form 590, as appropriate. Obtain a new statement from each soldier whenever changes are made to this regulation that affect service obligations. Such changes include participation requirements and the consequences of unsatisfactory participation.

c. *Screening the Military Personnel Records Jacket, U.S. Army (MPRJ).* The MPRJ of each newly assigned enlisted soldier will be screened to ensure that the proper document (a above) has been prepared. If this document is missing, the soldier must acknowledge an understanding of his or her service requirements by signing and dating the proper document.

d. *Filing the statement of orientation.* The DA Form 3540 is filed as a permanent document in the soldier's MPRJ.

4-5. Orientation for soldiers assigned to the IRR or IMA duty

Soldiers should be aware of their service obligation as assigned soldiers of the IRR or the IMA program. Soldiers should further be aware of the prerequisites for satisfactory participation and the actions that may result from unsatisfactory participation. This information is provided to IRR or IMA soldiers—

- a. During out-processing briefings when transitioning from the Active Army and being assigned to the IRR.
- b. On enlistment, reenlistment, or immediate reenlistment with concurrent assignment to the IRR or IMA program, or with subsequent transfer or reassignment to the IRk or the IMA program. The information is contained in the service agreement, which is acknowledged by the soldier.
- c. During the annual orientation briefing required by paragraph 4-4b prior to the soldier's reassignment or transfer from an ARNGUS or USAR unit to the IRR.

4-6. Unsatisfactory participation as a soldier assigned to the IRR

- a. Satisfactory participation as a soldier assigned to the IRR is prescribed by paragraph 3-3.
- b. An IRR soldier will be determined to be an unsatisfactory participant subject to the enforcement provisions of chapter 6, under the following conditions:
 - (1) When ordered to AT if, without proper authority, the soldier fails to attend or complete the entire period of AT.
 - (2) Failure to comply with a second request to report for annual muster.
 - (a) An IRR soldier is subject to order to muster duty one time each year (10 USC 12319).
 - (b) When a soldier fails to report for muster duty and has not been excused by proper authority, a second notice to report will be sent by certified mail (return receipt requested).
 - (c) Unless excused by proper authority, on failure to comply with the second notice, or on receipt that notification was refused, unclaimed, or otherwise not delivered, the soldier will be determined to be an unsatisfactory participant.
 - (3) Failure to report a change of address to Cdr, AR-PERSCOM within 45 days following the change of address.
 - (4) Failure to comply with a second notice to complete and return official military correspondence within 45 days of the date of the second notice. This includes qualification record forms required by AR 135-133, chapter 3.
 - (a) When a soldier fails to comply or respond to official military correspondence within 45 days of the date of the notice, a second request for compliance will be sent by certified mail (return receipt requested).
 - (b) Unless excused by proper authority, on failure to comply with the second notice, or on receipt that notification was refused, unclaimed, or otherwise not delivered, the soldier will be determined to be an unsatisfactory participant.

4-7. Unsatisfactory participation as an IMA

- a. Satisfactory participation is prescribed by paragraph 3-2.
- b. An IMA will be determined to be an unsatisfactory participant subject to the enforcement provisions of chapter 6, under the following conditions:
 - (1) When ordered to AT if, without proper authority, the soldier fails to attend or complete the entire period of AT.
 - (2) If required to attend 48 (IDT)s, soldiers accrue 9 or more unexcused absences in any 1-year period. (See paras 4-1 4b and 4-15 for charging soldiers with and notification procedures for unexcused absences.)
 - (3) Failure to report a change of address to appropriate proponent IMA organization commander and Commander, AR-PERSCOM, ATTN: ARPC-MOI, I Reserve Way, St. Louis, MO 63132-5200 within 45 days following a change of address.
 - (4) Failure to comply with second notice to complete and return official military correspondence within 45 days of the date of the second notice.
 - (a) When a soldier fails to comply or respond to official military correspondence within 45 days of the date of the notice, a second request for compliance will be sent by certified mail (return receipt requested).
 - (b) Unless excused by proper authority, on failure to comply with the second notice, or on receipt that notification was refused, unclaimed, or otherwise not delivered, the soldier will be determined an unsatisfactory participant.

Section II Excused Absences

4-8. Conditions of excused absence

All situations not specifically identified in this paragraph or section V are considered unexcused absences. Absence from scheduled inactive duty training (IDT)s, training, or AT may be excused. Such absences may be excused when sickness, injury, or some other circumstance beyond the soldier's control caused the absence. At the discretion of the appropriate commander (para 4-2), ET may be scheduled to make up the excused absence. (See para 3-11c for excusing USAR AMEDD officers.)

4-9. Documentary evidence

A soldier excused for a reason shown in paragraph 4-8 may be required to document the reason for the absence. If the unit commander requires this evidence, the soldier will normally be notified within 14 days of the absence. Evidence submitted by the soldier will be in the form of an affidavit when the absence was beyond the soldier's control. Absence caused by sickness or injury requires certification from a physician or medical officer. The soldier must furnish the required evidence within 15 days of the commander's request.

4-10. Employment conflicts

a. Employers sometimes schedule several weeks of career training, which prevents the soldier from attending inactive duty training (IDT)s. When this occurs the circumstances may in the judgment of the unit commander, justify rescheduled training (RST) authorization,

b. Employment conflicts, overtime, schooling, and loss of income are not normally considered valid reasons for absence from training. If any of these conditions create a continuing hardship, the unit commander will refer the case through channels to the approval authority. The general officer commander (for USAR) or the State adjutant general (for ARNGUS) will decide whether to retain or remove the soldier from the unit. While awaiting this decision, the soldier is required to participate.

