



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 1 December 2016

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) TPR 335 and AGR regulations and covers the administration procedures for both Active Guard & Reserve (AGR) and Technicians.

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.

TABLE OF CONTENTS

	PARA	PAGE
CHAPTER 1 - GENERAL		
References	1	4
Purpose	1-1	4
Policy	1-2	5
Scope	1-3	5
Equal Opportunity Policy	1-4	5
Responsibilities	1-5	5
Management's Rights	1-6	7
Rapid Revision Updates	1-7	7
Availability	1-8	7
CHAPTER 2 - EXCEPTIONS TO COMPETITION		
Personnel Actions Exempt From Competition	2-1	8
Priority Placement Actions	2-2	9
Temporary Promotions	2-3	10
Details	2-4	11
Temporary Appointments (Not to Exceed – NTE)	2-5	11
Emergency Hiring Flexibilities	2-6	12
Key Staff	2-7	12
Trainee and Upward Mobility Positions	2-8	13
Exceptions to Competition Table	Table 2-1	14
CHAPTER 3 - POSITION ANNOUNCEMENT AND APPLICATION PROCEDURES		
Application	3-1	15
Request for Filling Vacancy	3-2	15
Non-Dual Status Positions (Competitive)	3-3	15
Priority Placement Plan (PPP)	3-4	16
Vacancy Announcements	3-5	16
Areas of Consideration	3-6	17
Application Procedures	3-7	19
Reasonable Accommodations Policy Statement	3-8	20

CHAPTER 4 – REFERRAL AND SELECTION PROCEDURES

Referral of Candidates/HRO Responsibilities	4-1	21
Nominating/Selecting Officials Responsibilities	4-2	21
Actions by the Nominating/Selecting Official	4-3	21
Interview Process	4-4	23
Actions by the Human Resource Office	4-5	24
Positions of Significant Trust and Authority (POSTA)	4-6	24
Start/Effective Date For New Hires	4-7	24
Trial/Probationary Employees	4-8	25

CHAPTER 5 – PLACEMENT/PROMOTION RECORDS

Purpose	5-1	27
Records Required	5-2	27

ADMINISTRATION OF TECHNICIAN PRACTICES**CHAPTER 6 – GRIEVANCES AND COMPLAINTS**

General	6-1	28
Exclusions	6-2	28
Complaints or Grievances	6-3	28
Corrective Action	6-4	28
Discrimination Complaints	6-5	28

CHAPTER 7 – PROCESSING APPLICATIONS

Determination of Basic Eligibility	7-1	29
Military Grade Requirements	7-2	29
Security Requirements	7-3	29
Technician/Military Compatibility	7-4	29
USA Staffing	7-5	30

CHAPTER 8 – PAY SETTING POLICY

Maximum Payable Rate Rule/Highest Previous Rate Rule	8-1	31
Superior Qualifications/Special Needs Pay Setting	8-2	32
Superior Qualification Guideline for GS Appointees	Table 8-1	33
Superior Qualification Guideline for WG Appointees	Table 8-2	33
Retained Grade	8-3	33
Retained Pay	8-4	33

CHAPTER 9 – OCCUPATIONAL MEDICAL (OCCUPATIONAL HEALTH)**EXAMINATIONS**

Regulatory	9-1	34
Identifying Workers at Risk	9-2	34
Work Areas/Exposures	9-3	34
Return to Duty	9-4	35
Pre-Existing Condition	9-5	35
Medical Determinations/Recommendations	9-6	35
Examinations	9-7	35
Examination Results	9-8	35
Record Keeping	9-9	36
Medical Surveillance Examinations by Occupational Group/Series	Table 9-1	37

ADMINISTRATION OF AGR PRACTICES**CHAPTER 10 – PROCESSING AGR APPLICATIONS**

General	10-1	38
Applicant Responsibilities	10-2	38

Board Procedures Specific to AGR Hiring Actions	10-3	40
Qualification Criteria	10-4	40
Security Requirements	10-5	41
Physical Requirements	10-6	41
AFSC Waivers	10-7	41
CHAPTER 11 – AGR ASSIGNMENT, STABILIZATION, & POSITION MANAGEMENT		
General	11-1	42
Stabilization Exceptions to Policy and Waiver Requests	11-2	42
Career Managed Positions	11-3	43
CHAPTER 12 – PROCESSING AGR CONVERSION TO FEDERAL TECHNICIAN REQUESTS		
Purpose	12-1	45
Background	12-2	45
Intent	12-3	45
Process	12-4	45
Subsequent Procedure	12-5	45
CHAPTER 13 – AGR REDUCTION-IN-FORCE		
Purpose	13-1	47
Management Options	13-2	47
AGR Manager Responsibilities	13-3	47
Key Provisions	13-4	48
AGR Reduction-in-Force Specific Provisions	13-5	48
APPENDIXES		
A - Acronyms		50
B - Definitions		51
C – Sample SF 52 Templates		57
D – Promotion Calculations for Pay Setting		58
E – Temporary Technician Comparison Sheet		59
F – Within Grade Increases Timelines		61
G – Request for Compatibility Waiver Sample		62

