



DEPARTMENT OF THE ARMY  
OFFICE OF THE DEPUTY CHIEF OF STAFF, G-1  
300 ARMY PENTAGON  
WASHINGTON, DC 20310-0300

DAPE-CPZ

28 August 2015

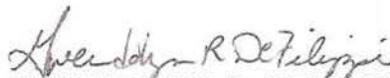
MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Supplemental Guidance for Administrative Grievance System

1. Reference memorandum, SAMR, 12 August 2015, subject: Administrative Grievance System (Enclosure 1).
2. The reference memorandum implements the Department of Defense Administrative Grievance System (AGS) and supplements it with Army's AGS policy and procedures (Enclosure 2). This guidance applies to all employees covered by the Army Administrative Grievance System.
3. My points of contact in this office for AGS guidance are Mr. Tony Wai at [tony.f.wai.civ@mail.mil](mailto:tony.f.wai.civ@mail.mil), 703-806-4037, DSN 656-4037 and Ms. Bonnie Roberts at [bonnie.w.roberts.civ@mail.mil](mailto:bonnie.w.roberts.civ@mail.mil), 703-806-3886, DSN 656-3886.

FOR THE DEPUTY CHIEF OF STAFF, G-1:

Encls

  
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Acting Assistant G-1 for Civilian Personnel

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DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
MANPOWER AND RESERVE AFFAIRS  
111 ARMY PENTAGON  
WASHINGTON DC 20310-0111

SAMR

12 AUG 2015

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Administrative Grievance System

1. References:

a. DoDI 1400.25, Volume 771, subject: DoD Civilian Personnel Management System: Administrative Grievance System, December 26, 2013.

b. Part 771 of Title 5, Code of Federal Regulations.

2. The purpose of this memorandum is to implement the DoD Administrative Grievance System (AGS) at Reference 1a and to supplement it with Army's AGS policy and procedures. The Office of the Assistant G-1 for Civilian Personnel will issue supplemental guidance to the DoD AGS procedures. Commanders of Army Commands, Army Service Component Commands, Direct Reporting Units, and the Administrative Assistant to the Secretary of the Army shall ensure the AGS is implemented in their command/organizations and provide appropriate guidance to their organizations. Commands and organizations with an established AGS must ensure their system is in compliance with the current DoD AGS. Army Regulation 690-700, Chapter 771, is herewith rescinded.

3. It is Army's policy that:

a. Army employees shall be treated fairly in all aspects of their employment. Employees who believe that they have not been treated fairly have a right to submit a grievance regarding their concerns to the appropriate management official in their organization for impartial and prompt consideration, and a fair decision in accordance with law and regulation.

b. Employees may be represented by an individual of their choosing for the grievance taking into considerations applicable limits established at Enclosure 3 of Reference 1a.

c. Grievances shall be resolved at the lowest possible supervisory level and as early as possible.

d. Employees and their representative, if in a duty status, shall submit a written request for approval and use of official time to their respective supervisor or appropriate management official.

ENCLOSURE 1

SAMR

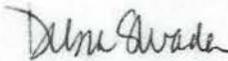
SUBJECT: Administrative Grievance System

e. Employees shall submit a written request for extensions to the appropriate management official.

f. Alternative Dispute Resolution (ADR) techniques are encouraged for resolving informal (problem solving) and formal grievances.

4. The DoDI AGS applies to Army employees (including civilian technicians of the U.S. Army Reserve) who are paid from appropriated funds. The AGS does not apply to civilian technicians in the Army National Guard.

5. The points of contact for this action are Ms. Constance Ray, of my office at [constance.b.ray2.civ@mail.mil](mailto:constance.b.ray2.civ@mail.mil), (703) 695-5149, DSN 225-5149, and Mr. Tony Wai, Office of the Assistant G-1 for Civilian Personnel, [tony.f.wai.civ@mail.mil](mailto:tony.f.wai.civ@mail.mil), (703) 806-4037, DSN 656-4037.



