

## Chapter 2

# Merit Staffing Program

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## **Section 1 General Provisions**

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

This program establishes procedures and provides information on the Merit Staffing Plan (MSP) for Title 5 (T5) and Title 32 (T32) excepted service 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 Title 32 (T32) 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 requirements for T32 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 Title 5 (T5) and Title 32 (T32) excepted service through initial appointments, promotions, reinstatements, change to lower grades, reassignments, transfer, conversions and position changes. As current on-board T5 competitive service technicians (formerly non-dual status technicians) attrite from their respective competitive service positions, those positions will be converted to excepted service positions. When provisions of this plan differ from changes in law or regulation, the changes in law or regulation will apply.

### **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.

c. Submit a passover request to select a non-preference eligible over a preference eligible applicant. Selection panel must submit written justification with each panel member's concurrence with the passover request to the HRO and/or OPM for final disposition. The HRO and/or OPM shall furnish a copy of the reasons to the preference eligible at his/her request. The MSNG may discontinue consideration of a preference eligible if on three occasions the applicant has been passed over for the same or similar type position.

## **2-7. Veterans' Preference**

Veterans' preference will apply when filling T5 vacancies from outside the agency's existing workforce. Veterans' preference does not apply when the agency is recruiting from within its existing workforce (permanent technicians only) under merit promotion. Finally, veterans' preference does not apply for T32 vacancies. Veterans' preference categories in preference order are:

a. CPS (10 points) – Disability rating of 30% or more

b. CP (10 points) – Disability rating of at least 10% but less than 30%

c. XP (10 points) – Disability rating less than 10%

d. TP (5 points) – Preference eligibles with no disability rating

e. SSP (0 points) – Sole Survivorship Preference

## **2-8. Personnel Moves Between Title 5 and T32**

a. Title 5 competitive service, Title 5 and Title 32 excepted service technicians may apply/compete for both T5 and T32 vacancies for which they are qualified, can meet the

conditions of employment, and are within the area of consideration as stated on the vacancy announcement.

b. Reassignments between T5 and T32 positions, either management directed or voluntary, is not authorized. Movements between T5 and T32 can only be accomplished through competitive procedures through a vacancy announcement.

## **Section 2**

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

#### **2-9. 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 and when the potential for conversion to permanent status was advertised as such on the vacancy announcement, i.e., backfilling incumbent's absence and he/she never returns, funding for the position becomes permanent.
- p. Placement in accordance with key staff appointment authority.

- q. Direct hire of Temporary NTE appointments under Title 32
- r. Special direct hiring authorities such as Schedule A and D appointments, P.L 99-586, etc. when authorized.

## **2-10. 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 restricted to T32 managerial positions whose incumbent are a member of the immediate staff or serves under the direct supervision of the TAG. There is no key staff appointment authority for T5 positions. Current NGB guidance specifically identifies key staff positions.

## **2-11. 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.

## **2-12. 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.

### **2-13. Department of Defense Priority Placement Program**

The Department of Defense (DOD) Program for Stability of Civilian Employment must be used for filling T5 vacancies when individuals are available and referred via this program. Once the DOD stopper list has been cleared the vacancy will be announced by the HRO.

## **Section 3**

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

#### **2-14. 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) T32 or T5 excepted service. Positions cannot be simultaneously announced for both types of appointments.
  - (2) Permanent, Indefinite or Temporary NTE (Justification must be attached for indefinite 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 for T32 only (Part D)
- g. Recommended area of consideration (Part D)
- h. Other Remarks: Recommended selective placement factors, dual announcement (T32 technician and AGR), extended announcement period, etc. (Part D)
- i. Funding Certification (ANG Only)

#### **2-15. Job Analysis and Crediting Plan**

A job analysis and crediting plan must be completed prior to advertising any position vacancy. The competencies (knowledge, skills, and abilities) must be identified in the job analysis and serve as the foundation for assessment of the applicant's qualifications. The crediting plan provides an objective statement of the position's qualification requirements and criteria against which applicants are evaluated. An applicant's experience, knowledge, skills, abilities, training and education, if substitutable, are evaluated against the crediting plan to determine whether an applicant is qualified or not. There is no numerical value assigned, applicants will be rated as qualified or unqualified.

#### **2-16. Vacancy Announcements**

When a vacancy will not be filled as an exception to competition (see section 2), the vacant position will be announced via USAJOBS. 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 (T32 or T5, and permanent, indefinite or temporary NTE).
- c. Area of consideration
- d. Military requirements (officer, warrant officer, enlisted) and compatibility requirements (T32 only).
- 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.
- l. Veteran's preference eligibility and documentation (T5 only)
- m. "How You Will Be Evaluated." This section of the announcement will clearly communicate how applicants will be assessed to determine as either qualified or not qualified.

