



DEPARTMENT OF THE ARMY  
OFFICE OF THE CHIEF OF ARMY RESERVE  
2400 ARMY PENTAGON  
WASHINGTON DC 20310-2400

DAAR-HR

8 MAR 2017

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Relief for Cause (RFC) Procedural Guidance

1. References:

a. Memorandum, OCAR, DAAR-HR, 13 Feb 17, subject: Relief for Cause (RFC) Procedural Guidance.

b. AR 600-20, Army Command Policy.

c. AR 623-3, Evaluation Reporting System.

d. AR 600-8-2, Suspension of Favorable Personnel Actions (FLAGS).

e. USARC Regulation 140-5, Army Reserve Colonel and Lieutenant Colonel Command Selection Program.

f. FM 6-22, Leader Development.

g. Memorandum, OCAR, DAAR-HR, 25 Sep 13, subject: Involuntary Separations of Army Reserve Officers and Warrant Officers.

h. AR 140-10, Assignments, Attachments, Details, and Transfers.

i. AR 15-6, Procedures for Investigating Officers and Boards of Officers.

j. AR 614-200, Enlisted Assignments and Utilization Management.

k. AR 135-178, Enlisted Administrative Separations.

l. DA Pam 623-3, Evaluation Reporting System.

2. This memorandum supersedes reference 1a and remains in effect until superseded, rescinded, or withdrawn.

3. The purpose of this guidance is to assist commanders at all levels with relief for cause actions. The intent is to ensure that leaders understand the policy and administrative requirements in AR 600-20 when there is no other alternative but to relieve, thus ensuring the process is both judicious and swift. Failure to properly administer a relief will cause unnecessary administrative delays, lead to congressional, Inspector General, and Commander Inquiries, and may result in the withdrawal of the relief action. Most damaging of all, failure to properly administer a relief will result in our Soldiers losing confidence in their leaders.

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4. Commanders considering a relief for cause will consult with their servicing Staff Judge Advocate (SJA) and review AR 623-3 prior to and throughout the relief. When the decision is made to relieve, the Soldier will be flagged in accordance with AR 600-8-2. USARC Regulation 140-5 provides specific information on relief from colonel and lieutenant colonel command. The USARC Deputy Commanding General will be notified of all reliefs for cause of SGM/CSM and BDE/BN Commanders in accordance with the USARC Commander's Critical Information Requirements reporting matrix. The 7th MSC and 9th MSC will also notify US Army Europe and US Army Pacific Command, respectively, of all reliefs for cause of SGM/CSM and BDE/BN Commanders assigned to their command.

5. Effective performance counseling of officers and noncommissioned officers (NCOs) as prescribed by FM 6-22, is essential to ensuring they are prepared to carry out their assigned duties. In the unfortunate event that a relief action is necessary, the documented counselings will help validate that the Soldier was aware of their duties, responsibilities, and the deficiencies that led to their relief.

6. Rating officials should communicate with their S-1, G-1, or supporting administrative office and the SJA regarding completion of a referred evaluation. Unusual circumstances should be coordinated directly with the US Army Human Resources Command, Evaluations Branch ((502) 613-9019, ext. 983 / <https://www.hrc.army.mil/default.aspx?ID=917>), for resolution.

7. In accordance with OCAR Memorandum, 25 Sep 13, subject: Involuntary Separations of Army Reserve Officers and Warrant Officers, commanders will initiate involuntary separation proceedings for officers and warrant officers relieved for cause.

8. For additional information, contact CW3 Carole A. Davis, USARC G-1 at (910) 570-8839 or [usarmy.usarc.usarc-hq.mbx.pmd-omb@mail.mil](mailto:usarmy.usarc.usarc-hq.mbx.pmd-omb@mail.mil).

FOR THE CHIEF OF ARMY RESERVE:



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5 Encls

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## **Relief for Cause (RFC) Process**

1. Relief for cause actions include the relief process, completion of the RFC evaluation, and possibly involuntary release and/or removal from the CSM Program, if applicable.

a. An evaluation report is not the primary relief or removal notification documents. The relief event must occur first.

b. Suspension authority:

(1) A commander may relieve a subordinate officer or NCO as a result of poor performance or misconduct.

