



## **SUSPENSION OF FAVORABLE ACTIONS ("FLAGS")**



If a Soldier is being investigated for possible misconduct, or is otherwise "not in good standing," with the Command, a "FLAG" will be initiated and placed in his electronic personnel file.

### **Q: What is the purpose of a FLAG?**

**A:** A FLAG is placed in a Soldier's file in order to prevent favorable action for the Soldier, including promotions, PCS moves, while an investigation of the Soldier, or while a Soldier's unfavorable status continues. It is not a punishment, only an administrative tool. Whenever a Soldier is being investigated for possible Uniform Code of Military Justice (UCMJ) violations, a FLAG should be initiated.

### **Q: What are the procedures for initiating a FLAG?**

**A:** The initiating Command should prepare and file a DA Form 268 (Report to Suspend Favorable Personnel Actions (FLAG)) in the Soldier's personnel file. A copy should be given to the Soldier, but this does not always happen.

### **Q: What sort of FLAG's are there?**

**A:** There are two types of FLAG's:

- Transferable – The FLAG'ed Soldier can be transferred to a new unit; and
- Non-transferable – The FLAG'ed Soldier cannot be transferred to a new unit, except under limited circumstances.

The DA Form 268 lists those actions that can be transferred which include APFT failure, height-weight failure and the punishment phase of a UCMJ action such as an Article 15 or court-martial. All other FLAG's are normally non-transferable.

### **Q: What are the consequences of a FLAG?**

**A:** A FLAG stops all promotions. If you are in a promotable status, the orders should not be processed. If the FLAG is non-transferable, Soldiers will not be able to PCS or ETS.

### **Q: What if my enlistment contract is coming to an end?**

**A:** If you are under investigation for possible violations of the UCMJ, your time on active duty can be involuntarily extended to permit the Command the opportunity to punish you.

**Q: When does a FLAG end?**

**A:** It depends on the reason for the FLAG and the outcome that results in your case:

- If you were the subject of an investigation which is closed without action, the FLAG should be lifted.
- If you are acquitted at a UCMJ trial, the FLAG should be lifted.
- If you are given UCMJ punishment in a court-martial or Article 15 proceeding, the date that the punishment phase is complete, the FLAG should be lifted.
- If you are only given a memorandum of admonition, or a letter of reprimand, the day it is given to you and acted on by the command (whether to file it locally, or in your permanent file in the OMPF), the FLAG should be lifted.
- If you received an administrative reduction in rank, the FLAG should be lifted on the date of the reduction.
- Involuntary separation – for active-duty Soldiers, when the separation action is completed and the Soldier is transferred to the transition point, the FLAG is lifted.
- Other rules may apply, depending on your unique situation

**Q: Can a FLAG or an investigation be kept open, indefinitely to prevent any further favorable actions for a Soldier?**

**A:** No. A FLAG is not to be used as a form of punishment (no matter how it may feel), but only as an administrative tool. Investigations are to be conducted as expeditiously as possible. Investigations vary from case to case, however, and the time needed to conduct an investigation lies within the sound discretion of the Command. Even if you are later determined to be innocent of wrong-doing, the procedure is still necessary to give the Command time to make that determination.

**Q. Can a FLAG be appealed?**

**A:** If you believe you that you are being wrongfully FLAG'ed, or that the FLAG is being unnecessarily prolonged for the wrong reasons, please visit with the Legal Assistance office, or to the post IG office.

“Know your regulations; know your rights!” More information can be found in Army Regulation 600-8-2 “Suspension of Favorable Personnel Actions (FLAGS)” which can be found online at [https://armypubs.army.mil/epubs/DR\\_pubs/DR\\_a/pdf/web/ARN10794\\_r600\\_8\\_2\\_Admin\\_Final.pdf](https://armypubs.army.mil/epubs/DR_pubs/DR_a/pdf/web/ARN10794_r600_8_2_Admin_Final.pdf).



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