CHAPTER 1

GENERAL

1. REFERENCES.

- a. 5 CFR §330.104, Requirements for Vacancy Announcements
- b. 5 CFR §530-536 Pay Rates and Systems
- c. 5 CFR §531.212, Superior Qualifications
- d. 5 CFR §531.221-223, Highest Previous Rate Under the Maximum Payable Rate Rule
- e. 5 CFR §731, Suitability
- f. 5 USC §2301, Merit Systems Principles
- g. 32 USC §328, Active Guard and Reserve Duty: Governor's Authority
- h. 32 USC §502(f), Required Drills and Field Exercises
- i. 32 USC §709, National Guard Technicians
- j. 38 USC §4301-4335, Uniformed Services Employment and Reemployment Rights Act (USERRA)
- k. Air Force Officer Classification Directory (AFOCD) (Must login to myPers)
- l. Air Force Enlisted Classification Directory (AFECD) (Must login to myPers)
- m. AFI 36-2502, Enlisted Airman Promotion/Demotion Programs
- n. AFI 36-2905, Fitness Program
- o. ANGI 36-101, Air National Guard Active Guard Reserve (AGR) Program
- p. ANGI 36-2002, Enlistment and Reenlistment in ANG and as a Reserve of the Air Force
- q. ANGI 36-2005, Appointment of Officers in the ANG of the US and as Reserves of the Air Force
- r. ANGI 36-2101, Assignments within the Air National Guard (ANG)
- s. AR 40-501, Standards of Medical Fitness
- t. AR 135-18, The Active Guard Reserve (AGR) Program
- u. AR 570-4, Manpower Management
- v. AR 600-8-19, Enlisted Promotions and Reductions
- w. WAR 600-8-19, Wyoming – Enlisted Promotions and Reductions
- x. AR 600-9, The Army Body Composition Program
- y. AR 601-210, Active and Reserve Components Enlistment Programs
- z. DoD Priority Placement Programs (PPP) Handbook
- aa.. FM 7-22, Army Physical Readiness Training
- ab. FM 7-22, Change 1, Change 1 to FM 7-22, Army Physical Readiness Training
- ac. FTR 41 CFR Chapter 302, Relocation Allowances
- ad. JTR Vol. 2, Chapter 5, Permanent Duty Travel
- ae. NGR (AR) 310-10, Military Order
- af. NGR (AR) 600-5, The Active Guard/Reserve (AGR) Program
- ag. NGR (AR) 600-100, Commissioned Officer – Federal Recognition and Related Personnel Actions
- ah. NGR 600-101, Warrant Officers – Federal Recognition and Related Personnel Actions
- ai. NGR 600-200, Enlisted Personnel Management
- aj. TPR 300(335) Merit Placement for National Guard Technicians
- ak. TPR 303, Military Technician Compatibility
- al. TPR 700 (732.1), Technician Personnel Regulation, Position Sensitivity & Security Clearances
- am. TPR 715, Voluntary and Non-Disciplinary Actions
- an. TPR 752, Discipline and Adverse Action
- ao. State of Wyoming Personnel Rules

1-1. PURPOSE. This plan establishes the procedures and provides information on the merit placement program to be used for the employment and placement of Title 32 Excepted Dual Status (DS) technicians, Competitive Non-Dual Status (NDS) technicians and 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 qualified individuals, 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 National Guard unit membership and a 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 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 technician and AGR positions in the WYMD. It will be used in filling and managing technician positions in the Excepted (DS) and Competitive service (NDS) through initial appointment, promotion, reassignment, reinstatement, change to lower grade, or transfer under the provisions of Title 32 United States Code (U.S.C) 709, TPR 300(335), and TPR 303. 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 ANGI 36-101, AR 135-18 and NGR (AR) 600-5 will be utilized for administering the AGR program.

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. 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 that all procedures used to identify, qualify, evaluate, and select are based on job-related criteria.

(7) 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.

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

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

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

(11) 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 technicians/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) Technician applications must be uploaded to USA Jobs prior to 2159 hours Mountain Standard Time (MST) on the closing date.

(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.

1-6. MANAGEMENT'S RIGHTS. Recognizing that it is essential for positions to be filled with fully qualified individuals, Management retains the right to:

a. Select or non-select from among a group of properly referred qualified candidates.

b. 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 and/or AGR announcements. Refer to the CBAs for RIF-specific instructions available through the respective labor unions.

c. 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.

1-7. RAPID REVISION UPDATES. Due to continuous regulation, policy, and guidance updates, rapid revision updates will be made to the applicable chapters as needed.

1-8. 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 and Technician vacancy announcement, and is available upon request.

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 due to the implementation of a new national Position Description Release (PDR) or the correction of a classification error.

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

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

d. Re-promotion to a grade (or a comparable grade) or a position from which a technician was demoted without personal cause and not at his or her request.

e. Temporary promotion of 120 days or less.

