

## Chapter 2

# Merit Staffing Program

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### Table of Contents

#### Section 1

##### General Provisions

- 2-1. Purpose
- 2-2. Policy
- 2-3. Scope
- 2-4. Definitions
- 2-5. Responsibilities
- 2-6. Management's Rights

#### Section 2

##### Exceptions to Merit Staffing Procedures (Competition)

- 2-7. Actions Exempt from Merit Staffing Procedures
- 2-8. Key Staff Appointment Authority
- 2-9. Overgraded Technician Placement Plan
- 2-10. Reemployment Priority List

#### Section 3

##### Position Announcement and Application Procedures

- 2-11. Request for Filling Vacancy
- 2-12. Vacancy Announcements
- 2-13. Posting of Announcements
- 2-14. Area of Consideration
- 2-15. Application Procedures
- 2-16. Department of Defense Stopper List
- 2-17. Non-Dual Status Vacancies

#### Section 4

##### Processing Applications

- 2-18. Basic Eligibility
- 2-19. Selective Placement Factors
- 2-20. Conditions of Employment

**Section 5**  
**Referral, Evaluation and Selection Procedures**

- 2-21. Referral of Candidates
- 2-22. Action by the Selection Panel
- 2-23. Final Approval of Selection

**Section 6**  
**Placement/Promotion Records**

- 2-24. Purpose
- 2-25. Records
- 2-26. Duration
- 2-27. Privacy Protection

**Section 7**  
**Grievances and Complaints**

- 2-28. Grievances
- 2-29. Discrimination Complaints
- 2-30. Other

**Glossary**

## **Section 1**

### **General Provisions**

#### **2-1. Purpose**

This program establishes procedures and provides information on the Merit Staffing Plan (MSP) for Dual Status (DS) and Non-Dual Status (NDS) technician positions in the Mississippi Army and Air National Guard, henceforth referred to as the Mississippi National Guard (MSNG).

#### **2-2. Policy**

It is the policy of the Mississippi National Guard that all technician positions be filled by the best qualified individuals available and ensures that all technicians have an opportunity to develop and advance to their full potential. All technician vacancies will be filled on the basis of merit and job related factors. For purposes of this plan, military requirements are considered as job related qualifying factors for positions in the excepted service. All actions under this plan will be made without discrimination for non-merit reasons such as race, color, religion, sex, national origin, marital status, membership or non-membership in an employee organization and age or non-disqualifying physical handicap (except for military requirement for dual status positions).

#### **2-3. Scope**

This plan encompasses all federal civilian positions in the Mississippi National Guard. It will be used in filling positions in the excepted and competitive service through initial appointments, promotions, reinstatements, change to lower grades, reassignments, transfer, conversions and position changes.

#### **2-4. Definitions**

Definitions of special terms used in this regulation are listed in the Glossary.

#### **2-5. Responsibilities**

a. The Adjutant General is the appointing authority for the MSNG technician program and is the highest level of authority in the state concerning the overall application of this MSP.

b. The Human Resource Officer is responsible for ensuring that the requirements of this MSP are carried out. The Human Resources Officer will:

- (1) Develop, maintain, evaluate and revise the program as necessary.
- (2) Assure compliance with the program.
- (3) Provide guidance and assistance to commanders and supervisors concerning their responsibilities under this plan.
- (4) Assure that applicants are properly evaluated and certified for placement.
- (5) Maintain necessary records.

c. Managers and supervisors will:

- (1) Assure that technicians under their supervision are aware of this plan.
- (2) Assure that actions effected within their area of responsibility are based on merit without discrimination.
- (3) Encourage technicians under their supervision to participate in developmental opportunities and to apply for positions for which qualified.
- (4) Recommend changes to this plan to the Human Resources Officer.

(5) Assure that technicians under their supervision who are absent (military duty, service schools, compensable injury which does not exceed 1 year, etc.) are considered for positions for which qualified.

d. Individuals are responsible for:

(1) Pursuing developmental opportunities in preparing to assume higher level duties.

(2) Familiarizing themselves with the provisions of this plan.

(3) Assuring that application packages and Official Personnel Folders (OPFs) contain accurate and current information concerning qualifications and self-development activities.

(4) Arranging with supervisors to submit applications for vacancies when temporarily absent.

## **2-6. Management's Rights**

Recognizing that it is essential to the accomplishment of the mission of the Mississippi National Guard that technician positions be filled with the best qualified individuals available, management retains the right to:

a. Select or not select from among a list of qualified applicants.

b. Select applicants from any appropriate source most likely to best meet the mission objectives of the Mississippi National Guard.

