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JFHQ-WV-G1

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(Expires 30 October 2010, unless rescinded sooner)

NOTE: Supersedes WVARNG Enlisted Policy for Promotion, and all previous updates.

MEMORANDUM FOR All Units WVARNG

SUBJECT: WVARNG Enlisted Policy for Promotion

1. References.

- a. AR 600-8-19
- b. NGR 600-200
- c. NGR 600-5
- d. Joint Federal Travel Regulation
- e. Army MILPO Personnel Policy Guidance.
- f. TPR 303 (Technician Personnel Regulation)
- h. DODD 1205.18
- g. NGB CLASP Waiver Policy, dated March 2008.
- h. MILPER Message #08-095, subject: Noncommissioned Officer Education Deferral Policy

2. Scope. This Policy for Promotion is a one source document which supersedes all previous WVARNG enlisted promotion policy memorandums and enlisted promotion policy change documents.

3. The convening and promotion authority for all West Virginia Army National Guard promotion boards from SGT through SGM is delegated to the Assistant Adjutant General. The process will consist of formal boards as outlined in AR 600-8-19, paragraph 7-34.

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4. The Enlisted Promotion System (EPS) process is designed for all categories of enlisted Soldiers-traditional, military technicians (who primarily fall under the same rules and requirements of traditional guardsmen), and Active Guard Reserve (AGR). The Military Personnel Officer (MILPO) will announce promotion boards with a detailed memorandum of instruction (MOI) annually.

a. The MOI will include:

- (1) Promotion Eligibility Roster for each command.
- (2) Enlisted Promotion Point Worksheet-NGB Form 4100-1-R-E.
- (3) Enlisted Promotion Appraisal Worksheet-NGB Form 4101-1R.
- (4) Election Addendum to NGB Form 4100-1-R-E.
- (5) Checklist Addendum to NGB Form 4100-1-R-E.

b. At a minimum, the Promotion Board MOI Checklist Addendum will include a block to be checked by the Soldier if he/she includes any documents with their promotion packet. There will be a block for each of the areas that points are awarded for i.e. Awards, IWQ, APFT, other resident courses, self-development courses and post secondary education. The Soldier will check the appropriate block, attach supporting documents, and indicate the number of additional points to be awarded for each area. Documents that are not legible or are questionable will not be accepted. Soldiers must sign this checklist before it is submitted.

c. The MOI will establish a suspense date for the return of the forms. Enlisted Promotion Boards for the WVARNG will generally be held in the following months:

- (1) E9 January
- (2) E8 January
- (3) E7 February
- (4) E6 March
- (3) E5 April

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d. Units will be provided with an Enlisted Promotion Eligibility Roster. Soldiers who are not eligible for promotion (discharged, reduced, etc) will be lined through on the roster by the unit representative who will indicate the reason for ineligibility in the remarks block. Soldiers not on the roster, but eligible for promotion, will be added to the roster. Soldiers eligible for promotion will not be lined out. All Soldiers will be accounted for.

e. The EPS Worksheet (NGB Form 4100-1-R-E) is generated electronically and includes all available SIDPERS data on each Soldier. If changes are made or new data is entered, supporting documentation must be attached to the 4100. Units will verify that all supporting documents that are required to be on IPERMS will be accomplished at the time of submission. If a Soldier is added to the roster, the unit will request a 4100 for that Soldier. Units will not manually generate the 4100 using UPS.

f. EPS is a 1000 point promotion system with up to 600 administrative points available to award to a Soldier to reflect his/her qualifications and up to 400 points available for Promotion Board members to award in Soldier evaluation. The following cut off points is the minimum number of points a Soldier must have to be considered for promotion. If the Soldier does not have the minimum amount of promotion points, they will not appear on the promotion list:

E4	E5	E6	E7	E8
211	273	323	381	417

g. Each Soldier must personally review his/her NGB 4100-1-R-E. The Soldier must also elect to be considered or not considered for military education and promotion. The Soldier's signature verifies the accuracy of information. The commander (or a delegated individual) may sign and date the NGB Form 4100-1-R-E for the Soldier if he/she is unavailable for signature. A memorandum must be included explaining why the Soldier has not been available to review his/her NGB 4100-1-R-E.

