
Section I. Temporary Suspensions

Introduction

Recognizing that Auxiliary membership is a privilege, not a right, at any point during the processing of an Auxiliarist's PSI or pursuant to sections F thru H of this chapter, an Auxiliarist may be subject to temporary suspension action as described in this section, pending the outcome of the proceeding. This section describes suspension authority, effect on duties, and other related matters.

I.1. Authorization and Scope

The Director is authorized to place temporary suspensions in effect throughout the completion of a PSI or disciplinary proceeding. The Director shall consult with the DCO before imposition of any temporary suspension action. If an involved Coast Guard command or program authority deems temporary suspension of an Auxiliarist as an appropriate course of action during the course of an investigation involving the Auxiliarist, then the Coast Guard command or program authority shall consult and work with the cognizant Director to effect same.

Temporary suspension action should not normally be taken during the course of a matter that would likely result in informal disciplinary action, nor in cases of PSIs that are likely to result in an Unfavorable DO determination but a Favorable OS determination.

Temporary suspension action extends to the suspension of any and all aspects of an Auxiliarist's membership, including those listed in paragraph H.2 of this chapter. This suspension must be in writing (memo or letter) to the Auxiliarist, and it must detail the reason, terms, and length of the suspension. The length of the suspension may be defined by a specific number of days, weeks or months, by a specific date, or simply through the completion of the investigation or proceeding (e.g., completion of a criminal trial and appeal process).

I.2. Effect on Leader Duties, Qualifications, Certifications, and Membership

The following provisions describe actions that may or must be taken regarding elected and appointed offices, qualifications and certifications, and Auxiliary membership time with respect to temporary suspensions and whether or not disciplinary action is awarded.

**I.2.a. Leader
Duties**

If any qualification and/or certification are suspended, and the Auxiliarist is the senior elected leader of an Auxiliary unit, then the suspension shall include elected leader duties. If the Auxiliarist whose qualification and/or certification are suspended is an elected leader or the immediate past Auxiliary unit elected leader, but not the senior elected leader of an Auxiliary unit or an appointed leader, then the suspension may include elected and/or appointed office duties.

An Auxiliarist may resume the duties of these offices when full Auxiliary rights and privileges are regained and if the term of office has not expired.

**I.2.b.
Qualifications
and
Certifications**

If, as a result of the terms and duration of any temporary suspension, an Auxiliarist is unable to maintain a qualification or certification of any type, and if any disciplinary action is awarded, informal or formal, then the Director may formalize the loss of such qualification or certification. The Auxiliarist would then be responsible for all appropriate requalification or recertification action.

If, as a result of the terms and duration of any temporary suspension, an Auxiliarist is unable to maintain a qualification or certification of any type, and if no disciplinary action is awarded, then the Director shall fully restore the Auxiliarist's qualification or certification to the status at the commencement of the temporary suspension. The Director may also waive any requalification or recertification requirements in order to sustain the Auxiliarist's currency, if appropriate.

**I.2.c.
Membership**

If any disciplinary action is awarded, informal or formal, then the Director may deduct the duration of any associated temporary suspension from the Auxiliarist's membership as it may apply toward any longevity awards and retirement.

If no disciplinary action is awarded, then the Director shall ensure that the duration of any associated temporary suspension is fully credited toward any subsequent longevity awards and retirement.

I.3. Extensions

If an investigation, including PSI under adjudication, requires additional time, then an associated suspension may be extended accordingly if a specific time period or date was initially defined. The extension's circumstances must be explained in writing (memo or letter) to the Auxiliarist, and the Auxiliarist may appeal such extension to the Director's supervisor.

I.4. Appeal

An Auxiliarist who receives notice of temporary suspension of any type may appeal the Director's action directly to the Director's supervisor. Such an appeal must be submitted in writing (memo or letter) within 20 days of the date of the Director's notice of temporary suspension. Temporary suspensions will remain in effect, unless overturned on appeal.

I.5. Notification Regarding National Leadership and Staff

The Director shall immediately notify the NACO and the Chief Director of any temporary suspension action taken against a NEXCOM member, ANACO, National Staff member, or National Board member.

I.6. Temporary Suspension of Director's Services

Notwithstanding temporary suspension action that may be taken by the Director against individual Auxiliarists as previously described in this section, the Director may also temporarily suspend the administrative services of the Director's office to any Flotilla and/or Division that fails to comply with repeated requests for information necessary to facilitate administration and accountability for the smooth conduct of regional Coast Guard and Auxiliary business. For example, repeated requests by the Director for an inventory or viewing of Coast Guard property in the custody of a Flotilla that are not acknowledged or not accommodated may result in the Director's temporary suspension of any or all of the Director's administrative services to the entire Flotilla until such requests are fully accommodated. The Director may only take such action after:

- a. duly and reasonably working with the Auxiliary unit's chain of leadership;
- b. consultation with and approval by the NEXCOM; and,
- c. concurrent with written notification (memo or letter) to the senior elected leader of the specific Auxiliary unit (copy to elected leaders in the Auxiliary unit's chain).

Such action is not subject to appeal.
