



# State of Wyoming Military Department Office of the Adjutant General

5800 Central Avenue  
Cheyenne, Wyoming 82009-3320

## Wyoming Military Department (WYMD) 335 PERSONNEL – GENERAL MERIT PLACEMENT & PROMOTION PLAN 15 February 2018

General: Contained herein are the regulatory requirements of the Wyoming Military Department’s Merit Placement and Promotion Plan. It is consistent with Office of Personnel Management (OPM) Regulations, Department of Defense (DoD) Directives, National Guard Bureau (NGB) and AGR regulations and covers the administration procedures for both Active Guard & Reserve (AGR) and National Guard (NG) Title 32 Dual-Status (DS) Excepted Service (T32) Military Technicians, NG Title 5 (T5) Competitive Service employees, and NG Title (T5) Excepted Service employees.

Suggested improvements: The proponent of this pamphlet is the Human Resources Office (HRO). You are invited to send comments and suggested improvements to JFHQ-HRO, ATTN: Staffing, 5410 Bishop Boulevard, Cheyenne, WY 82009-3320 or e-mail NG.WY.WYARNG.LIST.ORG-JOBS@MAIL.MIL.

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## CHAPTER 1

REFERENCES. See Enclosure A.

1-1. **PURPOSE.** This plan establishes the procedures and processes for the Merit Placement Program to be used for the employment and placement of T32 DS technicians, (T5) Competitive and Excepted Service employees, Active Guard & Reserve (AGR), some Title 10 positions (e.g. USPFO) and State employees authorized in support of activities and units of the Wyoming Army and Air National Guard. Since the procedures contained in this plan are applicable to both the Army and Air National Guard, the term Wyoming Military Department (WYMD) will be used throughout the plan.

a. Note: State employees are hired and promoted in accordance with State of Wyoming Personnel Rules, State of Wyoming Compensation Policy and State of Wyoming Military Affairs Pay Policy and Chapter 4 of this regulation.

1-2. **POLICY.** It is the policy of the WYMD that all positions are filled from among the best qualified individuals available, to ensure all employees have an opportunity to develop and advance to their full potential. All vacancies will be filled on the basis of merit principles, job related factors, and the WYMD's affirmative employment goals under systematic and equitable procedures. Individuals being considered for merit placement must meet the eligibility requirements and standards for the position for which considered, including in some instances National Guard unit membership and compatible National Guard assignment for all DS technician and AGR appointments. All actions under this plan will be made without discrimination for non-merit reasons such as race, color, religion, sex, national origin, marital status, age, non-disqualifying physical handicap (except for military requirement for DS technicians and AGR appointments), membership or non-membership in employee organizations, personal favoritism, lawful political affiliation or patronage. This covers all aspects of the placement program and is the responsibility of every individual involved. All T32 DS technicians must maintain WYMD military membership, except while serving in a Title 10 tour. Any changes to this Merit Placement Plan must be negotiated with the Labor Unions in accordance with the Collective Bargaining Agreements (CBA).

1-3. **SCOPE.** This plan encompasses all T32 DS technician, T5 Competitive Service employees, T5 Excepted Service employees, and AGR positions in the WYMD. It will be used in filling and managing through initial appointment, promotion, reassignment, reinstatement, change to lower grade, or transfer under the provisions IAW reference B, N, BS, and BT. There may be instances when other Federal Regulations are utilized to provide clarity, such as in Pay Setting, Occupational Health Exams, USERRA, etc. Provisions of references BF, BL, and AU, will be utilized for administering the AGR program. Where provisions of this plan differ from negotiated labor agreements, the provisions of the negotiated agreements will apply. When provisions of this plan differ from changes in law or regulation, the changes in law or regulation will apply. Where this plan is silent, the flexibilities provided by regulation or guidance from higher authority are preserved.

1-4. **EQUAL OPPORTUNITY POLICY.** The WYMD is committed to full compliance with both the letter and spirit of the law in regard to equal opportunities for all without any legal consideration for race, color, religion, national origin, gender, age or disability. Respect for others is an aspect of our core values – service before self – and includes common courtesy, decency, and sensitivity to the needs of others.

1-5. **NEPOTISM AND PERSONAL FAVORITISM.** No official may, in recommending or selecting candidates for promotion, show or give preference to any candidate based upon factors not pertinent to the candidate's qualifications for performing work including personal friendship, kinship, or political connections. A management official may not appoint, employ, promote, or advance one of his/her relatives (by blood or marriage) as defined in reference E to a position in his/her agency, nor may he/she advocate a relative for appointment, employment, promotion, or advancement in the agency. Likewise, an individual may not be appointed, employed, promoted, or advanced if the action was advocated by a management official who is serving in or exercising jurisdiction or control over the agency and who is a relative of the individual. These provisions apply to all individuals in the rating, ranking, evaluating and/or selecting processes for action under this plan.

1-6. PROHIBITED PERSONNEL PRACTICES. There are thirteen prohibited personnel practices, including reprisal for whistleblowing, which are defined by law IAW reference D. Generally stated, reference D provides that any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority:

(a) Discriminate against an employee or applicant based on race, color, religion, sex, national origin, age, handicapping condition, marital status, or political affiliation;

(b) Request or consider employment recommendations based on factors other than personal knowledge or records of job-related abilities or characteristics;

(c) Coerce the political activity of any person; or take any action as a reprisal for the refusal of a person to engage in such political activity;

(d) Deceive or willfully obstruct anyone from competing for employment;

(e) Influence anyone to withdraw from competition in an effort to improve or injure the employment prospects of any person;

(f) Give an unauthorized preference or advantage to anyone so as to improve or injure the employment prospects of any particular employee or applicant;

(g) Engage in nepotism (i.e., hire, promote, or advocate the hiring or promotion of relatives);

(h) Engage in reprisal for whistleblowing – generally, a person with personnel authority cannot take or fail to take a personnel action with respect to an employee or applicant because of a disclosure of information by the employee or applicant that he or she reasonably believes evidences a violation of a law, rule or regulation; gross mismanagement; gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety. The prohibition does not apply, however, if the disclosure is barred by law or is specifically required by Executive Order to be kept secret in the interest of national defense or the conduct of foreign affairs, except when such a disclosure is made to the Special Counsel, the Inspector General, or a comparable agency official;

(i) Take or fail to take a personnel action against an employee or applicant for exercising an appeal, complaint, or grievance right; testifying for or assisting another in exercising such a right; cooperating with or disclosing information to the Special Counsel or to an Inspector General; or refusing to obey an order that would require the individual to violate a law;

(j) Discriminate based on personal conduct which is not job-related and does not adversely affect the on-the-job performance of an employee, applicant, or others;

(k) Knowingly take or fail to take, recommend, or approve a personnel action if taking or failing to take such an action would violate an applicable veterans' preference requirement;

(l) Take or fail to take a personnel action, if taking or failing to take the action would violate any law, rule or regulation implementing or directly concerning merit system principles IAW reference C.

(m) Implement or enforce any nondisclosure policy, form, or agreement, if such policy, form, or agreement does not contain the following statements:

“These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to:

(1) Classified information;

(2) Communications to Congress;

(3) Reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; or,

(4) Any other whistleblower protection.”

“The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.”

1-7. **MILITARY TECHNICIANS.** A basic principle of the T32 Excepted Service Military Technician Program is that only T32 occupy DS military technician employee positions.

a. Requests to convert established/confirmed T32 Excepted Service technician positions to T5 employee positions, post-conversion of the percentage designated by law, must be identified by local functional management officials, coordinated with the JFHQ-State HRO and TAG for review and further coordinated discussion with NGB-J1-TN for final approval by G1 or A1.

b. Requests and decisions are not influenced by the desires of the incumbent or potential candidates.

c. NG T32 DS technicians and T5 Competitive employees may apply/compete for hire or be eligible for merit promotion considerations to advertised T5 Excepted Service employee vacant positions.

d. T5 Competitive and Excepted Service employees may apply/compete for hire or merit promotion considerations to advertised T32 DS Excepted Service technician positions; however, to qualify, the candidates must meet the DS technician positions’ series qualifications and must meet the positions’ military compatibility requirements.

e. Management Directed Reassignments (MDR) personnel processing actions are not authorized for the non-competitive placements of T32 DS technicians into established T5 employee positions; and, are not authorized for the non-competitive placements of T5 employees into T32 DS technician positions.

1-8. **VETERAN’S PREFERENCE PROGRAMS FOR T5 EXCEPTED and T5 COMPETITIVE SERVICE POSITIONS.**

a. Hiring Authority References: See references G, R, AB, and AL.

b. Reference AB states veterans preference will be considered for vacancies under merit promotion when an agency accepts applications from individuals outside its own workforce.

1-9. **RESPONSIBILITIES.**

a. The Adjutant General (TAG) is the appointing authority for the Wyoming Military Department Merit Placement Program, and is the highest level of authority in the Wyoming Military Department concerning the overall application of this plan.

b. The Human Resources Officer (HRO) is responsible to TAG for ensuring the requirements of this Merit Placement and Promotion Plan are accomplished. The HRO will:

(1) Develop, maintain, evaluate and revise this plan as necessary.

(2) Administer placement and promotion actions in accordance with the policies and procedures outlined in this plan.

(3) Provide guidance and assistance to commanders, supervisors, managers, and board members concerning their responsibilities under this plan.

(4) Publish and distribute Job Vacancy Announcements (JVAs).

(5) Ensure applicants are properly evaluated using the qualification requirements issued by the National Guard Bureau to evaluate applicants for excepted and competitive service positions.

(6) Ensure appropriate treatment of candidates entitled to priority considerations (e.g., DoD Priority Placement Program (PPP), Technician Reemployment Priority List (TRPL), Retained Grade List, and Interagency Career Transition Assistance Plan (ICTAP).

(a) Excepted service employees are not eligible for selection priority in other agencies under ICTAP (unless covered under a separate law that gives employee ICTAP eligibility).

(b) To receive selection priority in other agencies through ICTAP, employee's current or last position must be/have been career (tenure group I) or career-conditional (tenure group II) in the competitive service, and must fall under one of these categories:

(1) RIF – employee is being or was involuntarily separated from the Executive Branch agency through reduction in force;

(2) Transfer of Function/Directed Reassignment – Employee is being or was separated under adverse action procedures because they declined a transfer of function or directed reassignment to another local commuting area;

(3) Injury Compensation – Employee was separated due to work-related injury, employee's compensation benefits stopped because of recovery, and former agency is unable to place employee through RPL;

(4) Disability Annuitant – Employee retired with a disability and annuity has been/will be terminated because OPM considers employee recovered;

(5) RIF-Retired – Employee received a RIF-separation notice and elected either optional retirement and on the RIF effective date, or discontinued service retirement on or before the RIF date;

(6) Military/National Guard Technician – Employee was a military reserve or national guard technician and now receives a special OPM disability retirement annuity.

(7) Ensure all procedures used to identify, qualify, evaluate, and select are based on job-related criteria.

(8) Ensure that the "Certificate of Eligibles" referred to the Selecting Official contains a list of qualified applicants meeting the minimum qualification standards prescribed for the position.

(9) Provide an Interview Board Briefing packet to each Selecting Official.

(10) Review, approve and process selection packages to ensure compliance with this plan and all regulatory guidance, and notify candidates of selection or non-selection.

(11) Maintain necessary records in accordance with regulatory guidance and sufficient to reconstruct each placement action.

(12) Maintain selection records indefinitely. If a grievance is pending, records will be retained until resolution.

c. Nominating/Selecting Officials will:

- (1) Know and comply with the provisions of this plan and keep employees informed of said provisions.
- (2) Selecting Officials will administer this plan as directed by the Nominating Official when appointed.
- (3) Ensure employees under their supervision are aware of and have access to this plan, for example SharePoint, hardcopy, etc.
- (4) Assure personnel actions accomplished within their area of responsibility are based on merit, in concert with affirmative action goals and without discrimination.
- (5) Upon notification, review vacancy announcements to verify the desired qualification standard, position description, pay scale, and desired rank structure meets intent of the advertised position.
- (6) Post JVAs in their local work areas that are accessible to all eligible members.
- (7) Recruit applicants for JVAs, to include members who are absent, for legitimate reason, e.g. military duty, leave, service school, or compensable injury which does not exceed one year.
- (8) Conduct Interview Boards in compliance with all provided instructions, to include ensuring Board Members understand board actions are Confidential and each member signs the Interview Board Brief, Employment Interview Nondisclosure Agreement, and each Interviewee Scoring Matrix.
- (9) Consider all evaluations, interviews, discussions, and application information from personnel documents as privileged information.
- (10) Encourage employees under their supervision to participate in developmental opportunities and training in order to enhance their promotion potential.

d. Individual T32 DS technicians, T5 employees, and AGRs are responsible to:

- (1) Review the provisions of this plan.
- (2) Discuss their career goals with their supervisor.
- (3) Pursue personal developmental opportunities to prepare for higher-level duties.
- (4) Ensure their complete application has been submitted prior to the closing date on the announcement.
  - (a) AGR applications must be received in HRO prior to 1630 hrs on the closing date.
  - (b) T32 DS Technician and T5 employee applications must be uploaded to USA Jobs prior to 2159 hours Mountain Standard Time (MST) on the closing date to receive consideration.
  - (c) A 10-point preference eligible may file an application and be accepted and processed up until the time that a certificate is issued. Once the certificate is issued, however, it will not be amended to include late applications unless requested to do so. If the certificate is amended, then all applications received on the same date as the 10-point preference eligible and earlier will be considered.
- (5) Ensure application documents, electronic Official Personnel Folders (eOPF) or military qualification records contain accurate and current information concerning qualifications and personal development activities.
- (6) Make arrangements with supervisor to submit applications when absent from duty.



1-10. **MANAGEMENT'S RIGHTS.** Recognizing that it is essential for positions to be filled with fully qualified individuals, Management retains the right to:

- a. Select applicants from any appropriate source.
- b. Select or non-select from among a group of properly referred qualified candidates.
- c. Choose the method of filling a vacancy. This includes, but is not limited to, reemployment priority lists, transfers, management directed reassignments, details, position changes resulting from RIF, placement of an individual exercising restoration rights, reinstatement, or DS technician, T5 employees, and AGR announcements. Refer to the CBAs for RIF-specific instructions available through the respective labor unions.
- d. If no candidates are selected from the Certificate of Eligibles, provide sufficient justification, in writing, why none of the candidates were interviewed/selected and make recommendations for further action.
- e. Submit pass-over requests of veteran preference qualified candidates for T5 Excepted and Competitive Service Positions to HRO for endorsements to OPM for reconciliation.

(1) The HRO must initiate procedures as directed in reference AK, Chapter 6, Section D, Object to an Eligible.

(2) During this time period, the same advertised position remains vacant until the submitted pass-over request determination is resolved.

1-11. **RAPID REVISION UPDATES.** Due to continuous regulation, policy, and guidance updates, rapid revision updates will be made to the applicable chapters as needed.

1-12. **AVAILABILITY.** This plan is available on the respective WY Air National Guard (ANG) HRO and WY Army National Guard (ARNG) HRO SharePoint sites, Wyoming Military Department Employment Website, links are provided on each AGR, T32 DS Technician and T5 position vacancy announcements, and is available upon request.

1-13. **CONVERTED POSITIONS.** As current on-board T5 competitive service NG employees separate from their respective positions and the position becomes vacant, those positions are directly converted into T5 Excepted Service positions.

1-14. **OVERSIGHT.** T5 Excepted Service numeric value ratings are documented in accordance with OPM and DoD directive processes.

1-15. **DOCUMENTATION AND REPORTING REQUIREMENTS.** Documentation is maintained in accordance with the OPM and DoD reporting criteria.

## CHAPTER 2

## EXCEPTIONS TO COMPETITION

2-1. PERSONNEL ACTIONS EXEMPT FROM COMPETITION. Certain placement actions provide the authorization for qualified candidates to be placed in a position where competition is discretionary. Refer to Table 2-1 for employee type specifics. These actions are:

a. Promotion resulting from the upgrading of a position without significant changes in duties and responsibilities, due to the issuance of a new classification standard or the correction of a classification error, as published by NGB-J1-TNC.

b. Placements made during or in-lieu of a reduction-in-force (RIF) as permitted by governing regulations.

c. Actions involving statutory, regulatory or administrative placement, to include actions directed by NGB, DoD, or OPM, arbitration decisions, court decisions, local settlements and discrimination complaint decisions.

d. Career ladder promotion(s), e.g., a promotion without further competition of an employee who was appointed from a civil service register, by delegated examining authority, by direct hire, by non-competitive appointment or non-competitive conversion, or under competitive procedures of this plan for an assignment intended to prepare the technician for the position being filled—the intent must be made as a matter of record and career ladders must be documented. Refer to Para 2-9b, Trainee and Upward Mobility Positions for more information.

e. Promotion, reassignment, demotion, transfer, reinstatement, or detail to a position having no greater promotion potential than that of a position a technician currently holds or previously held on permanent (career or career-conditional) basis, from which he/she was separated or demoted for other than performance or conduct reasons.

f. A non-competitive promotion resulting when an employee's position description is changed by NGB-J1-TNC as an amended PD; or, when the position description is abolished and replaced with new PD that is classified higher-grade because of additional duties and responsibilities that meets the criteria to be done non-competitively.

g. Temporary promotions of 120 days or less. Noncompetitive time-limited promotions and noncompetitive details to higher-grade positions during the preceding 12 months count toward the 120 day total.

h. Details for 120 days or less to higher-graded position or to a position with known promotion potential. Such noncompetitive details during the preceding 12 months count toward the 120 day total.

i. Promotion or placement of an employee entitled to noncompetitive priority consideration as corrective action for failure is given proper consideration under the requirements of this plan.

j. If an employee fails to receive proper consideration under a previous recruitment (promotion or reassignment action), and the improper personnel action is allowed to stand, the technician is considered for the next appropriate and bona fide vacancy, i.e., at the same grade of the position previously denied and one for which the technician is fully qualified and available.

k. An employee is entitled to only one consideration for each failure to receive proper consideration under this provision, unless otherwise directed. The selecting official is not required to select a technician referred under this provision.

l. Placement of T5 and T32 employees who have eligibility for special consideration for re-promotion—being those employees who are receiving grade or pay retention due to involuntary placement in lower grade or declination of a functional transfer.

(1) If fully qualified, they are referred to the selecting official for positions up to and including their former grade before a competitive referral list is issued.

(2) The selecting official is not required to select a technician referred under this provision.

(3) Declination of a valid offer at an intervening grade will terminate the technician's entitlement to re-promotion consideration at the grade level referred, but the technician will continue to receive special consideration for higher grades, up to and including that from which downgraded.

m. Promotion when competition was held earlier (i.e., vacancy announced as a trainee position or with known promotion potential). Applies to T32 DS technicians, T5 employees and AGRs.

n. Management Directed Reassignments (MDR). Management may reassign a T32 DS technician, T5 employee, or AGR to another position at the same grade and pay, or to a lower graded position if the reassignment is considered in the best interest of the Government and the employee concurs with the reassignment.

Management may also reassign a T32 DS technician, T5 employee, or AGR to another position at the same grade and pay, or to a lower-graded position if the reassignment is considered in the best interest of the Government without the employee's concurrence (an involuntary reassignment). If a T32 DS technician, T5 employee and AGR non-concurs with an involuntary reassignment, the employee shall be notified in writing of the intent to terminate employment with whatever response or appeal process the employee may be entitled to based on their employment status. If the employee is serving under a temporary or term appointment, is serving in a trial or probationary period, or has voluntarily ceased to be a member of the National Guard when such membership is a condition of employment, the employee shall be notified in writing of the intent to terminate their employment status with whatever response or appeal process the employee may be entitled to based on their employment status. Such notification shall be given to the employee at least 30 days before the termination date of employment or such longer period as may be required by law based on their employment status. AGRs non-concurring with a reassignment will remain in an AGR status for no longer than 120 days before release.

o. Command, Leadership, and Staff Assignment Program (CLASP). CLASP provides professional development opportunities for T32 DS technicians. TAG has the authority and flexibility to approve CLASP positions within the respective Title 32 military technician program. Consideration must be given regarding technicians' potential and subsequent duty assignments before assignment to CLASP positions. Implementation of CLASP is not at the expense of a traditional member's career progression. Refer to Para 11-3d for additional information regarding CLASP for AGR members.

p. Voluntary Reassignment: Currently assigned qualified T32 DS technicians, and T5 employees within the same Tenure Group (e.g. Indefinite to Indefinite, Permanent to Permanent, career to career) and AGR members may volunteer for a reassignment opportunity to meet the needs of the Wyoming National Guard when the reassignment will not create an over-grade or excess assignment, nor will lead to a promotion opportunity. However, it may be outside of the incumbent's current Military Occupational (MOS)/Air Force Specialty Code (AFSC) and the member will be expected to attend any formal training courses and to progress to the skill level compatible with positions in the Unit Manning Document (ANG) or Unit Manning Report (ARNG).

q. Placement of over-graded technicians entitled to grade retention as a result of RIF, reclassification or management directed change to lower grade.

r. Reassignment actions pursuant to reference BV, Chap 3-2c-e.

s. Selection of a former technician from the Reemployment Priority List for a position at the same or lower grade than the one last held.

t. Placement under the DoD Priority Placement Program.

u. Reemployment in accordance with the Uniform Services Employment and Reemployment Act (USERRA). A technician exercising statutory reemployment rights following military service must be returned to a position he or she would have obtained had it not been for military service, his/her former position, or a position of like seniority, status, and pay.

- v. Hiring of temporary T5 employees and T32 DS technicians not to exceed 1 year.
- w. Emergency Hiring Authority when delegated to the state by NGB to support contingency operations.
- x. Noncompetitive appointment of Certain National Guard Technicians. IAW reference U the WYMD may appoint noncompetitively a T32 DS technician to a T5 position when the following conditions are met:

- (1) Agency must have a valid vacant T5 position available for placement.
- (2) Was involuntarily separated (Loss of Military Membership, other than removal for cause on charges of misconduct or delinquency);
- (3) Has served at least 3 years as a T32 DS technician;
- (4) Meets the qualifications of the position; and
- (5) Is appointed within 1 year after separating from service as a T32 DS technician.

y. The following positions are designated as Excepted Career Management Positions within the WY ARNG AGR program IAW reference AU. Excepted Career Management Positions will be filled using and alternative selection process of AGR Inservice vacancy announcement, and then Job Opportunity vacancy announcement if not filled Inservice. Enlisted excepted positions are not required to be offered via Lateral or EPS fill.

(1) All key staff designated positions, which include the WYARNG Command Sergeant Major and Command Chief Warrant Officer (CCWO) positions and those key staff positions in the WYANG defined in reference BX.

(2) All positions of Significant Trust and Authority (POSTA), which include those outlined in Paragraph 4-6 of this document, reference BR and the Assistant Inspector General (IG).

z. Other types of actions not specified above which are permitted by regulation and are consistent with the spirit and intent of the merit principles delineated in reference C.