(2) A commander may temporarily suspend a subordinate commander but a relief must be approved, in writing, by the first General Officer (GO) in the chain of command of the officer being relieved.

c. When relief is contemplated on the basis of a preliminary inquiry or administrative investigation conducted under the provisions of AR 15-6 (Procedures for Investigating Officers and Boards of Officers), the referral and comment procedures of AR 15-6 must be followed "prior" to the act of directing or initiating the relief. This is irrespective of the fact that a relief OER must also be referred to the rated officer.

d. Relief for Cause NCOERs do not require any referral action to the rated NCO.

e. Neither the relief action nor the RFC evaluation report will be initiated until any pending AR 15-6 investigation safeguard procedures are fully completed. This means that the investigation results should be approved, along with any amendment action, and referred to the Soldier for comment. The Soldier's comments should then be evaluated and a final determination made that the results of the investigation warrant relief action.

f. An officer or NCO may be temporarily suspended in part, or fully, from assigned duties until an AR 15-6 investigation (or any other investigation) is completed, to include referral and response from the Soldier, as applicable.

(1) The suspension should be documented in writing and provided to the Soldier indicating the effective date and reason(s) for the suspension of duties. Additionally, the suspension document will include where the Soldier will attend training during the suspension, if other than the Soldier's current unit, and who will supervise the Soldier during the suspension period (e.g. the Soldier's current supervisor or someone else).

(2) Soldiers are authorized to continue to attend training with their assigned unit whether the Soldier is being suspended or relieved unless it is determined that this will

## **Relief for Cause (RFC) Process (continued)**

cause disruption in the unit. In these instances, the Soldier will be rescheduled to attend training with another co-located unit or a unit within normal commuting distance of the Soldier's home of record. If the relief is as a result of a Sexual Assault, Sexual Harassment, or Equal Opportunity complaint, the commander will consult with a Sexual Harassment/Assault Response and Prevention (SHARP) coordinator and/or an Equal Opportunity (EO) advisor to determine if an alternate duty location is warranted.

(3) Every effort will be made to retain the current designating rating officials during the suspension period. During the suspension period, the supervisor, if they are not currently serving as the rating official, will provide informal input to the designated rating officials.

g. The relief action is a separate event in itself that is initiated under provisions within AR 600-20.

(1) It is imperative the relief event be documented. Written notification of relief may be a memorandum or e-mail to the rated Soldier. If the Soldier is verbally relieved, the notification will be a memorandum for record.

(2) The official directing the relief will notify the Soldier that they are being relieved, state the effective date, the specific reason(s) for the relief, and where the Soldier will attend training pending the completion of the AR 15-6 investigation, the RFC evaluation report and any subsequent action.

(3) While there is no mandatory requirement to grant time or await a response from the Soldier to rebut a relief action taken under AR 600-20, the relieving official may afford the Soldier an opportunity to provide comments that may have a significant impact on the relief action. In this instance, the Soldier will be given a reasonable suspense to provide comments.

2. Once the relief action is completed, the rating official initiates the RFC evaluation report in accordance with AR 623-3. The end date of the RFC evaluation report is the date the Soldier is relieved.

3. Once the RFC OER/NCOER is properly completed, the commander will initiate an involuntary separation proceeding to determine if the Soldier should be retained in the Army Reserve. Referral of the reassignment or removal action to the Soldier concerned is governed by the applicable regulation for the reassignment or removal action. This referral is in addition to referring the AR 15-6 investigation results and the referred RFC OER. The completed RFC evaluation including referral documents for OERs are required as a "supporting enclosure" to the reassignment or removal request.