## **Section 2**

### **Exceptions to Merit Staffing Procedures (Competition)**

#### **2-7. Actions Exempt from Merit Staffing Procedures**

Certain staffing actions provide the authorization for qualified candidates to be considered and placed in a position without competition. Actions, which authorize placement without competition and consideration ahead of all other candidates are listed below:

a. Promotion due to issuance of new classification standards, or the correction of a classification error.

b. Placement of an overgraded technician entitled to grade retention in accordance with the Overgraded Technician Placement Plan.

c. Promotion when competition was held earlier (i.e., position advertised with known promotion potential; promotion to target grade).

d. Repromotion to a grade, intervening grade, or a position from which a technician was demoted without personal cause and not at his or her request.

e. Promotion resulting from a technician's position being reclassified at a higher grade because of additional duties and responsibilities.

f. Reassignments (temporary or permanent) to a position having no higher promotion potential.

g. Change to lower graded position that has no higher promotion potential.

h. Position change required by RIF regulations.

i. Temporary promotion of 120 days or less.

j. Details to lower and equally graded positions. Also details to a higher graded positions for 120 days or less.

k. Placement of a former technician from the Reemployment Priority List (RPL), to a position at the same or lower grade as the position from which separated.

l. Placement as the result of the DOD Priority Placement Program to positions at the same or lower grade as the position from which separated.

m. Prior permanent DOD employees who:

(1) were in tenure 1 at time of separation may be reemployed to a position at the same or lower grade as the position from which separated.

(2) were tenure 2 may be reemployed without competition within 3 years of separation to a position at the same or lower grade as the position from which separated.

n. Placement as a result of priority consideration when a candidate was not previously given proper consideration in a competitive action.

o. Conversion from an indefinite appointment to a permanent appointment in the same position.

p. Placement in accordance with key staff appointment authority.

## **2-8. Key Staff Appointment Authority**

a. Purpose. To identify key staff positions within the MSNG in recognition of the importance of such positions to the overall effectiveness of the MSNG and of their unique military qualifications. Also, establishes special placement procedures for the identification and selection of candidates for such positions.

b. Placement Procedures. Key staff positions are exempt from normal merit staffing procedures. However, the Adjutant General (TAG) may elect to fill identified key staff positions by normal merit staffing procedures outlined in this program, by AGR staffing procedures, or by exercising key staff appointment authority. When TAG elects to fill a vacancy under this key staff appointment authority he/she will identify to HRO unique civilian and/or military selection criteria. The Human Resources Office will then identify employees possessing such criteria and submit a certificate of eligibles to the TAG for his/her consideration and selection. The TAG will annotate his/her selection on the certificate of eligibles and return to the Human Resources Office to take final placement action.

c. Key Staff Positions. Key Staff positions are normally restricted to dual status, managerial positions whose incumbent are a member of the immediate staff or serves under the direct supervision of the TAG. Current NGB guidance specifically identifies key staff positions.

## **2-9. Overgraded Technician Placement Plan**

Local plan affording technicians under grade retention priority placement for vacancies of equal or intervening grades within the commuting area and for which they fully meet both the technician and military qualifications. The Human Resources Office will maintain a roster listing all technicians on grade retention. Whenever a match between an over-graded technician and vacancy is identified, the technician will be given a written offer to the vacant position. If there is more than one eligible technician in grade retention, the selecting official may be given a list from which to make a selection. Grade and pay retention entitlement will be terminated if the technician refuses a valid offer. These priority placement efforts will precede normal merit staffing procedures.

## **2-10. Reemployment Priority List**

The Human Resource Office will establish a reemployment priority list (RPL) to document separation of individuals under RIF procedures and to provide a tool for orderly reemployment consideration. A reemployment priority list contains names of individuals in tenure groups I and II who have been separated due to reorganization or reduction in force. The names are listed in order of tenure group and retention standing (highest to lowest) and will remain on the list for two years. Individuals will receive priority placement for all suitable vacancies at the same grade of the former position. Offers to vacancies at the same grade of former position and within the local commuting area are considered valid offers. Declination of a valid offer will result in removal from the RPL. RPL registrants should also be offered vacancies to lower graded positions and/or positions outside the local commuting area; however, such offers are not considered a valid offer. Therefore, declinations of reemployment opportunities at lower grades and/or outside the local commuting area will not result in removal from the RPL.

## **Section 3**

### **Position Announcement and Application Procedures**

#### **2-11. Request for Filling Vacancy**

When requesting that a position be filled, the supervisor will submit a SF 52, Request for Personnel Action, to the HRO. Interview questions must be attached to the SF-52. Required information on the SF 52 includes:

- a. Type of appointment (Part A, Block 1)
  - (1) Dual Status or Non-Dual Status. Position will not be simultaneously announced for both types of appointments - the selecting official must specify dual or non-dual status at the time the SF 52 is submitted.
  - (2) Permanent, Indefinite, Term or Temporary NTE (Justification must be attached for indefinite, term and temporary NTE appointments)
- b. 1<sup>st</sup> and 2<sup>nd</sup> level supervisor's signature (Part A, Blocks 5 and 6)
- c. Position title, position number, grade(s) and location (Part B, Blocks 15 – 22)
- d. Unit/Activity commander's signature (Part C, Block 1A)
- e. Vacancy vice (Part D)
- f. Maximum and minimum military grade; to prevent grade inversion (Part D)
- g. Recommended area of consideration (Part D)
- h. Other Remarks: Recommended selective placement factors, dual announcement (technician and AGR), extended announcement period, etc. (Part D)
- i. Funding Certification (ANG Only)

#### **2-12. Vacancy Announcements**

When a vacancy will not be filled as an exception to competition (see section 2), the vacant position will be announced. As a minimum, the vacancy announcement will contain the following information:

- a. Title, occupational series, grade and salary range of the position.
- b. Type of appointment (dual or non-dual status and permanent, indefinite or term).
- c. Area of consideration
- d. Military requirements (officer, warrant officer, enlisted) and compatibility requirements.

