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## **National Guard Dual-Status Technicians Fact Sheet**

### What is a National Guard dual-status technician?

National Guard dual-status technicians are a unique type of federal employee. They are civilians who work for the National Guard. Their jobs range from helicopter, airplane, and tank mechanics to clerical and support workers. Unlike other federal employees, National Guard dual-status technicians are required to maintain military status as a condition of their civilian position. Most federal employees are covered by Title 5; however, dual-status technicians are covered by both Title 5 and Title 32 (known as the Technician Act). The Technician Act requires dual-status technicians to wear a military uniform as a condition of their employment; leave their civilian position if they can no longer meet their military requirements; and exempts the workers from overtime pay, seniority, and Merit Systems Protection Board rights that other federal workers have.

### The Role of the Union and Dual-Status Technicians

National Guard dual-status technicians have the same right to organize and join a labor union as other federal employees. They also enjoy the protections in the Federal Service Labor-Management Relations Act (Chapter 71 of Title 5), including: the right to bargain a contract, the right to union representation, and the right to file grievances and unfair labor practices. However, Title 32 allows dual-status technicians to be treated worse than other federal employees in the labor-management context. For example, while most federal employees facing discipline can either file a grievance or appeal a disciplinary charge to an outside federal agency (MSPB), technicians can only file a grievance with their Adjutant General without third-party review. Technicians are also exempt from laws providing overtime pay, and other rights.

### Which agencies oversee National Guard dual-status technicians?

The Department of Defense, the Army and the Air Force, and the National Guard Bureau all oversee dual-status technicians. The state Adjutant Generals, subject to federal regulations, are the designated employer of technicians.

### Challenges Currently Facing Dual-Status Technicians

Dual-status technicians typically get the “worst of both worlds” between their fellow civilian and military members. Unlike military members, technicians must work longer to be eligible for retirement; they are typically not eligible for enlistment bonuses; have limited seniority rights; and do not receive veterans preference. Unlike other civilian workers, they do not have discipline appeal rights to the MSPB, and their supervisors often serve as their military leaders, complicating the work relationship. Additionally, multiple deployments of the dual-status technicians to Iraq and Afghanistan has meant that the unions that represent them lose up to 50% of our bargaining unit at any given time.