4-11. Advanced ROTC camp and unit annual training conflicts

a. ARNG units. Chief, NGB will set the policy for excusing ROTC/SMP participants from AT.

b. USAR units. Officer trainees who were enlisted in the ROTC/SMP will normally attend AT with their unit. During the calendar year ROTC/SMP participants are required to attend ROTC advanced camp, they will be excused from AT at their request. They are authorized to attend both ROTC advanced camp and AT if they choose to do so. This policy does not apply to soldiers who remain assigned to a TPU after appointment as a commissioned officer or disenrollment from ROTC. Credit for AT by virtue of any form of ROTC training is not authorized.

Section III

Unexcused Absences

4-12. Conditions of unexcused absence

a. An unexcused absence is any absence not covered in sections II and IV.

b. Soldiers will be charged with unsatisfactory participation when without proper authority they—

(1) Accrue in any one-year period a total of nine or more unexcused absences from scheduled inactive duty training (IDT)s. (In the case of IMAs who are required to perform fewer than 48 inactive duty training (IDT)s per year, see paragraph 4-7b(2).)

(2) Fail to obtain a unit of assignment during a leave of absence granted per section IV.

(3) Fail to attend or complete AT.

c. Officers and enlisted soldiers with the exception of ROTC/SMP cadets will be processed for reassignment or separation as prescribed in chapter 6 as soon as possible after the actions in paragraphs 4-6, 4-7, or 4-1 Sa, as appropriate, result in a determination that the soldier is an unsatisfactory participant. ROTC/SMP cadets determined to be unsatisfactory participants may be removed from the SMP and transferred or reassigned to Control Group (ROTC) at the appropriate ROTC Region Headquarters in their cadet status (AR 601-210, para 10-23b).

4-13. Exceptions to unexcused absences

a. *Policy.* When a soldier's absence was justified but the reason is not one the unit commander can excuse (para 4-8), an exception may be granted. Request for exception will be sent to the approval authority only when fully warranted.

(1) A soldier's overall performance and record of attendance at previously scheduled training are the primary factors in granting an exception to unexcused absences. Only soldiers who have clearly shown exemplary performance of duty and a potential for continued outstanding service will be favorably considered.

(2) Exceptions to unexcused absences will not be granted unless there were extenuating circumstances bearing directly on the failure to attend the scheduled training.

b. *Procedures.* Recommendations for exceptions to unexcused absences will be sent with full justification through command channels not later than 20 days after the absence.

c. *Approval authority.* State adjutants' general and general officer commanders are authorized to grant exceptions to unexcused absences. This authority may be delegated to commanders who are lieutenant colonels or above. The soldier's overall record of performance will be given careful consideration in the decision.

d. Approved exceptions. A soldier granted an exception is required to perform ET within 60 days of the training for which substituted. The make up period is credited as satisfactory participation in a pay status. When an exception to an unexcused absence is approved, and made up by ET, that absence is not counted in computing the number of unexcused absences in a 1-year period.

4—14. Unexcused absence from unit training assemblies

a. Unsatisfactory participation. A soldier is an unsatisfactory participant (according to para 4-15) when nine or more unexcused absences from scheduled inactive duty training (IDT)s occur during a 1-year period. (See b and c below for computation.) In the case of IMAs required to perform IDT, see paragraph 4-7a(2).

b. Charging unexcused absences. Unless an absence is authorized, a soldier failing to attend a scheduled single or multiple unit training assembly (MUTA) will be charged with an unexcused absence. When absence involves a MUTA (or any portion of a MUTA), the charge will be one unexcused absence for each 4-hour period not attended, but not to exceed four unexcused absences. If absent from a MUTA 5 or MUTA 6, the maximum number of unexcused absences charged is four. Unexcused absences remain charged to the soldier on reassignment or reenlistment in another RC unit.

c. Establishing the 1-year period. For counting unexcused absences, the 1-year period will begin on the date of the absence. It will end 1 year later. Beginning dates will be set for each succeeding unexcused absence. When longer than 1-year elapses from the date of an absence, it no longer will be counted. The new 1-year period will begin on the date of the later absence, if any.

4-15. Documentation of unexcused absences

Unit commanders and commanders of proponent IMA organizations will follow procedures listed in a through c below.

They will ensure that required documentary evidence is contained in the MPRJ except as authorized in c below.

a. Notice of unexcused absence. A prescribed letter of instructions—unexcused absence (fig 4-1) will be delivered to the soldier. Delivery will be either in person or by certified mail, restricted delivery, return receipt requested, as provided in (1) and (2) below. (If certified mail is used in lieu of delivery in person, the notice will be mailed during or provided following the unit training assembly (UTA) or multiple unit training assemblies (MUTA) from which absent.)

(1) Unit soldiers and IMAs who are required to perform 48 inactive duty training (IDTs) per year will be notified commencing with the fourth unexcused absence in a 12-month period and after each succeeding unexcused absence up to and including the ninth absence in that 12-month period which results in the determination of unsatisfactory participation. One letter will cover all unexcused absences from a MUTA.

(2) IMAs required to perform less than 48 inactive duty training (IDT)s per year will be notified commencing with the first unexcused absence and after each succeeding unexcused absence in a 12-month period up to and including the absence which results in the determination of unsatisfactory participation.

b. Documentary evidence. Whether notices required by a above are delivered in person or sent by certified mail, a copy of each notice and the following, as appropriate, will be placed in the soldier's MPRJ.