- e. Organizational, and geographical location of the position.
- f. Summary of duties and qualification requirements.
- g. Information regarding known promotion potential, if applicable.
- h. Special conditions of employment or developmental training, if applicable.
- i. Opening and closing dates of the announcement period and how to apply.
- j. Equal employment opportunity statement.
- k. Designated security clearance as required.

### **2-13. Posting of Announcements**

Vacancy announcements will be posted for a minimum of 15 calendar days. Supervisors may request the announcement period be extended. All vacancies will be posted on USAJOBS to include a link from the HRO website.

### **2-14. Area of Consideration**

The area of consideration (AOC) is the area in which the vacancy announcement will solicit applicants. The AOC for each for each specific vacancy announcement will be that deemed most appropriate by the HRO to ensure the receipt of sufficient highly qualified candidates. The grade and type of position, availability of candidates, position qualifications, budgetary or manning limitations, and compatibility requirements will be considered in determining the AOC.

### **2-15. Application Procedures**

The application package is the basic document by which the individual's qualification for the position is determined. It must therefore reflect the applicant's current and past employment data as well as military duty assignments, qualifications and training. Complete and accurate data is essential to ensure fair evaluation of candidates. Applications will be submitted as follows:

- a. Application packages will be submitted electronically via USAJOBS, a web-based application program for federal employment opportunities. Resumes and other supporting documentation i.e. transcripts, are uploaded via USAJOBS.
- b. Applicants must fully complete the assessment questionnaire in the vacancy announcement to determine eligibility.
- c. Applications must be submitted NLT closing date of the announcement.
- d. Hard copies of applications, resumes, etc. will not be accepted by HRO.
- e. If an individual is unable to access USAJOBS, he/she can contact the HRO staffing section for current vacancies and assistance on how to apply.
- f. The description of work experience in resume should address the general and specialized experience requirements and any identified knowledge, skills and abilities.
- g. Scanned copies of transcripts, certificate of training, etc., including number of credit/classroom hours, must be included in the application package when there is an educational qualifying requirement or when substituting education for specialized experience.
- h. Application packages will be retained via USAJOBS as permanent records in the placement/promotion records.

### **2-16. Department of Defense Stopper List**

The Department of Defense (DOD) Program for Stability of Civilian Employment must be used for filling non-dual status (NDS) technician vacancies when individuals are available and referred via this program. If the area of consideration for a vacancy is restricted to current on-

board NDS technicians of the organization, the DOD stopper list does not apply. However, before announcing a vacancy that will result in gaining a new NDS technician to the organization, the DOD stopper list must be cleared before proceeding. Once the DOD stopper list has been cleared, the request to fill vacancy will be sent to National Guard Bureau (NGB) and the Office of Personnel Management (OPM), Delegated Examining Unit (DEU) for staffing the vacancy with a new NDS technician.

### **2-17. Non-Dual Status Vacancies**

When filling non-dual status (NDS) vacancies from within the current NDS technician population, normal merit staffing procedures under this plan apply. However, when a NDS vacancy is to be filled with a new NDS technician, different procedures apply. First is the requirement to clear the DOD stopper list for any displaced DOD employees that hold priority to new vacancies. If the stopper list is cleared, such vacancies must be staffed and filled via National Guard Bureau (NGB) and the Office of Personnel Management (OPM), Delegated Examining Unit (DEU). Only OPM-DEU has the authority to evaluate and qualify NDS applicants under normal competitive service qualification standards. OPM-DEU will provide, through the HRO, a certificate of eligibles to the selection panel.

## **Section 4 Processing Applications**

### **2-18. Basic Eligibility**

Application packages will initially be screened for basic eligibility through an assessment questionnaire on USAJOBS. Applications may also be reviewed by a representative of the HRO staffing function to determine basic eligibility. To be considered eligible, candidates must be within the area of consideration and meet the basic qualifications established for the position including any selective placement factors. Applicants who are determined eligible will be referred to the selection panel. Applicants determined ineligible for the position will not be considered by the selection panel and will receive written notification via USAJOBS of being found ineligible.

### **2-19. Selective Placement Factors**

Selective placement factors are the knowledge, skills, abilities, or other personal characteristics absolutely essential for satisfactory performance on the job. They will be determined in advance of announcing a position and will be stated in the vacancy announcement. When used, they are a part of the basic eligibility requirements for the position.