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

If a technician/AGR non-concurs with the reassignment, the employee shall be notified in writing of the termination of employment, unless the employee is serving under a temporary 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. Such notification shall be given to a technician at least 30 days before the termination date of employment. AGRs are notified at the time of the reassignment, they will remain in an AGR status for no longer than 120 days before release.

g. Command, Leadership, and Staff Assignment Program (CLASP). CLASP provides professional development opportunities for military 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.

h. Voluntary Reassignment: Currently assigned qualified technicians within the same Tenure Group (e.g. Indefinite to Indefinite, Permanent to Permanent) 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 overgrade 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).

i. Position change required by RIF regulations.

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

k. Reassignment actions pursuant to TPR 715, Voluntary and Non-Disciplinary Actions, Chap 3-2c-e.

l. Details for 120 days or less to higher graded position or to a position with known promotion potential.

- m. Selection of a former technician from the Reemployment Priority List for a position at the same or lower grade than the one last held.
- n. Placement under the DoD Priority Placement Program.
- o. 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.
- p. Hiring of temporary technicians.
- q. Emergency Hiring Authority when delegated to the state to support contingency operations.
- r. Placement as a result of priority consideration when a candidate was not previously given proper consideration in a competitive action.
- s. Noncompetitive appointment of Certain National Guard Technicians. IAW 5 CFR §315.610, the WYMD may appoint noncompetitively a Dual Status National Guard technician to Non-Dual Status when the following conditions are met:
 - (1) Agency must have a valid vacant Non-Dual Status position available for placement.
 - (2) Was involuntarily separated (other than removal for cause on charges of misconduct or delinquency);
 - (3) Has served at least 3 years as a technician;
 - (4) Meets the qualifications of the job: and
 - (5) Is appointed within 1 year after separating from service as a Dual Status Guard technician.
- t. Direct Hire Authority for Select Defense Acquisition Workforce positions. (e.g. GS-1102 Contracting Positions). Refer to Para 3-6.b.(3)(b) for specific information.
- u. The following positions are designated as Excepted Career Management Positions within the WY ARNG AGR program IAW NGR 600-5, paragraph 3.2b.(1)-(2). 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 State Command Sergeant Major and Command Chief Warrant Officer (CCWO) positions.
 - (2) All positions of Significant Trust and Authority (POSTA), which include those outlined in Paragraph 4-6 of this document, ARNG-HRZ PPOM #15-040 and the Assistant Inspector General (IG).

2-2. PRIORITY PLACEMENT ACTIONS.

- a. **TECHNICIANS UNDER GRADE RETENTION.** A technician 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 a technician 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 technicians entitled to priority placement. These technicians 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 a technician in retained grade status is well qualified, the technician will be offered the position. The technician must meet the full technician and military requirements (if DS) for the position. If there is more than one eligible technician 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 technician refuses the offer of a position equal to the technician's retained grade. The technician 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 technicians within the commuting area, the position will be offered to technicians entitled to priority placement outside the commuting area before any other placement action. If the technician refuses the offer of a position outside the commuting area, grade and pay retention will continue if otherwise eligible.

b. REEMPLOYMENT PRIORITY LIST.

(1) Tenure group I and II technicians 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 technicians 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 technicians 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 technician in a higher graded position. Promoting a technician 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 be qualified in position being 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 TPR 430, National Guard Technician Performance Appraisal Program, objectives will be established for Technician Performance Appraisal Applications (PAA) for temporary promotions expecting to last longer than 30 days, and will only be evaluated if the temporary promotion meets or exceeds 120 days.

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.

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 5 USC §3341(b)(1). 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. Selections for temporary appointments must be 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.

(1) The HRO may adjust the grade level for which a temporary appointment is requested based on mission requirements, qualification, funding, etc.

(2) 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.

(3) A temporary appointment (NTE) does not confer permanent status.

(4) 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 Appendix E, Temporary Technician Comparison Sheet.

b. A temporary appointment may be made outside of normal hiring procedures if the duration of the appointment is less than 120 days. Extensions to temporary appointments may be made for 120 days incrementally up to one year.

(1) Units will provide the following in conjunction with the SF 52 submission:

(a) SF 52, Part A, 1-6 completed. Include a Not-to-Exceed (NTE) date.

(b) SF 52, Part B, 1-3, 15-18, and 22.

(c) Incumbent's Resume.

(d) HRO Form 100, Declaration of Relatives Working within the WYMD (signed by both the incumbent and supervisor).

(d) I-9, Employment Eligibility Verification (Section 1 completed, signed and dated).

(e) OF 306, Declaration of Federal Employment (Blocks 1-17a, signed and dated).

(f) Personnel Record.

(1) ARNG: Enlisted or Officer Record Brief (ERB/ORB).

(2) ANG: virtual Military Personnel Flight Record of Individual Personnel data (vMPF Rip).