(1) When the notices are personally delivered, the soldier's signature will be obtained on the file copy as acknowledgment of receipt.

(2) When certified mail is used, a copy of the notice and either a post office receipt confirming delivery or the returned unopened envelope showing the notice was not delivered. Mail refused, unclaimed, or otherwise not delivered may not be used as defense against unexcused absences when notices were correctly addressed.

(3) The commander's statement showing his or her decision as to whether the reason which prevented the soldier from attending the training assembly which resulted in a declaration of unsatisfactory participation was valid or an emergency. The facts or circumstances on which the decision is based will be included in the statement.

c. Procedural exceptions. USAR TPU commanders or commanders of proponent IMA agencies are authorized to omit unexcused absence notices as prescribed in subparagraphs (1) through (3) below. These soldiers may be reassigned to the IRR, to complete their military service obligation or enlistment contract. (This policy does not apply to soldiers who attended at least one training assembly following assignment.)

(1) Notices are not required for soldiers who fail to report and cannot be located within 90 days after the date of—

(a) Separation from AD; or

(b) Reassignment from the IRR; or

(c) Reassignment from another TPU or IMA assignment.

(2) Reassignment will be initiated on DA Form 4651 -R (Request for Reserve Component Assignment

or Attachment). The reason for reassignment will be shown in item 4e as follows:

- (a) AC NO-SHOW for soldiers released from AD and transferred to or enlisted in a USAR TPU.
- (b) IRR NO-SHOW for soldiers reassigned to a USAR TPU from the IRR.
- (c) MUSARC Transfer Agent NO-SHOW for soldiers reassigned from one USAR TPU to another USAR TPU.
- (d) IMA NO-SHOW for soldiers reassigned from one IMA assignment to another IMA assignment.

4-16. Unexcused absence from annual training

a. *Unsatisfactory participation.* Soldiers are unsatisfactory participants if without proper authority they fail to attend or complete the entire period of active duty. This applies to a soldier of a unit or USAR Control Group active duty.

b. *Determination of unexcused absence from ACTIVE DUTY.*

(1) The unit commander, commander of the proponent IMA organization, or Cdr, AR-PERSCOM, as appropriate, will determine if the soldier—

(a) Was notified in enough time to comply with orders and whether there were compelling or emergency reasons for being absent.

(b) Was aware of the training termination date and whether there were compelling or emergency reasons for being absent.

(2) Actions to be taken against a soldier absent without leave (AWOL) during the Active Duty period will be at the discretion of the commander. It will be based on the number of days absent and the soldier's attendance and manner of performance during the regular inactive duty training (IDT)s year. A soldier present on the reporting and ending dates of AT orders who was AWOL for 1 or more days during the active duty period may be—

(a) Declared an unsatisfactory participant and subject to reassignment/transfer to the IRR.

(b) Retained on active duty for punitive action under paragraph 10, Manual for Courts Martial/State Code.

(c) Administered nonjudicial punishment per UCMJ, Art 15.

4-17. Unauthorized absence from initial active duty for training.

Action will be taken per AR 630-10 and UCMJ if an officer or enlisted ARNG or USAR soldier—

- a. Fails to comply with orders.
- b. After reporting for duty, is AWOL.

Section IV

Leave of Absence

4-18. Change of address

a. The policy in this section applies only to statutorily obligated enlisted soldiers who have not completed 24 months of AD/ADT. Soldiers who have completed 24 or more months of AD/ADT will not be granted a leave of absence. Those who cannot be assigned through the USAR — REQUEST System will be reassigned/transferred to the IRk as shown below:

(1) USAR Control Group (active duty) if credited with less than 3 years of AD/ADT.

(2) USAR Control Group (Reint) if credited with 3 or more years AD/ADT.

b. Enlisted soldiers who move to an area too distant to continue participating with their unit will be reassigned (para 4-20). Those who cannot be reassigned and those who do not give notice of relocation will be granted a 90-day leave of absence. During a leave of absence, the soldier remains assigned to the unit. The soldier is given credit for constructive attendance at training assemblies without pay until the earlier of the following dates.

(1) Leave of absence expires.

(2) Reassignment.

(3) Discharge.

(4) Return to the unit.

c. Positions of soldiers granted a leave of absence are vacancies for the purpose of enlistment or assignment.

d. Soldiers returning to their unit before the leave of absence ends will serve in their original position. Otherwise, they will be accepted as over strength. In these cases, the unit commander will require the soldier to present substantiating evidence before granting another leave of absence for a later planned move.

4—19. Notice of relocation

- a. Notice of intended relocation should be sent to the unit commander in writing as far in advance of

departure as possible. The notice should include the new address (if known) and evidence that a relocation of residence is in fact to be made.

b. Procedures to follow on change of address depend on advance notice of relocation, area of relocation, and availability of units in the relocated area.

(1) ARNG and USAR soldiers who give notice of relocation will be transferred/reassigned to the area of their new address.

(2) Soldiers who fail to give notice of relocation and soldiers who cannot be transferred/reassigned per paragraph 4-20 will be given a 90-day leave of absence letter.

(3) Soldiers who relocate outside the United States may be transferred/reassigned to the USAR Control Group (active duty).