### **2-20. Conditions of Employment**

Conditions of employment are those requirements of the position which are necessary in order to perform the duties of the position (e.g., security, education requirements). In addition, positions may have established requirements which must be met for continued retention (e.g., military technician compatibility, security, developmental training). Conditions of employment must be included in the vacancy announcement. Conditions of employment are not considered in determining an applicant's basic eligibility but must be met prior to appointment and for continued retention in the position.

- a. Military Technician Compatibility Requirement - In accordance with PL 90-486

and Technician Personnel Regulation (TPR) 303, dual status technicians must maintain military membership in the National Guard and hold an appropriate military assignment (unit, grade and MOS/AFSC).

b. Security Requirements – In accordance with TPR 700 (732.1), a technician must be able to obtain and maintain appropriate security clearance for the position.

c. Training Requirements – Individuals selected for positions at developmental grades must successfully complete an Individual Developmental Plan (IDP) in order to progress to the full performance level (target grade) of the position.

d. Medical and Physical Requirements – Individuals must meet and maintain any medical or physical standards designated for the position. Selected applicants may be required to complete a pre-placement physical examination.

## **Section 5**

### **Referral, Evaluation and Selection Procedures**

#### **2-21. Referral of Candidates**

Applicants who meet basic eligibility will be considered eligible and be referred to the first level supervisor via USAJOBS. Applicants who do not meet basic eligibility for the position will not be considered and will receive notification via USAJOBS of being found ineligible. The HRO will provide the first level supervisor with the selection panel appointment letter, certificate of eligibles, applicant evaluation worksheets and interview questions.

#### **2-22. Action by the Selection Panel**

The selection panel will normally consist of a three member panel consisting of the 1st and 2nd level supervisor for the vacant position and a third panel member appointed by the Adjutant General or his representative. The selection panel is entitled to select or non-select any referred candidate. Upon receipt of the certificate of eligibles, the selection panel will convene in order to:

a. Evaluate application packages. Application packages for all eligible candidates will be reviewed and evaluated by the selection panel. Evaluation comments should be annotated on the evaluation worksheet.

b. Rank eligible candidates. When it is necessary to refine a list of eligible candidates, the selection panel may elect, at its discretion, to rank candidates. Ranking is to identify the top candidates among a list of eligible candidates for conducting formal interviews. Only when there are more than three eligible candidates may the selection panel elect to rank candidates. If there are three or less eligible candidates, ranking is not authorized and all eligible candidates will be interviewed. When ranking occurs, the selection panel must identify a minimum of three candidates to interview. When a candidate does not rank high enough to warrant an interview, the selection panel must annotate their justification on the applicant's evaluation worksheet.

c. Interview candidates. The interview is a tool to identify which candidate is most qualified and best fit for the position and organization. The interview should seek to learn more about the candidate than just basic qualifications. Other areas to focus on during the interview is past performance, potential for advancement, work ethic, goals, achievements, communication skills, working relationships, etc. that will be the best fit for the organization. Every effort will be made to conduct personal interviews. If not possible, telephone interviews should be

conducted. Selection panel will follow the interview questions previously submitted and approved by HRO and annotate their evaluation of each candidate on the evaluation worksheet.

d. Make a recommendation. After interviews have been conducted, the selection panel will make a recommendation to the Adjutant General. Make a recommendation. After interviews have been conducted, the selection panel will make a recommendation to the Adjutant General. A majority (two of the three) of the selection panel must agree on the commendation(s) with the concurrence of the unit commander/activity director. If a majority of the interview panel cannot agree on a recommendation or if the unit commander/activity director does not concur with the majority, interview package must be return with no recommendation. Recommendation will be annotated on the certificate of eligibles. Selection panel may annotate a second recommendation in case the first recommended candidate fails to accept offer, meet a condition of employment, etc. Making a second recommendation is at the discretion of selection panel but if made, second candidate recommended will be entitled to position offer if first candidate declines or fails to meet a condition of employment. Also, the selection panel may elect to non-select from the list of eligibles and will annotate such with justification on the certificate of eligibles. After annotating recommendation(s) or non-selection on the certificate of eligibles, all evaluation worksheets and any other documentation used during the evaluation and interview process will be uploaded and submitted electronically via USAJOBS to HRO for final approval and processing.

### **2-23. Final Approval of Selection**

Recommendations from the selection panel are not final until approved by HRO and the Adjutant General. Upon final approval, HRO will notify the supervisor of the approval and coordinate an effective date of the appointment, promotion, etc. Effective dates may be held until candidate satisfies all conditions of employment i.e. compatibility. Upon receiving final approval from HRO, the supervisor should notify the selected candidate of his/her selection. All other candidates will be notified of their non-selection via USAJOBS.

## **Section 6**

### **Placement/Promotion Records**

#### **2-24. Purpose**

Complete promotion records will be maintained by the HRO via USAJOBS to:

- a. Provide a clear record of the action taken.
- b. Evaluate the merit staffing program.
- c. Provide proof that merit staffing actions are being made on a fair and equitable basis in accordance with this program.