(2) Temporary appointments and extensions beyond one year require a TAG waiver. The TAG may make and extend excepted temporary appointments in increments of up to one year each for a total of four years. Extensions beyond four years require National Guard Bureau Personnel Center 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.

(3) Excepted appointments with indefinite time limitations should be used when the appointment is expected to extend beyond one year or management expects the position to become permanent at some time in the future. When feasible and funding is available, consider advertising the position as an Area 5 - Indefinite Job Opportunity Technician – Merit Promotion IAW Para 3-6.b.(5) of this plan. Advertisement procedures must be used when filling a position on an indefinite basis.

2-6. EMERGENCY HIRING FLEXIBILITIES. Conditions may exist where NGB institutes emergency hiring authorities. When NGB has delegated Emergency Hire Appointment Authority to TAG, states are authorized to non-competitively appoint and/or temporarily promote traditional Guard, DS, and NDS technicians to 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.

2-7. 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, 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.

2-8. 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 and certification of fully acceptable performance by the immediate supervisor of the position. 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 (e.g. WG-5801-08/10).

Exceptions to Competition		Technician	AGR
2-1.	Personnel Actions Exempt from Competition		
2-1a.	Promotion due to implementation of a new Position Description Release (PDR) or the correction of a classification error.	X	
2-1b.	Promotion resulting from a position being reclassified at a higher grade because of additional duties and responsibilities.	X	
2-1c.	Promotion when competition was held earlier (i.e. vacancy announced as a trainee position or with known promotion potential).	X	X
2-1d.	Re-promotion to a grade (or a comparable grade) or a position from which a technician was demoted without personal cause and not at his or her request.	X	
2-1e.	Temporary promotion of 120 days or less.	X	
2-1f.	Management Directed Reassignments (MDR). Management may reassign a technician/AGR to another position at the same grade and pay, or to a lower graded position if the reassignment is considered to be in the best interest of the Government and the employee concurs with the reassignment.	X	X
2-1f(1).	If employee non-concurs with the reassignment, the employee shall be notified in writing of the termination of employment, unless the employee is serving under a temporary 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. Such notification shall be given to a technician at least 30 days before the termination date of employment. AGRs are notified at the time of the reassignment, they will remain in an AGR status for no longer than 120 days before release.	X	X
2-1g.	Command, Leadership, and Staff Assignment Program (CLASP)	X	X
2-1h.	Voluntary Reassignment	X	X
2-1i.	Position change required by Reduction-In-Force (RIF) regulations.	X	X
2-1j.	Placement of over-graded technicians entitled to grade retention as a result of RIF, reclassification or management directed change to lower grade.	X	
2-1k.	Reassignment actions pursuant to TPR 715, Voluntary and Non-Disciplinary Actions, Chap. 3-2c-e.	X	
2-1l.	Detail for 120 days or less to higher graded position or to a position with known promotion potential;	X	X
2-1m.	Selection of a former technician from the Reemployment Priority List for a position at the same or lower grade than the one last held.	X	X
2-1n.	Placement under the DoD Priority Placement Program.	X	X
2-1o.	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	
2-1p.	Hiring of temporary technicians	X	
2-1q.	Emergency Hiring Authority when delegated to the state to support contingency operations.	X	
2-1r.	Placement as a result of priority consideration when a candidate was not previously given proper consideration in a competitive action.	X	X
2-1s.	Noncompetitive appointment of Certain National Guard Technicians	X	
2-1t.	Direct Hire Authority for Select Defense Acquisition Workforce positions. (e.g. GS-1102 Contracting Positions)	X	
2-1u.	AGR Excepted Career Management Positions		X
2-2.	Priority Placement Actions	X	X
2-2a.	Technicians Under Grade Promotion	X	
2-2b.	Reemployment Priority List	X	
2-3.	Temporary Promotions	X	
2-4.	Detailing	X	
2-5.	Temporary Appointments	X	
2-6.	Emergency Hiring Flexibilities	X	
2-7.	Key Staff	X	X
2-8.	Trainee and Upward Mobility Positions	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 (Appendix C):

- (1) Position Title/Number, Job Number, Grade(s), FAC, and Location.
- (2) Type of Appointment (Technician DS/NDS or AGR).
- (3) Minimum and Maximum Military Grade Required.
- (4) Military Requirements (e.g., flight status/flight hours, certifications, training, required AFSC/MOS for position, ASVAB, etc.)
- (5) Requested area of consideration.
- (6) Requested selective placement factors.
- (7) Coordinate the SF 52 for Technician and AGR 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. NON-DUAL STATUS POSITIONS (COMPETITIVE). NDS vacancies may be filled IAW Para 3-6.b.(3).

a. NDS candidates must meet OPM Qualification Standards for the position and meet or exceed time-in-grade restrictions set forth in 5 CFR §300.604 unless advancement is permitted by §300.603(b).

(1) Advancement to positions at GS-12 and above. NDS 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. NDS 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. NDS 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. Technician 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 (Technicians 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 (DS, NDS, Temporary).
- (c) Compatible military assignment (MOS or AFSC).
- (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.