h. Soldiers will be considered for promotion, enrolled in NCOES, and selected for assignment based on their Career Progression Military Occupational Specialty (CPMOS). The CPMOS will be the Primary Military Occupational Specialty (PMOS) unless there is a compelling reason for it to be another MOS. For example, a merger MOS that changes at the next level; a command directed reassignment for an AGR Soldier; or a Soldier in an

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isolated MOS with little chance of progression. In cases other than the merger in the same CMF, the Soldier must submit a memorandum justifying their request and a DA 4187 to request the new CPMOS as part of their promotion packet. The DA 4187 must have the approval recommendation and signature of the Soldier's commander. The Soldiers CPMOS will remain their primary MOS if the request is disapproved by the MILPO or missing the required documents/signatures. The data to establish the primary MOS will be pulled from SIDPERS as of the date the promotion list is published.

i. Soldiers may be considered for assignment and promotion without regard to SQI, ASI, and LIC that is required for their positions, unless the qualification is indispensable to performance. Commanders with mission essential requirements will include SQI, ASI, and LIC with their selection criteria, through the chain of command to the MILPO for approval prior to the publication of the annual EPS MOI.

j. Once the Promotion lists are published, the listing by MOS and grade will serve as the Standing Promotion List. The selection objective (standing promotion list) will list, in promotion sequence from highest to lowest, the best-qualified Soldiers eligible for assignment to current and projected vacancies in higher grade positions. The standing promotion list will also serve as the Priority of Training List.

k. Soldiers that reclassify while on a promotion list for other than loss of qualifications because of inefficiency or misconduct may be integrated onto the promotion list for the new MOS providing that it has become their PMOS. The memorandum request will be routed through proper command channels to the MILPO for approval. A justification memorandum and DA 4187 with the commanders approval must be submitted to the MILPO for requests where the CPMOS is not the PMOS. In order to change CPMOS while on the current promotion list, the school must have been completed and request received by the MILPO prior to the list being published. All requests received with a school completion date after the list is published will be disapproved.

5. Criteria for Promotion

a. To be eligible for consideration, selection, and promotion to SGT through SGM, the following applies:

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(1) Soldier must go through the board process and be on the current promotion list.

(2) Soldier must be in a promotable status. Soldier must be physically weighed within 30 days of selection/promotion request and have passed a record APFT within 12 months of selection/promotion request (6 months for AGR). The memorandum containing this information will be submitted by the Soldier's assigned unit and signed by the commander.

(3) Soldiers selected for promotion will receive an effective Date of Rank (DOR) the date the MILPO publishes the order. Promotion requests will be processed in a timely manner and a Soldiers DOR will not be backdated without approval from the MILPO. All requests for backdating rank will be submitted in a memorandum through command channels to the MILPO.

b. NCOES requirements that must have been completed by the Board date are listed below:

- (1) E8 List (for promotion to E9) all phases of ANCOG
- (2) E7 List (for promotion to E8) all phases of ANCOG
- (3) E6 List (for promotion to E7) all phases of BNCOG
- (4) E5 List (for promotion to E6) WLC
- (5) E4 List (for promotion to E5) none

c. To receive NCOES credit for a course that is outlined in AR 600-8-19 para 7-24, the unit must submit a memorandum from the commander with supporting documents to the MIPLO for determination. Approved requests will be given an NCOES completion date effective of the dated memorandum from the MILPO.

d. Assignment consideration will be in accordance with AR 600-8-19, para 7-29. Soldiers may select any assignment option for areas of consideration on the Election Addendum to the NGB Form 4100-1-R-E; if they decline any promotion within their assignment consideration they will be removed from current year's promotion list. This does not apply to AGR Soldiers as they are eligible for statewide reassignment and PCS (permanent change of station) move per AR 600-8-19, NGR 600-5, and the Joint Federal Travel

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Regulation. AGR Soldiers will be removed from the current year's promotion list if they decline an assignment offer.