4—20. Procedures

On receipt of a notice of planned relocation, the unit commander will—

a. ARNG soldiers. Obtain assignment instructions from the State adjutant general when a soldier is relocating within the same State (para 4-23a). If relocation is to another State, call the Adjutant General of that State. Ask for assistance in determining if an ARNG assignment is available in that area.

b. USAR soldiers. Contact the Major U.S. Army Reserve Command for assignment in the new location through the USAR REQUEST System. Assignment must be within commuting distance of the soldier's new residence (para 5-5).

c. Leave of absence. Grant a 90-day leave of absence to soldiers not assigned as shown in *a* or *b* above (fig 4-2). Copies of the documents shown below will be enclosed with the leave of absence letter. A copy of the letter will be placed in the soldier's MPRJ as an action-pending document.

(1) DA Form 2 (Personnel Qualification Record—part I).

(2) DA Form 2-1 (Personnel Qualification Record—part II).

(3) SF 88 (Report of Medical Examination).

4-21. Failure to report a change of address

The unit commander will try to contact soldiers who do not give a notice of intended relocation. When efforts fail, the letter of instructions (fig 4-2) will be sent by certified mail, restricted delivery, with return receipt requested. A copy of the letter and the post office receipt will be filed in the MPRJ as an action-pending document. Include notice from the post office if the letter was undeliverable or unclaimed. Absence of proof of delivery does not change the fact that the soldier was notified of the proper procedures to be taken on change of residence.

4-22. Arrival at the new location

a. Soldiers who are unassigned on arrival at their new location will—

(1) Present the letter of instructions to the unit commander or service component where assignment is requested.

(2) Furnish their current address to the losing unit commander if not done earlier.

b. On presentation of the letter of instructions, the unit commander will

(1) Consider the soldier for acceptance, based on the vacancy and qualification criteria.

(2) If the soldier is accepted for assignment, enter the information in enclosure I to the letter of instructions (fig 4-3). Send it to the soldier's former unit commander.

(3) Inform soldiers not accepted for assignment of the reason for denial.

4-23. Reassignment responsibility

The following procedures apply when an assignment is obtained.

a. ARNG soldiers. The appropriate State adjutant general will do one of the following:

(1) Issue reassignment orders for soldiers accepted for assignment in an ARNG unit in the same state.

(2) Discharge soldier from the ARNG (but not as a Reserve of the Army) if enlisted in an ARNG unit in another state.

(3) Discharge soldier from the ARNG and Reserve of the Army (NGR 600-200) if—

(*a*) Accepted for assignment in a USAR TPU. (Discharge will not be accomplished until verification of enlistment is received.)

(*b*) Enlisted in the Regular Army or any component of another U.S. armed force.

b. USAR soldiers. The appropriate USAR commander will follow the procedures in—

(1) AR 140-10, when the soldier is to be reassigned between troop program units.

(2) AR 140-10, when the soldier is accepted for enlistment in the ARNG.

(3) AR 135-178 and AR 140-10, when enlisted in the Regular Army or any component of another U.S. armed force.

c. Forwarding the MPRJ. The soldier's MPRJ will be forwarded per AR 600-8-104.

4-24. Failure to obtain assignment

This paragraph applies when soldiers are not assigned or enlisted in another unit. On the 95th day after the effective date of the leave of absence, the soldier may be reassigned/transferred to the IRk.

Section V Pregnancy

4-25. Policy

a. When it has been determined that an ARNGUS or USAR TPU soldier is pregnant, she will be counseled. The counselor will—

(1) Be a commissioned officer.

(2) Use the Pregnancy Counseling Checklist as a guide (fig 4-4)

(3) Explain that the purpose of counseling is to give the pregnant soldier complete information concerning her responsibilities and options due to pregnancy (para 4-29).

b. The soldier will be asked to give her unit commander a written statement signed by her physician. The prescribed format for the physician's statement is at figure 4-5. It will specify the expected date of delivery and date the soldier should stop working. Except as otherwise provided in this section, the soldier will perform normal duties during the prenatal period. She will perform these duties until the unit commander considers this no longer possible.

4-26. Enlisted soldiers

The following procedures apply when an enlisted woman becomes pregnant:

a. *Before enlistment.* A woman who is determined to have been pregnant when enlisted and whose pregnancy has not been terminated will be involuntarily discharged. Discharge will be per AR 135-178 or NGR 600-200.

b. *After enlistment but prior to entry on IADT.*

(1) A woman who became pregnant after enlistment but before entry on IADT will not be involuntarily discharge due to pregnancy. She will not be permitted to enter on IADT until pregnancy is no longer a factor. The soldier will be told that she will be given the opportunity as she deems appropriate to—

(a) Request discharge (fig 4-4, option 2a). This is not an available option following delivery or termination of pregnancy. It does not apply to women who incurred an AD service obligation due to participation in a federally funded program. The latter will not be discharged solely on the basis of pregnancy. She will be delayed from entry on IADT under (b) below.

(b) Delay IADT until the pregnancy is no longer a factor (fig 4-4, option 2b). The period of delay is set initially by adding 6 weeks to the expected date of delivery. A woman who is delayed from entry on IADT may be granted excused absence from unit training per paragraph 4-28c. The word "pregnancy" will be entered in the Remarks section of DA Form 1379 (U.S. Army Reserve Component Unit Record of Reserve Training) when a woman is excused from training for this reason. The notice of approved delay will tell the woman that on release from postnatal care, a physician's statement is required. The physician's statement must show whether the soldier is physically able to enter on IADT. (An ARNG unit commander may transfer a soldier to the Inactive National Guard (ING) during the prenatal and postnatal periods (NGR 614-1) if determined more appropriate.)