## 2-2. PRIORITY PLACEMENT ACTIONS.

a. EMPLOYEES UNDER GRADE RETENTION. IAW reference AN, an employee demoted at no fault of their own is entitled to priority placement for a period of two years unless re-promoted to former grade. Consideration of an employee entitled to priority placement for re-promotion must precede efforts to fill the vacancy by other means, including merit promotion procedures. The HRO will keep a roster of all employees entitled to priority placement. These employees will be afforded priority placement as outlined below:

(1) If a vacancy of equal or comparable grade exists within the commuting area (the area within which employees can be reasonably expected to commute daily between their permanent residence and duty station) for which an employee in retained grade status is well qualified, the employee will be offered the position. If there is more than one eligible employee in a retained grade status, the selecting official will be given a list from which to make a selection. The selecting official will provide a nomination letter to HRO justifying the selection process. Grade and pay retention will be terminated if the employee refuses the offer of a position equal to the employee's retained grade. The employee must accept/decline the offer in writing. Failure to reply to an offer will be considered as a declination of the offer.

(2) If such a vacancy exists and there are no employee(s) within the commuting area, the position will be offered to employee(s) entitled to priority placement outside the commuting area before any other placement

action. If the employee(s) refuses the offer of a position outside the commuting area, grade and pay retention will continue if otherwise eligible.

b. REEMPLOYMENT PRIORITY LIST.

(1) T32 DS and T5 employees in Tenure group I and II who are separated from employment as a result of RIF action will be considered for reemployment priority for a period of two years unless they decline priority consideration in writing. When a position fill request is received, HRO will review the Reemployment Priority List located on the Defense Civilian Personnel Advisory Service's Automated Stopper and Referral System (ASARS) website. Previously employed Department of Defense T32 DS and T5 employees who meet the qualification requirements of the position to be filled will be referred to the Nominating/Selecting Official before a technician vacancy announcement is prepared. Former employees will be removed from the list upon acceptance of a full-time position in the Federal Government, declination of such a position, or expiration of the two-year time limit.

(2) The Nominating/Selecting Official retains the authority to select or non-select from the listing of reemployment referrals. The vacancy will be advertised if the Nominating/Selecting Official elects to non-select. Non-selections must be sufficiently justified, in writing, and approved by the HRO.

2-3. TEMPORARY PROMOTIONS

a. Generally, a temporary promotion is the appropriate way to meet a situation requiring the temporary service of a T32 DS technician or T5 employee in a higher graded position. Promoting an employee recognizes the increased responsibility and properly compensates them for the work being performed.

b. Temporary promotions are only for an increase in duties required for a period longer than 30 days. For periods less than 30 days, a detail would be more appropriate. The immediate supervisor determines when and if a temporary promotion would be an appropriate action. Factors to be taken into consideration are mission needs, production requirements, availability of personnel, budgetary constraints and the negotiated agreement.

c. Incumbent must meet minimum qualification standards temporarily promoted to. Supervisors will submit an SF 52 along with the proposed incumbent's resume for review by HRO prior to temporary promotion appointment.

d. IAW reference AP objectives will be established for the DoD Performance Management and Appraisal Program (DPMAP) for T32 DS and T5 employee temporary promotions expecting to last longer than the minimum period of 90 calendar days. Employees who perform under an approved performance plan for a minimum of 90 calendar days will be rated based on the period of demonstrated performance.

e. Competition is not required for temporary promotions of 120 days or less. Competition must be held from the onset if management feels that the position will last for longer than 120 days or may eventually be filled permanently. Temporary promotions that may lead to a permanent promotion must be made known to all potential applicants. Promotions lasting for more than 120 days, prior time served in detail to higher graded positions or temporary promotion during the preceding 12 months is included when computing the period. Due weight will be given to performance appraisals and incentive awards IAW reference AP.

f. Temporary promotions must be for one year or less; and may be extended for one additional year. Extensions beyond two years must receive prior written approval from NGB-J1-TN.

2-4. DETAILS

a. A detail is the temporary assignment to a different position for a period not more than 120 days, with the employee returning to his/her regular duties at the end of the detail. Details may be renewed in 120 days increments IAW reference H. All details will be requested through the chain of command on an SF 52. The SF 52 will explain why the detail is taking place, how long the detail is expected to last, and who will be supervising while the employee is detailed and forwarded through the appropriate chain of command to HRO.

b. Details to a higher grade are appropriate when the assignment is for 30 days or less or the full range of duties of the higher graded position will not be performed.

c. The WYMD may detail employees for any legitimate management purpose, for example, to handle unexpected workloads or special projects, training, or pending position classification, security clearance or investigation. Employees who are detailed to a different position remain assigned to their original position, for this reason, backfills cannot be made into a position from which the incumbent is detailed.

2-5. TEMPORARY APPOINTMENTS (Not To Exceed – NTE). A temporary appointment is authorized outside competitive procedures if the duration of the appointment is not expected to exceed one year (12 months from the date hired Tenure “0”).

a. HRO may adjust the grade level for which a temporary appointment is requested based on mission requirements, qualification, funding, etc. Temporary appointments for short periods of time are generally filled at the full performance level.

b. Temporary (NTE) appointments may be terminated without notice when the position or the employee’s services are no longer needed as determined by the Chief of Staff, Wing/CC, HRO, funding, etc.

c. A temporary appointment (NTE) does not confer permanent (career or career-conditional) status and will be Tenure “0”.

(1) T32 DS Technicians: Selections for T32 temporary appointments must be military members of the Wyoming National Guard and must meet the minimum and specialized experience requirements for the position and at the grade levels for which employed.

(a) A temporary appointment may be made outside of normal hiring procedures if the duration of the appointment is not to exceed 1 year.

(b) Temporary appointments and extensions greater than 12 months require a TAG waiver. The TAG may make and extend T32 DS temporary appointments in increments of up to one year each for a total of four years. Extensions beyond four years require NGB-J1-TN approval. The requesting unit will submit a memorandum through HRO for the TAG’s approval/disapproval. The memorandum must include all background information as to why the temporary appointment or extension is required beyond one year.

(c) For additional information regarding leave, compensatory time, time-off awards, health benefits, dental and vision, flexible spending plans, life insurance, long term health care, Thrift Savings Plan, and retirement, refer to Enclosure E, Title 32 Excepted Service DS Temporary Technician Comparison Sheet.

(2) T5 Excepted Employees:

(a) Temporary appointments for T5 positions may use both competitive and non-competitive procedures to fill temporary-limited positions. If competed, the advertisement must state the time limits for the position, e.g., “not to exceed (NTE) one year.” T5 temporary appointments may be extended in increments of up to 1 year, not to exceed 4 years. The advertisement may include a statement that the position may be extended for an additional year if the nature of the duties warrant such a statement. T5 temporary vacancies lasting 121 days or more must be cleared for ICTAP eligibles.

(b) For non-competitive appointments, any of the following methods may be used:

- (1) Reinstatement under reference T;
- (2) Veterans Recruitment Appointment (VRA) under reference R;
- (3) Career-conditional appointment under reference S;

(4) Appointment of veterans with compensable service-connected disability of 30% or more under reference F.

#### 2-6. T5 INDEFINITE/TERM APPOINTMENTS.

a. T5 Excepted Service Indefinite appointment. To fill a job that will last for more than 1 year, where the need for an employee's services is not permanent.

b. T5 Competitive Service Term appointment. To fill a job that will last for more than 1 year, but not more than six years, where the need for the employee's services is not permanent.

c. To meet an employment need that is time-limited for reasons, such as:

- (1) Need to complete a particular project,
- (2) Extraordinary workload,
- (3) Scheduled abolishment,
- (4) Reorganization,
- (5) Contracting out of the function,
- (6) Uncertainty of future funding, or
- (7) Need to maintain the position for future placement of other employees.

d. Extension of a Term appointment. Initial appointment for a period of less than six years. If additional time is necessary, appointment may be extended up to the six-year limit.

(1) For extensions beyond the six-year time limit, HRO must submit a written request to NGB-J1-TN for approval.

e. Noncompetitive conversion of an employee to career-conditional or career appointment when the employee is serving on an indefinite/term appointment and the following conditions have been met:

- (1) Individual was appointed under open, competitive procedures to the indefinite/term position;
- (2) The announcement for the indefinite/term appointment from which the conversion was made stated that there was the potential for subsequent conversion to career-conditional or career appointment;
- (3) The employee has completed at least 2 years of current continuous service under an indefinite/term appointment;
- (4) The employee's performance under such indefinite/term appointment was at least fully successful or equivalent;
- (5) Outplacement program requirements have been met; and
- (6) Similarly situated employees (in the same title, pay plan, series, and grade) within the organization, hired under the same appointment conversion provision, have been considered under internal competition procedures.

2-7. EMERGENCY HIRING FLEXIBILITIES. Conditions may exist where NGB institutes emergency hiring authorities. When NGB delegates Emergency Hire Appointment Authority to TAG, states are authorized to non-

competitively appoint and/or temporarily promote traditional drill status guard members and T32 DS technicians to T32 DS positions that would, otherwise, remain vacant due to mobilization or deployment. National Guard Emergency Hire Authority is not an alternative full-time, or continuous, employment program and can only be used to backfill deployed positions, when authorized for implementation by NGB-J1-TN. There are no authorized, nor allowed OPM, Service specific, or DoD special hiring provisions, such as Expedited Hiring Authority and Direct Hire Authority, for the T32 DS technician and T5 Excepted Service employee positions.

2-8. **KEY STAFF.** A T32 DS Technician, senior managerial position whose incumbent is a member of the immediate staff of the State Adjutant General, serves under the direct supervision of the State Adjutant General, or serves as the head or deputy of a major organization within the state, or any position that has been designated by TAG as such is considered a “key staff” position. These positions may be exempted from the normal merit placement announcement procedures contained elsewhere in this regulation because of their special importance to the overall effectiveness of the WYMD and their unique military qualifications. The provisions covering key staff positions will not be used to fill entry level, clerical, or administrative positions.

a. TAG has the authority to non-competitively assign military technicians, AGR service members, and traditional service members in order to accommodate either an overarching military consideration or military assignment at the key staff level.

b. TAG may require a key staff position be filled by referral of all qualified technicians/AGRs or by use of a vacancy announcement. The following procedures will be used for referral of qualified candidates:

(1) Selecting Officials requesting to fill a key staff position by referral of qualified candidates will submit an SF 52 to the Human Resource Officer including the following:

- (a) Area(s) of consideration, (i.e. technician, AGR, traditional guardsman, any).
- (b) Specific requirements to be considered due to grade inversion and/or limitation of military assignment positions.
- (c) Appropriate selective placement factors and anticipated start date.

(2) Formal vacancy announcement procedures are not required. HRO may advertise the position, accept applications and generate the Certificate(s) of Eligibles based on the Selecting Official’s request, and candidate qualifications. Personnel files (technician and/or military) may be screened by HRO to determine eligibility.

(3) HRO will forward the Certificate of Eligibles to the Selecting Official for completion and/or selection who will then return it to HRO for notifications.

## 2-9. TRAINEE AND UPWARD MOBILITY POSITIONS.

a. Use of Trainee and Upward Mobility Positions. Trainee and upward mobility positions may be used under the following circumstances:

(1) Fully Qualified/Trainee Positions. Positions may be announced for consideration of candidates qualified at the trainee level as well as opened to fully qualified candidates when the qualification requirements make it difficult to find fully qualified candidates for the position.

(2) Trainee Only Positions: A position will be open for consideration of “Trainee Applicants Only” when it is desirable to fill a position at a lower grade (to provide entry-level grades, or comparable grades, for employment or promotional opportunity).

b. Promotion of a Trainee. A technician who is selected through merit placement procedures to fill a position at less than the authorized grade, who completes all necessary training programs IAW with NGB Form 650, Individual Development Plan (IDP), and meets both the qualifications and legal requirements for the position, may



be non-competitively promoted upon recommendation by the immediate supervisor of the position and if current rating of record is "Fully Successful" (level 3) or higher. No employee shall receive a career ladder promotion who has a rating below "Fully Successful" on a critical element that is also critical to performance at the next higher grade of the career ladder. Coordinate with the Human Resources Development Specialist (HRDS) within HRO to initiate an IDP. The position must have been advertised to include the higher grade.

<b>Exceptions to Competition</b>				
		<b>T5</b>	<b>T32</b>	<b>AGR</b>
<b>2-1.</b>	<b>Personnel Actions Exempt from Competition</b>			
2-1a.	Promotion resulting from the upgrading of a position without significant changes in duties and responsibilities, due to the issuance of a new classification standard or the correction of a classification error.	X	X	
2-1b.	Placements made during or in-lieu of a reduction-in-force (RIF) as permitted by governing regulations.	X	X	X
2-1c.	Actions involving statutory, regulatory, or administrative placement, to include actions directed by NGB, DoD, or OPM, arbitration decisions, court decisions, local settlements, and discrimination complaints.	X	X	X
2-1d.	Career ladder promotion(s), e.g., a promotion without further competition of an employee who was appointed from a civil service register, by delegated examining authority, by direct hire, by non-competitive appointment or non-competitive conversion, or under competitive procedures of this plan for an assignment intended to prepare the technician for the position being filled—the intent must be made as a matter of record and career ladders must be documented.	X	X	
2-1e.	Promotion, reassignment, demotion, transfer, reinstatement, or detail to a position having no greater promotion potential than that of a position a technician currently holds or previously held on permanent basis, from which he/she was separated or demoted for other than performance or conduct reasons.	X	X	
2-1f.	A non-competitive promotion resulting when a employees position description is changed by NGB-J1-TNC as an amended PD; or, when the position description is abolished and replaced with new PD that is classified higher-grade because of additional duties and responsibilities that meets the criteria to be done non-competitively.	X	X	
2-1g.	Temporary promotions of 120 days or less, prior temporary promotions during the preceding 12 months, (noncompetitive time-limited promotions and noncompetitive details to higher-grade positions) count toward the 120 day total.	X	X	
2-1h.	Details to higher-graded positions or to positions with known promotion potential, of 120 days or less, details during the preceding 12 months under noncompetitive details to higher grade positions and noncompetitive time-limited promotions, count toward the 120 day totals.	X	X	
2-1i.	Promotion or placement of an employee entitled to noncompetitive priority consideration as corrective action for failure of given proper consideration under the requirements of this plan.	X	X	
2-1j.	If an employee fails to receive proper consideration under a previous recruitment (promotion or reassignment action), and the improper personnel action is allowed to stand, the employee is considered for the next appropriate and bona fide vacancy, i.e., at the same grade of the position previously denied and one for which the technician is fully qualified and available.	X	X	
2-1k.	An employee is entitled to only one consideration for each failure to receive proper consideration under this provision, unless otherwise directed. The selecting official is not required to select a technician referred under this provision.	X	X	
2-1l.	Placement of T5 and T32 employees who have eligibility for special consideration for re-promotion—these being those technicians are those who are receiving grade or pay retention due to involuntary placement in lower grade or declination of a functional transfer.	X	X	
2-1m.	Promotion when competition was held earlier (i.e., vacancy announced as a trainee position or with known promotion potential). Applies to both T32 DS technicians, T5 employees and AGRs.	X	X	X

		T5	T32	AGR
<b>2-1.</b>	<b>Personnel Actions Exempt from Competition Continued</b>			
2-1n.	Management Directed Reassignments (MDR). Management may reassign a T32 DS technician, T5 employee, or AGR to another position at the same grade and pay, or to a lower graded position if the reassignment is in the best interest of the Government and the employee concurs with the reassignment (e.g. voluntary reassignment).	X	X	X
2-1o.	Command, Leadership, and Staff Assignment Program (CLASP). CLASP provides professional development opportunities for T32 DS technicians. TAG has the authority and flexibility to approve CLASP positions within the respective Title 32 military technician program. Consideration must be given regarding technicians' potential and subsequent duty assignments before assignment to CLASP positions. Implementation of CLASP is not at the expense of a traditional member's career progression. Refer to Para 11-3d for additional information regarding CLASP for AGR members.	X	X	X
2-1p.	Voluntary Reassignment: Currently assigned qualified T32 DS technicians, and T5 employees within the same Tenure Group (e.g. Indefinite-to-Indefinite, Permanent-to-Permanent, career-to-career) and AGR members may volunteer for a reassignment opportunity to meet the needs of the Wyoming National Guard when the reassignment will not create an over-grade or excess assignment, nor will lead to a promotion opportunity.	X	X	X
2-1q.	Placement of over-graded employees entitled to grade retention as a result of RIF, reclassification or management directed change to lower grade.	X	X	
2-1r.	Reassignment actions pursuant to reference BV, Chap 3-2c-e.	X	X	
2-1s.	Selection of a former employee from the Reemployment Priority List for a position at the same or lower grade than the one last held.	X	X	
2-1t.	Placement under the DoD Priority Placement Program.	X	X	X
2-1u.	Reemployment in accordance with the Uniform Services Employment and Reemployment Act (USERRA). A technician exercising statutory reemployment rights following military service must be returned to a position he or she would have obtained had it not been for military service, his/her former position, or a position of like seniority, status, and pay.	X	X	
2-1v.	Hiring of temporary T5 employees and T32 DS technicians not to exceed 1 year.	X	X	
2-1w.	Emergency Hiring Authority when delegated to the state to support contingency operations.	X	X	
2-1x.	Noncompetitive appointment of Certain National Guard Technicians. The WYMD may appoint noncompetitively a T32 DS technician to a T5 position when specific conditions are met.	X	X	
2-1y.	Key Staff and POSTA positions are designated as Excepted Career Management Positions within the WY ARNG. Excepted Career Management Positions will be filled using an alternative selection process of AGR Inservice vacancy announcement, and then Job Opportunity vacancy announcement if not filled Inservice. Enlisted excepted positions are not required to be offered via Lateral or EPS fill.	X	X	X
2-1z.	Other types of actions not specified above which are permitted by regulation and are consistent with the spirit and intent of the merit principles	X	X	
2-2.	Priority Placement Actions.	X	X	X
2-2a.	Employees Under Grade Promotion			
2-4a.	Detail for 120 days or less to higher graded position or to a position with known promotion potential;	X	X	X
11-3c(1).	T10/T32 Tour Swaps		X	X
11-3c(2).	AGR Warrant Officers in grades of CW2 to CW4 promotions are based on MTOE and TDA positions and published time-in-grade and military education requirements.			X
2-2.	Priority Placement Actions	X	X	X

		<b>T5</b>	<b>T32</b>	<b>AGR</b>
<b>2-1.</b>	<b>Personnel Actions Exempt from Competition Continued</b>			
2-2a.	Employees Under Grade Promotion	X	X	
2-2b.	Reemployment Priority List	X	X	
2-3.	Temporary promotion of 120 days or less.	X	X	
2-4.	Detailing (Less than 120 days in a year)		X	
2-5.	T32 DS Temporary Appointments		X	
2-6.	T5 Indefinite/Term Appointments	X	X	
2-7.	Emergency Hiring Flexibilities (when authorized by NGB-J1-TN)		X	
2-8.	Key Staff		X	X
2-9.	Trainee and Upward Mobility Positions	X	X	

Table 2-1

## CHAPTER 3

## POSITION ANNOUNCEMENT AND APPLICATION PROCEDURES

3-1. APPLICATION. The procedures of this plan are used in filling all positions. Exceptions authorized in Chapter 2 may be used, as appropriate.

3-2. REQUEST FOR FILLING VACANCY.

a. Submit requests to fill positions, through Command channels, to the HRO utilizing the SF 52

b. The requesting office initiates the SF 52 with the following required information (Enclosure C):

- (1) Position Title/Number, Job Number, Grade(s), FAC, and Location.
- (2) Type of Appointment (T32 DS Technician, T5 or AGR).
- (3) Minimum and Maximum Military Grade required, if applicable.
- (4) Military Requirements (e.g., flight status/flight hours, certifications, training, required AFSC/MOS for position, ASVAB, etc.), if applicable.
- (5) Requested area of consideration.
- (6) Requested selective placement factors.
- (7) Coordinate the SF 52 for all requests through the HRO Classifier.
- (8) Request for Identical Additional (IA) position, also known as over-hire positions.
- (9) Request for trainee and upward mobility positions.
- (10) Designated security clearance required.
- (11) Nominating Official.
- (12) Selecting Official.
- (13) Supervisor of the position being filled.
- (14) Any other information pertinent to the filling of the position.
- (15) Person vacating position (Vice).

3-3. T5 EXCEPTED SERVICE POSITIONS. T5 vacancies may be filled IAW Para 3-6.c.(3).

a. T5 Excepted Service candidates must meet NGB-TN Excepted Service Qualification Standards when available for that specific occupation series. In the absence of excepted service qualification standards, OPM Qualification Standards for the occupation series will be utilized. Applicants must meet or exceed time-in-grade restrictions set forth in reference Q unless advancement is permitted by reference P.

(1) Advancement to positions at GS-12 and above. Candidates for advancement to a position at GS-12 and above must have completed at least 52 weeks in positions no more than one grade lower (or equivalent) than the position to be filled.

(2) Advancement to positions at GS-6 through GS-11. T5 candidates for advancement to a position at GS-6 through GS-11 must have completed a minimum of 52 weeks in positions: (a) No more than two grades lower (or equivalent) when the position to be filled is in line of work properly classified at 2-grade intervals; or (b) No more than one grade lower (or equivalent) when the position to be filled is in a line of work properly classified at 1-grade intervals, or (c) No more than one or two grades (or equivalent), as determined by the agency, when the position to be filled is in a line of work properly classified at 1-grade intervals but has a mixed interval promotion pattern.

(3) Advance to positions up to GS-5. T5 candidates must be advanced without time restriction to positions up to GS-5 if the position to be filled is not more than two grades above the lowest grade the employee held within the preceding 52 weeks under his or her latest non-temporary competitive appointment.

3-4. PRIORITY PLACEMENT PLAN (PPP). Requests to fill vacant positions will be subject to priority placement action prior to advertising. PPP actions are described in detail in Chapter 2-2. AGR PPP actions are detailed in Chapter 13.

3-5. VACANCY ANNOUNCEMENTS. Vacancy announcements will be posted on USA JOBS (T5 and T32 DS Excepted Service only) and throughout the area of consideration and on official WYMD web pages.

a. Announcements will, at a minimum, contain the following information.

(1) Vacancy Announcement Number and type of advertisement (e.g. Inservice, Indefinite, Job Opportunity, Nationwide, Temporary, etc.):

- (a) Title, series, grade, and salary range of the position.
- (b) Type of appointment (T32 DS, T5).
- (c) Compatible military assignment (MOS or AFSC), if applicable.
- (d) Organizational and geographical location of the position.
- (e) Open and closing dates.
- (f) How to apply.
- (g) Special conditions of employment, or developmental training, if applicable.
- (h) Information regarding other concurrent announcements for the same vacancy.
- (i) Area of consideration.
- (j) Minimum qualification requirements, general and specialized.
- (k) Minimum and maximum military grades, if applicable.