Soldiers should annotate on their Election Addendum with only the assigned codes listed below:

- (1) A= Do Not wish to be considered
- (2) B= Within 50 miles from Home of Record (HOR)
- (3) C= Current Armory only
- (4) D= Current Battalion only
- (5) E= Current Brigade only
- (6) F= Anywhere in the state
- (7) G= For assignment to the RTI as an instructor

e. Soldiers who do not appear on the Promotion List, or are not recommended by the convening Promotion Board, will be counseled in writing by their First Line Leader so that they understand why they are not on the Promotion List.

f. Best-qualified Leadership Boards will be held to compose an Order of Merit List for First Sergeant Positions. This board, comprised of Command Sergeants Majors, will meet as soon possible, or as needed after the E8 list has been published.

6. Soldiers may be promoted into vacant positions when selected from a promotion list. Exceptions to this are listed in Chapter 7 Section III of AR 600-8-19 beginning with para 7-14. All documented positions, including those in units organized under a carrier UIC, are valid for promotion purposes subject to the policies contained within Chapter 3, NGR 600-200. This paragraph will outline specific procedures affecting full time manning as well as traditional guard members. Unless specifically stated, enlisted military technicians will follow the same guidelines as traditional guardsmen.

a. Traditional Guardsmen (M-Day) will only compete for positions designated as M-Day positions. The MILPO will verify questionable cases in coordination with the Human Resources Officer (HRO) as needed.

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(1) An M-Day Soldier who accepts a position voluntarily agrees to serve in the duty position to which promoted, even if the promotion requires reassignment to another unit.

(2) The Soldier must report for duty in the position to which promoted and serve at least 12 continuous months in the duty position before voluntary reassignment. Voluntary reassignment must be into a vacancy of Soldier's current grade, and Soldier must be DMOSQ for the new position.

(3) An exception to this policy may be given when the Soldier has a change of residence, civilian employment, or incurs an extreme hardship requiring such reassignment. This policy does not prohibit reassignment for the convenience of the Government or the good of the command. Requests for exception to policy will be made in writing through the chain of command.

(4) M-Day Soldiers may request a lateral transfer to a vacant slot in another unit in the same grade. The request must be approved by the losing and gaining commander. If more than one Soldier submits a request for lateral transfer, the gaining command must form a selection board to fill the vacancy. Commanders are not required to actively seek applicants for lateral transfers.

(5) In the case of hardship (as defined in AR 135-178) Soldiers may be laterally transferred without the concurrence of the gaining and losing commander. There may be other extenuating circumstances of hardship to be decided on a case by case basis. The final authority for hardship cases is the Adjutant General.

(6) Technicians will compete only for positions that are compatible with their current grade and full time position.

(7) Soldiers mobilized under 10 USC 12301(d) in support of contingency operation and 10 USC 12302 or 12304 may be promoted on the basis of an actual unit vacancy within their mobilized unit or to positions in non-mobilized units. Request for fills in mobilized units will be validated by cross-leveling the forward and rear UMR to confirm the vacancy.

(8) When a mobilized Soldier accepts a position in a non-mobilized unit, they will be promoted in place and the position will be held for the selected Soldier. Upon demobilization, the selected Soldier will be reassigned to the unit of acceptance.

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(9) Soldiers unable to attend NCOES as a direct result of mobilization, or the inability of the Army to schedule the course, may request a waiver. Requests will be sent to the MILPO for screening and forwarded to NGB for decision. Requests must include supporting documentation to include the mobilization order and an ATTRS printout validated by the ATTRS Quota Source Manager showing the course is not available and the Soldier was making a reasonable attempt to attend their next level of NCOES. The time to request a waiver due to deployment is when the Soldier is actually deployed (Title 10). Approved NCOES Deferral Waivers expire the day after the Soldier comes off Title 10 status.

(10) Soldiers serving in CSM and 1SG positions (Leadership Tours) will not exceed a 3 year tour unless extended by the Adjutant General.