(l) Statement that an 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 (state 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.

b. The unit elects to fill a vacant full-time support position with an AGR, DS or NDS employee in one of the following areas.

(1) **Area 1 – In-service Restricted (Technician 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 5 - In-service Restricted (FMS #5 or 153 FSS)].

(2) **Area 2 - In-service Dual Status (DS) Technician and/or AGR – Merit Promotion.**

(a) In-service Technicians: All presently employed WY ARNG and/or WY ANG military technicians, indefinite military technicians who competed for their positions and AGR members with 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 - Non-Dual Status (NDS) Technician – Merit Promotion.**

(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 Public Law 99-586.) Candidates must meet OPM qualification standards and a NDS allocation must be available. Recommend simultaneously advertising the position for current on-board NDS technicians.

(b) Expedited Hiring Authority (Direct Hire Authority) for Select Defense Acquisition Workforce Positions. May use direct hire authority for GS-1102 Contracting positions. Per OPM, the WYMD must post all vacancies filled by direct-hire authority on USA JOBS and the vacancy must state it is a direct hire (e.g. This position is being filled under the Acquisition Expedited Hiring Authority (EHA) using OPM's Direct Hire Authority – OR – This notice is being issued under the expedited-hire authority. Using Office of Personnel Management (OPM) approved government-wide direct hire authorities, agencies may appoint candidates directly to jobs, without regard to the provisions of Title 5, U.S.C. 3309 through 3318, for which OPM determines that there is a severe shortage of candidates or a critical hiring need. The vacancy may be open to "US Citizens". This authority may be used to make permanent, term, or temporary appointments and must use the following Legal Authority Code (LAC)/Legal Authority Z5C/Expedited Hiring Authority (Acquisition) Sec 803, PL 112-239, 1/2/2013 and use V8N as a 2nd LAC. States must still follow NGB memorandum Subject: "Guidance on Processing National Guard Technician Hires and Promotions for Series GS-1102 Contracting Program Positions" dated 14 April 2016.

(c) Prior to using either of the two above options, priority placement program must be cleared.

(d) Initial NDS hires to the Federal Government will be filled through OPM hiring procedures. HRO will coordinate documentation and funding with OPM.

(4) Area 4 - Job Opportunity (Technician and/or AGR) – Merit Promotion.

(a) Technician: All military members of the WY ANG or ARNG.

(b) AGR: All military members of the WY ANG or ARNG.

(5) Area 5 - Indefinite Job Opportunity Technician – Merit Promotion.

(a) Indefinite appointments can be used when there is a need for a temporary position to extend beyond one year or management expects the position to become permanent 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 38 USC §4312(a)(2).

(b) Indefinite employees who have competed for their positions can be converted to permanent employees at management's discretion when the position is the same occupational series.

(c) Individuals serving 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).

(d) Indefinite employees may be terminated or displaced at management’s discretion with a 30-day written notice.

(e) May be opened Nationwide to increase applicant pool at the discretion of the ANG Wing Commander / ARNG Chief of Staff.

(6) Area 6 – Nationwide Job Opportunity (Technician 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 (Technician and/or AGR) – Merit Promotion

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

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

(c) Non-Dual Status: Civilians eligible for Federal employment. Nationwide NDS vacancies will be coordinated with HRO and published by the Office of Personnel Management (OPM).

c. 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.

Area 1 – In-service Restricted Technician/AGR	7 days
Area 2 – In-service Dual Status (DS) Technician/AGR	14 days
Area 3 – Non-Dual Status (NDS) Technician	14 days
Area 4 - Job Opportunity Technician/AGR	14 days
Area 5 - Indefinite Job Opportunity Technician	14 days
Area 6 – Nationwide Job Opportunity Technician	14 days

Area 7 - Nationwide Technician/AGR	14 days
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Note #1: Vacancy announcements for **Areas 4, 5, and 6** affecting members of the Wyoming Army National Guard should be advertised at a minimum of 30 days to encompass statewide unit drills.

Note #2: 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.

d. (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.

e. 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)
- (4) OF 306, Declaration of Federal Employment (technicians only)

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 AR 600-8-19, Enlisted Promotions and Reductions, Para 10-18.b. Voluntary Reduction, 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.

(2) ANG: IAW AFI 36-2502, Administrative Demotion of Airmen, Para 11.1.2.4.1.1.2., 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 under AFI 36-2502. The date of rank will be adjusted IAW AFI 36-2502, 10.12.1.2. upon subsequent promotion to the next higher rank. A sample is located at: <http://go.usa.gov/chPE5>

c. Technician 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. 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.

d. 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 5 USC §2301.

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.

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. For AGR board composition, see Chapter 10.