#### **2-25. Records**

Sufficient records are required to allow reconstruction of the staffing action. As a minimum, the following information and forms will be retained in the record:

- a. Copy of the vacancy announcement.
- b. List of all applicants names.
- c. Resumes and application packages submitted by applicants.
- d. Evaluation worksheets.
- e. Certificate of Eligibles.

f. Records of the "Stopper List" having been cleared (for non-dual status positions).

**2-26. Duration**

Records will be maintained for a minimum of two years. If a grievance is pending, records will be maintained until resolution.

**2-27. Privacy Protection**

Information relating to individual placement action or to the candidate will not be discussed with or shown to unauthorized individuals. Supervisors and personnel specialists participating in merit staffing actions will not disclose the details of their work to unauthorized persons.

**Section 7**

**Grievances and Complaints**

**2-28. Grievances**

A technician who believes that proper procedures were not followed in a particular staffing action for which he was an applicant may present a grievance under applicable grievance procedures. A grievance will not be considered when it is based solely on non-selection.

**2-29. Discrimination Complaints**

Allegations of discrimination because of race, color, religion, sex, age, handicapping condition, or national origin made during any phase of selection process will be considered under the Mississippi National Guard Equal Employment Opportunity Program, or other applicable procedures.

**2-30. Other**

Other complaints or inquires including those made by non-technician candidates should be directed to the HRO. All such inquiries will be considered and every reasonable effort made to resolve such complaints.

## **Glossary**

### **Agency**

Any department or independent establishment of the Federal Government that has the authority to hire employees in the Competitive, Excepted and Senior Executive Service. For example, the Department of the Army and the Department of the Air Force are two separate agencies.

### **Appointing Officer**

A person having power by law, or by duly delegated authority, to make appointments, i.e. the Adjutant General.

### **Area of Consideration (AOC)**

The area of consideration (AOC) is the area in which the vacancy announcement will solicit applicants. The AOC for each specific vacancy announcement will be that deemed most appropriate by the HRO to ensure the receipt of sufficient highly qualified candidates. The grade and type of position, availability of candidates, position qualifications, budgetary or manning limitations, and compatibility requirements will be considered in determining the AOC. (TPR 300, 335.A)

### **Certificate of Eligibles**

A certificate sent to the selection panel identifying those applicants that meet basic eligibility requirements for the position and vacancy announcement such as qualification requirements, selective placement factors, AOC, etc.

### **Change to Lower Grade**

Personnel action that moves an employee, while serving continuously in the same agency, to (1) a position at a lower grade when both the old and new positions are under the General Schedule or under the same type graded wage schedule, or (2) to a position with a lower rate of basic pay when both the old and new positions are under the same type upgraded wage schedule or in a different pay method category.

### **Change to Lower Grade – Management Directed**

Involuntary move to a lower graded position resulting from adverse action procedures, performance management procedures, or other non-disciplinary actions. Management directed change to lower grade for non-disciplinary reasons is limited to instances in which grade and/or pay retention is warranted i.e. RIF, reclassification or reorganization.

### **Change to Lower Grade – Voluntary**

An action initiated by a technician requesting to be moved to a position with a lower pay grade. Change to lower grade is considered voluntary when such action is at the technician's request and is primarily for the personal benefit and convenience of the technician. Responding to a technician vacancy announcement is considered voluntary under this program. Request for change to lower grade must be made in writing through appropriate channels.

### **Compatibility**

A requirement of the Technician Act of 1968, PL 90-486, and Technician Personnel Regulation (TPR) 303, which states dual status employees in the Excepted Service must maintain military membership in the National Guard for the state in which employed as a condition of employment. In addition, employees must hold a military assignment that is compatible with their technician position considering three factors: (1) DMOS/DAFSC, (2) Unit of assignment (3) Grade/Rank. (TPR 303 and 300, 302.7)

### **Competitive Service (Non-Dual Status)**

All civilian positions in the Federal Government that are not specifically excepted from the civil service laws by or pursuant to statute, by the President, or by the OPM under Rule VI, and that are not in the Senior Executive Service. Competitive Service (non-dual status) positions under the authority of 32 U.S.C. 709 (PL 90-486) do not require National Guard membership as a condition of employment. Type of appointments in the Competitive Service under this authority includes:

a. Career Appointment (Tenure I) - Competitive Service permanent appointment given to an employee who has completed 3 substantially continuous creditable years of Federal service.

b. Career Conditional Appointment (Tenure II) - Competitive Service conditional appointment. Requires the completion of a 1-year probationary period. Upon completion of 3 years of service, employee obtains career/permanent status (Tenure I).

c. Term Appointment (Tenure III) - Competitive Service non-status appointment to a position that will last more than 1 year but not more than four years and which is of a project nature where the job will terminate upon completion of the project.

d. Temporary Limited Appointment (Tenure 0) - Competitive Service non-status appointment with a specific expiration date not to exceed 1 year. Temporary limited appointments are to fill a short-term need that is not expected to last more than one year. The Adjutant General may extend temporary appointment in increments of up to one year for a total of 2 years. Agencies cannot make new temporary appointment to individuals or positions that have been filled by temporary appointments for 2 of the preceding 3 years.