(11) Steps to follow when filling vacancies for traditional guard positions are located in Appendix A of this Policy Memorandum.

b. Active Guard Reserve (AGR) Soldiers will compete only for positions designated as AGR in accordance with command priorities commensurate with those positions designated by the National Guard Bureau (NGB) Blue Book.

(1) AGR Soldiers desiring lateral transfer may submit a memorandum, through their chain of command, to the HRO-AGR section to maintain on file for one year. The lateral transfer letter will remain valid for one year from the date it was submitted or until the Soldier laterally transfers. The letter will state the Soldier's desire for lateral transfer by listing the UIC of desired unit(s) and the MOS(s) for which the Soldier is fully qualified. Letters must be on file for 30 days before the Soldier is eligible for a lateral transfer.

(2) AGR Soldiers may request a compassionate reassignment based on the reason of hardship as defined in AR 135-178. Circumstances of hardship will be considered on a case by case basis. The final authority for hardship cases is the Adjutant General.

(3) In order to be promoted to E8 or E9, AGR Soldiers must meet the criteria of the position and a control grade must be available. When a control grade is not available, Soldiers will be placed on an order of merit list, maintained by HRO, and promoted based upon the availability of a control grade. The

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Adjutant General has full discretion to the placement of control grades throughout the state.

(4) While mobilized, AGR Soldiers are authorized to compete for assignment and promotion within their mobilized unit or to full time manning (FTM) positions in non-mobilized units for which they are qualified. If promoted into a position which is over grade to FTM, the Soldier will have 12 months upon Release from Active Duty (REFRAD), to be assigned into a valid vacancy commensurate with their grade, or be subject to reduction (PPG para 15-14k). The HRO office is responsible for maintaining the Priority Placement List and ensuring proper placement of Soldiers. Soldiers who are offered a position commensurate to their full time position, but fail to accept it, will be subject to reduction. These actions will be approved by HRO based on the ability to manage the re-accession of the Soldier upon demobilization.

(5) Command directed moves for enlisted Soldiers will be made by exception only.

7. Merit Promotions (only applicable to non-AGR Soldiers).

a. In accordance with NGB-ARH Policy Memo #05-022, subject: Merit Promotions to Sergeants (E5). The following guidelines are established to ensure fair and equitable treatment of our Soldiers:

(1) NGB has authorized merit promotions up to 10% over the total authorization in the grade of Sergeant.

(2) To compute the number of Sergeants authorized for merit promotion, use the E5 required strength as shown on the UMR recapitulation for each UIC (use authorized strength for TDA units) and multiply this number by 110%. Round decimals to the nearest whole number (e.g. 12.4 or less rounds to 12 and 12.5 or more rounds to 13).

Example: Required Strength = 15
 $15 \times 110\% = 1.5$
 $15 + 1.5 = 16.5$ (rounds to 17)
 $17 - 15 = 2$ Merit Promotions Authorized

(3) Soldiers who are in the Simultaneous Membership Program (SMP) or Inactive National Guard (ING) will not be counted against authorized or required strength when calculating authorizations. **(Note: Make sure to count vacant E5 slots when determining the number of SGTs assigned.)**

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(4) Units will use EPS points to determine eligible Soldiers. Merit promotions will be offered to Specialists/Corporals in the unit with the highest number of EPS points, regardless of MOS. Specialists or Corporals with the highest number of EPS points will be passed over if they are not otherwise fully qualified (i.e. flagged, non DMOSQ, etc). When preparing the PAR for promotion, units must account for Soldiers who have been passed over. Promotions will be accomplished without regard to unit vacancy. Merit promotions will not be used to fill NCO slots. EPS is the process that will be used for this purpose. Once a Soldier has been meritoriously promoted, they will have a maximum of 3 years to be laterally assigned into an E5 position.

a. Authorizations will be managed by UIC. Attached Soldiers will be managed by parent unit and will be accountable to parent unit's authorized strength.

b. Merit Promotion Standing List should be completed and posted to the Unit Bulletin Board (without SSN).

c. The Primary Leadership Development Course (PLDC) or the Warrior Leaders Course (WLC) is not a requirement for Merit Promotions.