DEBRA S. WADA  
Assistant Secretary of the Army  
(Manpower and Reserve Affairs)

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SUBJECT: Administrative Grievance System

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Office of the Judge Advocate General, ATTN: DAJA-LE

# **Army Supplemental Guidance for Implementing DoDI 1400.25, Volume 771, Administrative Grievance System**

## **1. References**

- a. DoDI 1400.25, Volume 771, Subject: DoD Civilian Personnel Management System: Administrative Grievance System, December 26, 2013.
- b. Assistant Secretary of Army (Manpower and Reserve Affairs) Memorandum, Subject: Administrative Grievance System, dated August 12, 2015.
- c. Part 771 of Title 5, Code of Federal Regulations.

## **2. Purpose**

To provide supplemental guidance for the Administrative Grievance System (AGS) in reference 1.a. in accordance with the provisions of the Assistant Secretary of Army (Manpower and Reserve Affairs) Memorandum in reference 1.b. This guidance shall be used in conjunction with references 1.a. and 1.b.

## **3. Army AGS Policy**

The Army's AGS policy is implemented at reference 1.b.

## **4. Army AGS Employee Coverage**

Army's AGS:

- a. Covers appropriated fund non-bargaining unit Army employees as described in reference 1.a., Enclosure 3. It also applies to former appropriated fund non-bargaining unit Army employees with respect to matters arising during their previous employment at the activity, provided that a remedy is available consistent with applicable law and regulation.

- b. Also covers bargaining unit employees when a matter covered by the Army AGS cannot be grieved under a negotiated grievance procedure (NGP), either because an NGP is not in effect at the relevant time or because it does not cover the matter being grieved.

## **5. Representation**

Employees who choose to have a representative must submit their designation in writing to the appropriate management official. The representative must be designated in writing. A sample letter for designating a representative is at Appendix B. If management decides to deny the employee's choice of representation, the employee shall be informed in writing of the specific reason(s) for the denial of their choice of representative.

ENCLOSURE 2

## **6. Use of Official Time**

a. An employee and his/her representative may be granted a reasonable amounts of official duty time, if otherwise in a duty status at the employing activity, to prepare and present the grievance, and to communicate with management officials and representatives of the servicing Civilian Personnel Advisory Center (CPAC) regarding the grievance.

b. Prior arrangements and approval for use of official duty time shall be made with the appropriate supervisor(s) of the employee and representative or, where appropriate, in accordance with the provisions of the applicable collective bargaining agreement.

## **7. Time Limits**

The matrix at Appendix D outlines specific time limits.

## **8. Alternative Dispute Resolution (ADR)**

a. Employee and management officials are encouraged to use ADR, where available, to resolve grievances. The purpose of ADR is to offer disputing parties (employees and management officials) an opportunity to openly express their positions and interests in a confidential setting with the goal of resolving the matters in dispute in a mutually satisfactory manner. ADR shall be conducted in accordance with local ADR processes. The use of ADR is voluntary for all parties.

b. If the parties agree to use ADR and reach an agreement with respect to the grievance, the agreement shall be documented in writing. Once the written agreement is signed by the parties and determined legally sufficient by the servicing legal office, it is binding and will serve as the basis for a decision on the grievance. When using ADR, parties may mutually agree to extend the relevant timeframes.

## **9. Grievance Process**

a. Employees and deciding officials will follow the informal (problem-solving) and formal grievance processes provided in reference 1.a.

b. Employees must make requests for extensions of time limits in writing to the deciding official.

c. Employees will submit their informal grievance in writing to minimize misunderstandings regarding their concerns and the remedy sought.

d. Employees filing a formal grievance shall submit it in writing. A sample memo for filing a grievance is available at Appendix A. If ADR was available, the written grievance shall state whether or not it was requested.

e. Army deciding officials receiving a written informal grievance shall provide the employee a written decision.

f. Upon receipt of a formal grievance, the deciding official will take the following actions, as appropriate:

ENCLOSURE 2

(1) Request advice and assistance from the servicing CPAC concerning applicable laws, rules, and regulations on the subject matter being grieved, applicable grievance procedures, etc.

(2) Accept the grievance.

(3) Reject the grievance if the matter is determined not grievable or if the grievant is excluded from coverage of the AGP.

(4) Reject the grievance if it was not timely filed (without good cause for delay).

(5) The deciding official may engage in fact-finding and request assistance from an independent fact-finder from outside the employee's chain of command. If fact-finding is used, the deciding official will review the fact-finder's report and the grievance file and may accept, reject, or modify the recommendations of the fact-finder.

