



Texas Military Department

DIRECTIVE

NUMBER 1104.06

NOV 01 2019

NGTX-JHR

SUBJECT: Texas Military Department (TMD) Employment Suitability Determination Requirement

1. REFERENCES.

- a. TEX. GOV'T CODE § 437.002
- b. Title 32 United States Code
- c. Title 10 United States Code
- d. 5 CFR 731, Criteria for Suitability Determinations

2. PURPOSE. This directive establishes a centralized personnel process to ensure that only suitable applicants for employment are appointed to civilian and military positions in this agency.

3. APPLICABILITY AND SCOPE. This issuance applies to all applicants for full-time equivalent (FTE) military and civilian (state and federal) positions in the Texas Army National Guard (TXARNG), Texas Air National Guard (TXANG), Texas State Guard (TXSG), and Office of State Administration (OSA), including temporary or short duration employment over thirty (30) days, (e.g. Full-Time National Guard Duty-Operational Support/Active Duty Operational Support (FTNGD-OS/ADOS)).

4. DEFINITIONS. Determination of Suitability. Determination is defined for the purposes of this directive, as the examination of an applicant's character or conduct over time, resulting in a favorable or unfavorable determination of their employment suitability, eligibility for access to government information, materials, or areas, or for their entrance or retention in government employment.

5. POLICY.

a. General. The agencies procedures for determining the of suitability of applicants for employment shall be aligned using consistent standards to the extent possible, while providing fair treatment to those upon whom the Texas Military Department relies to accomplish State and Federal missions.

b. Applicants who have been released from active duty, resigned in-lieu-of, been removed from employment, been terminated-for-cause, or received negative performance reviews in a previously-held, full-time employment status, will not be reemployed without a **waiver** from the Adjutant General. Specifically, all Service Members who have been separated from military service with a less than honorable characterization of service upon discharge will not be deemed eligible for employment or reemployment without approval from the Adjutant General or her designee.

5. **RESPONSIBILITIES.**

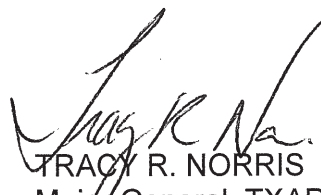
a. Texas Military Department, J1. The TMD J1 is the central hiring and adjudication authority for the agency and will establish procedures for implementation of this directive.

b. Program Managers. Program Managers with budget authority to publish military orders will immediately begin staffing all requests for orders along with appropriate supporting documentation for suitability screening and employment eligibility validation before publication of military orders exceeding thirty (30) days. Military orders will not be issued beginning **1 November 2019**, for E-7/SFC and above, Warrant Officers and Officers **without J1 determination of suitability and/or waiver from the Adjutant General.** Effective 1 January 2020, military orders will not be issued for all ranks **without J1 determination of suitability and/or waiver from the Adjutant General.**

c. Applicants. Applicants for any position in the TMD are required to disclose any previous or current full-time employment information, to include positions held, supervisor information, and reason(s) for resignation or termination.

6. **EFFECTIVE DATE.** This directive is effective 1 November 2019 and will expire two years from the effective date of publication unless sooner rescinded or superseded.

7. **POINT OF CONTACT.** J1, Director of Manpower and Personnel, (512) 782-5365.


 TRACY R. NORRIS
 Major General, TXARNG
 Adjutant General

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