### **2-17. Posting of Announcements**

Vacancy announcements will normally be posted for a minimum of 15 calendar days unless annotated otherwise on the vacancy announcement. All vacancies will be posted on USAJOBS to include a link from the HRO website. Prior to posting T5 vacancy announcements, the HRO will clear the DOD Priority Placement stopper list for any potential qualified applicants.

### **2-18. Area of Consideration**

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 reasonable number of 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. Common AOC categories include:

- a. Category 1 (CAT 1) – Current T5 & T32 federal technicians/employees (permanent employees only) of the MSNG, MSANG, MSARNG or a specific unit. This can be used to fill T5 or T32 permanent vacancies.
- b. Category 2 (CAT 2) - Current military members of the Mississippi Air and/or Army National Guard. This can be used to fill a T32 vacancies (permanent, indefinite or temp NTE)
- c. Category 3 (CAT 3) – US Citizens. This is used to fill a T5 or T32 vacancy of any appointment type (permanent, indefinite or temp NTE)

### **2-19. 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, DD214s 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.

## **Section 4**

### **Processing Applications**

#### **2-20. Basic Eligibility**

Application packages will initially be screened for basic eligibility through an assessment questionnaire on USAJOBS. Application packages 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.

#### **2-21. 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. Characteristics of a selective factor include:

- a. Extensive training or experience to develop
- b. Essential for successful performance on the job
- c. Almost always are geared toward a specific technical competency/KSA; and
- d. Cannot be learned on the job in a “reasonable” amount of time

#### **2-22. 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, T32 excepted service 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**

#### **2-23. Referral of Candidates**

Applicants who meet basic eligibility will be considered eligible and be referred to the selection panel via USAJOBS/USASTaffing as follows:

- a. Applicants who are determined eligible will be referred to the selection panel, unless there are five or more veteran preference eligibles. In such cases only the veteran preference eligible applicants will be referred to the selection panel. If the selection panel non-selects from a certificate of preference eligibles, and once approved by HRO, then a second certificate will be sent containing all other qualified applicants. A passover request will have to be adjudicated before non-preference eligible can be considered and appointed. Otherwise, all other applicants will not be considered by the selection panel and will receive written notification via USAJOBS.
- b. When a vacancy is announced with a developmental grade and there are five or more qualified applicants at the target grade of the position, candidates qualifying at the developmental grade will not be referred to the selection panel. If the selection panel non-selects from a certificate of eligibles for the target grade, and once approved by HRO, then a second certificate will be sent containing all other qualified applicants at the developmental grade.
- c. The HRO will provide the selection panel appointment letter, certificate of eligibles, applicant evaluation worksheets and interview questions.
- d. The certificate of eligibles for T5 vacancies will list referred applicants by their veterans' preference category first (CPS, CP, XP, TP, SSP) and then in alphabetical order by last name. Non-preference eligibles will follow preference eligibles in alphabetical order. For T32 vacancies, the certificate of eligibles will list referred applicants in alphabetical order by last name.

#### **2-24. Action by the Selection Panel**

The selection panel will consist of a three member panel normally 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, nonselect and/or submit a passover request of 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 referred candidates will be reviewed and evaluated by the selection panel. Evaluation comments should be annotated on the evaluation worksheet.

b. Refining list of eligible candidates. The selection panel may elect, at its discretion, to refine a list of eligibles to identify the top candidates among a list of eligibles for conducting formal interviews and provide further consideration. Refining procedures are as follows:

(1) Only when there are more than three eligible candidates may the selection panel elect to refine list of candidates. If there are three or less eligible candidates, refining the list of candidates is not authorized and all eligible candidates will be interviewed.

(2) When refining occurs, the selection panel must identify a minimum of three candidates to interview based on objective criteria i.e. years of experience, MOS/AFSC qualification, educational level, certification held, veterans' preference category, etc.

(3) When a vacancy is announced with a developmental grade, all candidates qualifying at the target grade must be interviewed and considered prior to those at the developmental grade.

(4) For T5 vacancies only, all preference eligibles (veterans) on the certificate of eligibles must be interviewed and considered before interviewing and considering a non-preference eligible. In addition, all preference eligibles in a higher preference category must be interviewed and considered before interviewing and considering a lower category of preference eligibles.

(5) When a candidate does not meet the selection panel's criteria to warrant an interview and further consideration, 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. A majority (two members) of the selection panel must be in agreement with the recommendation; failure to reach a majority recommendation will result in a non-selection and reannouncement of the vacancy. Recommendation will be annotated on the certificate of eligibles via USAJOBS/USAS staffing. 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, the 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. For T5 vacancies with preference eligible candidates, the selection panel may submit a passover request to the HRO to hire a non-preference eligible over a preference eligible. 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.