(7) The grievance decision will be provided to the grievant and/or the employee designated representative as appropriate, and a copy placed in the grievance file.

g. If the deciding official fails to render a decision within 90 days absent mutual agreement, the grievant may request review by the next higher management level, but not above the head of the installation or activity concerned.

h. An employee may request that an individual at the next higher management level, if any, within the installation or activity, but not above the head of the activity or command concerned, review a decision to cancel a grievance.

## 10. General Fact Finding Procedures

a. The fact-finder conducts an inquiry which may consist of securing documentary evidence, personal interviews, a group meeting, or a combination of the above.

b. The fact-finder will establish a file which contains all documents related to the grievance, including but not limited to any statements of witnesses, records, or copies of reports, and statements made by the parties to the grievance.

c. All documentation in the fact-finder's file must be made available to the grievant and the designated representative (if any) for review and comment. The fact-finder's comments and recommendations, if any, must be included in the file.

d. The fact-finder will submit the report of findings and recommendations along with the file to the deciding official within 30 days.

## 11. Grievance Cancellation

a. **Deciding officials** may cancel or temporarily suspend a grievance, or the appropriate portion of a grievance if:

(1) The matter is determined not covered by the AGP or if the grievant is excluded from the coverage of the AGP;

(2) The grievance was not timely filed;

(3) The grievant raises the same matter(s) under another formal dispute resolution process under a different administrative forum.

(4) The grievant requests actions to be taken against another employee.

ENCLOSURE 2

b. **Employee (grievant)** may also cancel a grievance or a portion of the grievance or temporarily suspended the grievance at any time during the grievance process. The cancellation request must be provided in writing with the reason(s) for the cancellation to the deciding official. A grievance cancellation by the grievant may not be requested for review by the next higher management level.

## 12. Grievance File

a. A separate file for each written grievance and all documents related to the grievance will be maintained for at least 4 years in accordance with applicable laws, regulations, and records retention schedules. All documents related to the grievance file shall be accessed only on a need to know basis. Upon written request, the contents of the grievance file shall be made available to the grievant and/or the grievant's designated representative. At a minimum, the grievance file will contain:

- (1) The employee's written grievance.
- (2) The written designation of representative, if any.
- (3) In the case of fact-finding, the written designation of the management representative.
- (4) The report of findings and recommendations of the fact-finder or investigation, if any.
- (5) The grievant and/or the representative's written comments regarding the grievance, if any.
- (6) A written offer of or request for ADR, or other written agreement to use ADR to resolve the grievance (if applicable).
- (7) Any written settlement agreements pertaining to the grievance.
- (8) The decision issued by the deciding official with supporting documents, if any.
- (9) Any other documents and/or finding related to the grievance, including documentation related to an investigation (if applicable), disciplinary memos (if applicable) and any other materials related to any disciplinary matter (if applicable).
- (10) Written requests for extensions of time limits.

b. CPACs are responsible for the input of administrative grievance information into the DoD Case Management Tracking System (CMTS) in accordance with applicable Civilian Human Resource Agency (CHRA) operating guidance. CMTS was designed to improve the management and administration of Labor/Management Employee Relations (L/MER) actions.

ENCLOSURE 2

## Appendix A

### Sample Grievance Letter from Grievant

Date

MEMORANDUM FOR (Name, title, and mailing address of deciding official)

SUBJECT: Administrative Grievance

1. This is an informal/formal grievance under the (specify Department of the Army or local Administrative Grievance System).

*(Note: If you are a bargaining unit employee and the matter you are grieving is covered under a negotiated grievance procedure (NGP), you must use the NGP procedure rather than the administrative grievance procedure. If you are unsure, consult with your servicing Civilian Personnel Advisory Center and/or your union local.)*

2. The matter on which this grievance is based occurred on (give date) and is described in detail as follows: (Furnish sufficient detail to clearly identify the matter being grieved. Appropriate documents related to your grievance should be attached.)

