

**STATE OF OHIO  
ADJUTANT GENERAL'S DEPARTMENT  
2825 West Dublin Granville Road  
Columbus, Ohio 43235-2789**

**OHIO NATIONAL GUARD MERIT PROMOTION and PLACEMENT PLAN**

**16 March 2018**

Supplement to Technician Personnel Regulation 300-335, 5 November 1979

OPR: Ohio National Guard Human Resources Office

<b>Table of Contents</b>	<b>Para</b>	<b>Page</b>
<b>Chapter 1 General Guidance</b>		
Purpose	1-1	5
Policy	1-2	5
Scope	1-3	5
Provisions	1-4	5
Military Technicians	1-5	8
Veteran’s Preference Programs for T5 NG Excepted Svc Positions	1-6	8
Responsibilities	1-7	9
Management’s Rights	1-8	10
Union Rights	1-9	10
Oversight	1-10	10
Documentation and Reporting Requirements	1-11	10
Merit System Principles	1-12	10
<b>Chapter 2 T32 Technician Job Announcements, Applications, and Selection</b>		
Request for Technician Job Announcement	2-1	12
Position Status	2-2	12
Military Requirements	2-3	13
Area of Consideration (AOC)	2-4	12
Position Sensitivity/Security Requirement	2-5	13
Announcing Positions at a Lower Grade	2-6	13
Incentives	2-7	14
Content of Technician Job Announcements	2-8	14
Posting of Technician Job Announcements	2-9	16
Corrections to Technician Job Announcements	2-10	16
Personnel Actions Exempt from Competition	2-11	16
Selection of Personnel Exempt from Competition	2-12	17
Re-Promotion of Over-Graded Technicians	2-13	17

<b>Table of Contents</b>	<b>Para</b>	<b>Page</b>
Application Procedures	2-14	17
Minimum Qualification Requirements (Basic Eligibility)	2-15	18
Conditions of Employment	2-16	19
Release of Applicant Information	2-17	19
Selection Package	2-18	19

### **Chapter 3 T5 Excepted Service Job Announcements, Applications, and Selection**

Request for T5 Excepted Service Job Announcement	3-1	20
Position Status	3-2	20
Area of Consideration (AOC)	3-3	20
Position Sensitivity/Security Requirement	3-4	21
Announcing Positions at a Lower Grade	3-5	21
Incentives	3-6	21
Content of T5 Excepted Service Job Announcements	3-7	22
Posting of T5 Excepted Service Job Announcements	3-8	24
Corrections to T5 Excepted Service Job Announcements	3-9	24
Filling T5 Excepted Service Positions	3-10	24
Personnel Actions Exempt from Competition	3-11	25
Selection of Personnel Exempt from Competition	3-12	25
Re-Promotion of Over-Graded T5 Employees	3-13	26
Application Procedures	3-14	26
Minimum Qualification Requirements (Basic Eligibility)	3-15	27
Conditions of Employment	3-16	28
Release of Applicant Information	3-17	28

### **Chapter 4 Other Placement Actions**

General	4-1	28
Management Directed Reassignment	4-2	28

<b>Table of Contents</b>	<b>Para</b>	<b>Page</b>
Management Directed Change To Lower Grade	4-3	29
Voluntary Change to Lower Grade of Pay	4-4	30
Temporary Promotion	4-5	30
Detail of Technicians or Title 5 Employees	4-6	31
Temporary Appointment	4-7	31
Indefinite Appointment	4-8	33
<b>Chapter 5 Referral and Selection Procedures</b>		
Referral of Applicants	5-1	34
Procedures for Selecting Official	5-2	34
Notification	5-3	37
Start Date	5-4	38
<b>Chapter 6 Administration</b>		
Recordkeeping	6-1	38
Retention	6-2	39
Merit Placement Program Review	6-3	39
Privacy Protection	6-4	39
<b>Chapter 7 Key Staff Positions</b>		
Background	7-1	39
Alternate Selection Procedures	7-2	40
<b>Chapter 8 Corrective Actions and Grievance Complaints</b>		
Grievances and Complaints	8-1	41
Corrective Action	8-2	41
Program Violations	8-3	41
Other Complaints	8-4	43

<b>Table of Contents</b>	<b>Para</b>	<b>Page</b>
Comments or suggestions	8-5	43
<b>Appendices</b>		
A. Instructions for Completing Standard Forms 52		44
B. Merit Announcement Request, AGOH Form 690-52		48
C. Selection Instructions and Checklist		49
D. Key Staff Positions Listing		57
E. Veterans Preference Pass-over Procedures		58
<b>Glossary</b>		
Part I. Acronyms		66
Part II. Definitions		67
<b>References</b>		73

# Merit Promotion and Placement Plan

## CHAPTER 1 GENERAL GUIDANCE

**1-1. Purpose.** To establish policy, assign responsibilities, and prescribe procedures and processes for the Merit Promotion and Internal Placement Plan which are consistent with the National Guard Bureau (NGB) and Office of Personnel Management (OPM) regulations governing the filling of positions by promotion or other internal placement.