(l) Statement that a T32 DS enlisted applicant's military grade cannot exceed the maximum military grade authorized. Over-grade applicants must provide a written statement of understanding with the application, indicating a willingness to be administratively reduced in grade by stating specific grade if selected for the position.

- (m) Description and summary of duties.
- (n) Equal employment opportunity statement.
- (o) Reasonable accommodation statement.

(p) Nominating/Selecting Official's name and title (AGR Only).

(q) Required documents to complete application.

(2) Vacancies may be amended after posting if minor changes are necessary. (e.g. rank changes, word corrections, extension of closing dates, etc.)

### 3-6. AREAS OF CONSIDERATION.

a. To ensure receipt of highly qualified applicants, the area of consideration for each specific position vacancy announcement is deemed most appropriate by the HRO in coordination with the Nominating Official/Selecting Official. Prior to advertising, for recruit and fill, any T32 DS Technician or T5 employee positions, a completed formal job analysis and crediting plan are required. This mandatory personnel action is a systematic method for gathering information. It focuses on the position's work behaviors, tasks, and outcomes. The competencies (knowledge, skills, abilities, and behaviors) must be identified in the job analysis and serve as the foundation for the JFHQ-State HR specialist's assessment strategy. The JFHQ-State HR specialist must spend adequate time in the beginning of the process to perform a thorough assessment of the position's competencies, as defined by the job analysis, and clearly identify the competencies required to minimally qualify and fully qualify based on the crediting plan numeric rating system.

b. Crediting Plan. This document provides an objective statement of the position's qualification requirements and criteria against which applicants are evaluated. For T5 positions, the numeric values are applied in the crediting plan to rate the candidates' capabilities and competencies to successfully perform the position's described duties and responsibilities. The crediting plan is developed as a result of a job analysis that identified the position's knowledge, skills, abilities, and behaviors.

c. The area of consideration to compete the position must be sufficiently broad to ensure the availability of a reasonable number of high quality candidates, taking into account the nature and level of the position to be filled, merit principles, affirmative action goals and objectives and applicable regulations and requirements of negotiated agreements. The Area of Consideration (AOC) is identified in the USAJOBS Job Vacancy Announcement (JVA). The area of consideration may be expanded beyond the minimum area, at any time during the recruitment process, to meet the recruitment need with the issuance of an amended or new Job Opportunity Announcement. Job Opportunity Announcements will normally remain open for receipt of applications IAW Table 3-1 below.

#### **(1) Area 1 – In-service Restricted (T32 DS Technician, On Board T5 Employees and/or AGR) – Internal Merit Promotion.**

(a) This area of consideration is used only when advertising a position within a particular work center and is open to all employees of that particular work center. There are certain circumstances that require advertisement of positions without a vacant man-year (i.e. reclassification, reorganization, position upgrade etc.) The vacancy announcement will indicate which specific group of employees is eligible to apply [i.e., Area 1 - In-service Restricted (FMS #5 or 153 FSS)].

#### **(2) Area 2 - In-service T32 DS Technician, T5 Employees and/or AGR – Merit Promotion.**

(a) In-service T32 DS Technicians and T5 Employees: All presently employed WY ARNG and/or WY ANG T5 employees, T32 DS technicians, indefinite (T5/T32) and T5 employees with a Tenure of 1, 2 or 3 and previously competed for their positions and AGR members with T32 DS technician reemployment rights to the WY ANG or ARNG willing to revert to technician status.

(b) In-service AGRs: All presently employed AGR(s) applying for an in-service concurrent technician and/or AGR vacancy.

#### **(3) Area 3 - Current Federal Employees and Reinstatement Eligibles.**

(a) May be opened to all current Federal employees serving under a career or career-conditional appointment; former Federal employees with reinstatement eligibility; persons eligible for non-competitive appointment under special appointing authorities (e.g. former National Guard technicians eligible for appointment under reference A.) Candidates must meet qualification standards and a T5 allocation must be available. Recommend simultaneously advertising the position for current on-board T5 employees.

(b) Prior to using the above option, priority placement program must be cleared.

**(4) Area 4 – Job Opportunity (T32 DS and/or AGR) – Merit Promotion.**

(a) T32 DS: Current M-Day and Air Drill Status Guard (DSG) members of the WY ARNG or ANG.

(b) AGR: Current M-Day and Air DSG members of the WY ARNG or ANG.

**(5) Area 5 - Indefinite Job Opportunity T5 Employee and T32 DS Technician – Merit Promotion.**

(a) Indefinite appointments can be used when there is a need for a T5 or T32 DS temporary position to extend beyond one year or management expects the position to become permanent (career or career-conditional) at some time in the future. Competitive procedures will be used when filling a position on an indefinite basis. Often used to backfill positions left vacant by employees entering Title 10 or Title 32 military orders with reemployment rights. A technician with statutory reemployment rights (USERRA) is protected for five years IAW reference O.

(b) T5 employees and T32 DS Indefinite employees competed for their positions can be converted at management's discretion when the position is the same occupational series and specified in the advertisement.

(c) Temporary appointments with indefinite tenure employees may be promoted, reassigned, or changed to a lower grade with competition to other positions.

(d) Individuals serving T32 DS indefinite appointments are entitled to the following employee benefits: accrual of annual, sick and military leave, health and life insurance benefits, enrollment in the Thrift Savings Plan, and the Federal Employees Retirement System (FERS).

(e) T5 and T32 DS indefinite employees may be terminated or displaced at management's discretion when the position and/or employees' services are no longer needed with a 30-day written notice.

(f) T32 DS Technician: Consideration will be given to current M-Day and Air DSG members of the WY ARNG or ANG.

(g) May be opened Nationwide to service-specific members to increase applicant pool at the discretion of the ANG Wing Commander / ARNG Chief of Staff.

**(6) Area 6 – Nationwide Job Opportunity (T32 DS and/or AGR) – Merit Promotion.** Open to all service-specific members currently serving on Active Duty, Reserves or in the National Guard in any state or U.S. Territory and willing to join/transfer to the Wyoming Army or Air National Guard.

**(7) Area 7 - Nationwide (U.S. Citizens) – Merit Promotion.**

(a) T32 DS Technician:—Anyone eligible to join or transfer to the WY ANG or ARNG T32 DS workforce.

(b) AGR: Anyone eligible to join or transfer to the WY ANG or ARNG AGR-service.



d. Vacancy Announcements will be open for a **minimum** of calendar days based on the timeline below and current union guidance. These timelines may be extended during deployments to allow for deployed members to submit application packages.

<b>Area 1 – In-service Restricted T32 DS/ T5 / AGR</b>	7 days
<b>Area 2 – In-service T32 DS / T5 / AGR</b>	14 days
<b>Area 3 – Current Federal Employees and Reinstatement Eligibles</b>	14 days
<b>Area 4 – Job Opportunity (T32 DS and/or AGR)</b>	14 days
<b>Area 5 – Indefinite Job Opportunity T32 DS</b>	14 days
<b>Area 6 – Nationwide Job Opportunity T32 DS/AGR</b>	14 days
<b>Area 7 - Nationwide (U.S Citizens)</b>	7 days

Table 3-1

**Note:** Vacancy announcement for **Areas 4, 5, and 6** affecting members of the Wyoming Air National Guard will normally be posted for the minimum number of calendar days listed above, however will be open over a Unit Time Assembly (UTA) weekend per the CBA.

e. (AGR) Year-round vacancy announcements are used to fill high turn-over or hard-to-fill positions and will remain open for a period not to exceed 12 months. Applications will be reviewed quarterly or as often as requested by the nominating official and/or unit due to the needs of the organization. Applicants will be interviewed and an Order of Merit List (OML) will be completed and used as vacancies are determined. Applicants will not be notified of their standing on the OML after each board is conducted to ensure the integrity of the board process. Applicants will be contacted in order of the OML as positions become available and conditionally notified of their selection.

f. Proper consideration for available positions will be given to technicians within the affected area of consideration who are absent for legitimate reasons, e.g., on detail, on leave, at training courses, recuperating from compensable injury, or on active uniformed service.

3-7. APPLICATION PROCEDURES. The application is a group of documents by which the individual’s qualification for the position is determined. It must reflect the applicant’s current education and employment data as well as military duty assignments, qualifications, and training. Complete and accurate data is essential to ensure fair qualification of applications. Applicants must refer to the instructions on the vacancy announcements, and include all required documents listed. Any supplemental forms that reflect the applicant’s military qualifications should be submitted.

a. Applications must contain a clear and concise explanation of how their experience meets the required MINIMUM and SPECIALIZED EXPERIENCE and selective placement factors for the position. Failure to provide this explanation may result in the applicant not receiving proper credit for work experience. Applicants must provide all documents as required by the JVA. As a minimum the following documents are required:

- (1) Resume
- (2) ARNG Members: Enlisted/Officer Record Brief (ERB/ORB)
- (3) ANG Members: virtual Military Personnel Flight Record of Individual Personnel data

(vMPF Rip)

b. Voluntary Reduction in Military Grade: Enlisted over-grade applicants must provide a written statement of understanding with application indicating willingness to be administratively reduced in grade (state specific grade) if selected to fill a vacancy.

(1) ARNG: IAW reference BO, if approved by the unit commander, a soldier may volunteer, in writing, on DA Form 4187, Personnel Action, for reduction to any lower grade for reassignment to another position, to another program, or to continue in service. The date of rank remains the same as previously held in the grade to which reduced. A sample is located at: <https://go.usa.gov/xnHXZ>

(2) ANG: IAW reference BB, an airman must acknowledge in writing a demotion to a lower grade resulting from a voluntary change of assignment that the lower military grade (state specific grade) is accepted. The demotion would be “without prejudice” and will not preclude subsequent promotion. The date of rank will be adjusted upon subsequent promotion to the next higher rank. A sample is located at: <https://go.usa.gov/xn6jS>

c. T32 DS and T5 applications will only be accepted through USA Jobs up to 2159 hrs MST on the closing date listed on the Job Vacancy Announcements.

d. AGR applications may be accepted by mail or hand-delivered to the HRO no later than 1630 hours on the closing date specified on the vacancy announcement. E-mailed and facsimile applications will be accepted to accommodate deployed and OCONUS members only. Applications received after the closing time will not be considered for the position.

3-8. REASONABLE ACCOMMODATION POLICY STATEMENT. Federal agencies must provide reasonable accommodations to applicants with disabilities where appropriate. Applicants requiring reasonable accommodation for any part of the application and hiring process should contact the WYMD HRO directly. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

## CHAPTER 4

## REFERRAL AND SELECTION PROCEDURES

4-1. REFERRAL OF CANDIDATES/HRO RESPONSIBILITIES. Following the determination of basic eligibility and evaluation of applicants as outlined in Para 7.1. HRO will:

- a. Provide an interview packet to Nominating/Selecting Officials which includes an interview packet checklist, interview board brief, employment interview nondisclosure agreement, diversity letter, nomination letter template, sample scoring matrix, and sample interview questions.
- b. Provide written or electronic notification to applicants not meeting minimum qualifications.
- c. Certify candidates through submission of a Certificate of Eligibles to the Nominating Official.
- d. If multiple candidates qualify for the vacancy and after coordinating with the nominating/selecting official, the staffing specialist upon issuing the certificate of eligibles may limit it to the 10 most-qualified applicants IAW paragraph 7-7.
- e. A Nominating Official may reuse a Certificate of Eligibles from which a previous candidate was selected or to hire a position with the same grade and qualifications, provided the certificate is not more than 90 calendar days old from the date of initial issue by HRO and the position to be filled has the same title, occupational series, grade and geographical location as the position for which the certificate was initially provided.
- f. OPM has developed an Alternate Application process used for vacancies within USA Staffing. OPM manages the Alternate Application Process for the National Guard and has 48 hours to process/key input an Application into USA Staffing. Therefore, the HR Staffing specialist must wait at least 48 business hours after the closing date of an Announcement before issuing Certificate of Eligibles to Selecting Officials.
- g. Provide the Selecting Official with Certificate of Eligibles and interview packet with specific instructions on how to conduct the board.

4-2. NOMINATING/SELECTING OFFICIALS RESPONSIBILITIES.

- a. The Nominating and Selecting Officials must be full-time employees, unless otherwise approved by the Wing Commander/WY ARNG–Chief of Staff (CoS) and HRO. The Nominating Official is ultimately responsible for the selection process. For hiring actions, the Nominating Official can delegate responsibility for the board process to a full-time Selecting Official or can serve in both capacities if deemed appropriate. If the board process will be conducted by a Selecting Official other than what is listed on the SF 52, the Nominating Official must notify HRO the name of the new Selecting Official via email or in writing prior to the interview board commencing. If the Nominating Official does not concur with the board's decision, they must document reasons for non-concurrence and make recommendation to the HRO for further action. In all cases Merit System Principles will be followed in accordance with reference C.
- b. Two or more candidates require an interview board. In the event only one qualified application package is forwarded to the Nominating Official, they have the option to non-select the sole candidate, assemble a selection board and interview the candidate, or select the sole candidate without interviewing. If the Nominating Official chooses to select the sole qualified candidate without assembling a selection board or interviewing the candidate they will prepare, sign and return the nomination letter through the proper chain of command to HRO. If the Nominating Official chooses to assemble a selection board according to Para 4-3 of this plan, the board must rate the candidate and follow all interview guidance outlined in Para 4-4.
- c. The selection process is based on a number of considerations such as, comparison of the abilities of each candidate, the Selecting Official's judgment concerning the candidate who best fits the needs of the position, and the candidate's potential for successful performance in the position. The Selecting Official is entitled to select or non-select any candidate referred to him/her, subject to the limitations addressed in this chapter. The Selecting Official

may cancel the advertisement at any time if it is determined that a valid position is not available due to administrative errors.

4-3. ACTIONS BY THE NOMINATING/SELECTING OFFICIAL. Upon receipt of the Certificate of Eligibles, the Nominating/Selecting Official will:

a. Review Chapter 4 in its entirety and become familiar with its content prior to conducting a hiring board.

b. Assemble an interview board comprised of at least three individuals within the parameters listed below. Board members with obvious conflicts of interest (e.g. provided letters of recommendation to candidates, family member, etc.) will not serve on selection boards.

(1) The board president will be the highest ranking or senior enlisted member of the board. Selection boards must ensure all board members are senior in rank or date of rank if equal military grade to the highest ranked candidate. If a lower military grade member is required on the board (e.g. Subject Matter Expert, minority, gender, etc.), they will be a non-voting member.

(2) Board members will not be related to candidates;

(3) To ensure diversity, selection boards will include one member external to the hiring Directorate/Group and may include full-time technicians, AGRs, State of Wyoming employees, traditional guard members, Title 10 personnel operationally assigned to the WYMD, and similar status personnel from other states. State selection boards will have at least one board member that is a state employee. Under no circumstances will contractors sit on selection boards. Exceptions require concurrence from the HRO prior to interviews commencing.

(4) The board should include at least one Subject Matter Expert (SME) in the area being considered, the direct supervisor of the position may be considered the SME. Boards considering candidates for JAG, Chaplain, or medical positions will have at least one board member from the specialty being considered. The selecting official can appoint a SME as a voting or non-voting member of the board. In all cases there will be at least three voting board members. In the event a SME is senior in rank to the board president, they will serve as a non-voting member.

(5) If a female candidate is being interviewed, there must be a female on the board. Selecting officials who are unable to find a female representative for a board action should contact HRO for assistance.

(6) All board members will treat all information discussed during the proceedings as CONFIDENTIAL. Each board member will complete and sign the HRO Form 312, Employment Interview Nondisclosure Agreement prior to board proceedings. The board president will annotate the acceptance block for each board member.

(a) In the event a board member refuses to sign the HRO Form 312, they will be excused from the board. In the event there are less than three board members, a replacement must be found prior to the board commencing.

(b) A breach of board proceedings may result in the suspension, revocation and termination of security clearances, and subject the offender(s) to disciplinary or administrative actions, up to and including termination of employment or military status under Technician Personnel Regulations or the Uniform Code of Military Justice.

(7) The Selecting Official will ensure all board members participating in the interview process have completed No Fear Act training IAW reference AJ. This training is good for two years.

(8) The Board President will read the Interview Board Brief to the board and ensure all board members understand their responsibilities IAW Chapter 4 of this regulation and sign the Interview Board Brief document prior to interviews being conducted. The Interview Board Brief is provided to the Nominating Official in the interview packet.

c. Interview all qualified candidates and afford them the opportunity to expand on the published qualification requirements. The board should make every effort to conduct personal interviews with all candidates. If this is not possible, other techniques may include telephone, video teleconference, or Skype, etc. Reasonable efforts should be made to contact the candidates. If the Selecting Official is unable to contact a candidate after three attempts, they may proceed with the interview process. A record of the attempts to notify the candidate will be included on the Nomination Letter to HRO.

d. Utilize the Example Scoring Matrix located within the Interview Packet provided by HRO or a similar form to document the points assessed and ultimate, merit based documentation for substantiating his/her selection.

e. Questions for interview boards must be submitted at least three duty days prior to the interview. Submit all interview questions to the State Equal Employment Manager (SEEM), or Deputy HR Officer if SEEM is absent, and submit questions for state boards to the State HR representatives. Questions should be standardized and based on the following criteria:

- (1) Qualification standards and position description duties on the job announcement.
- (2) Job-related, open-ended, and appropriate for the grade level and responsibility.
- (3) Categorized by skill or attribute identified in the interview question; for example, communication ability, leadership, experience, or problem solving skills.

(4) Prior to the interview, the Selecting Official must create a scoring matrix to tally numerical scores and identify categories or essential factors they are looking for in the successful candidate. The categories identified in the job analysis should be the focus of the interview questions and determine which candidate is the best qualified or “best fit” for the position, these categories should be clearly identified on the scoring matrix and each question identified by category.

f. Management may cancel the advertisement/selection at any time up until the candidate is notified of selection by submitting a memorandum to HRO explaining the rationale behind the cancellation.

4-4. INTERVIEW PROCESS. The Selecting Official is responsible for adhering to the interview process.

a. All board actions are CONFIDENTIAL. Refer to Para 4-3.b(6) for specific details.

b. During the interview, the board should consider the quality of the candidate and their ability to succeed in the position. Boards should consider all information available to them to determine the best candidate for the position including the quality of the resume, education and/or degrees completed, references, and responses to the questions asked in the interview. Boards are required to address the critical skills necessary and essential qualities in a candidate.

c. Numerical scores and hand written notes will be used to objectively document responses to the interview questions and other criteria used (e.g. resume, experience, fit for unit, etc.). The interview process should be used to verify and validate the information on the candidate’s resume.

- (1) All candidates will be asked the same questions.
- (2) The Selecting Official must provide a signed summary matrix for all candidates interviewed.
- (3) Board members will take sufficient notes as they interview each candidate to justify the scores they are given. All notes will be returned to the HRO and kept with the package in case the HRO is asked to substantiate the selection.
- (4) Proficiency examinations/tests will not be used. Proficiency certificates may be required if indicated on the position announcement.

d. Make a rank ordered selection recommendation and return the entire interview packet, including notes to HRO. The board should rank only those candidates to whom they would make a job offer; at a minimum, the first and second choice should be identified unless only one candidate is acceptable. If there is a scoring tie or a candidate has a higher score than another and is not selected, include sufficient justification in the Nomination Letter.

e. If a selection is not made, the Selecting Official will return the Nomination Letter and all other interview documents to the Nominating Official. The Nominating Official must provide to HRO with sufficient justification in writing why none of the candidates interviewed are acceptable and make recommendation for further action. Selections made and forwarded to HRO without adequate documentation will be returned to the Selecting Official for substantiation.

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

4-5. ACTIONS BY THE HUMAN RESOURCES OFFICE. HRO will approve or disapprove the nomination. An HRO representative will then:

a. Contact the Nominating Official to discuss options if the HRO disapproves the nomination and provide adequate documentation as to the reason why.

b. Notify the Nominating Official when all official notifications are complete.

c. No information will be released by the Nominating/Selecting Official or board members until HRO has made the official notifications.

4-6. POSITIONS OF SIGNIFICANT TRUST AND AUTHORITY. Positions of Significant Trust and Authority (POSTA) are defined as full-time Sexual Assault Response Coordinators (SARCs), Sexual Harassment/Assault Response and Prevention Victim Advocates (SHARP VAS), Victim Advocate Coordinators (VACs), Collateral Duty SARCs, and Sexual Harassment/Assault Response and Prevention (SHARP) Victim Advocate (VA) personnel, recruiters, Army National Guard (ARNG) Recruit Sustainment Program (RSP) cadre, and Recruiting and Retention Battalion (RRBN) support staff.

a. ARNG Applicants nominated for a POSTA will be screened IAW reference BR and associated appendices, annexes, and checklists. All offers of employment into POSTA will be conditional pending final disposition of POSTA screenings. HRO will coordinate with responsible agencies to conduct the appropriate screenings.

b. Applicants found with credible evidence of a Type I offense are disqualified from serving in POSTA. Applicants found with credible evidence of a Type II offense may request a waiver for that offense and may qualify to serve in POSTA. Type I offenses, activity, or situation (no time limitation) and Type II offenses are defined in Enclosure B for military members and civilians

4-7. START/EFFECTIVE DATE FOR NEW HIRES.

a. The effective start date for T32 DS technician and T5 new hires will be the first Monday of each bi-weekly pay period. If Monday is a Federal Holiday, the effective start date will be the first Tuesday of each bi-weekly pay period.

(1) If the selectee is currently an on-board permanent (career or career-conditional) or indefinite/TERM employee, the losing supervisor must complete a close-out appraisal prior to the employee starting in the new position. If the gaining and losing supervisors are the same person; a close-out appraisal will be accomplished prior to member starting in the new position. The effective start date will be as a minimum, the first Sunday of each bi-weekly pay period after the appraisal is completed.

(2) In coordination with the Selecting Official, HRO's Staffing section will update the SF 52 with the effective start date in Part B, Block 4.

(3) To preclude processing and payroll difficulties, new hires will not start after the beginning of a pay period (e.g., in the middle of a pay period).

(4) Incumbents selected for T32 DS technician positions must become an M-Day member or DSG in the respective hiring service. (e.g. WY ARNG or WY ANG)

b. Newly hired AGR's will be accessed into the organization as determined by the AGR Management branch when all the member's medical, security, and any other required paperwork is complete. Under no circumstances will AGR orders be backdated.

c. Retired military members are restricted from appointment as a DoD Federal Employee within 180-days of their military retirement. Current statutes allow for a retired AGR to apply and compete for a T5 position vacancy during the 180-day period immediately following retirement. However, the actual effective date of appointment cannot occur until after 180-days have passed since the individual's effective date of military retirement unless:

- (1) The Secretary concerned authorizes the appointment; or
- (2) The position is authorized special pay under 5 U.S.C. 5305; or
- (3) A state of national emergency exists.
- (4) OPM has delegated the DoD the authority to make these determinations.