### **Conversion**

The changing of an employee from one appointment to another appointment in the same agency without a break in service of more than 3 days. The change may be in one or more of the following: (1) the type of appointment under which the employee is serving, (2) the authority for the appointment, (3) the position on which the employee is serving, or (4) the not-to-exceed (NTE) date of a temporary appointment.

### **Detail**

A temporary assignment of an employee to a lower, equal or higher graded position for a specified period of time. Details are used for emergencies, unanticipated absences and workload, etc. There is no formal position change; officially, the employee continues to hold the position from which detailed and keeps the same status and pay. Details are made in 120-day increments with extensions approved by the Human Resource Office (HRO). Merit staffing procedures are required for details exceeding 120 days in a higher graded position. Positive educational requirements must be met for details to positions that carry such a requirement; no other

qualification requirements must be met. There are no compatibility requirements for details. Details are not to be used to train or evaluate technicians.

### **Developmental Grade**

Positions announced and filled at a grade less than the full performance level (target grade). Management might advertise a position at multiple grade levels in order to avoid re-advertising if there are insufficient candidates qualified for the full performance level. Management may also be seeking candidates at less than full performance level; for example to provide “bridge positions” in support of the upward mobility or to further EEO goals. Employees hired at developmental grades must be placed on an individual development plan (IDP) for progression to the target grade. (TPR 300, 335.A)

### **Equal Employment Opportunity Program**

A program to ensure that placement actions are made without regard to political, religious, labor organization affiliation or nonaffiliation, marital status, race, color, sex, national origin, nondisqualifying handicap, or age. (TPR 300, 302.2 and 335A, NGR 690-600 and NGR 40-1614)

### **Excepted Service (Dual Status)**

Unclassified service, unclassified Civil Service or positions outside the Competitive Service and the Senior Executive Service. Excepted Service positions have been excepted from the requirements of the Competitive Service by 32 U.S.C. 709 (PL 90-486). Excepted Service (dual status) positions under this authority require National Guard membership as a condition of employment. Types of appointments in the Excepted Service under this authority include:

a. Permanent Appointment (Tenure I) - Excepted appointment that carries no restriction or condition such as conditional, indefinite, specific time limitation, etc. Obtains permanent status (Tenure I) upon successful completion of a 1 year trial period; employee carries conditional status (Tenure II) during trial period. Appointments must be obtained through merit staffing procedures. Must meet military technician compatibility requirements in accordance with PL 90-486.

b. Indefinite Appointment (Tenure III) - Excepted appointment given to a nonpermanent employee who is hired for an unlimited period of time. Indefinite appointments are of a project nature where the job will terminate upon completion of the project. Appointments are expected to extend beyond one year. Following conditions apply to indefinite appointments: (1) must be filled through merit staffing procedures, (2) must meet military technician compatibility requirements, (3) may be converted to permanent status in same position without further competition, (4) does not serve a trial period and (5) may be terminated at any time upon a 30 day written notice. (TPR 300, 316.2)

c. Temporary Limited Appointment (Tenure 0) - Excepted Service non-status appointment with a specific expiration date not to exceed 1 year. Temporary limited appointments are to fill a short-term need that is not expected to last more than one year. The Adjutant General may extend temporary appointment in increments of up to one year for a total of 4 years. Following conditions apply to temporary limited appointments: (1) must be a military member of the National Guard; no other compatibility requirements, (2) must meet the qualification standards established for the position, (3) may be filled with or without merit

staffing procedures, (4) does not acquire permanent status or eligibility to be non-competitively converted to a permanent appointment, and (5) may be terminated at any time. (TPR 300, 316.2)

**General Experience**

Experience in which applicants have demonstrated the ability to acquire the particular knowledge and skills needed to perform the duties of the position.

**Individual Development Plan (IDP)**

A plan developed for an employee hired at a developmental grade with the goal of developing the employee to the target grade, full performance level of the position. Plan is developed by the supervisor in coordination with the HRO. IDPs establish timelines and outline requirements in relation to experience, education, training, etc. that are necessary for promotion to the target grade. Successful completion of the IDP is a condition of employment. (TPR 300, 335.A)

**Initial Appointment**

First appointment of Federal employment in any agency.

**Knowledge, Skills and Abilities (KSA's)**

Attributes required to perform a job and are generally demonstrated through qualifying experience, education or training. Knowledge is a body of information applied directly to the performance of a function. Skill is an observable competence to perform a learned psychomotor act. Ability is competence to perform an observable behavior or a behavior that results in an observable product.

**Merit Staffing Program**

The system under which interested applicants will be considered for vacant positions on the basis of personal merit. Vacant positions are usually filled through competition with applicants being evaluated, ranked and selected for the position on the basis of their experience, education, skills and/or performance record.