(2) The woman will be allowed at least 7 days to consider the options in b(J) above. Then, at a time specified by the unit commander, she will be required to elect one of the options.

(3) A copy of the signed statement of pregnancy counseling and a memorandum on election of options regarding pregnancy (fig 4-6) will be filed in the enlisted woman's MPRJ.

c. *After IADT has been completed.* A woman who becomes pregnant after completing IADT will be counseled using the Pregnancy Counseling Checklist. She will be advised that she has the following options:

(1) Transfer/reassignment to the Retired Reserve (fig 4-4, option 2d) or to the Individual Ready Reserve (fig 4-4, option 2g), if eligible.

(2) Transfer to the ING until pregnancy is no longer a factor (fig 4-4, option 2c).

(3) Continue membership in a unit and be granted maternity leave per paragraph 4-28 (fig 4-4, option 2e)

4-27. Officers

The procedures in paragraph 4-25 and the following apply when any AIRNGUS or USAR officer becomes pregnant—

a. *Before entry on initial AD or ADT.* An officer who becomes pregnant before entry on initial AD or ADT will be informed that she has the following options:

(1) Tender her resignation (fig 4-4, option 2a). This option does not apply to officers whose AD or ADT

obligation was incurred due to participation in a federally funded program.

(2) Delay entry on initial AD or ADT until pregnancy is no longer a factor (*fig 4-4, option 2b*).

(3) Send a written request through command channels for immediate AD (*fig 4-4, option 2J*). This option applies only to those officers whose AD or ADT obligation was incurred by participating in a federally funded program.

b. After initial AD or ADT has been completed. The options and procedures in paragraphs 4-26c and 4-28 apply to officers who become pregnant after initial AD or ADT has been completed.

c. Election of options. Women who request immediate AD under paragraph a(3) above should include any extenuating circumstances relevant to the officer. Requests are considered individually by HQDA (DAPE-MPO-S), Washington, DC 20310-0300. Commanders' endorsements within the chain of command of the subject officer are considered during the review. This includes judgments regarding the officer's physical fitness to perform assigned duties while pregnant.

4-28. Maternity leave

a. An ARNG or USAR unit soldier who becomes pregnant after completing initial AD or ADT will be requested to furnish her unit commander a physician's statement per paragraph 4-25b.

b. A pregnant soldier is entitled to the issue of the maternity uniform on counseling. This entitlement is according to this regulation and AR 700-84, chapter 4. When to start wearing the maternity uniform is a personal decision. However, commanders may direct wear of the maternity uniform if the woman's condition becomes obvious in a normally fitted uniform. Also, wear may be directed if in the commander's judgment, the normal duty uniform, when worn, does not meet Army appearance standards. After the 24th week of pregnancy, only the maternity uniform will be worn as the duty uniform, until delivery. Additional guidance is provided by AR 670-1, chapter 24, section IV.

c. Excuse from inactive duty training (IDT)s and active duty will be granted as follows:

(1) As used in this provision, the term "maternity leave" refers to a period of excusal from IDT or Active Duty. Rescheduling of excused absences will be IAW AR 140-1 or NGR 350-1, as appropriate. A pregnant soldier will continue to perform duties during the prenatal period. Performance of duty will continue until it is no longer considered feasible by her unit commander. In making this decision, the unit commander will consider the written statement of the soldier's attending physician. When the decision is made, the soldier will be excused from inactive duty training (IDT)s. Normally, the prenatal leave period will not exceed 4 weeks. If the soldier wishes to be excused earlier, she will submit a written request to her unit commander for approval. Her request must include her physician's written statement. The unit commander may extend the prenatal period beyond 4 weeks. This extension is based on the commander's decision that the soldier is not physically able to continue in duty status.

(2) Maternity leave during the postnatal period normally will not exceed 6 weeks from date of release from the hospital. If the attending physician determines it necessary to extend this period, he or she will provide a statement to that effect. The soldier will send her written request, with the physician's statement, to her unit commander for approval. Maternity leave ends on the date the unit commander determines the soldier is medically fit to return to duty. The unit commander will make this decision with the attending physician's advice.

(3) When a soldier's pregnancy is terminated by other than delivery, the unit commander will decide the period of excuse. The unit commander will consider the physician's recommendation when making this decision.

(4) An ARNG unit commander may transfer a soldier to the ING during the prenatal and postnatal periods (*NGR 614-1*) if such action is determined appropriate.

(5) When active duty or counterpart training occurs during a soldier's pregnancy, the unit commander will give the pregnant soldier a statement. The statement will include the dates of training, mode of travel, and distance to the training site. It will contain a brief description of the duties and unit training activities that will be required of the soldier during the training. The soldier will present the commander's statement to her physician for a recommendation. The physician's statement will then be presented to the unit commander for a decision of whether or not to excuse her from this training.

4-29. Responsibility of unit commander

a. The unit commander will request the woman whose physical condition indicates the possibility of pregnancy to see her physician at once. She will be asked to furnish a written statement signed by her physician per paragraph 4-25b. The statement will be given to the unit commander at the next regularly scheduled training assembly or MUTA.

b. A commissioned officer will counsel the pregnant soldier and will

(1) Inform her of any rights, privileges, and benefits for which she may be eligible due to her military service.

(2) Explain AR 40-3, paragraph 4-44, concerning entitlement to prenatal, delivery, and postnatal care in a medical treatment facility.