(a) HRO may submit waivers through the ARNG, Secretary of the Army Waiver authority, and ANG A1 Waiver authority.

#### 4-8. TRIAL/PROBATIONARY EMPLOYEES.

a. T32 DS Technician: A newly hired T32 DS technician under their first excepted appointment (career-conditional) and who must demonstrate their ability to perform their duties within the first 12 months of employment with the Wyoming National Guard. The trial/probationary period is intended to ensure the appointee is capable of performing the duties of the job and to determine whether they have the qualities needed for continued Government employment. The trial/probationary period provides management a reasonable period of time to observe the new technician's overall performance.

(1) Trial period T32 DS technician employees can be dismissed without cause within the 12 months of their employment. The T32 DS probationary period will end the day before the one-year anniversary date of the employee's first day of employment. Probationary T5 employees can be dismissed without cause within the first 24 months of their employment upon initial appointment to the WYMD. The T5 probationary period will end the day before the two-year anniversary date of the employee's first day of employment.

(2) Length of probationary period; crediting service.

(a) The probationary period required is 12 months from the employee's first day of employment for T32 DS technicians IAW reference V and 24 months from the employee's first day of employment for T5 employees appointed to permanent positions in the competitive service IAW reference K.

(b) Prior Federal civilian service counts towards completion of probation when prior service-

- (1) Was employed as a DS or NDS technician in the WYMD;

(2) Was in the same line of work (determined by the employee's actual duties and responsibilities); and

(3) Contains or is followed by no more than a single break in service that does not exceed 30 calendar days.

(c) IAW reference V, periods of absence while in a pay status count toward completion of probation. Absence (whether on or off the rolls) due to compensable injury or military duty is creditable in full upon restoration to Federal Service.

(d) The probationary period for part-time employees is computed on the basis of calendar time, in the same manner as for full-time employees. For intermittent employees, i.e., those who do not have regularly scheduled tours of duty, each day or part of a day in pay status counts as one day of credit toward the 260 days in a pay status required for completion of probation. (However, the probationary period cannot be completed in less than one year of calendar time).

(3) The WYMD shall utilize the probationary period as fully as possible to determine the fitness of the employee and shall terminate the employee's service during this period if the employee fails to demonstrate fully the qualifications for continued employment.

(4) Removal action may be taken at any time during the trial period IAW reference BW.

(a) Termination of probationers. When an agency proposes to terminate an employee serving a probationary or trial period, the employee is entitled to the following:

(1) Notice of proposed adverse action. The employee is entitled to an advance written notice stating the reasons, specifically and in detail, for the proposed action.

(2) Employee's answer. The employee is entitled to a reasonable time for filing a written answer to the notice of proposed adverse action and for furnishing affidavits in support of his answer. If the employee answers, the agency shall consider the answer in reaching its decision.

(3) Notice of adverse decision. The employee is entitled to notification of the agency's decision at the earliest practicable date. The agency shall deliver the decision to the employee at or before the time the action will be made effective. The notice shall be in writing, inform the employee of the reasons for the action, inform the employee of his right of appeal to the Merit Systems Protection Board (MSPB), and inform him/her of the time limit within which the appeal must be submitted as provided in reference W.

(5) The following service is creditable, providing it meets the above criteria:

(a) Nonpermanent (e.g. temporary) appointments that immediately precede an excepted appointment.

(b) Career or career-conditional appointments that immediately precede an excepted appointment.

b. Supervisory/Managerial Position, Initial Appointment: IAW reference X employees are required to serve a probationary period for 12 months upon initial appointment to a supervisory and/or managerial position.

(1) An employee is required to complete a single probationary period in a supervisory position and a single probationary period in a managerial position, regardless of the number of agencies, occupations, or positions in which the employee serves. The probation period for managers who have satisfactorily completed a probationary period for supervisors may be excepted when justified on the basis of performance and experience.



(2) An employee who, for reasons of supervisory or managerial performance, does not satisfactorily complete the probationary period is entitled to be assigned to a position in the WYMD of no lower grade and pay than the one the employee left to accept the supervisory or managerial position. (Reference Y)

c. Refer to Chapter 11 for specific information regarding AGR initial tours in the WY ARNG and/or WY ANG.

## CHAPTER 5

## PLACEMENT/PROMOTION RECORDS

5-1. RECORDKEEPING. States will maintain a record of each position filled, using processes described in this plan, sufficient to allow for reconstruction of the placement action. The NG follows reference BI.

- a. Provide a clear record of the action taken.
- b. Evaluate the merit placement program.
- c. Provide proof that merit placements action are being made on a fair and equitable basis.

5-2. RECORDS REQUIRED. Sufficient records are required to allow reconstruction of the placement action. At a minimum, the following information and forms will be retained in the record:

- a. The Job Opportunity Announcement;
- b. The resume and supporting documents submitted by all applicants;
- c. The individual qualification sheets, if used;
- d. Correspondence to and from applicants;
- e. The referral certificate and Selecting Officials endorsement;
- f. Supervisor's request for advanced in-hire rates, or incentives.
- g. Copy of the Certificate of Eligibles.
- h. All board members' notes and scoring matrix showing their individual rating of all candidates, interview questions and documentation used to justify selection.
- i. Copy of the SF 52, Request for Personnel Action.
- j. Recommendation by the Selecting Official.
- k. HRO Form 100, Declaration of Relatives Working Within the Wyoming Military Department.
- l. Documentation of written or electronic notification.

5-3. RETENTION. AGR applications (qualified and non-qualified), T32 DS technician applications (qualified), T5 (Competitive and Excepted)(qualified) selected for employment will be retained on file indefinitely. T32 DS Technician and T5 applicants whose packets are non-selected and/or non-qualified, are available through the USA Staffing module for three years. After 5 years, written approval must be obtained by the Human Resources Officer prior to destruction. If a grievance or complaint is pending, the package is maintained until resolution.

5-4. MERIT PLACEMENT PROGRAM REVIEW. HRO will review this Merit Promotion and Placement Program annually. To support continued use of specific procedures, and to ensure proper administration, use, and control, the HRO must have a system for reviewing the need and appropriateness of its procedures. This includes gathering of data to illustrate the effectiveness of each procedure and subsequent documentation.

## ADMINISTRATION OF TECHNICIAN PRACTICES

### CHAPTER 6

#### GRIEVANCES AND COMPLAINTS

6-1. **GENERAL.** A candidate who believes that proper procedures were not followed in a particular placement or promotion action may submit a written complaint to the Human Resources Officer using the appropriate grievance procedures as outlined in Para 6-3. The complaint must describe, in sufficient detail, the basis for the complaint. Upon receipt, the Human Resources Officer will review the complaint and take appropriate action as described within this chapter. The candidate will be notified, in writing, of the Human Resources Officer's decision.

6-2. **EXCLUSIONS.** While violations of Merit Placement and Promotion procedures are proper subjects for complaints or grievances, non-selection from among a group of properly referred, fully qualified candidates is not a basis for a complaint or grievance. Management has the right to determine qualifications and the appropriate source of applicants most likely to best meet mission needs.

6-3. **COMPLAINTS OR GRIEVANCES.** T32 DS Technicians and T5 employees who are bargaining unit members may file a grievance using applicable grievance procedures found in the negotiated contract. All others should submit a written complaint directly to the Human Resources Officer. Non-selection from among a group of properly ranked and certified candidates is not an appropriate basis for a grievance. The WY NG may conduct investigations of violations of the merit placement program or selection processes and direct corrective action(s). The WY NG may also request NGB or OPM to conduct an investigation. Management and the HRO staff will make every effort to informally resolve employees' concerns regarding placement actions. An employee may not file both a formal grievance and an EEO complaint at the same time for the same issue. However, if an applicant believes that he / she was not provided due consideration because of reprisal or race, color, national origin, gender, religion, age (over 40), disability, or sexual orientation, he/she may file a complaint through the Wyoming State Equal Employment Manager (SEEM). To have complaints considered through the EEO process, individuals must contact the SEEM or an EEO counselor within 45 days from the date of the matter alleged to be discriminating or, in the case of personnel action, within 45 days of the effective date of the action.

\*Under the Whistleblower Protection Act, some actions alleging prohibited personnel practices must first be appealed to the Office of Special Counsel. Some actions may be appealed to the MSPB. Information regarding these actions may be obtained from the State HRO.

6-4. **CORRECTIVE ACTION.** Failure to adhere strictly to laws, OPM regulations and instructions, DoD, or NGB instruction, policies and guidelines must be promptly rectified. An example of a required corrective action may be to rectify a violation incident that involved an applicant who was erroneously promoted or appointed. The nature and extent of actions taken in any case must be determined on the basis of all the verified and validated facts in the case. The provisions of this paragraph do not restrict the remedies that are afforded in resolving a grievance.

a. There are three types of program violations for which NGB, DoD, or OPM may require corrective action.

(1) A procedural violation occurs when a placement action does not meet the requirements of this Plan. The T32 DS Technicians and the T5 employees may remain in the position only if reconstruction of the action shows that he/she could have been selected if proper procedures were followed at the time the action was taken, or if NG-J1-TN gives approval. In this kind of violation, a technician is retained in the position only if –

(a) Reconstruction of the action shows that he /she could have been selected had the proper procedures been followed at the time the action was taken; or

(b) NGB, DoD, or OPM gives approval.

(2) A regulatory violation occurs when the applicant did not meet the qualification or regulatory requirements at the time of placement. The T32 DS technician or T5 employee may be retained in the position, only

if, on current date, he/she meets all of the position's qualification requirements. In this kind of violation, a technician may be retained in the position only if:

(a) He or she meets the necessary qualifications or regulatory requirements at current date; and, no other candidates were adversely impacted; and,

(b) NGB, DoD or the OPM office with geographic jurisdiction, gives written/signed approval.

(3) A program violation occurs when the state merit placement plan, guidelines, or practices do not conform to NGB, DoD, or OPM requirements. A T32 DS technician or a T5 employee may be retained in the position only if there was no accompanying procedural or regulatory violation involved.

(a) The general rule is that an erroneously promoted/placed T32 DS technician or a T5 employee may be retained in the position only if the action can be corrected to conform essentially to all OPM/DoD/NGB requirements as of the date the action(s) were taken. Corrective action decisions must be tempered by all the facts surrounding the violation.

(b) If the corrective action taken requires the position to be vacated, the T32 DS technician or a T5 employee occupying the position is returned to his or her former position; or, if newly hired, placed in another position for which he or she is qualified. All T32 DS technician or T5 candidates, who were not given proper consideration, must be considered before new recruiting efforts are initiated.

(c) If the corrective action does not include vacating the position, all T32 DS technician or T5 candidates not given proper consideration, based on the violation, are given priority consideration for appropriate vacancies.

(d) Immediate action must be taken to correct a violation or program deficiency. Appropriate corrective actions are required as a result of a procedural, regulatory, or program violations of this Plan and accomplished in accordance with the relevant sections of 5 USC and the 5 CFR. In order to ensure that actions processed in accordance with regulatory and/or procedural requirements, corrections of errors or oversights are processed as soon as they are discovered, to include correcting any outstanding referral lists. The records must be correctly documented.

6-5. DISCRIMINATION COMPLAINTS. Allegations of discrimination because of race, color, religion, sex, age, handicapping condition, or national origin or any protected class made during any phase of the selection process must be filed with the SEEM (307) 772-5245, or an EEO counselor within 45 days from the date of the matter alleged to be discriminating or, in the case of personnel action, within 45 days of the effective date of the action.

**ADMINISTRATION OF TECHNICIAN PRACTICES****CHAPTER 7****PROCESSING APPLICATIONS**

7-1. **DETERMINATION OF BASIC ELIGIBILITY.** Applications for T5 positions will be evaluated by OPM's Delegated Examining Unit (DEU) for initial entry into the workforce. The HRO staffing specialist will review applications to determine basic eligibility for T32 DS technician and T5 excepted service applications, current federal employees and reinstatement eligibles and veterans applying for positions by utilizing NGB-TN Excepted Service Qualification Standards when available for that specific occupation series. In the absence of excepted service qualification standards, OPM Qualification Standards for the occupation series will be used. The staffing specialist can enlist the assistance of a SME to assist with the staffing process for highly technical positions as found in Air Traffic Control or other areas they deem appropriate for SME assistance. Any SME who assists with the staffing of the applications may not participate on the interview board. Applicants must meet the basic qualifications established for the position including any selective placement factors. Applicants who meet the minimum and specialized qualifications will be considered basically eligible. Determinations of basic eligibility will be recorded on the Vacancy Applicant Log. For positions advertised at multiple grade levels, (e.g., trainee), the staffing specialist will indicate on the Certificate of Eligibles the grade level for which each applicant is qualified. Applicants not meeting the minimum and/or specialized qualifications will be notified electronically as to why they were disqualified.

7-2. **MANDATORY PLACEMENT ACTIONS.** The following mandatory placement actions are accomplished IAW the competitive procedures of this plan:

- a. Permanent promotion to a higher-graded position or to a position with more promotion potential than any position previously held on a permanent basis.
- b. Reassignment or demotion to a position with more promotion potential than any position previously held on a permanent basis except as permitted by reduction in force regulations.
- c. Time-limited promotion for more than 120 days to a higher-graded position. Prior service during the preceding 12 months under noncompetitive time-limited promotions and non-competitive details to higher-graded positions count toward the 120 day total. A temporary promotion may be made permanent without further competition provided the temporary promotion was originally made under competitive procedures, and the fact that it may lead to a permanent promotion was made known to all potential candidates in the appropriate area of consideration.
- d. Detail of more than 120 days to a higher-graded position or to a position with greater promotion potential. Prior service during the preceding 12 months under non-competitive detail to higher-graded positions and non-competitive time-limited promotion counts toward the 120 day total applies to T32 DS technicians and T5 employees.

- e. Transfer or reinstatement to a position at a higher grade or with more promotion potential than any previously held on a permanent basis.

7-3. **MILITARY GRADE REQUIREMENTS.** The successful candidate must meet the military grade requirements established for the position as written in the job announcement. Enlisted applicants may request a voluntary reduction in grade per Para 3-7b, Voluntary Reduction in Military Grade.

7-4. **SECURITY REQUIREMENTS.** A technician is subject to personnel security requirements IAW reference BU. As condition of employment, a security clearance is required within 12 months. When a technician cannot meet the security requirements for the position, the technician will be removed from the position IAW reference BV provided notices is given and any appeal rights accomplished as required by law.

7-5. T32 TECHNICIAN/MILITARY COMPATIBILITY. IAW reference BT, compatibility is defined as the condition in which the duties, responsibilities, federal pay grade levels and rank of a military technician's full-time civilian position is substantially equivalent to the duties and responsibilities of the technician's military assignment.

a. T32 DS technicians must meet and maintain military standards, qualifications, and compatibility for their technician appointments, to include agency (Army or Air Force), rank, unit of assignment, Air Force Specialty Code (AFSC) or Military Occupational Specialty (MOS) qualification, along with completion of all required technical school skill training, professional military education schools, and other academic educational requirements.

b. Compatibility Waivers are the exceptions versus the norm in regard to managing assignments and are required to accommodate T32 DS technicians that are identified as incompatible. Supervisors will, after considering military assignment changes and the effect on the member's full-time employment, submit waivers through HRO who will review each request and if necessary return it to the supervisor for clarification or verification or forward it to National Guard Bureau (NGB-J1-TNS) for further review. Requests to NGB-J1-TNS will only be accepted from HRO.

(1) Each request will include, as a minimum, the following: member's current AFSC/MOS, unit of assignment, required MOS/AFSC for the position selected, and Unit Manning Document changes.

(2) A waiver request may include a combination of waiver types; for example, to add warrant officer to an officer-only position description involves two types of waivers – rank and MOS.

(3) HRO must have an NGB-approved response *before* the technicians' assignments are processed and finalized.

(4) A sample waiver is provided at Enclosure G.

c. The waiver accommodation is only while the incumbent occupies the position and the exception does not cause military grade inversion. The waiver is voided when the individual moves to another position and the position reverts to the current authorized compatibility. Some waivers are time-limited and approved for a period of time to support the technician's successful assignment to a compatible position or to wait for the final determination of specifically identified and validated manpower issues.

7-6. USA STAFFING. It is the OPM hiring software solution for Federal agencies and used by HROs and units to recruit, assess, certify, and select qualified candidates precisely, efficiently, and cost effectively. USA Staffing is fully integrated with USA JOBS. Once job announcements are created and released through USA Staffing, they are automatically posted on USA JOBS.

a. Hiring Manager: Selecting officials can review referral lists or certificates, view application materials, make hiring decisions, and electronically return certificates to HRO.

b. Application Manager: Applicants can view the job announcements through USA JOBS, and upon selecting the Apply Online button are transferred to the Application Manager site to complete the questionnaire, upload required supporting documents and submit their application online.

c. Applicant documents are maintained in USA Staffing Selection Manager for a period of 3 years and are periodically purged after that time.

d. If multiple people qualify for the position and after coordinating with the nominating/selecting official, the staffing specialist may issue the certificate of eligibles and limit it to the 10 most-qualified applicants IAW paragraph 7-7.

7-7. JOB ADVERTISEMENTS/ANNOUNCEMENTS. For each T32 DS and T5 position advertised on USAJOBS for initial recruit and fill; or, for merit promotion, the vacancy announcement must clearly define the Series',

qualifications and numeric value groups used to assess each applicant based on the set of identified competencies directly related to the job.

a. The Human Resources staffing specialist must use the “How You Will Be Evaluated” section of the job opportunity announcement to clearly communicate to applicants the numeric rating criteria, to include the numeric value groups and other qualifying factors, such as education, certifications, and specialized experience factors, that are applied to assess all applicants as either Highly-Qualified, Well-Qualified, or Qualified.

b. In addition, each T5 position advertised for initial recruit and fill, the job opportunity announcement must include the veteran preference categories and clearly state/define the type of required documentation needed for each identified preference category in the application. Veterans’ preferences apply to permanent, term, and temporary positions for competitive processing.

c. Job advertisements or announcements used to solicit candidates are uploaded to USAJOBS as required when filling vacancies through competitive procedures.

d. Job advertisements/announcements must include:

- (1) Job advertisement/announcement number, opening, and closing dates.
- (2) Position title/series/grade (to include full performance level, if appropriate) organization and location.
- (3) Sufficient information for the applicant to understand the area of consideration.
- (4) A summary of the job duties.
- (5) A statement of the required qualification requirements or information on where the qualification requirements are printed.
- (6) Designation of any special requirements.
- (7) For ONLY T5 positions, the Veterans’ Preference criteria and eligibility requirements are fully explained.
- (8) For ONLY T5 positions, clearly defined numeric value groups (at least two groups) used to assess each applicant based on the competencies directly related to the job.
- (9) EEO statement.
- (10) That the position being filled is one with known promotion potential, if applicable.
- (11) For ONLY T5 positions, Assessment Questionnaire with numeric values – determined by the position’s job analysis results.
- (12) Instructions on how to apply or information on where the instructions are found.
- (13) Job advertisements/announcements are open for receipt of applications for a minimum period IAW Table 3-1.
- (14) Other factors to consider.
  - (a) Recruitment or Relocation Incentive.
  - (b) PCS
  - (c) Highest Previous Rate
  - (d) Superior Qualifications and Special Needs Appointment

(e) Advanced In Hire Appointments

7-8. ASSESSMENT. Prior to initiating hiring and promoting competitive procedures through USAJOBS for T32 DS technician personnel and positions; T5 personnel and positions, the Human Resources staffing specialist must complete a formal job analysis and crediting plan to ensure the position's competencies are correctly assessed. The competencies (knowledge, skills, abilities, and behaviors), required by the position are identified in the job analysis and serve as the foundational criteria for the assessment strategy. The candidates' qualifications to the job are assessed by the JFHQ State HR Staffing specialist using the job-related criterion as established and defined in the job analysis and crediting plan.

7-9. NUMERIC VALUE GROUPS. ONLY for T5 positions, the position's multiple numeric groups, defined as at least two groups (see below), established to assess each candidate against job-related criteria defined by the job analysis and crediting plan. Applicants who meet the basic qualification requirements, established for the position, and placed in a numeric group. The position's job analysis and credit plan's ranking factors are knowledge, skills, abilities, and behaviors expected to significantly enhance performance in a position; however, are not essential for satisfactory performance. Applicants who possess such competencies are ranked above those who do not; but, no one is rated ineligible solely for failure to possess all defined competencies.

a. Highly-Qualified: The numeric value rating normally ranges from 90-100 points. This higher numeric value group is applied for those candidates who possess the type and quality of experience that substantially exceeds the minimum qualifications of the position, including all selective placement factors and appropriate numeric ranking factor(s) as determined by the job analysis and crediting plan. To be Highly-Qualified, the candidates are considered, by the human resources specialist (staffing), as highly proficient and fully competent to effectively perform all the job requirements; and, can successfully perform in the position almost immediately, or with a minimum amount of training and/or orientation.

b. Well-Qualified: The numeric value group normally ranges from 80-89 points. This next lower numeric value group is used for those candidates that meet the minimum qualifications of the position and are proficient in most, but not all, of the requirements of the position. Candidates may require some training and/or orientation in order to satisfactorily perform the duties of the position.

c. Qualified: The numeric value group normally ranges from 70-79 points. This lowest group is used for those candidates who meet the minimum qualifications of the position and are proficient in some, but not all, of the position's requirements. Candidates will require extensive training and/or orientation in order to satisfactorily perform the position's duties.

7-10. COMPETITIVE PROCEDURES AND CANDIDATE EVALUATIONS FOR T5 POSITIONS. Assessed applicants are placed in the appropriate numeric value group and ranked according to preference eligibility and non-preference eligibility. Veterans' preference points, as prescribed, are added to each veteran applicant's final numeric value score. All qualified preference eligibles are placed ahead of non-preference eligibles. Qualified preference eligibles are listed in alphabetical order within each preference order (CPS, CP, XP, and TP). Qualified non-preference eligibles are listed in alphabetical order. The following are exceptions:

a. For scientific and professional positions at the GS Grade 09 or higher, qualified preference eligibles, with a compensable service-connected disability of 10% or more (CPS and CP), are placed ahead of non-preference eligibles within the same numeric category. Candidates within the preference groups are listed in alphabetical order.

b. For all other positions (series) and grade levels, qualified preference eligibles with a compensable service-connected disability of 10% or more (CPS and CP) are placed at the top of the highest numeric value category; and, placed ahead of non-preference eligibles also rated in the highest numeric value category. Candidates within the preference groups are listed in alphabetical order.