(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) Every selection board must have at least one minority member if they will be interviewing a candidate who has self-identified on the SF 181 (AGR) or on the Ethnicity and Race Identification portion of the questionnaire through USA Jobs Application Manager (technicians) 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 and the Ethnicity and Race Identification questions are included in the USA Jobs Application Manager, 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. If a female candidate is being interviewed, there must be a female on the board. Selecting officials who are unable to find a minority or 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 312-14, 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 312-14, 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 training IAW the Notification and Federal Employee Antidiscrimination Act of 2002 (No Fear Act). 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 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 technician and AGR interview questions to the State Equal Employment Manager (SEEM), or Deputy HR Officer if the 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 being 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.

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. 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 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 in accordance with ARNG-HRZ PPOM #15-040 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 Appendix B for military members and civilians

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

a. The effective start date for technician 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 or indefinite technician, the losing supervisor must complete a close-out appraisal prior to the technician 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).

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.

4-8. TRIAL/PROBATIONARY EMPLOYEES.

a. Technician: A newly hired technician under their first excepted appointment (career-conditional) and who must demonstrate their ability to perform their duties within the first year 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 (DS) employees can be dismissed without cause within the first year of their employment. Probationary (NDS) employees can be dismissed without cause within the first two years of their employment upon initial appointment to the WYMD.

(2) Length of probationary period; crediting service.

(a) The probationary period required is one year for DS employees (5 CFR §315.802(a)) and two years for NDS employees appointed to permanent positions in the competitive service after 26 November 2015 (10 USC §1599e).

(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 5 CFR §315.802(c), 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.

(1) Absence in nonpay status while on the rolls (other than for compensable injury or military duty) is creditable up to a total of 22 workdays. Nonpay time in excess of 22 workdays extends the probationary period by an equal amount. (e.g. 30 days of LWOP = an 8 day extension of trial period)

(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 technician's service during this period if the member fails to demonstrate fully the qualifications for continued employment.

(4) Removal action may be taken at any time during the trial period IAW TPR 752, Para 4-1c.

(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 5 CFR §315.905, technicians are required to serve a probationary period for one year 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. (5 CFR §315.907)

c. 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 ANGI 36-101. Chapter 10.

d. 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 NGR 600-5 para 5-4. 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 DODI 1205.18, Full-time Support (FTS) to the Reserve Components.

CHAPTER 5

PLACEMENT/PROMOTION RECORDS

5-1. PURPOSE. Complete placement/promotion records are maintained by the HRO to:

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

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. Copy of the vacancy announcement.
- b. List of all candidates' names.
- c. Individual application packets.
 - (1) AGR applications (qualified and non-qualified) and technician applications (qualified) selected for employment will be retained on file indefinitely. Technician 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.
- d. Forms used by HRO personnel and/or rating panels in the evaluation and rating process.
- e. Referral certificate and the Selecting Official's endorsement.
- f. Copy of the Certificate of Eligibles.
- g. All board members' notes and scoring matrix showing their individual rating of all candidates, interview questions and documentation used to justify selection.
- h. Copy of the SF 52, Request for Personnel Action.
- i. Recommendation by the Selecting Official.
- j. HRO Form 100, Declaration of Relatives Working Within the Wyoming Military Department.
- k. Documentation of written or electronic notification.

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.** 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.

6-4. **CORRECTIVE ACTION.** IAW TPR 300 (335) Merit Placement for National Guard technicians, there are three types of violations: procedural, regulatory, or program, for which NGB or OPM may require corrective action.

a. **A procedural violation** occurs when a placement action does not meet the requirements of this Merit Placement Plan. A technician may remain in the position only if reconstruction of the action shows that the employee could have been selected if proper procedures had been followed at the time the action was taken, or if the National Guard Bureau gives approval.

b. **A regulatory violation** occurs when the technician did not meet the qualification or regulatory requirements at the time of placement. A technician may be retained in the position only if he/she now meets all requirements and if the National Guard Bureau gives approval.

c. **A program violation** occurs when the State's placement plan, guidelines, or practices do not conform to National Guard Bureau, DoD, or OPM requirements. Generally, a technician may be retained in the position if there was no accompanying procedural or regulatory violation involved.

d. If the corrective action taken requires the position to be vacated, the erroneously placed technician should be returned to his or her former position or placed in another position for which qualified. All candidates who were not given proper consideration should be considered before new recruiting efforts are initiated. If the corrective action did not include vacating the position, candidates who were not given proper consideration because of the violation may be given priority consideration for appropriate vacancies.

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 selection process will be considered by the WYMD's Equal Employment Opportunity Manager, (307) 772-5245.

ADMINISTRATION OF TECHNICIAN PRACTICES

CHAPTER 7

PROCESSING APPLICATIONS

7-1. **DETERMINATION OF BASIC ELIGIBILITY.** The HRO staffing specialist will review the applications to determine basic eligibility. Applications for NDS positions will be evaluated by OPM's Delegated Examining Unit (DEU) for initial entry into the workforce. Applications for DS positions will be evaluated using the National Guard Bureau's Qualification Standards. 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 Technician 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. **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.