(3) Assist the soldier in contacting military administering agencies for aid and advice in applying for rights, benefits, and privileges, if applicable.

c. Women who are eligible for prenatal, delivery, and postnatal care in military medical treatment facilities will be given a statement. The unit commander or acting commander will sign it. The statement is extremely important and will be worded as follows: "Eligible for prenatal, delivery, and postnatal care for this pregnancy in medical treatment facilities, as provided in AR 40-3, paragraph 4-44."

Table 4-1

Absences

Type of Absence					
	Reason(s) for Absence	Who may Excuse Absence	Who may Grant Exception to Unexcused Absence	Basis for Excuse/Exception	Documentation Required
EXCUSED ABSENCE	a. sickness b. Injury c. Circumstances beyond soldiers control	Unit commander or in his or her absence, the acting commander	-	Personal knowledge of unit commander/acting commander or valid documentation that soldiers absence was caused by, or will be because of reason a, b, or c.	Valid certification of doctor or medical officer. Affidavits from other persons having personal knowledge of emergency or circumstance.
UNEXCUSED ABSENCE	Any reason other than for excused absence		State AG (for ARNO and General Officer Command (for USAR).	a. Clearly demonstrated exemplary performance of duty and potential for continued outstanding service. Individual's prior record of attendance at scheduled training assemblies is a primary factor for consideration. b. Exception will not be approved unless there are extenuating circumstances directly bearing on the failure to attend scheduled training.	None, unless in the opinion of the unit commander/acting unit commander, an exception is warranted. In such cases, the documentation will be as required by the State AG (for AR.NG) or General Officer Command (for USAR).

Notes:

1. Excused absences are not chargeable as unsatisfactory participation.
2. Unit commander/acting unit commanders need not require such documentation when the sickness, injury, or circumstance(s) are known by or apparent to them.
3. Unexcused absences are chargeable as unsatisfactory participation, unless an exception is granted and the absence is made up by equivalent training (para 4-13d).

(Type on unit letterhead)

(File symbol)

(Date)

SUBJECT: Letter of Instructions--Unexcused Absence

(Soldier's name and address) -

1. Attendance records of this unit show that you were ...(I)
2. Under AR 135-91, you are required to attend all scheduled unit training assemblies and annual training periods. In addition, you are required to participate in a satisfactory manner with regard to proper military appearance and performance of assigned duties.
3. Unless the absences indicated in paragraph I are excused, you will have accrued ... (number)... unexcused absences within a 1-year period. The 1-year period begins on the date you incur your first unexcused absence.
4. Absences from training assemblies may be excused only for reasons of sickness, injury, emergency or other circumstances beyond your control. If your absence was for one of these reasons, you should furnish this unit an appropriate affidavit or certification by a doctor, medical officer, or other person(s) having specific knowledge of the emergency or circumstances, requesting that it be excused. Your absence cannot be excused unless your request, and affidavit or certificate, are received within 15 days of the date you receive this letter.
5. You will be notified in writing within 10 days after receipt of your request as to whether the absence has been excused.
6. If you have family responsibilities that are causing a hardship or if your civilian job is of critical importance to the national or community health, safety, or interest, you should contact me so that I can advise and assist you in the proper procedures to resolve these problems.
7. As you are aware, if you accumulate nine unexcused absences (Change "nine" to appropriate number per AR 135-9 1, para 4-7b(2) when soldier being notified is an IMA who is required to perform fewer than 48 inactive duty training (TDT)s within a one year period, you become an unsatisfactory participant and you will be processed for separation from the Selected Reserve either by reassignment or discharge. You should be aware that the separation could result in pay grade reduction and an other than honorable characterization of your military service. In addition, if you are entitled to educational assistance under the Montgomery GI Bill, or to bonus payments or loan repayments, based on Selected Reserve service, this separation will terminate any such entitlement and may require you to repay all or a portion of the incentives you received to the U.S. Government. If you are an officer and a recipient of an ROTC scholarship, elimination from Reserve of the Army status may subject you to recoupment of scholarship funds by the U.S. Government.

Figure 4-1. Prescribed Letter of Instructions—Unexcused Absence

8. I hope that as a result of this letter you will take immediate steps to improve your attendance.

9. The next scheduled training assembly for this unit is (time and date)

(2)

(Signature and signature block of unit commander,)

(1)

Insert one of the following:

...absent from the scheduled unit training assembly (UTA) or multiple unit training assembly (MUTA) on.. *(periods and dates)*

...charged with unexcused absence on. . . *(periods and dates)*

...because of. . . *(insert improper military appearance or unsatisfactory performance of assigned duties)*'

(2)

If the letter is delivered to the soldier in person, add the following statement on the copies.
(Do not place statement on the original.)

Receipt of the original hereof is acknowledged.

(Have the soldier sign and date the unit's file copies below this statement when the letter is delivered.)

Figure 4-1. Prescribed Letter of Instructions—Unexcused Absence—Continued

(Type on unit letterhead)

(File symbol)

(Date,)

SUBJECT: Change of Residence

(Soldier's grade of rank, name, social security number, present home address, present unit assignment, and new home address)

1. This letter authorizes you 90 days in which to locate and join a Reserve component unit at your new place of residence. It also serves as a conditional release if you are accepted for enlistment in another component of the Armed Forces.

2. Obtaining an assignment within 90 days is your responsibility. If you fail to do so by.. (l).. ., you can be declared an unsatisfactory participant and be subject to reassignment/ transfer to the Individual Ready Reserve (IRR).

3. You may get assistance concerning unit vacancies and locations at the Army National Guard Armory or Army Reserve Training Center nearest your new residence. When you report to a unit, present this letter to the commander as authority to consider you a priority for acceptance. If you are accepted, your new commander will inform this unit by completing enclosure I.

