

**§ 888g.5 Activities prohibited in the Air Force.**

(a) *Negotiation or Collective Bargaining.* Air Force commanders and supervisors will not engage in negotiation or collective bargaining.

(b) *Strikes and Other Concerted Activities.* Military members of the Air Force will not:

(1) Engage in any strike, slowdown, work stoppage, or other collective job-related action with respect to terms or conditions of military service, or

(2) Picket for the purpose of causing or coercing other military members of the Air Force to engage in a strike, slowdown, work stoppage, or other collective job-related action related to terms or conditions of military service.

(c) *Recruitment Efforts.* (1) No person will conduct or attempt to conduct a demonstration, meeting, protest, march, or engage in or attempt to engage in speechmaking, picketing, leafleting, or other similar activity on an Air Force installation for the purpose of forming, recruiting military members for, or soliciting money or services for any organization that:

(i) Engages or is substantially likely to engage in any activity prohibited by this part; or

(ii) Proposes or holds itself out as proposing to engage in negotiation or collective bargaining on behalf of military members of the Air Force; or

(iii) Proposes or holds itself out as proposing to represent military members of the Air Force to the military chain of command with respect to the terms or conditions of military service when such representation would interfere with the military chain of command; or

(iv) Solicits or aids and abets a violation of this regulation by a military member of the Air Force.

(2) No person will engage in any activity, including but not limited to individual contacts or the posting for public display of any poster, handbill or other writing, on any part of an Air Force installation if the activity or the material displayed constitutes or includes an invitation to collectively engage in an activity prohibited by this part.

(d) *Membership in Certain Organizations.* Military members of the Air

Force will not become or remain members of an organization under the following conditions:

(1) After the Secretary of the Air Force determines in accordance with § 888g.10 that the organization presents a clear danger to discipline, loyalty or obedience to lawful orders; and

(2) The military members know the Secretary has made such determination, and

(3) The military members intend to promote the conduct upon which the determination is based, and

(4) The military members actively participate in activities of the organization.

(e) *General Prohibitions.* Military members of the Air Force will not attempt to engage in, or solicit the commission of, or conspire with, or aid and abet any person or organization in the commission of any act prohibited in this part.

**§ 888g.6 Permissible activities.**

This part does not prevent:

(a) Military members from presenting complaints or grievances over terms or conditions of military service through established military channels.

(b) Commanders or supervisors from giving due consideration to the views of military members presented individually or as a result of participation on command-sponsored or authorized advisory councils, committees, or organizations for the purpose of improving conditions or communications at the Air Force installation involved.

(c) Military members from petitioning Congress or communicating with any member of Congress.

(d) Military members from being represented by qualified counsel, whether or not retained by an organization on his or her behalf, in any judicial or administrative proceeding with respect to which there is a right to counsel of choice.

(e) Military members from joining or being a member of any organization which engages in representational activities with respect to terms or conditions of off-duty employment.

(f) Civilian employees from joining or being a member of any organization

that engages in representational activities with respect to terms or conditions of civilian employment.

**§ 888g.7 Responsibilities.**

(a) The Secretary of the Air Force is responsible for making determinations as required by § 888g.5(c)(2) and 888g.5(d)(1), and for the selective application of such determinations to particular Air Force installations on a case-by-case basis. Guidelines for making these determinations are contained in § 888g.10. Section 888g.11 lists those Air Force installations where selective application has been invoked by the Secretary of the Air Force. Section 888g.12 lists those organizations which have been determined to present a clear danger to discipline, loyalty, or obedience to lawful orders of command.

(b) Installation commanders:

(1) Are responsible for enforcement of § 888g.5 (a), (b), (c)(1), and (e), which automatically apply to all personnel and § 888g.5 (c)(2) and (d)(1) after a determination is made by the Secretary of the Air Force.

(2) Will gather the facts and data needed by the Secretary of the Air Force to make determinations required by this part. The limitations on obtaining information on persons or organizations not affiliated with the Department of Defense imposed by part 954 of this chapter will be strictly complied with.

(3) Will report through intermediate commanders to their major commander, with information to HQ USAF/DPXX/JACM, Pentagon, Washington, DC, all incidents concerning requests for permission or attempts to engage in activities prohibited by this part. The checklist/form at § 888g.13 will be utilized for submitting these reports.

(4) Will post notices of the determinations made by the Secretary of the Air Force affecting their installation which clearly state:

(i) That the identified organization poses a clear danger to discipline, loyalty, or obedience to lawful orders, including the reason upon which the determination is based, and

(ii) That knowing, active membership in that organization by a military member with the intent to promote

such prohibited conduct is not permitted.

(c) Intermediate commanders will resolve incidents or provide guidance to installation commanders as appropriate, or request assistance or additional guidance from HQ USAF/DPXX/JACM. HQ USAF/DPXX/JACM will be an information addressee on all correspondence and messages concerning activities addressed by this part and reports of guidance and action taken.

(d) HQ USAF/DPXX/JACM is the Air Staff focal point for activities related to this part, and will provide staff support to the Secretary of the Air Force in making determinations required by this part.

(e) Air Force officers and non-commissioned officers, especially unit commanders, senior enlisted advisors and first sergeants, are responsible for insuring that Air Force personnel are aware of the policies, rights and responsibilities expressed herein, and all personnel are responsible for assisting installation commanders in identifying incidents and/or conduct prohibited by this part.

**§ 888g.8 Situational guidance.**

To assist installation and intermediate commanders in dealing with activities prohibited by this part, guidance for typical situations is provided in § 888g.14. This guidance is for example only and is not intended to override the judgment of individual commanders or the advice of their staff judge advocates.

**§ 888g.9 Military union incident, RCS HAF-DPX(AR) 7701.**

The reports specified in § 888g.7(b)(3) will be furnished as required to HQ USAF/DPXX/JACM. The reports will be submitted by electrical message in the format of § 888g.13. During periods when MINIMIZE is imposed, commanders will consider the severity of the activity in approving electrical transmission.

**§ 888g.10 Guidelines for making determinations.**

This part requires that certain determinations be made on the basis of facts that exist at particular installations.