7-3. **SECURITY REQUIREMENTS.** A technician is subject to personnel security requirements in accordance with TPR 700 (732.1), Technician Personnel Regulation. 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 TPR 715, Voluntary and Non-Disciplinary Actions, Para 3-2a(9).

7-4. **TECHNICIAN/MILITARY COMPATIBILITY.** IAW TPR 303, Military Technician Compatibility and The Resource Guide to the National Guard Technician Compatibility Program, 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. Dual status 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 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 Appendix 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.

7-5. USA STAFFING. It is the OPM hiring software solution for Federal agencies and is 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. Selection Manager: Hiring 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.

ADMINISTRATION OF TECHNICIAN PRACTICES

CHAPTER 8

PAY SETTING POLICY

8-1. **MAXIMUM PAYABLE RATE RULE/HIGHEST PREVIOUS RATE RULE.** IAW 5 CFR §531.221, 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 under 5 CFR §532.405.

(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 (Ref: 5 CFR §531.222(b)) -

(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 (5 CFR §531.221).

(4) Any rate that does not meet the definition of General Schedule (GS) in 5 CFR §531.203 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 5 CFR §531.223 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 5 USC §5363 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 5 CFR §531.212, Superior qualifications and special needs pay-setting authority, the WYMD may use the superior qualifications and special needs pay-setting authority in 5 USC §5333, Minimum Rate for New Appointments, 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 5 USC §5333; 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 5 CFR §531.212(a)(3) 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 a Federal technician 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	* 6	* 7	* 8	* 9	* 10

* 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 technician 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: 5 CFR §339, Medical Qualification Determinations; DoDI 6055.05, Occupational and Environmental Health; DoD 6055.05-M, Occupational Medical Examinations and Surveillance Manual; AR 40-5, Preventative Medicine; AR 385-10, Army Safety Program; and AFI 48-145, Occupational and Environmental Health Program; 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 5 CFR §339.304, 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

Group / Series	OCCUPATIONAL GROUP/SERIES	PHYSICAL EXAM (Pre/Ann/Term)	VISION EXAM	HEARING EXAM	CHEM 20 (Lab Tests)	BLOOD Lead, ZPP, Cadmium,CHRO (Heavy Metals)	PULMONARY FUNC. TEST (when indiv. identified)	CHEST X-RAY (as needed)
General Schedule (GS) Occupations								
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	
Wage Grade (WG/WL/WS) Occupations								
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 three 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 ANGI 36-101, The Active Guard/Reserve (AGR) Program, Chapter 5.11. and AFI 48-123, Medical Examinations and Standards.
- (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 must have completed Senior Noncommissioned Officer Academy IAW ANGI 36-101, Air National Guard Active Guard Reserve (AGR) Program, Para 4.1.6.3 and AFI 36-2502, Enlisted Airman Promotion/Demotion Programs, Table 10.1 Rule 7.

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 in accordance with AR 600-8-19 and NGR 600-200. 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 five NCOERs/OERs. If less than 5 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 five NCOERs/OERs. If less than 5 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). The vacancy announcement will indicate which level of MOS or AFSC will be required. Secondary and tertiary AFSC and MOS can also be used.

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 NGR 600-5 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 ANGI 36-101, Para 5.6 or AR 135-18, Table 2-1. 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 AGR applicants must complete a Chapter 2 Physical prior to being placed on AGR Tour orders. Individuals must meet Chapter 2 Physical approval requirements for entry into the AGR program as outlined in AR 40-501, Standards of Medical Fitness. Chapter 2 medical exam must be completed within 12 months prior to entry on AGR tour.

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 2nd 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 ANGI 36-101 Chapter 9.

(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 (ANGI 36-101, Para 6.6.1).

(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 NGR 600-5 para 5-4. 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 DODI 1205.18, Full-time Support (FTS) to the Reserve Components.

(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 (ARNG-HRH PPOM #14-009 dated 26 Mar 14).

(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 (NGR 600-5 para 3-5c).

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

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. CAREER MANAGED POSITIONS (NGR 600-5).

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 AR 600-8-19 and NGR 600-200. 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 AR 600-8-19 para 7-42), 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 in accordance with ANGI 36-101, AR 135-18, AR 600-8-19, and NGR 600-101. 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 NGR 600-101. 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.