4. Until you have been accepted for assignment, inform this unit of any address changes.

3 Encl.

1. Notification of Acceptance
2. DA Form 2, 2-1
3. SF88

(Signature and signature block of unit commander)

(2)

(1)

Insert the date 90 days after the soldier's departure from his or her present residence.

(2)

On the unit's file copies, type "Receipt acknowledged" and, below that, the soldier's name and grade of rank.

When the letter is given to the soldier, he or she must sign and date the unit's file copies, acknowledging receipt.

Figure 4-2. Letter of Instructions Concerning Change of Residence

(Type on plain bond paper)
(Office symbol)

(Date)

SUBJECT: Notification of Acceptance

Commander *(Losing unit designation and address)*

The below listed soldier of your command has been considered and found qualified for acceptance. Appropriate entries have been completed for your information and/or necessary action.

(Relocating soldier's name, grade of rank, and SSN)
(new home address)

() Accepted for USAR assignment. ARNG soldiers will be processed for enlistment as prescribed in AR 601-210, chapter 5, section IX. ARNG soldiers should not be discharged until verification of USAR enlistment is received. Designation, address, and telephone number of new unit of assignment are as follows:

Effective date of assignment:

() Accepted for enlistment in the ARNG. Designation, address, and telephone number of ARNG unit of enlistment are as follows:

Date by which subject soldier should report to the above address for enlistment processing:

() Enlisted in the ARNG. Designation, address, and telephone number of ARNG unit of enlistment are as follows:

Date of enlistment:
Request discharge is furnished if applicable.

() Enlisted in another Reserve component of the Armed Forces. Component, unit designation, and address are as follows:

Date of enlistment:
Request discharge is furnished.

() Enlisted in the Active Forces, follows:

Component and address are as
Date of enlistment:
Request discharge is furnished.

Figure 4-3. Enclosure to Letter of Instructions

Pregnancy Counseling Checklist

Notice.~ Required by the Privacy Act of 1974 (5 USC 552a).Prior to soliciting any personal information in the course of counseling a soldier, the counselor (see AR 135-91, para 4-29) will advise the soldier substantially as follows: In the course of counseling you concerning the decisions you have to make in connection with your pregnancy, I will request certain personal information from you. My only purpose in requesting this information is to assist you in planning how to meet your responsibilities. Disclosure of your SSN and other personal information is voluntary. You are not required to provide personal information to me, however, I may not be able to effectively assist you. No use of the information will be made outside the Department of Defense. A copy of the statement of counseling will be maintained in your MPRJ. My authority for requesting this information is Section 3013 of title 10 United States Code.

The soldier will be informed of the following:

1. That the primary purpose of this counseling is to provide her with information on which to base certain decisions and that the counselor will not influence or direct her toward any particular option.

2. That she may elect one of the following options, as applicable to her situation, under the specific provisions of AR 135-91, chapter 4, section V:

a. To request discharge/resignation under the provisions of NGR 600-200; AR 135-178 or AR 135-175 as applicable. (This is not an available option following delivery or termination of the pregnancy and is not applicable to soldiers who incurred an active duty service obligation as a result of participation in a federally subsidized program.)

b. To delay entry on initial ADT/AD until pregnancy is no longer a factor. (See AR 135-91, paras 4-26b(l)(b) and 4-27a(2)).

c. To request transfer to the Inactive National Guard (AR 135-91, para 4-26b(l)(b) and c(2), 4-27b, and NUR 614-l).

d. To request transfer/reassignment to the Retired Reserve, if eligible (AR 135-91, paras 4-26c(l) and 4-27b, and AR 140-10).

(Signature and signature block of accepting unit's commander)

e. To remain a unit soldier until such time as maternity leave is granted under AR 135-91, paragraph 4-28. (This is not an available option unless initial ADT/AD has been completed. However, ARNG and USAR soldiers covered by paragraphs 4-26b and 4-27a who does not elect discharge or for whom discharge is not an option by reason of participation in a federally subsidized program will be retained in their units.)

Figure 4-4. Pregnancy Counseling Checklist

f. To request immediate active duty. (This option is only applicable to officers described in AR 135-91, para 4-27a(3).)

g. To request transfer/reassignment to the Individual Ready Reserve, if eligible (for ARNGUS/USAR enlisted, AR 135-178 and for officers, AR 140-10).

3. AR 40-3, paragraphs 2-35 and 4-44, concerning entitlement to maternity care.
4. Provisions for the wear of maternity clothing (AR 670-1, chap 4).
5. That she may be separated under other provisions of applicable regulations if her performance of duty is substandard and such performance is not solely because of the condition of pregnancy, e.g., failure to perform required duties or repetitive absenteeism due to defective attitude, or inability to perform prescribed duties due to parenthood (AR 135-91, AR 135-175, AR 135-178, AR 600-8-24, and NGR 600-200).
6. Necessity, if she remains an ARNG or USAR unit soldier, of careful planning as to how she will care for her child without sacrifice of her military responsibilities and that she should consider the following:
 - a. Who will care for the child during scheduled training periods, including annual training. Consideration should be given to cost of nursery or babysitter care.
 - b. Consideration of financial obligations that will accrue for such items as transportation and other emergency need(s) and how these obligations will be met.