8. In order to remove a Soldier from the Enlisted Promotion Eligibility Roster, commanders must submit a request through command channels to the promotion authority in order to deny Soldiers consideration for promotion as outlined in AR 600-8-19, paragraph 7-33. Information regarding command-initiated removal is addressed in paragraph 7-44 of AR 600-8-19.

a. A Commander at any level may disapprove the recommendation, include the reason for disapproval, and return the action through command channels to the originator. Requests for appeal will be forwarded through command channels to the Assistant Adjutant General for final determination.

9. Initial denial for consideration on an upcoming promotion list may be accomplished by a DA 4187 and counseling by the Commander on a DA 4856. Soldiers may rebut their CDRs' recommendations and submit statements that directly affect the circumstances. These actions will take place in time to allow the Soldier one month to prepare comments and consult with a judge advocate, if desired, and to allow the approval authority to take final action before the board process is complete. Holding them

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until the completion of the evaluation cycle may require Standby Advisory Board action when a recommendation is disapproved.

a. Denial of promotion consideration for SPC, CPL and SGT will be approved by the first CDR authorized in grade LTC or higher.

b. Denial of promotion consideration for SSG and SFC will be approved by the first CDR authorized in grade COL or higher.

c. Denial of promotion consideration for MSG will be approved by the State AG.

d. These CDRs will personally approve or disapprove these actions, and will not delegate this authority. The final appeal authority is the State AG.

e. Authority to deny promotion consideration for all Title 10 AGR Soldiers is the DARNG.

FOR THE ADJUTANT GENERAL

Encls
Appendix A
Appendix B


ROY L. BOURNE
COL, GS, WVARNG
Chief of Staff (FTM)

APPENDIX A
PROCEDURES TO FILLING A VACANT TRADITIONAL GUARD MEMBER/MILITARY
TECHNICIAN SLOT

Note: Procedures for filling a vacancy with a Military Technician (MT) is the same as a Traditional Guard Member except HRO must determine MT compatibility prior to promotion. Units will **not bypass an MT on a promotion list based on assumption that the MT is not compatible with advancement. If acceptance of a promotion affects the MT's condition of employment, to include job compatibility, the MT will have to resign full time employment to accept the promotion unless compatibility waiver can be obtained.*

1. A unit with a valid vacancy will make every attempt to fill the position within 30 days or the MILPO will exercise the authority to fill the position without the commander's consent. Slots designated for Soldiers who are voluntarily or involuntarily mobilized with another unit will not be filled.

2. Soldiers may be considered for assignment and promotion without regard to SQI, ASI, and LIC that is required for their positions, unless the qualification is indispensable to performance (AR 600-8-19 para 7-39e). Units with mission essential requirements will be listed in the current MOI.

3. When recognizing a vacancy, the units FTM will access the updated EPS List for that specific MOS and grade on the J1 Server.

a. The first eligible M-day Soldier will be contacted by the unit and offered the position. A pre-printed acceptance/declination form mirroring the Optional Form 271 "Conversation Record" may be used to document telephonic notification. Other written documentation (such as memorandum of record, email or fax) received from Soldier(s) may also be used. Mandatory documentation must include who contacted the Soldier, when the Soldier was contacted, and what was the result.

b. Soldiers will make Declination Elections when preparing their Promotion Packets. These are options available to the Soldiers indicating where they want to be considered for selection/promotion within the state. If a Soldier fails to accept a position based on their declination consideration, the offering unit will document the declination and provide it to the MILPO. The MILPO will then remove the Soldier from the current year's promotion list.

c. Soldiers must respond within seven days of receiving notification or sooner if possible. Extensions may be granted by the MILPO, if necessary. Soldiers who fail to respond will not be considered and will be removed from the promotion list. The

APPENDIX A
PROCEDURES TO FILLING A VACANT TRADITIONAL GUARD MEMBER SLOT
(cont.)