7-11. T32 DS TECHNICIAN OR T5 APPLICATIONS. Incomplete resumes are accepted; however, incomplete resumes are rated based on the available information to the extent a determination result is possible. All resumes



received, accepted, and verified are stored in the USAJOBS database and merit case files. Receipt of applications is accepted by the Job Opportunity Announcement's closing date via USAJOBS.

- a. Each T32 DS technician and T5 applicant must meet all eligibility and minimum qualification requirements as prescribed by NGB/OPM on the closing date of the announcement.
- b. Each applicant is assessed against job-related criteria as determined by the numeric values, where applicable, established in the position's job analysis and crediting plan. Each candidate's numeric score is dependent on his or her applicability and relevance of qualifying competencies to the required work position.
- c. Methods of numeric evaluations are applied consistently and equitably to applicants and are based on job-related series' qualifications and competency criteria identified in the job analysis and crediting plan.

## ADMINISTRATION OF TECHNICIAN PRACTICES

### CHAPTER 8

#### PAY SETTING POLICY

8-1. **MAXIMUM PAYABLE RATE RULE/HIGHEST PREVIOUS RATE RULE.** IAW reference AF, the maximum payable rate rule, also known as Highest Previous Rate rule (HPR), is a special rule that allows HRO to set pay for General Schedule (GS) and Federal Wage Schedule (FWS) employees at a rate above the rate that would be established using normal rules, based on a higher rate of pay the employee previously received in another Federal civilian position.

a. This policy applies to all competitive and excepted service General Schedule (GS) and Federal Wage Schedule (FWS) employees, appointed within the Wyoming National Guard. It allows HRO to determine where to place new technicians on a pay scale if the member was previously employed by the federal government.

b. HPR may be used in various pay actions, including reemployment, reassignment, transfers, promotion, or changed to a lower grade. HRO may fix the pay at any rate of the new grade which does not exceed the employee's highest previous rate IAW reference AH.

(1) If the employee's highest previous rate falls between two step-rates on the new grade, HRO will fix the pay at the higher of the two.

(2) When an employee's type of appointment is changed in the same job, HRO may continue to pay the existing scheduled rate or may pay any higher rate of the grade which does not exceed the employee's highest previous rate.

(3) The highest previous rate, if earned in a wage job, is the current rate of the grade and step-rate of the former job on the same type of wage schedule in the wage area in which the employee is being employed, or the actual earned rate, whichever is higher.

(4) If earned on a General Schedule or another pay system other than the Federal Wage System, it is the current rate for the same grade and rate of that schedule.

c. The pay set under the maximum payable rate rule may not exceed the rate for step 10 of the GS grade and step 5 of the FWS grade or be less than the rate to which the employee would be entitled under normal pay-setting rules.

d. The HPR must be a rate of basic pay received by an employee while serving on a regular tour of duty (Reference AG).

(1) Under an appointment not limited to 90 days or less; or

(2) For a continuous period of not less than 90 days under one or more appointments without a break in service.

(3) If the highest previous rate is a GS locality rate, that locality rate must be used as the highest previous rate in applying the maximum payable rate rule (Reference AF).

(4) Any rate that does not meet the definition of General Schedule (GS) in reference AD is a rate from a non-GS pay system. If an employee's highest previous rate is a non-GS hourly rate of pay, HRO may convert the hourly rate of pay to an annual rate of pay by multiplying the hourly rate of pay by 2,087.

e. Rates of basic pay that may not be used as the HPR are provided below. This list is not all encompassing. Refer to reference AF for the all the affected types.

(1) The highest previous rate may not be based on certain types of rates, including the following:

- (a) A rate received in a position to which the employee was temporarily promoted for less than one year, except upon permanent placement in a position at the same or higher grade;
- (b) A rate received in a position from which the employee was reassigned or reduced in grade for failure to satisfactorily complete a probationary period as a supervisor or manager;
- (c) A rate received as a member of the uniformed services; or
- (d) A retained rate under reference J or a similar rate under another legal authority.

(2) If a temporary promotion of less than one year is extended so that the total time of the temporary promotion equals or exceeds one year, the HPR may be based on the rate received during the temporary promotion.

8-2. SUPERIOR QUALIFICATIONS/SPECIAL NEEDS PAY SETTING. In accordance with reference AE, the WYMD may use the superior qualifications and special needs pay-setting authority in reference I, to set the payable rate for the employee's position of record. The superior qualifications and special needs pay-setting authority may be used for:

a. A first appointment (regardless of tenure) as a civilian employee of the Federal Government; a reappointment that is considered a new appointment under reference I; or has had a break in service of at least 90 days from the last period of civilian employment with the Federal Government. An agency may use the superior qualifications pay-setting authority for a reappointment without requiring the 90-day break in service if the incumbent's civilian employment with the Federal Government during the 90-day period immediately preceding the appointment was limited to one or more of the following:

- (1) A time-limited appointment in the competitive or excepted service;
- (2) A non-permanent appointment in the competitive or excepted service;
- (3) Refer to reference AE for other appointments that don't normally affect employees in the WYMD.

b. The applicant has superior qualifications. The WYMD may determine an applicant has superior qualifications based on the level, type, or quality of the candidate's skill or competencies demonstrated or obtained through experience and/or education, the quality of the applicant's accomplishments compared to others in the field, or other factors that support a superior qualifications determination. The applicant's skills, competencies, experience, education, and/or accomplishments must be relevant to the requirements of the positions to be filled. These qualities must be significantly higher than that needed to be minimally required for the position and/or be of a more specialized quality compared to other candidates; or

c. The Nominating/Selecting Official must submit a Superior Qualifications Request memorandum and all supporting documents (e.g. certifications, transcripts, etc.) to HRO to allow time to approve or disapprove the request prior to the incumbent's start date as an Excepted Service employee with the WYMD. The memorandum must provide strong justification, articulate the unique qualifications or training the appointee possesses, and the benefit to the WYMD and STEP requested. Refer to Table 8-1 and Table 8-2 as a guide to determine appropriate placement on the pay scale.

**Table 8-1 Superior Qualification Guideline for GS Appointees**

Experience in Years	0	1	2	3	5	7	9	12	15	18
Equivalent GS STEP	1	2	3	4	* 5	*	*	*	*	*

\* It is the WYMD’s policy that the maximum GS step granted for Superior Qualifications will be set no higher than Step 5.

**Table 8-2 Superior Qualification Guideline for WG Appointees**

Experience in Months	0	6	24	48	72
Equivalent WG STEP	1	2	3	4	5

d. The applicant fills a special agency need. The WYMD may determine that an applicant fills a special need if the type, level, or quality of skills and competencies or other qualities and experiences possessed by the applicant are relevant to the requirements for the position and are essential to accomplishing an important WYMD mission, goal, or program activity. (e.g. Judge Advocate General)

e. Superior Qualifications/Special Needs Pay Setting does not apply to Temporary Promotions.

8-3. **RETAINED GRADE.** A grade which preserves all pay and entitlements to a T32 DS technician or T5 employee who has been placed in a lower technician graded position due to a MDR, PDR or a RIF action. A technician is entitled to technician grade retention for two years beginning on the effective date the employee is placed in the lower technician graded position.

8-4. **RETAINED PAY.** A technician whose rate of pay would be reduced as a result of an MDR action is entitled to pay retention. The WYMD may not provide pay retention to an employee who:

- a. Is reduced in technician grade or pay for personal cause or at the employee’s request.
- b. Was employed on a temporary basis immediately prior to the reduction.
- c. Changes geographic location which may result in a different locality allowance.

**ADMINISTRATION OF TECHNICIAN PRACTICES****CHAPTER 9****OCCUPATIONAL MEDICAL (OCCUPATIONAL HEALTH) EXAMINATIONS**

9-1. **REGULATORY:** References AC, AQ, AR, BJ, BM, and BE; and other service specific regulations, occupational medical examinations are performed to prevent work-related health problems by assessing the health status of individuals in relation to their work and by making medical recommendations regarding placement, accommodation, and exposure controls. The health of hazard-exposed workers must be monitored to determine if work-related problems are occurring.

9-2. **IDENTIFYING WORKERS AT RISK.**

a. Physical requirements may vary depending on whether the individual will occupy a position which has specific medical standards or physical requirements. Table 9-1 identifies occupational groups/series currently in use in the WYMD. The three types of occupational health examinations employees may be required to undergo are:

(1) **Preplacement/Baseline Examination.** Performed before placement in a specific job to medically assess if the worker will be able to perform the job safely. The examination may be combined with occupational medical surveillance to record a baseline of values for future comparison. Ideally, these medical examinations should be done before the incumbent commences work. However, if the individual already has started work, these examinations will be completed within 60 days of assignment, unless more stringent requirements exist.

(2) **Periodic Examinations.** Conducted at scheduled intervals and may include an interval history, physical examination, and/or clinical and biological screening tests.

(3) **Termination/Retirement:** There are two (2) kinds of termination examinations:

(a) **Termination-of-Employment.** Examination designed to assess pertinent aspects of the employee's health when the technician leaves employment. Documentation of examination results may be beneficial in assessing the relationship of any future medical problems to an exposure in the workplace. These exams are particularly applicable to conditions that are chronic or that may have long latency periods.

(b) **Termination of Exposure.** Examination performed when exposure to a specific hazard has ceased. Exposure may cease when a worker is reassigned, a process is changed, or the worker leaves employment. Termination of exposure examinations are most beneficial when the health effect being screened for is likely to be present at the time exposure ceases.

b. When performing the examinations, the following questions should be addressed:

(1) Is the technician capable of performing a specific job or a set of tasks with or without necessary but reasonable accommodation?

(2) Will performing the duty functions place the technician at risk for further significant harm?

(3) Will allowing the technician to perform the job place another technician at risk or pose an unacceptable risk to public health?

9-3. **WORK AREAS/EXPOSURES.** Medical surveillance is determined by position description and hazards in the workplace. Hazards may be identified by several mechanisms, such as OHN assessments, Safety assessments, or Industrial Hygiene surveys. Installation occupational health and safety personnel are jointly responsible for identifying work areas where workers need medical examinations because of specific hazardous exposures. Industrial hygiene surveys of workplaces must identify all potential exposures and other worker safety and health risks, and establish complete workplace exposure profiles.

a. HRO will coordinate with WY ANG Public Health (PH) and WY ARNG Occupational Health Nurse (OHN) and Safety personnel to identify employees who may be at risk of work-related health problems because of their position title or workplace prior to their placement or upon notification of a Termination/Retirement from a position listed in Table 9-1.

9-4. RETURN TO DUTY. Individuals who leave their technician status to accept employment within the Active Guard/Reserve or active duty military and subsequently want to exercise reinstatement rights back to technician status may be required to take a return to duty physical. The decision will be made by the Human Resources Officer in coordination with PH/OHN. The requirement may also apply to technicians who return to work from an on-the-job injury.

9-5. PRE-EXISTING CONDITION. The requirement to meet certain medical and physical requirements does not preclude from hiring technicians with preexisting conditions. Selectees with preexisting conditions may be hired if they meet minimum qualification requirements for the job. If the technician otherwise qualifies for the position, it would be considered discriminatory not to hire the individual solely based on a disability.

9-6. MEDICAL DETERMINATIONS/RECOMMENDATIONS. The role of occupational medical personnel in addressing employment decisions is limited to determining whether the individual meets the medical requirements of the position and can, from a medical standpoint, perform the job capably and safely. Medical qualifications are categorized as "Qualified"; "Qualified with Restriction"; or "Not Qualified".

a. "QUALIFIED". Individual meets the medical requirements of the position and is (from a medical standpoint) capable of performing the required tasks. Allowing the individual to perform the job will not pose a significant risk to personal health and safety or the health and safety of others. For this reason, physicals should be described in terms of the specific physical abilities necessary to perform the tasks required in the job (e.g., ability to lift 50 pounds) as described by the official position description.

b. "QUALIFIED WITH RESTRICTION". Individual meets the medical requirements of the position and is capable of performing the job without risk to personal health or others only with some accommodation or restriction. (When this determination is made, the practitioner should provide recommended accommodations or restrictions and the expected duration of this requirement and therapeutic or risk-avoiding benefit).

c. "NOT QUALIFIED". Individual is incapable of performing essential tasks, will be unsafe, or fails to meet medical requirements for the job.

9-7. EXAMINATIONS. IAW reference AC, agencies shall pay for all examinations ordered or offered, whether conducted by the agency's physician/OHN or the employee's physician. Employees must pay for a medical examination conducted by a private physician (or practitioner) where the purpose of the examination is to secure a benefit sought by the employee. Examination payment will be coordinated with the 153rd Medical Group for technicians assigned to the 153rd Airlift Wing or the WY ARNG Safety and Occupational Health office for technicians assigned to the WY ARNG. Preplacement, baseline, annual, termination and transfer physicals for permanent employees can be done by several methods.

a. Federal Occ Health Module through MEDCHART: <https://medchart.ngb.army.mil/MED-CHART/>

b. Local Occupational Health Clinic funded by State contracting or Blanket Purchase Agreement (BPA).

c. Occupational health related abnormalities can be referred to by the OHN further evaluation and paid for by the OH budget.

9-8. EXAMINATION RESULTS. Personnel with significant abnormalities must be further evaluated or referred to evaluation as appropriate and if necessary coordinated with the Human Resources Office to ensure proper placement of the employee. Employees are to be informed of their occupational medical examination. Documentation of patient notification should be noted in the medical record.

9-9. RECORD KEEPING. Each employee who requires Occupational Medical Surveillance during the employee's service will need a single medical records. Civilian Employee Medical Record (CEMR) are maintained with strict confidentiality IAW with current regulations. CEMR shall be stored in a locked filed in the OH/PH office that only OH/PH personnel or designees have access. When a technician separates from Federal Service, the CEMR is sent and stored to National Personnel Records Center until retention requirements expire (65 years from date of last separation). HRO is not an approved storage location.

**Medical Surveillance Examinations by Occupational Group / Series**

<b>Group / Series</b>	<b>OCCUPATIONAL GROUP/SERIES</b>	<b>PHYSICAL EXAM</b> (Pre/Ann/Term)	<b>VISION EXAM</b>	<b>HEARING EXAM</b>	<b>CHEM 20</b> (Lab Tests)	<b>BLOOD</b> Lead, ZPP, Cadmium,CHRO (Heavy Metals)	<b>PULMONARY FUNC. TEST</b> (when indiv. identified)	<b>CHEST X-RAY</b> (as needed)
<b>General Schedule (GS) Occupations</b>								
0080	Law Enforcement / Security Officer	X	X	X				
0081	Fire Chief / Firefighter	X	X	X	X			
0301	Chemical, Biological, Radiological, & Nuclear Program Specialist	X	X	X	X			
0301	Range Operations	X	X	X		X		
0856	Electronics Technician	X	X	X		X	X	
1910	Quality Assurance Specialist	X	X	X			X	
2181	Aircraft Flight Instructor / Maint. Test Pilot	X	X	X	X		X	
<b>Wage Grade (WG/WL/WS) Occupations</b>								
2602	Electronic Measurement Equip. Mech.	X	X	X	X	X		X
2604	Electronics Mechanic	X	X	X	X	X		
2892	Aircraft Electrician	X	X	X	X	X		
3105	Fabric Worker	X	X	X	X			
3306	Optical Instrument Repairer	X	X	X	X			
3401	Fabrication / Allied Trades	X	X	X	X	X		
3414	Machinist	X	X	X	X	X	X	X
3703	Welder	X	X	X	X	X	X	X
3705	Nondestructive Tester	X	X	X	X	X	X	X
3806	Sheet Metal Mechanic	X	X	X	X	X	X	X
4102	Painter	X	X	X	X	X	X	X
4818	Aircraft Survival Flight Equip. Repair	X	X	X	X			
5378	Powered Support Systems Mechanic	X	X	X	X			
5413	Fuel Distribution System Worker	X	X	X	X	X	X	X
5703	Motor Vehicle Operator	X	X	X	X			
5716	Engineering Equipment Operator	X	X	X				
5801	Surface Maintenance Repairer	X	X	X	X	X		
5803	Heavy Mobile Equipment Mechanic	X	X	X	X	X		
6501	Ammunition and Explosives Handler	X	X	X	X	X		
6610	Small Arms Repairer	X	X	X	X	X		
6904	Tools and Parts Attendant	X	X	X	X			
6907	Materials Handler	X	X	X	X			
6912	Materials Examiner and Identifier	X	X	X	X	X	X	
8268	Aircraft Pneudraulics Systems Mech.	X	X	X	X			
8602	Aircraft Engine Mechanic	X	X	X	X			
8852	Aircraft Mechanic	X	X	X	X			

Table 9-1.



**ADMINISTRATION OF AGR PRACTICES**

## CHAPTER 10

## PROCESSING AGR APPLICATIONS

10-1. **GENERAL.** Administration of this plan for AGR employees mirrors procedures for technician employees with the exceptions as listed in this chapter.

10-2. **APPLICANT RESPONSIBILITIES.** At a minimum, the following documents must be submitted for consideration when applying for AGR positions. AGR applications submitted by mail or hand-delivered to the HRO must be received no later than 1630 hours on the closing date specified on the vacancy announcement. Complete and timely application submission is the applicant's responsibility. Applications received after the closing time will not be considered for the position. Emailed and facsimile applications will be accepted to accommodate deployed or OCONUS assigned members only.

a. **ANG (for all announcements):**

- (1) Cover Letter.
- (2) Current Resume.
- (3) NGB Form 34-1, Application for Active Guard/Reserve Position (must be signed and dated).
- (4) Documented Current and Passing Fitness Test Results dated within 12 months as of the closing date of the announcement. FIT/PT will be considered current thru the end of the calendar month if the test was conducted during the previous 12 months; unless stated otherwise in the vacancy announcement.
- (5) Current virtual Military Personnel Flight Record of Individual Personnel data (vMPF Rip).
- (6) Current Point Credit Accounting Report System (PCARS) or statement of service.
- (7) Last three EPR/OPRs. If 3 EPR/OPRs are not available, a letter of recommendation or performance from the military command is required.
- (8) SF 181, Ethnicity and Race Identification .
- (9) Medical requirements as addressed in reference BD and BF.
- (10) Any other requirements that may be stated in the vacancy announcement or determined appropriate by the nominating official.

**\*\* NOTE:** All applicants for Air Guard E8 positions and above must have completed Senior Noncommissioned Officer Academy IAW reference BB and BF.

b. **ARNG (Lateral Reassignments):** All enlisted vacancies will be advertised first for lateral reassignment. Laterals will be sent to current AGRs serving in the grade to which they have competed for. As an example, if an E-4 has competed and selected for an E-6 AGR position, they will receive the lateral reassignment offer for any E-6 position that is open for lateral fill. This lateral reassignment process satisfies career management position requirements.

c. ARNG Enlisted Promotion System (EPS) fill will be done IAW reference BO and AX. EPS fills will be handled by the AGR Management Branch within HRO in conjunction with DCSPER Enlisted Personnel Management Branch.

**d. ARNG (In-service AGR):**

- (1) Cover Letter.
- (2) Current Resume.
- (3) Current Individual Medical Readiness (IMR) Record accessible from AKO, MEDPROS Printout, or Periodic Health Assessment (PHA). Must be dated within the last 12 months prior to the closing date of the position announcement to valid.
- (4) Last three NCOERs/OERs. If less than 3 submit all available evaluations. Submit a letter of recommendation or performance from the applicant's military supervisor for Soldiers not requiring an NCOER/OER.
- (5) Current certified copy of Enlisted/Officer Records Brief (ERB/ORB).
- (6) Statement of Service, acceptable documents include: Current Retirement Points Accounting Management (RPAM) Statement (NGB Form 23B); for other services, equivalent retirement points statement, DD Form 214(s), DD Form 220(s), and any accompanying DD Form 215(s), or DD Form 1506 (Statement of Service).
- (7) DA Photograph in ASU taken within the last 12 months is required.
- (8) DA Form 705, Army Physical Fitness Test Scorecard. Record APFT must be a current passing record within 6 months for current AGR applicants.
- (9) RCAS Generated HT/WT Report (Weight Control History); Verification of passing height/weight current within 6 months.
- (10) DA Form 5500/5501, Body Fat Content Worksheet, if applicable, current within 6 months.
- (11) SF 181, Ethnicity and Race Identification.
- (12) Any other requirements that may be stated in the vacancy announcement or determined appropriate by the nominating official.

**e. ARNG (Job Opportunity):**

- (1) Cover Letter.
- (2) Current Resume.
- (3) NGB Form 34-1, Application for Active Guard/Reserve Position (must be signed and dated).
- (4) Current Individual Medical Readiness (IMR) Record accessible from AKO, MEDPROS Printout, or Periodic Health Assessment (PHA). Must be dated within the last 12 months prior to the closing date of the position announcement to valid.
- (5) Last three NCOERs/OERs. If less than 3 submit all available evaluations. Submit a letter of recommendation or performance from the applicant's military supervisor for Soldiers not requiring an NCOER/OER.
- (6) Current certified copy of Enlisted/Officer Records Brief (ERB/ORB).
- (7) Statement of Service, acceptable documents include: Current Retirement Points Accounting Management (RPAM) Statement (NGB Form 23B); for other services, equivalent retirement points statement, DD Form 214(s), DD Form 220(s), and any accompanying DD Form 215(s), or DD Form 1506 (Statement of Service).

(8) DA Photograph in ASU taken within the last 12 months is required.

(9) DA Form 705, Army Physical Fitness Test Scorecard. Record APFT must be a current passing record within 12 months of the closing date of the vacancy announcement for applicants seeking initial AGR accession. Current AGRs competing against a Job Opportunity vacancy announcement must have a passing record APFT within 6 months of the closing date of the announcement.

(10) RCAS Generated HT/WT Report (Weight Control History); Verification of passing height/weight current within 6 months.

(11) DA Form 5500/5501, Body Fat Content Worksheet, if applicable, current within 6 months.

(12) SF 181, Ethnicity and Race Identification.

(13) Any other requirements that may be stated in the vacancy announcement or determined appropriate by the nominating official.

#### 10-3. BOARD PROCEDURES SPECIFIC TO AGR HIRING ACTIONS

a. AGR selection boards must ensure all board members are senior in rank or date of rank to all candidates and the board president is the most senior in rank.

b. AGR selection boards:

(1) Will include not less than three members who are senior in grade or date of rank or position to all applicants being considered.

(2) Will include a member of the organization with the vacancy.

c. The Board President will be the senior board member when a Nominating or Selecting Official is not a member.

d. The Nomination Letter must be routed through the AGR Management Branch prior to submission to the HRO for signature.