3. The personal relief (i.e., corrective action) I seek is: (Specify clearly.)

*(Note: "Personal relief" means a specific remedy directly benefiting you and may not include a request for disciplinary or other action affecting another employee. For example, if you were suspended without pay, your "personal relief" request may be to cancel the suspension and reinstate your pay. Failure to provide sufficient information relating to your grievance or to clearly specify the personal relief you are requesting may result in your grievance being rejected. It is preferable that you personally deliver your grievance when practicable. When mailing a grievance, it is recommended to provide proof of mailing, i.e., return receipt, certified mail, etc. The postmark usually determines the filing date of the grievance.)*

4. I request/do not request ADR (if available) to attempt to resolve this grievance.

Grievant Signature Block  
(include name, position title and grade)

Attachments: (It is preferable to identify all attachments.)

TAB(S) – 2

1. Document Title
2. Document Title

CF:  
(Servicing CPAC)

## Appendix B

### Sample Memorandum for Designation of Representative

Date

MEMORANDUM FOR (Name of title, and mailing address of deciding official)

SUBJECT: Designation of Representative for Grievance

1. This provides notice that I have designated (name) of (organization) (telephone number) to represent me with regard to any and all matters relating to my grievance which was submitted on (date).
2. I further authorize the above-named individual full and complete access to any and all records concerning myself that may be held by management.

Grievant Signature Block  
(Include name, position title and grade)

CF:  
(Name of Representative)  
(Servicing CPAC)

## Appendix C

### Sample Memorandum for Response to an Informal/Formal Grievance (Decision Letter)

Date

MEMORANDUM FOR (Grievant Name, Title, GS-XXX-Grade, Organization)

SUBJECT: Grievance Decision

1. This responds to your informal/formal grievance dated xxxx and received on [DATE]. You raised the following issues: [list each issue and relief sought]:

a. [RESTATE ISSUES FROM GRIEVANCE MEMO].

b. As relief for your grievance, you are requesting that [RESTATE RELIEF SOUGHT FROM GRIEVANCE MEMO].

2. After carefully and fully considering all the facts of your grievance and relevant law, rule and regulations, I have reached the following decision:

[RESTATE EACH ISSUE AND PROVIDE DECISION ON EACH OF THE ISSUE WITH SUPPORTING RATIONALE FOR THE DECISION.]

3. The above is my response to your formal grievance. My decision on the merits of your grievance is final and not subject to further administrative review. [IF GREIVANCE IS CANCELLED, INCLUDE THE FOLLOWING STATEMENT: You may request (Name of next higher Army management official) to review my decision to cancel this grievance.]

4. I request you sign and date a copy of this memorandum, to acknowledge that you have received it. Your signature does not indicate agreement or disagreement with the contents. Please note that failure to acknowledge receipt will in no way affect the validity of this decision.

**Note:** The review in paragraph 3 applies only if there is an individual at the next higher management level within the installation or activity, but not above the head of the installation or activity concerned.

Sincerely,

Deciding Official Signature Block

CF:

(Name of Representative, if any)

(Servicing CPAC)

## Appendix D

### Time Limits for the Administrative Grievance Process

Requested Action	Initiated By	Time Limit
Informal Grievance (problem solving)	Employee	Within 15 days following the date of the act or event or within 15 days following the date the employee became aware of the act or event.
Resolution of Informal Grievance	Supervisor	Within 15 days from the date the grievance was presented. If a decision cannot be made in 15 days, the supervisor should inform the grievant in writing. However, the decision will be rendered within 30 days from the date the problem is brought to the supervisor's attention.
Ending Informal Grievance	Employee	If the employee is satisfied with the decision, he/she should inform the supervisor in writing within 15 days after the decision is received, thereby ending the grievance process.
Formal Grievance	Employee	Within 15 days of receiving the notice of the decision for the informal grievance. If the employee chooses to bypass the informal process, within 15 days following the date of the specific act or event or within 15 days following the date the employee became aware of the act or event.
Final Decision on Grievance	Deciding Official (DO)	Normally, within 60 days from the date the grievant originally filed the grievance. The DO may extend time frames when warranted by special circumstances. However, a grievance decision should be rendered no more than 90 days from the filing of the grievance absent mutual agreement to extend this limit to accommodate resolution of the dispute.
Request for Next Higher Management Level, if any, to Review Decision to Cancel Grievance	Employee	Within 15 days of receiving the notice to cancel grievance.
Alternative Dispute Resolution (ADR)	Employee/Supervisor/DO	When using ADR, parties may mutually agree to extend the timeframes.