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 153rd 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. ANGI 36-101, Chapter 10.1-10.6 and NGR 600-5, Chapter 6-7b, 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 overgrade situations that exceed 24 months, the Airman must be 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 overgrade 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 AFI 36-2502, Enlisted Airman Promotion/Demotion Programs, Para 11.1.2.4.2.4 or AR 135-18, Ch. 3-2e and NGR 600-5, Ch. 3-5 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

Appendix A

ACRONYMS

AFS	Active Federal Service
AGR	Active Guard/Reserve
ASARS	Automated Stopper and Referral System
CBA	Labor Union Collective Bargaining Agreements
CLG	Change to Lower Grade
ERB	Enlisted Records Brief (Army)
EPS	Enlisted Promotion System
HRO	Human Resources Office(r)
IA	Identical Additional
IDP	Individual Development Plan
JVA	Job Vacancy Announcement
MDR	Management Directed Reassignment
MTOE	Mission Table of Organization and Equipment
OML	Order of Merit List
OPM	Office of Personnel Management
ORB	Officer Records Brief (Army)
PDR	Position Description Release
POSTA	Position of Significant Trust and Authority
PPP	Priority Placement Program
RCAS	Reserve Component Automation System
RIF	Reduction in Force
SEEM	State Equal Employment Manager
SF	Standard Form
SME	Subject Matter Expert
SPMD	Support Personnel Manning Document
TAFMS	Total Active Federal Military Service
TAG	The Adjutant General
TDA	Table of Distribution and Allowances
TPR	Technician Personnel Regulation
vMPF Rip	Virtual Military Personnel Flight - Record of Individual Personnel (Air Force)
UMD	Unit Manning Document

Appendix B

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.

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.

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 (Non-Dual Status) - Technician positions that do not require concurrent military membership.

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 (Ref: TPR 715, Voluntary and Non-Disciplinary Actions).

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.

EXCEPTED SERVICE POSITIONS (Dual Status) - Positions requiring concurrent military membership in the WYMD.

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.

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 Para 11-1.

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 as outlined in chapter 1-5 of this regulation.

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 NACLC 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.

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).

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

SUPERIOR QUALIFICATION - 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.

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.

TECHNICIAN - A federal employee who is hired under the authority of 32 USC §709.

a. Dual Status Technician (Excepted): A technician, who as a condition of federal employment must maintain military membership in the National Guard. See Excepted Service Positions.

b. Non-Dual Status Technician (Competitive): A technician, who is not required to be a military member of the National Guard as a condition of employment. See Competitive Service Positions.

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 technicians who serve at the discretion of the WYMD.

b. Tenure Group I. Permanent DS and NDS technicians who have successfully completed their probationary period.

c. Tenure Group II. Permanent DS and NDS technicians who are serving a trial or probationary period.

d. Tenure Group III. 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.

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.

Appendix C

SAMPLE SF 52s

WY ARNG SAMPLE SF 52 TEMPLATES

Refer to HRO's WY ARNG SharePoint Site: <http://go.usa.gov/GMdP>
Network Specific – Members outside of the WY ARNG cannot view material

WY ANG SAMPLE SF 52 TEMPLATES

Refer to HRO's WY ANG SharePoint Site: <http://go.usa.gov/GMtQ>
Network Specific – Members outside of the WY ANG cannot view material

Appendix D

Promotion Calculations for Pay Setting

Figures used are based on 2013 Pay Tables

<p><u>GS - GS Promotion</u> (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>Example: 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>NOTE: If existing rate is Step 10, take difference between Step 9 & 10 and multiply by 2 and match. If new pay level exceeds Step 10 match at Step 10.</p>	<p><u>FWS – FWS Promotion</u> (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>Example: WG 10 Step 4 to WG 12 Step ?: *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><u>FWS - GS Promotion</u> (5 CFR 531.221(d)) WG Current Step * 2087 = Salary and match to GS pay table, and then identify action.</p> <p>Example: WG 12 Step 5 to GS 11 Step ?: WG 12 Step 5 = \$29.32 29.32 * 2087 = \$61,190.84 Match GS 11 Step 3 = \$61,234 Action = Promotion Increase in pay of any amount identifies a Promotion</p> <p>NOTE: 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><u>GS – FWS Promotion</u> (5 CFR 532.407) Compare GS and WG Representative Rates to identify action. Promotion = increase of any amount between representative rates.</p> <p>IF Action = Promotion THEN: GS Representative Rate * .04 + current pay and match</p> <p>Example: GS 7 Step 5 (\$43,964) to WG 8 Step ?: **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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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.**

Appendix E

Temporary Technician Comparison Sheet

LEAVE	Temp Appt NTE 1 – 89 Days	Appt NTE 90+ Days	Appt more than 1 Year
Annual Leave	Annual leave accrues immediately, however, is not available for use. Annual leave will not pay out in a lump sum at separation.	Accrued annual leave may be used. Accrued leave will pay out in a lump sum at separation. See chart below to determine payout.	Accrued annual leave can be used. Accrued leave will 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.
BENEFITS	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. **See chart below for premium comparison.	<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. **See chart below for premium comparison.
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

2016 Monthly Premium Rate Comparison

FEHB Family >\$474/month	TRS Family \$210.83/month
FEHB Self >\$170/month	TRS Self \$ 47.90/month

FEHB premiums vary. For more information, refer to: opm.gov/healthcare-insurance/healthcare/plan-information/premiums

TRICARE Reserve Select Premiums. For more information, refer to: www.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.

Appendix F

**Within Grade Increases – WIGI's
(Also known as Step Increases)**

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

Appendix 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, Dual Status to Non-Dual Status)

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, Dual Status to Non-Dual Status

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