**New Appointment**

Any appointment that brings an individual onto the rolls of an agency.

**Overgraded Technician Placement Plan**

Local plan affording technicians under grade retention priority placement for vacancies of equal or intervening grades within the commuting area and fully meets both the technician and military qualifications. The Human Resources Office will maintain a roster listing all technicians on grade retention. Whenever a match between an over-graded technician and vacancy is identified, the technician will be given a written offer to the vacant position. If there is more than one eligible technician in grade retention, the selecting official may be given a list from which to make a selection. Grade and pay retention will be terminated if the technician refuses a valid offer. These priority placement efforts will precede normal merit staffing procedures. (TPR 300, 335)

### **Over-Hire Positions**

Also referred as “additional identical” positions that may be established in increments up to 60 days. These positions must be identical to those on existing manning documents and will be funded through existing manpower authorizations. When a position is not authorized for the type of services needed, or an additional position is needed for a period of time beyond 60 days, states may request the over-hire or additional identical authority by contacting the appropriate ARNG or ANG manpower office. (TPR 300, 312.4)

### **Position Change**

A move by an employee from one position to another position during continuous service within the same agency. When the move establishes the employee’s eligibility for grade retention, the nature of action for the move is called “Position Change.” It is also called “Position Change” when an employee who is already entitled to grade retention moves to another position at or below the retained grade. Moves when the employee is not entitled to grade retention are called promotions, changes to lower grade, or reassignments.

### **Priority Placement Program**

A DOD program providing priority placement consideration to former DOD employees with competitive status for Competitive Service vacancies. The stopper list will be “cleared” before proceeding with action to fill the position through competitive procedures. Such vacancies must be filled with individuals that are available and referred through this program. (DOD Civilian Personnel Manual, Chapter 1800)

### **Probationary Period**

The first year of service by an employee who is given a career or career conditional appointment in the Competitive Service. During this period, the agency determines whether the employee possesses the qualities needed for continued employment. The employee has no appeal rights.

### **Promotion**

The change of an employee (1) to a position at a higher grade level within the same job classification system and pay schedule, or (2) to a position with a higher rate of basic pay in a different job classification system and pay schedule.

### **Qualification Standards**

Standards established by the Office of Personnel Management (Competitive Service) and/or the National Guard Bureau (Excepted Service) to determine whether applicants possess the minimum requirements in regards to experience, education and/or training to satisfactorily perform the duties and responsibilities of the position. (TPR 300, 302.2)

### **Reassignment**

The change of an employee from one position to another without promotion or change to lower grade. Reassignment includes: (1) movement to a position in a new occupational series, or to another position in the same series; (2) assignment to a position that has been redescribed due to the introduction of a new or revised classification or job grading standard; (3) assignment to a position that has been redescribed as a result of position review; and (4) movement to a different

position at the same grade but with a change in salary that is the result of different local prevailing wage rates or a different locality payment.

### **Reassignment - Management Directed**

A non-disciplinary action moving a technician to a position with the same pay grade. A management directed re-assignment is not the same as a management directed change to lower grade. The first level supervisor (or other appropriate supervisor/manger) must provide the technician written notification of such action. As a minimum, this notification must include: (1) position being reassigned into, (2) justification for the reassignment; must be in sufficient detail to show that the action is for bona fide reasons, (3) notification of no change in position grade or pay (pay retention may be granted if re-assigned to an area with a lower locality), (4) Permanent Change of Station (PCS) eligibility, (5) effective date of reassignment, (6) a minimum of ten calendar days in which to allow the technician to accept or reject the re-assignment, and (7) explanation that failure to accept re-assignment will result in a 30 day notice of separation from current position. The technician must accept or reject the re-assignment in writing.

### **Reassignment – Voluntary**

An action initiated by a technician requesting to be moved to a position with the same pay grade. Reassignments are considered voluntary when such action is at the technician's request and is primarily for the personal benefit and convenience of the technician. Responding to a technician vacancy announcement is considered voluntary under this program. Request for reassignments must be made in writing through appropriate channels and must include at a minimum: (1) position requesting reassignment into, (2) reason for re-assignment request, (3) understanding no entitlement to pay or grade retention and that rate of pay will be determined by the Human Resources Office (as outlined in pay setting policies; pay may change due to locality differences), and (4) understanding of no Permanent Change of Station (PCS) entitlements (unless in response to a Technician Vacancy Announcement (TVA) and is determined in the interest of the government due to the limited number of applicants responding to the TVA).

### **Recruitment Incentives**

Payments made to newly-appointed employees when an agency determines that the position is likely to be difficult to fill in the absence of an incentive.

### **Reduction In Force (RIF)**

Separation of an employee from his or her competitive level, required by the agency because of lack of work or funds, abolition of position or agency, or cuts in personnel authorizations. (TPR 300, 351)

### **Reemployment Priority List (RPL)**

A list of employees an agency has separated because of reduction in force. Provide a tool for orderly reemployment consideration. (TPR 300, 351)

### **Reemployment Rights**

An entitlement authorized by the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994 (PL 103-353). Provides technicians with reemployment protection after

being ordered to active duty. Based on the length of military service, a technician may be reemployed to their former position or an equivalent position upon return from active duty.