## **RFC Officer Evaluation Report (OER)**

1. Relief for Cause evaluation reports are governed by AR 623-3. Although any commander may temporarily suspend a subordinate, action to relieve a commander will not be taken until after obtaining written approval from the first General Officer (GO) in the chain of command of the commander being relieved.
2. A Relief for Cause OER is required when an officer is relieved regardless of the rating period involved. "Relief for Cause" is defined as an early release of an officer from a specific duty or assignment directed by a superior authority and is based on a decision that the officer has failed in their performance of duty.
3. The minimum time requirements for rating officials do not apply for RFC evaluations. A relief evaluation is required regardless of the rating period involved (e.g., even if only 1 day). The published rating chain will render the report at the time of relief.
4. A rating official may relieve an officer for cause or because of information received about a previous rating period (e.g., the rating officials receive information on a completed investigation regarding a past incident).
5. Suspended officers will not render or receive evaluation reports until their status is decided. While no evaluation report will be rendered on a suspended officer during the period of suspension, for an officer who is suspended and subsequently returned to duty (not relieved), the period of suspension is recorded as evaluated time on the next OER.
6. The evaluation report must specifically indicate who directed the relief of the rated officer and will clearly explain the reason for the relief in their portion of the OER. If the relief is directed by someone other than the rating officials, the official directing the relief will describe the reasons for the relief in an enclosure to the report.
7. Processing Relief for Cause OERs.
  - a. Rating officials will process the RFC OER in accordance with the referred evaluation procedures in AR 623-3 and DA Pam 623-3.
  - b. If the rater or intermediate rater directed the relief, the senior rater conducts the final review of the OER.
  - c. If the senior rater directed the relief, then a supplementary reviewer is required. See AR 623-3 for guidance on supplementary reviewers.

## **RFC Noncommissioned Officer Evaluation Report (NCOER)**

1. An RFC NCOER is required when an NCO is relieved for cause regardless of the length of the rating period, unless the rating period is less than 30 days; in which case a waiver is required.

a. The minimum rater qualification, senior rater qualification and rating period are 30 days. This is to allow the rated NCO sufficient time to react to performance counseling during the rating period.

b. The authority to waive this 30-day minimum rating period and rater and senior rater qualification period in cases of misconduct is granted to a general officer in the chain of command or an officer having general courts-martial jurisdiction over the relieved NCO. The waiver will be in memorandum format and attached as an enclosure to the NCOER as indicated in AR 623-3. A sample of the waiver memorandum can be found in AR 623-3.

2. If the relief was based on the results of an AR 15-6 investigation, the referral process must be completed and a determination made before an NCO can be relieved or the RFC NCOER initiated.

3. RFC NCOERs do not require referral to the rated NCO.

4. The date of the relief will be the "THRU" date of the NCOER.

5. If the NCO is suspended and subsequently relieved, the suspension period is recorded as nonrated time; the nonrated code "Z" will be used on the NCOER to account for the unrated time. Every effort will be made to retain the established rating chain during any investigation or suspension period.

6. The rating official directing the relief will clearly explain the reasons for the relief in DA 2166-9-1, Part IVi for E-5/SGT, DA 2166-9-2, Part IVj for E-6 thru E-8 (SSG-1SG/MSG), or DA 2166-9-3, Part IVf for E-9 (SGM-CSM).

7. If the relief is directed by an official other than the rater or senior rater, the official directing the relief will describe the reasons for the relief in a memorandum enclosure to the NCOER. A sample memorandum is located in AR 623-3.

8. The senior rater's potential evaluation in Part Va on the NCOER must reflect "**NOT QUALIFIED**" or "**QUALIFIED**". A "**NOT QUALIFIED**" recommendation by the senior rater is consistent with a relief action and does not need further explanation. However, senior raters who select "**QUALIFIED**" must explain their recommendation and reasons in view of the action to relieve.

**RFC Noncommissioned Officer Evaluation Report (NCOER) (continued)**

9. Regardless of who directs the relief, the rater will enter the bullet in Part IVf, "*rated NCO has been notified of the reason for the relief*".

10. If the rater is relieved, or when the NCO and the rater are concurrently relieved, the senior rater will complete both rater and senior rater portions of the report for each of the rater's subordinates. The senior rater will enter "rater relieved" in Part Ve of the DA 2166-9. In this instance, be sure not to enter the relieved rater's name in Part IIa.