#### 10-4. QUALIFICATION CRITERIA

a. Basic eligibility. The Human Resource Specialist will review submitted applications to determine basic eligibility using appropriate regulations and instructions. Applicants must meet basic qualifications established for the position advertised. Applicants meeting the basic qualifications and without any application discrepancies will be considered eligible and their application packet forwarded to the Selecting Official.

b. Allows for "automatic" basic qualification for positions based on awarded MOS/AFSC. Applicants must provide proof of military specialties awarded, with the application (ERB/ORB for ARNG and VMPF RIP for ANG). The duration of experience required by the vacancy announcement must be met in order to be qualified. Automatic qualifying MOS/AFSC information may not apply to all vacancy announcements.

c. Qualifying military specialties are based on awarded Primary MOS/AFSC(s) depending on the position needs and requirements. The vacancy announcement will specify what MOS/AFSC is required and will indicate which level MOS or AFSC is required. Secondary and tertiary MOS and AFSC may also be used.

Additional AFSC requirements listed in the Air Force Enlisted/Officer Classification Directories (AFECD/AFOCD) will be utilized and will specify which AFSCs are required and if retraining to a targeted AFSC is an option.

d. Specific to Army AGRs. On occasion Army AGRs may be hired into positions they are not MOS qualified for; this situation is expected to be the exception and not the normal hiring practice. These situations will be coordinated with the DCSOPS/G3 for training seats, funds availability, and proponent waiver requirements prior to selection approval. When this does occur, follow timelines outlined in reference AU to become DMOS qualified within the allotted time frames. Failure to meet this qualification requirement will result in reassignment to a DMOSQ position or separation from the AGR program.

10-5. SECURITY REQUIREMENTS. An AGR member is subject to personnel security requirements IAW reference BL and BF. The selecting supervisor must determine whether the candidate has the required security clearance for an assignment. It is the supervisor's responsibility to ensure that a clearance is obtained if required. If a clearance is not obtained within 12 months and maintained, member will be removed from the AGR program.

10-6. PHYSICAL REQUIREMENTS. All ARNG AGR incumbents must complete a Chapter 3 Physical prior to being placed on AGR Tour orders. Individuals must meet Chapter 3 Physical approval requirements for entry into the AGR program as outlined in reference BK. Chapter 3 medical exam must be completed within 30 days prior to entry on AGR tour.

a. When accessing into the Wyoming AGR Program, there is no substitute for completing the Chapter 3 Physical approval requirements.

b. Medical requirements must be completed prior to in-processing regardless of current PHA, Up-slip, or Flight Physical status. While flight physicals are a more extensive exam, they do not satisfy AGR accession requirements.

10-7. AFSC WAIVERS. An AFSC waiver is required for Airmen on Occasional AGR orders for the purpose of MOB backfill if they do not possess the correct AFSC to the 2<sup>nd</sup> digit.

## ADMINISTRATION OF AGR PRACTICES

### CHAPTER 11

#### AGR ASSIGNMENT, STABILIZATION, & POSITION MANAGEMENT

11-1. GENERAL. In order to improve the continuity within the Wyoming Air and Army National Guard force, the following AGR duty assignment timelines will be implemented for those AGRs with a position selection date on or after 1 November 2014. The purpose is to ensure AGR personnel become proficient in their duties before reassignment to a subsequent duty assignment. Timelines for both services are listed below.

a. Air National Guard AGR: All initial Air Guard AGR tours will be for a period of four years. This 4-year period is probationary. Service to the end of the initial tour does not guarantee career status or a 20 year retirement. Airmen will be considered at the AGR Continuation Board conducted for the calendar year in which their initial tour orders end for entrance into career status IAW reference BF.

(1) AGR Airmen should remain in the position to which initially assigned for a minimum of 24 months. TAG may waive this requirement when in the best interest of the unit, State, or Air National Guard (Reference BF).

(2) In the event the incumbent's ETS is less than the initial tour of four years, the AGR Branch will coordinate with FSS to extend the ETS.

b. Army National Guard AGR: All initial Army Guard AGR tours will be for a period of three years. This 3-year period is probationary. The full time chain of command will evaluate the performance and potential for continued AGR service during the third year of the initial tour. Recommendations for non-continuation will be reviewed IAW reference AU. Continuation beyond the initial period, or service in AGR status for a period of more than six-years constitutes retention (career status) and requires subsequent management under a career program as defined by reference AO.

(1) ARNG AGRs will not be reassigned during the first 18 months of their initial tour, except in the event of mobilization, force structure changes, or command directed reassignments. Exceptions to the 18 month rule require TAG Waiver (Reference BQ).

(2) Enlisted AGR Soldiers in their initial 18 months will not be eligible for promotion selection due to being unavailable for positions other than the position they were selected for (Reference AU).

(3) Initial tours as a member of the 84<sup>th</sup> Civil Support Team (CST) are for 36 months after completion of Civil Support Skills Course (CSSC).

(4) Initial tours as a Production Recruiter with the Recruiting and Retention Battalion (RRB) are for 36 months after completion of the SQI4 course.

11-2. STABILIZATION EXCEPTIONS TO POLICY AND WAIVER REQUESTS. Approved Stabilization Exceptions to Policy (ETP) must be included with job application packets at the time of submission.

a. Applicants requiring an ETP to be considered eligible to apply must process the applicable request through their chain of command, thru the Chief of Staff-Army, thru the Human Resource Officer, to The Adjutant General.

b. Packets that require an ETP but are submitted without one will not be accepted.

c. Waiver requests for these timelines are authorized when it is deemed an approval would be in the best interest of the Wyoming Air or Army National Guard, the unit, or for hardship cases.

d. AGR Soldiers/Airmen will initiate the waiver request process when a new assignment opportunity exists. Waiver request routing will be the following:

- (1) Through chain of command channels.
- (2) Through Wing Commander/Chief of Staff.
- (3) Through HRO.
- (4) To appropriate approval authority.

### 11-3. ARNG CAREER MANAGED POSITIONS (Reference AU).

a. CAREER MANAGEMENT POSITIONS. Enlisted positions at Staff Sergeant (SSG) and above, warrant officer positions Chief Warrant Officer three (CW3) and above, and commissioned officer positions Major (MAJ) and above are designated as career management positions and will be competed for fill among current AGR Soldiers prior to competition to non-AGR Soldiers. Applicability of this requirement is determined by the rank authorization associated with the MTOE or TDA paragraph/line number of the position to be filled.

(1) Commissioned and warrant officer career management positions will be advertised and competed in-service first. Second Lieutenant, First Lieutenant, Captain, Warrant Officer One, and Chief Warrant Officer Two ranked positions are considered entry level positions, are not governed by the care management position requirements, and can be initially advertised as job opportunity (pending AGR manning authorization availability).

(2) ARNG (Lateral Reassignments): All enlisted vacancies will be advertised first for lateral reassignment. Laterals will be sent to current AGRs serving in the grade to which they have competed for. This lateral reassignment process satisfies care management position requirements. As an example, if an E-4 has competed and selected for an E-6 AGR position, they will receive the lateral reassignment offer for any E-6 position that is open for lateral fill.

(3) ARNG Enlisted Promotion System (EPS) fill will be done in accordance with reference BO and AX. EPS fills will be handled by the AGR Management Branch within HRO in conjunction with DCSPER Enlisted Personnel Management Branch.

b. HIGH PRIORITY ARMY UNITS. For the purposes of Army enlisted promotions (IAW reference BO, High Priority Units are defined as MTOE, CST, and Recruiting and Retention units. AGRs who decline a promotion (EPS fill) into or within a high priority unit will be terminated from the AGR Program.

c. EXEMPTION TO COMPETITION. Referral and selection procedures for AGR members will follow Chapter 4 of this Merit Placement Plan. Command directed moves, reassignments and lateral fills will be conducted IAW references BF, BL, BO, and AW. Supervisors requesting these actions will submit an SF 52 through the proper channels to HRO.

(1) Title 10 tours are considered career and professional development. In the event a Title 10/Title 32 "swap" is arranged between a WYNG AGR and a Title 10 AGR, the WYNG Title 32 position is not required to be competed as it is a short term manning trade that directly supports the Title 32 development.

(2) Army Warrant Officers promotions are based on Mission Table of Organization and Equipment (MTOE) and/or Table of Distribution and Allowances (TDA) positions and published time-in-grade and military education requirements IAW reference AW. Based on the above criteria, moves of in-service AGR Warrant Officers to Support Personnel Manning Document (SPMD) positions for ranks CW2 to CW4 are not considered a promotion opportunity.

d. Command, Leadership, and Staff Assignments (CLASP). The goal of the CLASP is to enhance and professionally develop FTS Soldiers, but will not be at the expense of a traditional Soldier's career progression.

(1) The following positions are eligible for CLASP assignments: FTS soldiers assigned to a Brigade, Battalion, Company Command, Headquarters Command, Platoon Leaders, Command Sergeant Major, and First Sergeant Positions.

(2) FTS officers grades O4 and above and NCOs grades E8 and above whose full-time duties are performed in non-deployable organizations for example, Joint Force Headquarters (JFHQ) or other TDA, but assigned to appropriate primary and secondary MTOE staff positions for example, G1, G2, S1, S2, Asst S3, Asst S4.

(3) Soldiers assigned to WMD CST, CBRNE, and Recruiting and Retention are not authorized CLASP assignments.

e. REDUCTION IN RANK. AGRs reduced in rank, whether voluntarily or involuntarily, will be ineligible for EPS boarding and promotion consideration for a minimum of 18 months. These Soldiers may be re-boarded, with Commander recommendation, at the first annual board after the 18 month period is complete.

#### 11-4. HIRING AND SELECTION ACTIONS SPECIFIC TO THE 84<sup>TH</sup> CIVIL SUPPORT TEAM (CST) FOR ARMY AND AIR AGRs (Reference AS).

a. In accordance with reference AS, the State AG/CG has the flexibility to select and hire the best-qualified individuals for WMD-CST positions either in State or nationwide (ARNG or ANG) including candidates not currently in the AGR workforce based on the WMD-CST requirements. States are not required to use standing promotion lists to fill these duty positions due to the substantial specialty training requirements, physical screening requirements, and duty status.

b. Active Guard Reserve (AGR) positions will be advertised as In-service Announcements.

c. Selection of SSG/E6 and above positions, as listed on the current UMR, will be advertised in accordance with Career Management Positions requirements.

d. Selection of SGT/E5 positions are not Career Management Positions, and therefore can be initially advertised as Job Opportunity.

e. Determination of In-service or Job Opportunity is at the discretion of the 84<sup>th</sup> CST Commander, the Nominating Official, the Chief of Staff, and the Human Resources Officer.

#### 11-5. ADDITIONAL REQUIREMENTS FOR AGR SELECTION BOARDS.

a. AGR selection boards must have at least one minority member if they will be interviewing a candidate who has self-identified on the SF 181 (AGR) as being a member of a minority group. The U.S. Equal Employment Opportunity Commission identifies that race and ethnicity in the workforce falls in five racial categories: American Indian or Alaska Native; Asian; Black or African American; Native Hawaiian or Other Pacific Islander; and White and one ethnicity category, Hispanic or Latino. While the SF 181 is a mandatory form to be included in AGR applications applicants provide this information voluntarily and it has no impact on employment status. However, applicants who fail to declare their race or ethnicity may not have minority representation on the hiring board.

(1) Selecting officials who are unable to find a minority or female representative for a board action should contact HRO for assistance.

(2) If a female candidate is being interviewed, there must be a female on the board.

**ADMINISTRATION OF AGR PRACTICES**

## CHAPTER 12

## PROCESSING AGR CONVERSION TO FEDERAL TECHNICIAN REQUESTS

12-1. **PURPOSE:** Specifies the process used by the WYMD to consider the transition of an AGR from the AGR program to the DS Technician program.

12-2. **BACKGROUND.** Historically a select number of FTS AGR personnel within the WYNG have requested, or been requested by the organization, to resign or defer retirement from the AGR program for the purpose of transitioning into the FTS DS Technician program. Analysis of the current workforce, recent implementation of the Active Service Management Board (Army Guard) and implementation of the AGR Continuation Board (Air Guard) indicates this requirement may increase.

12-3. **INTENT.** It is TAG's intent to benefit the entire organization through supporting a continuum of service in terms of employment status. The process of ensuring flexibility in service must be fair, consistent and transparent.

12-4. **PROCESS.** Methods for initiating the process following a board, key staff selection, or for any reason required to fulfill the need of the WYMD are as follows:

a. Individual will submit to the AGR Management Branch:

(1) A written request to resign, or defer retirement, from the AGR program for the purpose of transitioning from the AGR program to a DS position, or,

(2) HRO determines through careful analysis of the entire FTS force that it is in the WYMD's best interest for an individual to leave the AGR program and transition to a DS position as determined by the TAG:

b. HRO initiates contact with the specific individual after approval from the TAG and explains the reasoning and requests the individual considers the proposal.

c. If the individual agrees to the proposal, the process continues as stated in Para 12-5 below. Should the individual not agree to the request of the organization, other methods will be used to meet the necessary FTS management objective end-state. The rules of the Management Directed Reassignment process will not apply.

12-5. **SUBSEQUENT PROCEDURE.**

a. The AGR Management Branch completes the HRO Staff Study Case and submits it to the AGR-Dual Status Technician Approval Panel, comprised of the TAG, DJS, Army CoS or 153<sup>rd</sup> Airlift Wing Commander (as applicable), and the HRO. The AGR Program Manager will serve as the recorder. The HRO Staff Study Case will provide at a minimum:

- (1) Background information applicable to the case.
- (2) Positive/Negative impacts to FTS and M-Day/DSG promotion peer group.
- (3) Benefits and/or negative impacts to the WYMD as a whole.
- (4) Benefits and/or negative impacts to the individual.
- (5) Alternate methods to meet FTS management objective end-state.



(6) Recommendation.

b. The AGR-Dual Status Technician Approval Panel deliberates and specifies one of the decisions listed below. The president of the panel is the Adjutant General, as such the decision of the panel is final and there is no appeal authority for the individual or the WYMD.

(1) "Concur - proceed with recommended course of action."

(2) "Concur - with portions of recommended course of action. The following specific information is required prior to making a decision". In this situation the panel will provide a list of specific information needed to the HRO AGR Manager. The specified information will be compiled and the panel reconvened their earliest convenience to make a final decision.

(3) "Non-concur - do not proceed with recommended course of action".

c. The HRO AGR Manager notifies the individual and coordinates all required actions to fulfill the decision of the panel. All panel notes are provided to the AGR Manager and retained on file with HRO indefinitely for a period of no less than 5 years or until the individual is no longer part of the FTS workforce.

**ADMINISTRATION OF AGR PRACTICES**

## CHAPTER 13

## AGR REDUCTION-IN-FORCE

13-1. **PURPOSE.** Provides guidance for the implementation of AGR Reduction-in-Force (RIF) plan. It is intended to assist in the management of AGR members who become excess to the State's Support Personnel Management Document (SPMD) or Manpower Resource Allocations (RA). In most cases, reduction of authorizations will not necessarily result in separation from the full-time program. The HRO AGR Manager will make every effort to avoid a RIF by considering management-directed reassignments, reduction in grade, early release (retirement) of AGR personnel with over 20 years Active Federal Service (AFS), and hiring restrictions. Reductions will be implemented as a final solution from among the force management options available to the organization.

13-2. **MANAGEMENT OPTIONS.** Prior to any personnel reductions, the AGR Manager will consider the following alternatives to eliminate or minimize the impact:

a. **Management Directed Reassignments.** The Wing Commander (ANG) and/or Chief of Staff (Army) may reassign AGRs to any vacant RA/SPMD position within the State, providing they meet AFSC/MOS qualification requirements of that position.

b. **Reduction to Lower Grade.** Enlisted AGRs may voluntarily accept a reduction to a lower grade to avoid or minimize the adverse impact of a RIF. Such actions are not based on performance. AGR personnel who accept an administrative reduction due to a RIF may later be transferred into a RA/SPMD position at the previously held grade without competition providing the move is not in conflict with existing policies or regulations.

c. **Voluntary Separation Benefits and Selective Separation Benefits.** Benefits may or may not be available to National Guard AGR personnel. At the time of the RIF, the AGR Manager will coordinate with NGB to determine available benefits and communicates with the force as applicable.

d. **Selective Early Retirement.** Individuals eligible for an immediate active duty retirement are reviewed for possible release from the AGR program. Retention beyond 20 years Active Federal Service (AFS)/Total Active Federal Military Service (TAFMS) must have TAG approval.

13-3. **AGR MANAGER RESPONSIBILITIES.**

a. Notify Commanders/OICs to identify, based on mission requirements, which functional areas are to be reduced. All affected AGR personnel, within those affected functional areas, will be placed on an AGR RIF Register.

b. Ensure reductions are first accomplished by normal attrition, hiring freeze, and early separation of members eligible for a 20-year AFS/TAFMS retirement.

c. Individuals who are eligible for an immediate active duty retirement will be separated from the AGR program prior to conducting a RIF board. TAG retains sole authorization to retain retirement eligible AGR members and may not delegate this authority.

d. The TAG may authorize retention based on mission essentialness and unique individual qualifications not readily available.

e. Retention may not be authorized for the sole benefit of the member.

f. References AU and BF, provides for Priority Placement Program (PPP) and Reduction in Force (RIF) actions that take precedence over the standard hiring process detailed in the Merit Placement Plan.

#### 13-4. KEY PROVISIONS.

a. Placement resolution for an AGR member due to RIF actions takes precedence over over-grade personnel placed in the PPP due to RA/SPMD grade adjustments. In all instances it is the intent of HRO to assist over-grade personnel to be assigned to an appropriately graded RA/SPMD position as soon as possible.

b. The AGR Management Branch will counsel AGR personnel within 30 days of the date they become over-grade due to RIF or RA/SPMD grade adjustments and fully explain the process. The counseling session must be attended by the AGR member and immediate supervisor.

c. AGR personnel who become over-grade to their RA/SPMD assignment will enter into the PPP on the same date as the action that caused them to become over-grade for a period indicated below.

(1) ANG. A maximum 24 months or until the situation is resolved. For over-grade situations that exceed 24 months, the Airman must be reassigned, separated, retired or demoted to the appropriate RA assigned grade. Demotions apply to enlisted Airmen only.

(2) ARNG. A maximum of 12 months after the effective date. AGR commissioned and warrant officers carried in excess status and not reassigned to valid SPMD positions within one year after the effective date will be separated from the AGR program. AGR enlisted soldiers who are in over-grade status one year after the effective dates will be reduced to the maximum military grade of the SPMD position or be separated from the AGR program.

d. HRO will offer over-grade AGR members due to RIF or placed in the PPP, in writing of the first available RA/SPMD AGR full-time position for which the AGR member is fully qualified to hold.

(1) The written offer will identify the position, unit of assignment and location. An information copy will be provided to 153 FSS for ANG members and Deputy Chief of Staff Personnel (DCSPER) for ARNG members.

(2) Over-grade AGR members must accept or decline the position offered within 10 working days of receipt of the offer. If the member accepts, HRO will direct the appropriate personnel office (153 FSS or DCSPER) to reassign the member within 30 days of acceptance and provide the appropriate AGR reassignment order. Should the AGR member decline the position, the member will be reduced IAW reference AU or BB to the applicable grade for the RA/SPMD position they are currently assigned no later than 30 days after the declination. AGR officers who decline the position will be separated from AGR status unless they are in the sanctuary zone.

#### 13-5. AGR RIF SPECIFIC PROVISIONS.

a. HRO administers and manages the placement programs for AGR members who become excess in the event of a reduction in force. The following elements will guide HRO actions:

(1) Placement based on RIF takes precedence over placement due to PPP actions.

(2) AGR members who are within 18 - 20 years of Total Active Federal Service are in the sanctuary zone and exempt from RIF action.

(3) Officers and enlisted serving on AGR tours may be involuntarily separated.

(4) Individuals may be eligible for separation pay based on length of service and must be counseled by the AGR Management branch in conjunction with the immediate supervisor and military pay specialist on the provisions of these entitlements.

b. When NGB notifies HRO of a reduction in the RA/SPMD, the AGR Management branch will initiate the following:

(1) Individuals who are eligible for an immediate active duty retirement will be separated from the AGR program prior to implementing the RIF Board process. TAG retains sole authorization to retain retirement eligible members and may not delegate this authority. Individuals who are not eligible for immediate retirement will be referred to a RIF board.

(2) HRO will provide written notification to affected personnel of the RIF board and the procedures that will be followed NLT 45 days prior to the board.

(3) The RIF Board, comprised of at least three members, equal or senior in grade to those being considered, to prioritize AGR members placed on the RIF register. The board president must be the senior member of the board, and all members must be present for all sessions. Board composition should be reflective of the diversity of affected member(s) placed on the RIF register. Due to the lack of an applicable Army reference, the board will reference ANGI 36-101, Chapter 10, when establishing the order of precedence of the RIF register.

(4) All actions must be completed NLT 90 days prior to the reduction in the AGR RA/SPMD.

(5) AGR members must be given written notification at least 90 days prior to separation and will be counseled on transition assistance benefits.