Figure 4-4. Pregnancy Counseling Checklist—Continued

(Type on physician's letterhead)

This is to confirm that ... *(patient's (soldier's) name)*... is pregnant. The expected date of delivery is ... *(date)* She may continue working until. .. *(date)* **(Also indicate any complications.)**

(Doctor's signature,) *(Doctor's typed name, office address and telephone number,)*

Note. Authorized by 10 Usc 3013. The purpose of requesting the information shown on this statement is to confirm your pregnancy and assist your commander in deciding the date on which you may exercise the appropriate option furnished you during counseling. You are not required to obtain this information from your doctor; however, failure to do so may hamper your unit commander's ability to assist/counsel you effectively regarding the options available because of pregnancy.

Figure 4-5. Format for Prescribed Pregnancy Statement

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Student Handout 4

This Student Handout contains an extract of chapter 13 paragraphs 13-1 thru 13-5 from AR 135-178, dated March 2004.

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Chapter 13

Unsatisfactory Participation in the Ready Reserve

13—1. Basis.

a. A soldier is subject to discharge for unsatisfactory participation when it is determined that the soldier is unqualified for further military service because:

- (1) The soldier is an unsatisfactory participant as prescribed by AR 135-91, chapter 4; and
- (2) Attempts to have the soldier respond or comply with orders or correspondence have resulted in

- (a) The soldier's verbal or written refusal to comply with the orders or correspondence; or
- (b) A second notice, sent by certified mail, was refused, unclaimed, or otherwise undelivered; or
- (c) Verification that the soldier has failed to notify the command of a change of address and reasonable attempts to contact the soldier have failed.

b. Discharge action may be taken when the soldier cannot be located or is absent in the hands of civil authorities in accordance with the provisions of paragraph 2-18 and chapter 3, section IV.

c. Commanders will not take action prescribed in this chapter in lieu of disciplinary action solely to spare a soldier who may have committed serious misconduct the harsher penalties that may be imposed under the UCMJ.

13—2. Suspension of favorable personnel action

Favorable personnel action will be suspended per AR 600-8-2 upon initiation of separation processing under this chapter.

13—3. Characterization of service

a. Characterization of service normally will be Under Other Than Honorable Conditions, but characterization as General (under honorable conditions) may be warranted under the guidelines in chapter 2, section III.

b. For soldiers who have completed entry level status, characterization of service as Honorable is not authorized unless the soldier's record is otherwise so meritorious that any other characterization clearly would be inappropriate. In such cases, separation for unsatisfactory participation with an Honorable characterization will be approved by the separation authority (para 1-10). As an exception, the separation authority will approve separation with service characterized as Honorable when an administrative separation board has recommended such characterization.

c. When characterization of service as Under Other Than Honorable Conditions is not warranted for a soldier in entry level status under chapter 2, section III, the service will be described as uncharacterized.

13-4. Procedures

a. The Administrative Board Procedure (chap 3, sec III) will be used, except under *b* below.

b. Except for a soldier who has 18, but less than 20, years of qualifying service for retired pay, the use of the Notification Procedure (chap 3, sec II) is authorized if a characterization of service Under Other Than Honorable Conditions is not warranted under chapter 2, section III.

c. The MATP policy prescribed by chapter 1, section V, will govern whether the soldier will be discharged, or transferred to the IRR.

13—5. Separation authority

a. The authority cited in paragraph 1-10 may order separation under this chapter.

b. The separation of a soldier with more than 18, but less than 20, years of qualifying service for retired pay requires the approval of HQDA (paras 1-11 and 1-12).

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Student Handout 5

This Student Handout contains copies of the VGTs with space for students to take notes.

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DFR PROCEDURES (cont)

- Send completed DD Form 553 to provost marshal.
- File court-martial charges using DD Form 458--forward to SCM convening authority.
- Forward original copy of deserter packet through supporting PSC to Commander, USAEREC, within 48 hours.

U658/OCT04/VGT-10

INVENTORY OF AWOL PROPERTY

The inventory officer will--

- Make sure the clothing is not exchanged for clothing of another soldier.
- Prepare DA Form 3078 in original and three copies.
- Witness and commander will verify and initial the form.
- Place original copy in the enlisted soldier's suitable container (Retain other 3 copies in suspense file).

U658/OCT04/VGT-11

SATISFACTORY PARTICIPATION

- Attend all scheduled drills unless excused by commander or granted a leave of absence.
- Attend & satisfactorily complete entire period of annual training (AT) unless excused.
- Obtain a unit assignment during an authorized leave of absence.

U658/OCT04/VGT-12

LEAVE OF ABSENCE GRANTED WHEN:

- Enlisted soldiers who move to an area too distant to continue participating with their unit will be reassigned (para 4-20).
- Those who cannot be reassigned, and
- Those who do not give notice of relocation will be granted a 90-day leave of absence.

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SOLDIER STATUS WHILE ON LEAVE OF ABSENCE

- The soldier remains assigned to the unit.
- Soldier given credit for constructive attendance at training assemblies without pay until the earlier of the following dates:
 - (1) Leave of absence expires.
 - (2) Reassignment.
 - (3) Discharge.
 - (4) Return to unit.

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REASONS FOR UNSATISFACTORY PARTICIPATION DISCHARGE

- Soldier is unsatisfactory participant IAW 135-91.
- Attempts to have soldier respond or comply with orders resulted in:
 - a. Soldier refusal to comply with orders.
 - b. A second notice (certified mail) was refused or undelivered.
 - c. Soldier failed to notify command of a change of address and reasonable attempts to contact the soldier failed.
- Soldier not located or is in the hands of civil authorities.

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