## **Removal from the Command Sergeant Major (CSM) Program**

1. In accordance with AR 614-200, a CSM or CSM designee who fails to be effective or maintain the expected high standards of a CSM is subject to removal from the CSM Program.
2. The immediate commander will counsel the CSM on a DA 4856 (Developmental Counseling Form), in a memorandum, or on the NCOER Support Form. If the recommendation for removal from the CSM program is based on a single incident or act of misconduct, counseling is not required if the commander determines it not appropriate under the circumstances.
3. After seeking advice from the command Staff Judge Advocate, the immediate commander will:
  - a. Present in memorandum format their recommendation with supporting documentation to the CSM.
  - b. Attempt to present the recommendation to the CSM in person. If a face-to-face meeting is impractical or significantly delay the process, commanders will send the recommendation via certified, restricted delivery and return receipt mail.
4. The CSM has 30 days from the receipt of the recommendation for removal from the CSM program to submit a written rebuttal. If the CSM elects not to submit a rebuttal, they will so indicate by written endorsement. Failure of the CSM to respond constitutes a waiver of that right.
5. If after receipt of the rebuttal, the commander determines the CSM should still be removed from the program, the entire package will be forwarded through command channels via the Human Resources Packet Accountability Site (HRPAS) to the OFTS Command. The OFTS Command will submit the packet by email to the Army Reserve Senior Leader Development Office (SLDO) who will submit the packet for a final determination. The contact information for the SLDO is (502) 613-4697 and US Army Reserve OCAR Mailbox SLDO-E9 (usarmy.usarc.ocar.mbx.sldo-e9@mail.mil).
6. The final approval authority for CSM Program removals is the CG, US Army Reserve Command for TPU NCO's and the CG, US Army Human Resources Command for AGR NCOs.

## **Removal from the Command Sergeant Major (CSM) Program (continued)**

7. Each command and their CSM in the chain of command must review the case and make a written recommendation.
8. A recommendation for removal of a CSM for cause must include a completed Relief for Cause evaluation report.
  - a. The NCO will be notified in writing of the final determination.
  - b. A copy of all approved notifications will be forwarded back to the OFTS command by the SLDO.
9. Reclassification and reassignment.
  - a. TPU CSM – OFTS Commanders must submit their recommendation and complete packet via email to SLDO. SLDO will submit approved packet to HRC CSM/SGM Branch for reclassification and transfer order publication. Removed CSMs must request reassignment to a vacant SGM position in which they are MOS qualified, to the IRR, or the Retired Reserve.
  - b. AGR CSM – HRC CSM/SGM Branch will reassign removed CSMs to a vacant AGR SGM position which are MOS qualified or, at the Soldier's request, the US Army Retired List. AGR CSMs may also request to be removed from the AGR Program and be reassigned to a vacant TPU SGM position in which they are MOS qualified or to the IRR.
10. A suitability assessment of the NCO on the basis of their conduct and their ability to meet required standards of duty performance and discipline is required. General Officer commanders will initiate separation proceedings in accordance with AR 135-178, to determine if the removal of the NCO from the Army Reserve is warranted.

## **Involuntary Release or Reassignment to the IRR Due to Relief for Cause (RFC)**

1. Officer involuntary release or involuntary reassignment to the IRR is governed by AR 140-10 (Assignments, Attachments, Details, and Transfers).
2. An RFC OER is required to support involuntary reassignment.
3. Once the RFC evaluation report is properly completed, the commander may initiate a request for involuntary reassignment to the IRR. Recommendation for involuntary reassignment is in addition to completing the referred RFC OER.
4. The commander will recommend involuntary reassignment to the proper control group.
5. The commander will notify the officer in writing; the notice will state the specific reasons for recommending involuntary reassignments and include the following information:
  - a. The right to appeal involuntary reassignment to the area commander.
  - b. The opportunity to comment or rebut the recommendation.
  - c. The option to either request in writing or decline to request voluntary reassignment.
  - d. Ensure that a RFC OER is completed.
6. The unit commander will send the recommendation to the USARC or GOCOM commander. Evidence that the officer was informed of their right to appeal an involuntary release will be included.
7. The USARC or GOCOM commander will add their recommendation and forward the case to the area commander or return the case to the unit commander without further action when an officer's appeal for involuntary release is supported.
8. The area commander will approve or disapprove the involuntary reassignment. Final action will not be taken until the RFC OER is received for forwarding to HRC.