offering unit will document the offer and submit with the promotion selection paperwork (*i.e OF 217 Form, Memorandum for Record, Certified Letter to Soldiers HOR, etc*)

d. Units may select M-Day Soldiers based on 90-day projected vacancies. A request for discharge memo must be obtained from the Soldier who is scheduled to separate. A newly selected Soldier may not be promoted until projected loss has been discharged.

e. Upon selection of a vacancy, the Soldiers current assigned unit will initiate the promotion PAR and reassignment or transfer PAR (if applicable) and submit all required supporting documents to their BN/BDE S1. The BN/BDE S1 will verify the PAR's and supporting documents for accuracy and forward to the EPS Manager for processing.

f. The EPS Manager will notify the units of any discrepancies or missing supporting documents. Once the unit is notified, they will have 14 days to provide the requested information or the PAR's will be terminated and the selection process will be repeated.

APPENDIX B
PROCEDURES TO FILLING A VACANT AGR MEMBER SLOT

1. An organization with a valid AGR vacancy will coordinate with HRO-AGR to fill the slot. All personnel moves for the full time force begin with an SF 52.
2. When a true vacancy or a projected vacancy (within 90 days) exists, the organization will submit an SF 52 to initiate the action.
3. Upon receiving the SF 52, the AGR Branch will ensure it is signed by the proper authority and begin the steps to fill the slot.
4. When an AGR position needs filled, the procedure will consist of the following:
 - a. Review the priority placement list. If a Soldier is over grade, or excess in a position, every effort will be made to place that Soldier in a vacancy consistent with his/her MOS and skill set.
 - b. Review requests for hardships. The second consideration for filling an AGR vacancy will be for on-board AGR Soldiers who have submitted a letter to the HRO requesting a lateral transfer due to hardship (hardship is defined in AR 135-78 Para 6-2 but other hardship circumstances will be considered on a case by case basis). Soldiers must be MOSQ for the position in which they desire to transfer. Special exceptions will be considered on a case by case basis. The final authority for AGR hardship cases is the Adjutant General.
 - c. Lateral transfers. Soldiers who desire to laterally transfer must have a letter on file with the HRO requesting reassignment to a specific unit(s), listed by UIC. Soldiers within the initial 18 months of their Title 32 AGR tour cannot submit a lateral transfer request prior to completing 17 months (this does not apply to hardship requests).
 - (1) The vacancy must be a position the Soldier is qualified to fill and in the same pay grade. The letter requesting reassignment must be on file with HRO at least 30 days prior to the beginning of the selection process. The letter will expire one year from which it was submitted. Renewals must be submitted annually, and be on file 30 days prior to execution.

APPENDIX B

PROCEDURES TO FILLING A VACANT AGR MEMBER SLOT (cont.)

(2) Gaining and losing commanders have the option to approve or deny all lateral moves.

(3) If more than one Soldier applies for a lateral transfer, the gaining command must form a selection board to fill the vacancy.

d. After the priority placement, hardship and lateral transfers have all been considered, EPS will be used to fill the position. The HRO-AGR Branch will pull the appropriate promotion list and send it to the unit with the vacancy.

(1) The hiring entity will offer the position to the AGR Soldier with the most points.

(2) Soldiers must respond within seven days of receiving notification or sooner if possible. Extensions may be granted by HRO, if necessary. Soldiers who fail to respond will not be considered and removed from the promotion list.

(3) If an EPS list is exhausted (all Soldiers within the CPMOS have been selected or none are eligible) the position will be advertised.

(4) Declination Elections do not apply to AGR Soldiers as they are eligible for State-wide reassignment and PCS move per NGR 600-5 (AR 600-8-19 para 7-40b(3)). AGR Soldiers failing to accept an offer for promotion will result in removal from the current Promotion List. AGR Soldiers who are removed from the list will not be eligible for promotion until the next promotion cycle. Every effort will be made to fill a vacancy with an acceptance from an AGR Soldier, but the Adjutant General maintains the option to direct a PCS move if the slot cannot be filled.

(5) Soldiers serving in CSM or 1SG positions (Leadership Tours) will not exceed a 3 year tour IAW current Command Leadership Assignment & Staff Positions Policy (CLASP).