### **Reinstatement**

Noncompetitive reemployment in the competitive service as a career or career-conditional employee of a person formerly employed in the competitive service who had a competitive status or was serving probation when separated.

### **Relocation Incentives**

Payments made to current employees who must relocate to accept a position in a different geographic area when an agency determines that the position is likely to difficult to fill in the absence of an incentive.

### **Retention Incentives**

Payments made to employees when an agency determines that the unusually high or unique qualifications of the employee or a special need of the agency for the employee's services makes it essential to retain the employee and that the employee would be likely to leave the Federal service in the absence of a retention incentive.

### **Selection Panel**

Three member panel consisting of the 1st and 2nd level supervisor for the vacant position and a third panel member appointed by the Adjutant General or his representative. Panel members must hold a civilian pay grade equal to or higher than the vacant position. A designee may be appointed for special circumstances i.e. absence of supervisor. Designees must be made in writing and submitted to HRO for approval. Designee must be a supervisory employee holding a civilian grade equal to or greater than vacancy. In addition, if a minority applicant is identified and listed on the certificate of eligibles, at least one panel member should be a minority, if available by meeting the above criteria. Selection panel evaluates and ranks applicants listed on the certificate of eligibles. Conducts interviews with those determined to be among the best-qualified applicants (must interview minimum of top three applicants). Makes a selection recommendation to the appointing officer.

### **Selective Factors**

Knowledge, skills, abilities or special qualifications that are in addition to the qualification standards, but are determined to be essential to perform the duties and responsibilities of a particular position i.e. motor vehicle license. Applicants who do not meet a selective factor are ineligible for further consideration. (TPR 300, 335.A)

### **Specialized Experience**

Experience that has equipped the applicant with the particular knowledge, skills and abilities to perform successfully the duties of the position and is typically in or related to the work of the position to be filled.

### **Superior Qualifications Appointment**

Placement of a person in a hard-to-recruit-for position at a pay rate above the minimum based on the applicant's unique or unusually high qualifications, a special government need for applicants' services and the fact applicants' present salary or salary offerings are higher than the minimum rate of the grade level to which the applicant can be appointed. (TPR 300, 338.6)

### **Target Grade**

The full performance level of a position. Employees may be promoted to the target grade without further competition if previously hired at a developmental grade under competitive procedures. For promotion, must meet all qualification requirements of the target grade and successfully complete their individual development plan (IDP). (TPR 300, 335.A)

### **Technician Vacancy Announcement (TVA)**

The announcement of a vacant position that is to be filled through merit staffing procedures. Contains information concerning the vacant position such as official title, grade, salary, area of consideration, compatibility requirements, qualification requirements, and application instructions.

### **Temporary Promotion (Promotion NTE)**

A temporary action used to meet a situation requiring the temporary services of a technician in a higher graded position, with return rights to former position. Official position change in which the employee receives status and pay of higher graded position. Temporary promotions in excess of 120 days must be filled through merit staffing procedures; may convert to permanent when filled through merit staffing procedures. Temporary promotions are made in increments of one year or less; the state may extend for one additional year. Temporary promotions beyond two years require NGB approval. Must meet qualification requirements of position. Compatibility requirements must be met when temporary promotion is expected to exceed two years. Not to be used to train or evaluate employees.

### **Temporary Reassignment (Reassignment NTE)**

A temporary action used to meet a situation requiring the temporary services of a technician in a position of the same grade, with return rights to former position. Official position change in which the employee receives status and pay of new position. Merit staffing procedures are not required and may convert to permanent. Temporary reassignments are made in increments of one year or less; the state may extend in increments of one year or less. Must meet qualification requirements of position. Compatibility requirements must be met when temporary reassignment is expected to exceed two years. Not to be used to train or evaluate employees.

### **Transfer**

Competitive Service Action. Transfer is a change of an employee, without a break in service of one full workday, from a position in one agency to a position in another agency that can be filled under the same appointing authority.

### **Trial Period**

The first year of service of an employee who is given a permanent appointment in the Excepted Service. During this period, the agency determines the fitness of the employee for continued employment. The employee has no appeal rights. (TPR 300, 302.1)

**Understudy Program**

Delegated authority intended to provide management the resources and authority to establish a temporary position designed to ensure program continuity when it becomes necessary to provide a transitional period for a technician who has been selected for a key managerial position. The selected individual will understudy the incumbent for a short period of time (NTE 120 days) immediately prior to the incumbent's established departure date. (TPR 300, 302.7)

**Veterans' Preference**

An employee's category of entitlement to preference in the Federal service based on active military service that terminated honorably. The National Guard Technician Act of 1968 (PL 90-486) specifically excludes the use of veterans' preference for appointments made under the authority of 32 USC 709. (TPR 300, 302.7)