FOR THE ADJUTANT GENERAL:

FRANCISCO L. ROMERO  
COL, JA, WY NG  
Human Resource Officer

Enclosures:

- A – References
- B – Acronyms
- C – Definitions
- D – Promotion Calculations for Pay Setting
- E – T32 DS Temporary Technician Comparison Sheet
- F – Within Grade Increases (WIGIs)
- G – Request for Compatibility Waiver Sample

**ENCLOSURE A****REFERENCES**

- A. Public Law 99-586, Former National Guard Technician Eligible for Appointment
- B. Title 5, United States Code, Section 101 – 11001 [5 USC], “Government Organization and Employees”
- C. Title 5, United States Code, Section 2301 [5 USC §2301], “Merit Systems Principles”
- D. Title 5, United States Code, Section 2302 [5 USC §2302(b)], “Prohibited Personnel Practices”
- E. Title 5, United States Code, Section 3110 [5 USC §3110(a)(3)], “Employment of Relatives; Restrictions”
- F. Title 5, United States Code, Section 3112 [5 USC §3112], “Disabled Veterans; Noncompetitive Appointment”
- G. Title 5, United States Code, Section 3320 [5 USC §3320], “Excepted Service; Government of the District of Columbia, Selection”
- H. Title 5, United States Code, Section 3341 [5 USC §3341(b)(1)], “Details; within Executive or Military Departments”
- I. Title 5, United States Code, Section 5333 [5 USC §5333], “Minimum Rate for New Appointments”
- J. Title 5, United States Code, Section 5363 [5 USC §5363], “Pay Retention”
- K. Title 10, United State Code, Section 1599 [10 USC §1599e], “Probationary Period for Employees”
- L. Title 32, United States Code, Section 328 [32 USC §328], “Active Guard and Reserve Duty: Governor’s Authority”
- M. Title 32, United States Code, Section 502 [32 USC §502(f)], “Required Drills and Field Exercises”
- N. Title 32, United States Code, Section 709 [32 USC §709], “National Guard Technicians”
- O. Title 38, United States Code, Section 4301-4335 [38 USC §4301-4335], “Uniformed Services Employment and Reemployment Rights Act (USERRA)”
- P. Title 5, Code of Federal Regulations, Section 300 [5 CFR, §300.603(b)], “Time-in-Grade Restrictions - Coverage”
- Q. Title 5, Code of Federal Regulations, Section 300 [5 CFR, §300.604], “Time-in-Grade Restrictions”
- R. Title 5, Code of Federal Regulations, Section 307 [5 CFR, §307], “Veterans Recruitment Appointments”
- S. Title 5, Code of Federal Regulations, Section 315 [5 CFR, §315], “The Career-Conditional Employment System”
- T. Title 5, Code of Federal Regulations, Section 315 [5 CFR, §315.401], “Reinstatement”
- U. Title 5, Code of Federal Regulations, Section 315 [5 CFR, §315.610], “Noncompetitive Appointment of Certain National Guard Technicians”
- V. Title 5, Code of Federal Regulations, Section 315 [5 CFR, §315.802], “Length of Probationary Period; Crediting Service”

- W. Title 5, Code of Federal Regulations, Section 315 [5 CFR §315.806], “Appeal Rights to the Merit Systems Protection Board”
- X. Title 5, Code of Federal Regulations, Section 315 [5 CFR, §315.904], “Basic Requirement”
- Y. Title 5, Code of Federal Regulations, Section 315 [5 CFR, §315.907], “Failure to complete the probationary period”
- Z. Title 5, Code of Federal Regulations, Section 316 [5 CFR, §316], “Temporary and Term Employment”
- AA. Title 5, Code of Federal Regulations, Section 330 [5 CFR §330.104], “Requirements for Vacancy Announcements”
- AB. Title 5, Code of Federal Regulations, Section 335 [5 CFR §335.106], “Special Selection Procedures for Certain Veterans Under Merit Promotion”
- AC. Title 5, Code of Federal Regulations, Section 339 [5 CFR 339], “Medical Qualification Determinations”
- AD. Title 5, Code of Federal Regulations, Section 531 [5 CFR §531.203], “Determining Rate of Basic Pay - Definitions”
- AE. Title 5, Code of Federal Regulations, Section 531 [5 CFR §531.212], “Superior Qualifications and Special Needs Pay-Setting Authority”
- AF. Title 5, Code of Federal Regulations, Section 531 [5 CFR §531.221-223], “Highest Previous Rate Under the Maximum Payable Rate Rule”
- AG. Title 5, Code of Federal Regulations, Section 531 [5 CFR §531.222(b)], “Rates of Basic Pay that May be Used as the Highest Previous Rate”
- AH. Title 5, Code of Federal Regulations, Section 532 [5 CFR §532.405], “Use of Highest Previous Rate”
- AI. Title 41, Code of Federal Regulations, Section 302 [41 CFR §302], “Federal Travel Regulation System - Relocation Allowances”
- AJ. Notification and Federal Employee Antidiscrimination Act of 2002 (No Fear Act)
- AK. OPM Delegated Examining Operations Handbook: A Guide for Federal Agency Examining Offices, May 2007
- AL. OPM Vet Guide
- AM. DoD JTR Vol. 2, Chapter 5, “Permanent Duty Travel”
- AN. DoD Priority Placement Programs (PPP) Handbook
- AO. DoDI 1205.18, “Full Time Support (FTS) to the Reserve Components”
- AP. DoDI 1400.25, Vol. 431, “DoD Civilian Personnel Management System: Performance Management and Appraisal Program”
- AQ. DoDI 6055.05, “Occupational and Environmental Health (OEH)”
- AR. DoD 6055.05-M, “Occupational Medical Examinations and Surveillance Manual”
- AS. CNGBI 3501.00, “Weapons of Mass Destruction Civil Support Team Management”
- AT. NGR (AR) 310-10, “Military Order”
- AU. NGR (AR) 600-5, “The Active Guard/Reserve (AGR) Program”
- AV. NGR (AR) 600-100, “Commissioned Officer – Federal Recognition and Related Personnel Actions”
- AW. NGR 600-101, “Warrant Officers – Federal Recognition and Related Personnel Actions”
- AX. NGR 600-200, “Enlisted Personnel Management”
- AY. Air Force Officer Classification Directory (AFOCD) (Must login to myPers)

- AZ. Air Force Enlisted Classification Directory (AFECD) (Must login to myPers)
- BA. AFI 36-2005, "Officer Accessions"
- BB. AFI 36-2502, "Enlisted Airman Promotion/Demotion Programs"
- BC. AFI 36-2905, "Fitness Program"
- BD. AFI 48-123, "Medical Examinations and Standards"
- BE. AFI 48-145, "Occupational and Environmental Health Program"
- BF. ANGI 36-101, "Air National Guard Active Guard Reserve (AGR) Program"
- BG. ANGI 36-2002, "Enlistment and Reenlistment in ANG and as a Reserve of the Air Force"
- BH. ANGI 36-2101, "Assignments within the Air National Guard (ANG)"
- BI. AR 25-400-2, "The Army Records Information Management System (ARIMS)"
- BJ. AR 40-5, "Preventative Medicine"
- BK. AR 40-501, "Standards of Medical Fitness"
- BL. AR 135-18, "The Active Guard Reserve (AGR) Program"
- BM. AR 385-10, "The Army Safety Program"
- BN. AR 570-4, "Manpower Management"
- BO. AR 600-8-19, "Enlisted Promotions and Reductions"
- BP. AR 601-210, "Active and Reserve Components Enlistment Programs"
- BQ. ARNG HRZ PPOM #14-009, "Reassignment of Title 32 (T32) Active Guard/Reserve (AGR) Soldiers During the First 18 Months of Their Initial Tour"
- BR. ARNG HRZ PPOM #15-040, "Suitability and Security Screening Policy for Personnel Identified in or Nominated to Occupy a Position of Significant Trust and Authority (POSTA)"
- BS. TPR 300(335), "Merit Placement for National Guard Technicians" / CNGBI 1400.25, Vol. 335, "National Guard Merit Promotion and Internal Placement Program"
- BT. TPR 303, "Military Technician Compatibility" / CNGBI 1400.25, Vol. 302, "National Guard Dual Status Technician Personnel Management Compatibility Program and Qualification Standards"
- BU. TPR 700 (732.1), "Technician Personnel Regulation, Position Sensitivity & Security Clearances"
- BV. TPR 715, "Voluntary and Non-Disciplinary Actions"
- BW. TPR 752, "Discipline and Adverse Action"
- BX. WY ANGI 36-2005, "WY ANG Officer/Commander Appointments and Senior NCO Position Vacancies"
- BY. ANGI 36-2005, "Appointment of Officers in the Air National Guard of the United States and as Reserves of the Air Force"

**ENCLOSURE B****ACRONYMS**

<b>AFS</b>	Active Federal Service
<b>AGR</b>	Active Guard/Reserve
<b>ASARS</b>	Automated Stopper and Referral System
<b>CBA</b>	Labor Union Collective Bargaining Agreements
<b>CLG</b>	Change to Lower Grade
<b>DS</b>	Dual-Status Title 32 Excepted Service Military Technician
<b>DSG</b>	Drill Status Guardsman
<b>EEO</b>	Equal Employment Opportunity
<b>ERB</b>	Enlisted Records Brief (Army)
<b>EPS</b>	Enlisted Promotion System
<b>HRO</b>	Human Resources Office(r)
<b>IA</b>	Identical Additional
<b>IAW</b>	In Accordance With
<b>ICTAP</b>	Interagency Career Transition Assistance Plan
<b>IDP</b>	Individual Development Plan
<b>JVA</b>	Job Vacancy Announcement
<b>MDR</b>	Management Directed Reassignment
<b>MSPB</b>	Merit System Protection Board
<b>MTOE</b>	Mission Table of Organization and Equipment
<b>T5</b>	National Guard Title 5 (Excepted or Competitive) Service Employee
<b>OML</b>	Order of Merit List
<b>OPM</b>	U.S. Office of Personnel Management
<b>ORB</b>	Officer Records Brief (Army)
<b>PDR</b>	Position Description Release
<b>POSTA</b>	Position of Significant Trust and Authority
<b>PPP</b>	Priority Placement Program
<b>RCAS</b>	Reserve Component Automation System
<b>RIF</b>	Reduction in Force
<b>SEEM</b>	State Equal Employment Manager
<b>SF</b>	Standard Form
<b>SME</b>	Subject Matter Expert
<b>SPMD</b>	Support Personnel Manning Document
<b>TAFMS</b>	Total Active Federal Military Service



<b>TAG</b>	The Adjutant General
<b>TDA</b>	Table of Distribution and Allowances
<b>TPR</b>	Technician Personnel Regulation
<b>vMPF Rip</b>	Virtual Military Personnel Flight - Record of Individual Personnel (Air Force)
<b>UMD</b>	Unit Manning Document

## ENCLOSURE C

### DEFINITIONS

**APPOINTMENT** - Initial placement into a technician/AGR position in the WYMD.

**APPLICANT** - A person who has submitted an application according to prescribed instructions and procedures.

**APPLICATION** – The form or method utilized by applicants and employees to indicate interest in promotion, demotion, change to lower grade, or reassignment to a particular position or category of positions in the state NG.

**APPOINTING AUTHORITY** - At the lowest operating level, this authority is usually exercised by the Human Resources Officer (HRO). The HRO is usually designated in writing to act for the appointing authority (TAG) but is not considered to be the appointing authority.

**APPOINTING OFFICE** – An organizational segment with the delegated authority to effect personnel actions; ‘appointing offices’ are the state Human Resources Offices.

**APPOINTING OFFICIAL** – The person having power, by law, to make appointments. For the NG, the Adjutant General is authorized to employ NG technicians and employ T5 employees; this authority may be delegated, in writing, to the Human Resource Officer.

**APPOINTMENT** – Any personnel action that brings an individual onto the rolls (staff) of a state.

**AREA OF CONSIDERATION** - The area(s) designated on the merit placement announcement from which applications will be accepted for merit placement action (see Para 3-6).

**AUTOMATED STOPPER AND REFERRAL SYSTEM (ASARS)** - A Defense Civilian Personnel Advisory System (DCPAS) program used by HRO; ASARS consists of two elements: the Automated Stopper is used to match positions that are subject to the Priority Placement Plan; and the Automated Referral System, which may be used as a recruitment source whenever the Automated Stopper is clear. Prior to an initial NDS position being advertised through OPM, HRO must ensure there aren’t any prospective employees in ASARS.

**BARGAINING UNIT POSITION** – The position in an organization for which a union has been certified as exclusive representative.

**BEHAVIORAL INDICATORS** - Crediting plan used to assess a candidate’s potential for successful job performance. These indicators are the measurable aspect of behaviors that predict a potential level of success for the competency.

**BEST QUALIFIED CANDIDATES** – A highly or well qualified candidates who rank at the top when compared with other highly qualified candidates and who are referred to the selecting official for consideration and selection.

**BONAFIDE CONSIDERATION** - A priority consideration (PC) eligible is referred to the selecting official alone on a certificate, or with other PC eligibles. The certificate containing the PC eligible(s) name will be referred before applicants with lesser priority in the order of consideration.

**CANDIDATE** - A person who may be given selection consideration for appointment.

**CERTIFICATE OF ELIGIBLES** - A list of the qualified candidates referred to the selecting supervisor for consideration for a position.

**CHANGE TO LOWER GRADE (CLG)** - A personnel action that moves an employee to a position at a lower grade or lower rate of pay as a result of reclassification, reduction in force, adverse or other directed personnel action. Change to Lower Grade actions also includes voluntary requests for assignment to a lower graded position.

**COMPATIBILITY** - The condition in which the duties, responsibilities, pay grade levels and rank of an employee's position are substantially equivalent to the duties and responsibilities of the AGR member's and/or technician's military assignment (MTOE, TDA, or UMD).

**COMPETITIVE SERVICE POSITIONS** - Civilian positions in the Federal Government that are not specifically excepted from the civil service laws by, or pursuant to, the President, or by the OPM.

**COMPETITIVE STATUS** - "Standing" gained through employment in a career or career-conditional appointment.

**COMMUTING AREA** - The area which employees can be reasonably expected to commute daily between their permanent residence and duty station (Ref: DoD Priority Placement Program Handbook).

**CONDITIONS OF EMPLOYMENT** - A personnel policy, practice, or matter affecting working conditions of bargaining unit employees, non-bargaining and AGRs (Reference BV).

**DEMOTION** - Typically a management driven action, the change of an employee to a lower grade when both the old and the new positions are under the General Schedule, under the same type of graded Wage Schedule, or to a position with a lower rate of pay when both the old and new positions are under the same type of ungraded Wage Schedule.

**DESIGNATED VETERANS' PREFERENCE CODES** - Use the following codes to designate on rating sheets and certificates the category of veterans' preference to which an applicant is entitled:

- a. CPS - 10-Point 30 Percent Compensable Disability Preference based on a service-connected disability of 30% or more;
- b. CP - 10-Point Compensable Disability Preference based on a service-connected disability of 10% or more, but less than 30%;
- c. XP - 10-Point Disability Preference; granted to recipients of the Purple Heart, persons with a non-compensable service-connected disability (less than 10%);
- d. XP - 10-Point Derived Preference; granted to widow/widower or mother of a deceased veteran, or spouse or mother of a disabled veteran;
- e. TP - 5-point preference.

**DETAIL** - A detail is the temporary assignment of a technician to a different position for a specified period, with the technician returning to his/her regular duties at the end of the detail. Technically, a position is not filled by a detail, as the technician continues to be the incumbent of the position from which detailed.

**DUAL STATUS EXCEPTED SERVICE** - Title 32 excepted service appointments requiring concurrent military membership in the WYMD.

**ELIGIBLE CANDIDATES** - Those applicants who meet the minimum qualification standards for the position and other regulatory requirements such as time in grade (TIG), as well as applicable selective placement factors, by the closing date of the announcement or by a date specified on the announcement.

**ENTRY LEVEL** - GS-07/WG-08 and below are considered entry level positions. These positions often require basic education, training and experience. The recruit is given the opportunity to learn and gain experience and is a stepping-stone for higher-level jobs, as the new hire is able to add the experience to a subsequent resume.

**EVALUATION CRITERIA** - Standards of job-related knowledge, skills, abilities and other personal characteristics (e.g. behavioral indicators, etc.), and/or competencies which are indicative of successful performance in the position to be filled. Criteria are used as standards against which the eligible candidates are compared and ranked for determining the highly and/or best qualified.

**EVALUATION METHODS** – The means of measuring a candidate against the evaluation criteria. Mandatory methods, which must be considered for all candidates, are performance appraisals and relevant incentive awards. Optional methods include tests, interviews and relevant training.

**EXCEPTED SERVICE** – Title 5 or Title 32 Dual Status (requires concurrent military membership in the WYMD) excepted service appointments made under authorities granted by the Office of Personnel Management to fill jobs when using the traditional competitive hiring procedures are not practical.

**EXCEPTIONS** – Promotions that do not require competitive procedures and are therefore excepted from competitive procedures of this Plan.

**FEDERAL WAGE SYSTEM** - A uniform pay-setting system that covers Federal appropriated fund blue-collar employees who are paid by the hour. The goal is to make sure that Federal trade, craft, and laboring employees within a local wage area who perform the same duties receive the same rate of pay. Covers Wage Grade (WG), Wage Leader (WL), and Wage Supervisors (WS).

**GENERAL SCHEDULE (GS)** - The classification and pay system established under 5 USC chapter 51 and subchapter III of chapter 53. It also refers to the pay schedule of GS rates established under 5 USC 5332, as adjusted under 5 USC 5303 or other law (including GS rates payable to GM employees).

**HIGHEST APPLICABLE RATE RANGE** - The rate range applicable to a GS employee, based on a given position of record and official worksite that provides the highest rates of basic pay, excluding any retained rates. For example, a rate range of special rates may exceed an applicable locality rate range. In certain circumstances, the highest applicable rate range may consist of two types of pay rates from different pay schedules-e.g., a range where special rates (based on a fixed dollar supplement) are higher in the lower portion of the range and locality rates are higher in the higher portion of the range.

**IDENTICAL ADDITIONAL (IA)** - IA positions, also known as over-hire positions, may be established for temporary periods up to 60 days and may be extended for an additional 60 days when the situation warrants. IAs beyond 120 days has the potential to impact the classification of the position. *This is a limited authority to create temporary manpower spaces. Only NGB manpower offices have authority to establish/delete permanent manpower spaces.* These positions must be identical to those on existing manning/requirements documents and are funded through existing manpower authorizations.

**INDIVIDUAL DEVELOPMENT PLAN (NGB Form 650)** - A developmental tool for employees hired below the full performance level. It helps employees and supervisors assess particular employee strengths, set reasonable goals, and chart a path for attaining those goals and for reaching the full performance level of their positions.

**INITIAL TOUR FOR AIR NATIONAL GUARD ACTIVE GUARD/RESERVE** - The probationary period for all AGRs begins when the individual starts their initial AGR assignment and is defined by the length of initial tour. The probationary period for Wyoming National Guard member is listed in Chapter 11.

**INTERAGENCY CAREER TRANSITION ASSISTANCE PLAN (ICTAP)** – A process by which employees who have been involuntarily separated may receive selection priority for jobs in agencies other than the one in which they were previously employed. Excepted service employees are not eligible for selection priority in other agencies under ICTAP.

**JOB ANALYSIS** – A critical process necessary to determine the minimum knowledge, skills, abilities and other elements required of the position to be filled, used to identify the candidates who can be expected to perform in a fully successful manner, and to determine the applicability of appropriate evaluation methods.

**KEY STAFF** - A dual status, managerial position whose incumbent is a member of the immediate staff of the State Adjutant General, serves under the direct supervision of the State Adjutant General, or serves as the head or deputy of a major organization within the state, direct a specialized program of marked difficulty, responsibility and statewide significance or any position that has been designated by the TAG as such.

**LATERAL REASSIGNMENT (ARNG Only)** - This reassignment must be to a position not lower than the individual's current military grade (unless the enlisted member consents to a demotion). Grade inversion is not permitted. While not an absolute requirement, an AGR should be transferred to a position to which they are MOS/AOC qualified. If this is not possible, dependent on training funding and G3 concurrence, the AGR member may be afforded an opportunity to obtain training to reach the necessary skill level compatible with their new assignment. Members who fail to obtain the necessary qualification within a 12 month time will be either reassigned or terminated from their AGR status.

**LOCALITY RATE** - A GS rate, if applicable, plus any applicable locality payment.

**MANAGEMENT DIRECTED REASSIGNMENT (MDR)** - Management may reassign technicians/AGR at any time and to any location in the state. Reassignments to locations outside of the commuting area are subject to laws and regulations regarding severance pay; permanent change of station; and discontinued service retirement.

**MANAGEMENT OFFICIAL** - An individual employed in a position which the duties and responsibilities require or authorize the individual to formulate, determine, or influence the policies of the WYMD. With respect to filling positions, the law allows management officials to make selections for appointments.

**MINORITY** - The U.S. Equal Employment Opportunity Commission identifies that race and ethnicity in the workforce falls in five racial categories: American Indian or Alaska Native; Asian; Black or African American; Native Hawaiian or Other Pacific Islander; and White and one ethnicity category, Hispanic or Latino.

**MODIFICATION TABLE OF ORGANIZATION AND EQUIPMENT (MTOE)** - A table which prescribes in a single document the modification of a basic table of organization and equipment necessary to adapt it to the needs of a specific unit or type of unit.

**NEGOTIATED GRIEVANCE PROCEDURE** - The grievance procedure for bargaining unit members as described in the contracts with incumbent unions.

**NOMINATING OFFICIAL** - A full-time management official authorized to approve the initiation of a request to fill a vacant position and to recommend a person for placement within the WYMD.

**ORDER OF MERIT LIST (OML)** - An OML will be created for each year round vacancy announcements (e.g. RF Transmission, Security Forces, Recruiting, etc.) ranking applicants in the order they scored during their respective interviews. If an applicant is selected and declines a position, they will be removed from the OML and the person with the next highest score will be notified. Removals will have to reapply in order to be considered for future opportunities.

**POSITION DESCRIPTION** - A statement of major duties, responsibilities, and supervisory relationships of a given position.

**POSITION OF RECORD** - An employee's official position (defined by grade, occupational series, employing agency and any other condition that determines coverage under a pay schedule (other than official worksite)), as documented on the employee's most recent Notification of Personnel Action (Standard Form 50 or equivalent) and current position description. A position to which an employee is temporarily detailed is not documented as a position of record.

#### **POSTA TYPE I and TYPE II OFFENSES FOR MILITARY ONLY.**

a. Type I Offenses, Activity or Situations (No Time Limitations): (1) Sexual Harassment; (2) Sexual Assault (including, but not limited to, violations of UCMJ Articles 80, 120, 120b, and 125); (3) Domestic Violence or a criminal offense involving a child or children; (4) Pandering; (5) Possession, distribution, receiving, or viewing child pornography; (6) Adultery; (7) Incest; (8) Prostitution; (9) Bestiality; (10) Stalking; (11) Sexual activity with a subordinate or fraternization of a sexual nature; (12) Illegal drug use or possession, to include abuse of prescription medication and synthetic drugs; (13) Any special or general court-martial conviction or any civilian criminal felony

conviction in a soldier's career (including sister services court-martial convictions); (14) Previous separation from any service for any Type I Offense; (15) Conduct in violation of the Army's policy regarding participation in extremist organizations or activities; (16) Initial enlistment waivers for derogatory information related to any Type I Offense listed above.

b. Type II Offenses, Activity or Situations (over a soldier's career, unless otherwise specified: (1) Alcohol Abuse (As defined in AR 600-85); (2) Larceny/Theft/Fraud/Burglary; (3) Relief for Cause NCOER or OER while in current grade or in past 5 years, whichever is longer; (4) Previous separation from any service for any Type II Offense; (5) Initial Enlistment Waivers For Derogatory Information (Not related to an offense listed in Type I); (6) Assault.

c. Admin Reports that preclude Initial Appointment to a position of trust: (1) Soldiers who are flagged, barred to reenlist, or coded with any administrative information indicating legal investigation is underway are prohibited from initial appointment or service in a position of trust until the flag, bar or code is removed; (2) Soldiers pending determination by a MEB/PEB/MAR2 process are not eligible for appointment as a SARC/SHARP VA unless found fit for continued duty; (3) Soldiers with a currently revoked, denied or suspended security clearance, or who failed to attain or maintain a Favorable NACLIC investigation are not eligible for appointment to a position of significant trust.