## **2-25. 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**

#### **2-26. Purpose**

Complete promotion records will be maintained by the HRO via USAJOBS/USASTaffing 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.

#### **2-27. 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.

#### **2-28. Retention**

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

#### **2-29. 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**

#### **2-30. 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.

### **2-31. 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.

### **2-32. 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.

## **Section 8 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 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 T32 excepted service dual status employees 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)

### **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 (Title 5)**

Unclassified service, unclassified Civil Service or positions outside the competitive service and the senior executive service. Excepted service positions have been excepted from certain requirements of the competitive service. Title 5 (T5) excepted service positions do not require a competition examination by OPM and therefore do not acquire career status. This exception allows the HRO to staff T5 position vacancies. However, when filling such T5 vacancies, certain T5 competitive service requirements apply such as DOD's priority placement program, veterans' preference, etc. Appointments under this authority include permanent, indefinite and temporary NTE.

### **Excepted Service (Title 32)**

Unclassified service, unclassified Civil Service or positions outside the competitive service and the Senior Executive Service. Title 32 (T32) excepted service positions have been excepted from the requirements of the competitive service by 32 U.S.C. 709 (PL 90-486). Excepted Service (T32) positions under this authority require National Guard membership as a condition of employment. Types of appointments under this authority include permanent, indefinite and temporary NTE.

### **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.

### **Indefinite Appointment**

Title 5 and 32 excepted appointment given to a temporary employee who is hired for an unlimited period of time; tenure 3. Indefinite appointments are of a project nature where the job will terminate upon completion of the project or the position is expected to convert to permanent status at some point in the future with projected future funding, or backfilling an expected loss. Following conditions apply to indefinite appointments: (1) must be filled through merit staffing procedures, (2) must meet military technician compatibility requirements (T32 only), (3) may be converted to permanent status in same position without further competition when the vacancy was announced as such, (4) does not serve a trial period and (5) may be terminated upon a 30 day written notice. (TPR 300, 316.2)

### **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)

### **Permanent Appointment**

Excepted appointment that carries no restriction or conditions such as indefinite, specific time limitation, etc. Obtains permanent status (Tenure 1) upon successful completion of a 1 year probationary/trial period; employee carries conditional status (Tenure 2) during probationary/trial period.



### **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 for T5 vacancies. The DOD 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/Trial Period**

The first year of service by an employee who is given a permanent excepted service appointment. During this period, the agency determines whether the employee possesses the qualities needed for continued employment. The employee has no appeal rights. (TPR 300, 302.1)

### **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 National Guard Bureau 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.

### **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 be 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 designee. A panel member may appoint a designee for special circumstances i.e. absence of supervisor. Designees must be made in writing and submitted to HRO for approval. Panel members or designee must be a supervisory employee holding a civilian grade equal to or greater than vacancy. Selection panel evaluates applicants listed on the certificate of eligibles. Conducts interviews with those determined to be among the best-qualified applicants. Makes a selection recommendation to the appointing officer.

### **Selective Placement 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 NTE Appointment – Title 5**

Excepted service temporary appointment with a specific expiration date not to exceed 1 year; tenure 0. Temporary NTE appointments are to fill a short-term need that are terminated upon completion of the specific mission/task or loss of funding. The Adjutant General may extend

temporary appointments in increments of up to one year for a total of 4 years. Following conditions apply to temporary NTE appointments: (1) must meet the qualification standards established for the position, (2) must be filled with merit staffing procedures, (3) does not acquire permanent status or eligibility to be non-competitively converted to a permanent appointment, (4) are not appropriate for supervisory positions, (5) are not appointed in developmental grades, and (6) may be terminated at any time. (TPR 300, 316.2)

### **Temporary NTE Appointment – Title 32**

Excepted service temporary appointment with a specific expiration date not to exceed 1 year; tenure 0. Temporary NTE appointments are to fill a short-term need that are terminated upon completion of the specific mission/task or loss of funding. The Adjutant General may extend temporary appointments in increments of up to one year for a total of 4 years. Following conditions apply to temporary NTE 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, (5) are not appropriate for supervisory positions, (6) are not appointed in developmental grades, and (7) may be terminated at any time. (TPR 300, 316.2)

### **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.

### **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. Veterans preference applies only to T5 new appointments. It does not apply to internal agency actions such as promotions, reassignments, etc. Finally, veterans' preference is excluded for T32 excepted service appointments by the National Guard Technician Act of 1968 (PL 90-486) and 32 USC 709. (TPR 300, 302.7)