#### **POSTA TYPE I and TYPE II OFFENSES for CIVILIANS ONLY.**

a. Type I Criteria: Reports of unfavorable information or offenses result in mandatory disqualification for appointment or retention as a SARC, SHARP VA, SHARP Trainer or SHARP Program Manager: (1) Any criminal or administrative offense adversely adjudicated (guilty, substantiated, or founded) involving sexual harassment; sexual assault; rape or attempted rape; aggravated sexual abuse; stalking; indecent exposure; child abuse; pandering; prostitution; pornography; incest; bestiality; violent crime; assault; battery; or other abuse of a victim; (2) Resignation or decertification (removal from the SHARP certification program) for sexual harassment or the types of sexual offenses listed above under criminal or administrative offenses.

b. Type II Criteria: Reports of unfavorable information or offenses that have occurred in the last five years. Can be waived by appointing authority. These reports must be viewed in conjunction with the SHARP adjudicative guidelines: (1) Minor assault not listed in Type I above; (2) Discipline over a matter related to the successful performance of SARC, SHARP VA, SHARP Trainer or SHARP Program Manager duties, e.g., inappropriate use of the computer, fighting, reprisal, insubordination; (3) Dishonest conduct, including deliberate false statements, fraud or deceit for personal benefit, withholding of material information; (4) Revoked, denied or suspended security clearance; but only if the person is in a job that does not require a security clearance; (5) Conduct or behavior that, because of the circumstances in which they occur, may indicate untrustworthiness, unreliability, lack of judgment or irresponsibility in performing the duties of the position; (6) A record of a determination of culpability (reprimand, suspension, removal) subsequent to a finding of being a discriminating official (absent extenuating circumstances); (7) Alcohol abuse, without evidence of rehabilitation (as defined in the Americans with Disabilities Act (ADA)), of a nature and duration that indicates that the individual would be prevented from performing the duties of the position in question, or would constitute a direct threat to the health or safety of the individual or others, or would be unable to comply with employer performance or conduct standards. (See SHARP adjudicative guidelines for definitions of terms); (8) Criminal conviction for drug related offenses (use, possession, distribution, or manufacturing). Current illegal use of narcotics, drugs, or other controlled substances without evidence of rehabilitation (as defined in the ADA). (See SHARP adjudicative guidelines for definitions of terms); (9) Failing to keep confidential information confidential in accordance with applicable guidelines.

**PRIORITY PLACEMENT** - Assignment of a technician /AGR in grade retention status (as a result of reduction in force or classification action) to a vacant position at his/her former grade, or an intervening grade, provided the technician /AGR entirely meets the technician/AGR military qualification requirements for the vacant position.

**PROMOTION** - The change of an employee to a position at a higher-grade level.

**QUALIFICATION CRITERIA** - General and specialized qualification requirements, selective placement factors, and military grade and compatibility criteria.

**QUALIFICATION STANDARDS** - A skill set defined by the National Guard Bureau (NGB) and/or the Office of Personnel Management (OPM). Describes the minimum qualification requirements (for example, educational, medical, age, experience, etc.) for each occupational series. Used to qualify applicants for a position.

a. NGB Qualification Standards. Contains instructions for applying the applicable Air Force Specialty Code (AFSC) and/or Army Military Occupational Skill (MOS) to evaluate a candidate's qualification.

b. OPM Qualification Standards. Description of the minimum requirements necessary to perform work or a particular occupation successfully and safely. May include specific job-related work experience, education, medical or physical standards, training, security, and/or licensure. Used by OPM when hiring NDS employees for the WYMD.

**QUALIFYING APPLICANTS** - The process of assessing applicant's eligibility for placement or promotion, and the degree to which applicant's possess the knowledge, skills and abilities needed for successful performance of the job.

**REASSIGNMENT** - The change of a technician from one position to another without promotion or change to lower grade. Reassigned technicians must meet the qualification requirements for the new position.

**REEMPLOYMENT PRIORITY LIST** - A statutory program used to give reemployment consideration to their former competitive service employees separated by reduction in force or full recovered from a compensable injury after more than 1 year. It is a required component of agency positive placement programs. In filling vacancies, the agency must give registrants priority consideration over certain outside job applicants and, if it chooses, also may consider registrants before considering internal candidates.

**REINSTATEMENT** - Reinstatement allows individuals to re-enter the Federal competitive service workforce without competing with the public. Reinstatement eligibility enables him/her to apply for Federal jobs open only to status candidates.

**SECURITY CLEARANCE** - The appointment of each Military Technicians is subject to a personnel security investigation for either access to classified information, occupancy of sensitive positions or suitability for federal employment, except for reappointment when the break in employment is less than 24 months.

**SELECTING OFFICIAL** - The full-time supervisor charged with reviewing the applications, interviewing candidates, and recommending a selection to the Nominating Official. This may be the same person as the Nominating Official.

**SELECTIVE PLACEMENT FACTORS** - The job-related skills or personal characteristics absolutely essential for satisfactory performance in a particular position. Selective placement factors are in addition to the minimum qualification standards required for satisfactory job performance. When used, they are a basic part of the eligibility requirements for the position and will be reflected in the questions asked during the interview.

**STATE EMPLOYEE** - A person working in an compensated by the Executive Branch of State Government, over which management has the right to direct and control the way the person works, both as to the final results and as to the details of when, where, and how the work is done (Ref: State of Wyoming Personnel Rules).

**STATUS APPLICANT** - A current or prior employee who has attained competitive status through a current or prior appointment to a career or career-conditional appointment in the federal service. Status pertains to a person, not a position.

**SUBJECT MATTER EXPERT** - A person with significant training, experience, and competence in the career field being filled.

**SUPERIOR QUALIFICATION/SPECIAL NEEDS** - Based on the level, type, or quality of a candidate's skills or competencies demonstrated or obtained through experience and/or education, the quality of the candidate's

accomplishments compared to others in the field, or other factors that support superior qualifications determination. It must be relevant to the requirements of the position to be filled and must be significantly higher than that needed to be minimally required for the position and/or be of a more specialized quality compared to other candidates.

**SUPERVISOR** – An individual having authority to hire, direct, assign, promote, reward, transfer, furlough, layoff, recall, suspend, discipline, or remove employees, to resolve their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment, except that, with respect to any unit which includes firefighters or nurses, the term “supervisor” includes only those individuals who devote a preponderance of their employment time to exercising such authority; [5 USC 7103]

**TARGET GRADE** - The full performance level of the position being filled.

**TABLE OF DISTRIBUTION AND ALLOWANCE (TDA)** - A table which prescribes the organizational structure, personnel and equipment authorizations, and requirements of a military unit to perform a specific mission for which there is no appropriate table of organization and equipment.

**TABLE OF ORGANIZATION AND EQUIPMENT (TOE)** - A table which prescribes the normal mission, organizational structure, personnel and equipment requirements for a military unit, and is the basis for an authorization document.

**TENURE GROUPS** - Tenure groups are the categories in which technicians are grouped based on length of employment and completion of probationary/trial periods.

- a. Tenure Group 0. Temporary or Term employees who serve at the discretion of the WYMD.
- b. Tenure Group I. Permanent T32 DS and T5 employees who have successfully completed their probationary period.
- c. Tenure Group II. Permanent T32 DS and T5 employees who are serving a trial or probationary period.
- d. Tenure Group III. T32 DS technicians who serve under indefinite appointments in the excepted service.

**UNQUALIFIED APPLICANTS** - Those applicants who do not meet the established qualification criteria for the position being filled, unqualified applicants are not forwarded to the nominating official for interview.

**USA STAFFING** - Office of Personnel Management’s hiring software solution for Federal agencies. USA Staffing positions management to recruit, assess, certify, and select qualified candidates precisely, efficiently, and cost effectively. It is designed to support management at each phase of the staffing process.

**VETERANS PREFERENCE ELIGIBLE** – Based on dates of active duty service, receipt of a campaign badge, Purple Heart, or a service-connect disability. Note: Not all active duty service may qualify for veterans’ preference. Only veterans discharged or released from active duty in the armed forces under honorable conditions (under a honorable or general discharge) are eligible for veterans’ preference. If member is a “retired member of the armed forces”, they are not included in the definition of preference eligibles unless they are a disabled veteran OR retired below the rank of major or its equivalent. There are basically three types of preference eligibles, disabled (10 point preference eligible), non-disabled (5 point preference eligible) and sole survivorship preference (0 point preference eligible).

- a. **0-point Preference eligible** - no points are added to the passing score or rating of a veteran who is the only surviving child in a family in which the father or mother or one or more siblings:
  - (1) Served in the armed forces, **and**
  - (2) Was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently 100 percent disabled or hospitalized on a continuing basis (and is not employed gainfully because of the disability or hospitalization), **where**



(3) The death, status, or disability did not result from the intentional misconduct or willful neglect of the parent or sibling and was not incurred during a period of unauthorized absence.

b. **5 point preference eligible** if active duty service meets any of the following:

(1) For more than 180 consecutive days, other than for training, any part of which occurred during the period beginning September 11, 2001, and ending on August 31, 2010, the last day of Operation Iraqi Freedom, **OR**

(2) Between August 2, 1990 and January 2, 1992, **OR**

(3) For more than 180 consecutive days, other than for training, any part of which occurred after January 31, 1955 and before October 15, 1976.

(4) In a war, campaign or expedition for which a campaign badge has been authorized or between April 28, 1952 and July 1, 1955.

c. 10 point preference eligible if member served at any time, and member:

(1) has a service connected disability, **OR**

(2) received a Purple Heart.

d. If not sure of preference eligibility, visit Department of Labor's Veterans' Preference Advisor:  
<http://www.dol.gov/elaws/vets/vetpref/msservice.htm>

**WELL-QUALIFIED** - When considering candidates for priority placement, a well-qualified candidate possesses the knowledge, skills, and abilities (KSAs) and experience to successfully perform the duties of the position with no greater loss in productivity than would be expected during the orientation of any employee who is new to the organization. This criterion cannot be met through education and training alone. Experience is paramount.

ENCLOSURE D

**Promotion Calculations for Pay Setting**

<p><b><u>GS - GS Promotion</u></b> (5 CFR 531.214 and 5 USC 5334(b)) Two-Step promotion rule</p> <p>GS existing rate of pay + 2 Step increases = promotion entitlement</p> <p><b>Example:</b> GS 9 step 4 to GS 11 step ?: GS 9 Step 4 = \$52,192 + 2 Steps = \$55,354</p> <p>** Match to GS 11 GS 11 Step 1 = \$57,408</p> <p><b>NOTE:</b> If existing rate is Step 10, take difference between Step 9 &amp; 10 and multiply by 2 and match. If new pay level exceeds Step 10 match at Step 10.</p>	<p><b><u>FWS – FWS Promotion</u></b> (5 CFR 532.407) When comparison of the 2 representative rates results in a higher rate after the action. At the existing rate of pay: WG Representative Rate * .04 + current pay and match</p> <p><b>Example:</b> WG 10 Step 4 to WG 12 Step ?:</p> <p>*WG 10 Step 2 = \$23.30 23.30 * .04 = .93 .93 + 25.17 (WG 10 Step 4) = \$26.10</p> <p>** Match to WG 12 Step 2 = \$26.19</p>	<p><b><u>FWS - GS Promotion</u></b> (5 CFR 531.221(d)) WG Current Step * 2087 = Salary and match to GS pay table, and then identify action.</p> <p><b>Example:</b> WG 12 Step 5 to GS 11 Step ?:</p> <p>WG 12 Step 5 = \$29.32 29.32 * 2087 = \$61,190.84 Match GS 11 Step 3 = \$61,234 Action = Promotion Increase in pay <i>of any amount</i> identifies a Promotion</p> <p><b>NOTE:</b> The two-Step promotion rule applies only to promotions within the GS. It does not apply to promotions from other pay systems into the GS. FWS employees moving into GS are not entitled to a two- Step increase.</p> <p>(United States v. Clark – 454 U.S. 555 (1982))</p>	<p><b><u>GS – FWS Promotion</u></b> (5 CFR 532.407) Compare GS and WG Representative Rates to identify action. Promotion = increase <i>of any</i> <i>amount</i> between representative rates.</p> <p>IF Action = Promotion THEN: GS Representative Rate * .04 + current pay and match</p> <p><b>Example:</b> GS 7 Step 5 (\$43,964) to WG 8 Step ?:</p> <p>**GS 7, Step 4 = \$20.45 (\$42,671/2087) *WG 8, Step 2 = \$20.51 Action = Promotion 20.45 * .04 = .82 .82 + 21.07 (\$43,964/2087) = \$21.89</p> <p>** Match, WG 8 Step 4 = \$22.14</p>
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**Figures used are based on 2013 Pay Tables**

**NOTES:**

When pay setting from past years or a different locality pay tables, set the pay using Basic Pay Tables from that year. After pay is established on basic pay table, set pay IAW correct year and/or locality table.

\* WG Representative Rate = Step 2

\*\* GS Representative Rate = Step 4

\*\* Always match at the lowest step in the grade the employee is being promoted to that equals or exceeds the amount determined by pay setting rules.

ENCLOSURE E

**T32 DS Temporary Technician Comparison Sheet**

<b>LEAVE</b>	Temp Appt NTE 1 – 89 Days	Appt NTE 90+ Days	Appt more than 1 Year
Annual Leave	Annual leave accrues immediately, however, <b>is not</b> available for use. Annual leave <b>will not</b> pay out in a lump sum at separation.	Accrued annual leave may be used. Accrued leave <b>will</b> pay out in a lump sum at separation. See chart below to determine payout.	Accrued annual leave can be used. Accrued leave <b>will</b> pay out in a lump sum at separation. See chart below to determine payout.
Sick Leave	Sick leave accrues immediately and is available for use once accrued. Sick leave will not pay out in a lump sum at separation, but will remain as a credit and can be reinstated should you be reemployed as a Federal employee.	Accrued sick leave can be used. Sick leave will not pay out in a lump sum at separation, but will remain as a credit and may be reinstated should you be reemployed as a Federal employee.	Accrued sick leave can be used. Sick leave will not pay out in a lump sum at separation, but will remain as a credit and may be reinstated should you be reemployed as a Federal employee.
Military Leave	Not Eligible	Not Eligible	120 hours of Military Leave accrues and is available for use. Military leave must be used prior to separation or will be forfeited.
Compensatory Time	Compensatory may be earned. Will be forfeited if not used prior to separation.	Compensatory may be earned. Will be forfeited if not used prior to separation.	Compensatory may be earned. Will be forfeited if not used within 1 year of earning or prior to separation, whichever comes first.
Time Off Award (TOA)	<u>Eligible</u> to receive a TOA. Will be forfeited if not used prior to separation.	<u>Eligible</u> to receive a TOA. Will be forfeited if not used prior to separation.	<u>Eligible</u> to receive a TOA. Will be forfeited if not used prior to separation.
<b>BENEFITS</b>	Temp Appt NTE 1 – 89 Days	Appt NTE 90+ Days	Appt more than 1 Year
Federal Employees Health Benefits (FEHB)	Not eligible to enroll in FEHB. May be enrolled in Tricare Reserve Select (TRS) as the member or as a dependent under your spouse. May be enrolled in any other health insurance to include coverage under your spouse.	<u>Eligible</u> for FEHB. Cannot be enrolled as the member in TRS per P.L. 109-364. May be enrolled in TRS as a dependent under your spouse. May be enrolled in any other health insurance to include coverage under your spouse. <b>**See chart below for premium comparison.</b>	<u>Eligible</u> for FEHB. Cannot be enrolled as the member in TRS per P.L. 109-364. May be enrolled in TRS as a dependent under your spouse. May be enrolled in any other health insurance to include coverage under your spouse. <b>**See chart below for premium comparison.</b>
Federal Employees Dental and Vision Plan (FEDVIP)	Not Eligible	Not Eligible	Not Eligible
Flexible Spending Account (FSA)	Not Eligible	<u>Eligible</u> to enroll	<u>Eligible</u> to enroll
Federal Employees Group Life Insurance (FEGLI)	Not Eligible	Not Eligible	Not Eligible

Long Term Health Care	<u>Eligible</u> to enroll	<u>Eligible</u> to enroll	<u>Eligible</u> to enroll
Thrift Savings Plan	Not Eligible	Not Eligible	Not Eligible
My Retirement Account	<u>Eligible</u> to enroll	<u>Eligible</u> to enroll	<u>Eligible</u> to enroll
Appraisal & Probation Period	Temp Appt NTE 1 – 89 Days	Appt NTE 90+ Days	Appt more than 1 Year
Appraisal Job Objectives	Job objectives do not need to be established	Objectives should be established between supervisor and employee	Rating may be complete by supervisor (not required, but encouraged)
Probation Period	IAW TPR 300, any Temporary Technician time that immediately precedes a conversion to permanent status may be used as creditable time towards a probationary period. The temporary time must have been completed in the same agency and like job duties in order to be counted as creditable time towards a permanent probationary period	IAW TPR 300, any Temporary Technician time that immediately precedes a conversion to permanent status may be used as creditable time towards a probationary period. The temporary time must have been completed in the same agency and like job duties in order to be counted as creditable time towards a permanent probationary period	IAW TPR 300, any Temporary Technician time that immediately precedes a conversion to permanent status may be used as creditable time towards a probationary period. The temporary time must have been completed in the same agency and like job duties in order to be counted as creditable time towards a permanent probationary period

**2018 Monthly Premium Rate Comparison**

FEHB Family >\$392/month	TRS Family \$221.38/month
FEHB Self >\$159/month	TRS Self \$ 46.09/month

FEHB premiums vary. For more information, refer to: [opm.gov/healthcare-insurance/healthcare/plan-information/premiums](http://opm.gov/healthcare-insurance/healthcare/plan-information/premiums)

TRICARE Reserve Select Premiums. For more information, refer to: <https://tricare.mil/Costs/HealthPlanCosts/TRS>

**Annual Leave**

0 – 3 Years of Service	4 hr accrual
3 – 15 Years of Service	6 hr accrual
15 + Years	8 hr accrual

*Formula to determine lump sum payment of annual leave:*  
 Take annual salary divided by 2087 = hourly salary. Then take hourly salary x the number of hours left as leave balance = lump sum payment.

Example:

$$\$50,000 / 2087 = \$23.95$$

$$\$23.95 \times 24 \text{ hours} = \$574.00 \text{ lump sum payment}$$

(payment will have a tax deduction)

Things to consider:

1. If Appointment NTE date is 89 days or less than; appointee will not be eligible to use or receive a lump sum payment of annual leave upon separation. However, they can enroll in or remain enrolled in TRS.
2. If Appointment NTE date is 90 days or greater; appointees are no longer eligible to enroll in or remain enrolled in TRS, because they are now eligible for FEHB. However, they can begin using annual leave, and will receive a lump sum payment for accrued annual leave upon separation.

ENCLOSURE F

**Within Grade Increases – WIGI's**

BOTH GS & WG BASED ON LONGEVITY AND JOB PERFORMANCE

**WAGE GRADE (WG), WAGE LEADER (WL), AND WAGE SUPERVISOR (WS)**

- STEP 1 TO STEP 2 = 26 WEEKS AS STEP 1
- STEP 2 TO STEP 3 = 78 WEEKS AS STEP 2
- STEP 3 TO STEP 4 = 104 WEEKS AS STEP 3
- STEP 4 TO STEP 5 = 104 WEEKS AS STEP 4

**GENERAL SCHEDULE (GS)**

- STEP 1 TO STEP 2 = 52 WEEKS AS STEP 1
- STEP 2 TO STEP 3 = 52 WEEKS AS STEP 2
- STEP 3 TO STEP 4 = 52 WEEKS AS STEP 3
- STEP 4 TO STEP 5 = 104 WEEKS AS STEP 4
- STEP 5 TO STEP 6 = 104 WEEKS AS STEP 5
- STEP 6 TO STEP 7 = 104 WEEKS AS STEP 6
- STEP 7 TO STEP 8 = 156 WEEKS AS STEP 7
- STEP 8 TO STEP 9 = 156 WEEKS AS STEP 8
- STEP 9 TO STEP 10 = 156 WEEKS AS STEP 9

26 Weeks = 1/2 Year

104 Weeks = 2 Years

52 Weeks = 1 Year

156 Weeks = 3 Years

78 Weeks = 1 and 1/2 Year

ENCLOSURE G

**REQUEST FOR COMPATIBILITY WAIVER SAMPLE**

UNIT LETTERHEAD

DATE

MEMORANDUM FOR    Gaining Squadron/CC (e.g. 153 MXS/CC)  
                           Gaining 153 Group/CC or Directorate (e.g. 153 MXG/CC / DCSOPS)  
                           Losing Squadron/CC (e.g. 153 LRS/CC)  
                           Losing 153 Group/CC or Directorate (e.g. 153 MSG/CC / USPFO)  
                           153 FSS/FSM or G1 Personnel  
                           153 AW/CC or Chief of Staff  
                           NGWY-HRO  
                           IN TURN

FROM: (Your Office Symbol and Name)

SUBJECT: Request for Compatibility Waiver – (Indicate type of waiver: Agency, AFSC/MOS, Unit of Assignment, Rank)

1. The purpose of this memorandum is to request a (Indicate type) waiver for Name of Individual, dual status military technician currently employed at Unit to move to Unit.

2. Mandatory waiver elements IAW NGB-J1-TNS' Resource Guide to the National Guard Technician Compatibility Program, dated 1 October 2012.

a. Technician Position Information: e.g. Heavy Mobile Equipment Mechanic, WG-5803-10, Position Description (PD) D0349000 (enclosed), AFSC 2TXXX, Transport and Vehicle Management

b. Losing Military Position Information (if applicable): e.g. 153rd Logistics Readiness Squadron, AFSC 2T371, Vehicle Equipment Maintenance Craftsman, Grade-TSgt

c. Gaining Military Position Information (if applicable): e.g. 153rd Maintenance Squadron, AFSC XXXX, Duty Title, Grade-XXxx

d. Classification Release Authority: CRA XX-XXXX (Contact HRO Classifier to assist)

e. Position Description Agency: Air Force

f. Position Description's compatible ranks and military skills: 2TXXX

g. Compatibility Waiver Type (Identify type of waiver requested): Agency, AFSC, Unit of Assignment, Rank

h. Justification: (Justification to support the waiver request: This justification is detailed, accurate, and clearly describes why the waiver is needed. Identify why and how the waiver will align the position description's responsibilities and duties with the State's operational strategic goals and the National Guard unit's mission objectives. If the waiver is necessary for a specific person, in any of the five compatibility types, explain the circumstances for each – completely. Include the member's name, current military rank, Agency, unit of assignment, military skill, technician grade, and position title.

Provide a brief synopsis of the situation that led to the waiver request. The more detailed information you share that clearly explains the members' circumstances, the less chance of receiving a disapproval or delays created when the package is returned for additional research, validation, or justification. In addition, clear understanding of your efforts to correct the record condition and why the waiver supports the organizational goals may result in effective positive responses).

3. Point of contact is the undersigned at Insert Phone Number or at Insert Email Address.

**SIGNATURE BLOCK**