**1-2. Policy.** Actions taken under the Merit Promotion and Placement Plan, whether identification, qualification, evaluation, or selection of candidates or any other phase of the promotion and placement process, will be made without bias for any reason. Vacancies are filled by selection from among the best qualified candidates available, based on application of merit principles without regard to such factors as: political, religious, or labor organization affiliation or non-affiliation, marital status, race, color, sex (except where military requirements limit fill of the position), national origin, non-disqualifying physical disability, genetic information, or age; to ensure that qualified applicants receive equitable consideration for positions filled under competitive processes.

### **1-3. Scope.**

a. This plan covers rules and policies in regard to recruit and fill personnel actions using competitive procedures; or, for processing merit promotions; for processing management directed reassignments for all Active Guard/Reserve (AGR), National Guard (NG) Title 32 (T32) Excepted Service Dual Status (DS) technicians and positions; current on-board NG Title 5 (T5) Competitive Service employees (formerly Non Dual Status), and NG Title 5 (T5) Excepted Service personnel and positions.

b. Where provisions of this plan differ from negotiated labor agreements, the provisions of the negotiated agreements will apply. When provisions of this plan differ from changes in law or government wide regulation, the changes in law or government wide regulation will apply.

c. Where this plan is silent, the flexibilities provided by government wide regulation or guidance from higher authority are preserved.

### **1-4. Provisions.**

a. **Alternative Hiring Opportunities.** There are no authorized and allowed OPM, Service specific, or DoD special hiring provisions, such as Expedited Hiring Authority and Direct Hire Authority, for the NG T32 DS technician positions and NG T5 Excepted Service employee positions.

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

c. **Nepotism and Personal Favoritism.** No official may, in recommending or selecting candidates for promotion, show bias to any candidate based upon factors not pertinent to the candidate's qualifications for performing work including financial interests as defined in the Glossary; and personal and business interests as defined in the Glossary. A management official may not appoint, employ, promote, or advance one of his/her relatives (by blood or marriage, as defined in the glossary of this plan) to a position in his/her agency, nor may he/she advocate a relative for appointment, employment, promotion, or advancement in the agency. Likewise, an individual may not be appointed, employed, promoted, or advanced if the action was advocated by a management official who is serving in or exercising jurisdiction or control over the agency and who is a relative of the individual. These provisions apply to all individuals in the rating, ranking, evaluating and/or selecting processes for action under this plan.

d. **Prohibited Personnel Practices.** There are thirteen prohibited personnel practices, including reprisal for whistleblowing, which are defined by law [T5 United States Code, Section 2302(b)]. Generally stated, 2302(b) provides that any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority:

- (1) Discriminate against an employee or applicant based on race, color, religion, sex, national origin, age, handicapping condition, marital status, or political affiliation;
- (2) Request or consider employment recommendations based on factors other than personal knowledge or records of job-related abilities or characteristics;
- (3) Coerce the political activity of any person; or take any action as a reprisal for the refusal of a person to engage in such political activity;
- (4) Deceive or willfully obstruct anyone from competing for employment;
- (5) Influence anyone to withdraw from competition in an effort to improve or injure the employment prospects of any person;
- (6) Give an unauthorized preference or advantage to anyone so as to improve or injure the employment prospects of any particular employee or applicant;
- (7) Engage in nepotism (*i.e.*, hire, promote, or advocate the hiring or promotion of relatives);
- (8) Engage in reprisal for whistleblowing – generally, a person with personnel

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

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

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

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

(12) Take or fail to take a personnel action, if taking or failing to take the action would violate any law, rule or regulation implementing or directly concerning merit system principles at 5 U.S.C. § 2301.

(13) Implement or enforce any nondisclosure policy, form, or agreement, if such policy, form, or agreement does not contain the following statements: "These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to:

a. Classified information;

b. Communications to Congress;

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

d Any other whistleblower protection."

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

**1-5. Military Technicians.** A basic principle of the NG T32 Excepted Service Military Technician Program is that only NG T32 occupy DS military technician employee positions.

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

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

c. NG T32 DS technicians and Title 5 Competitive employees may apply/compete for hire or be eligible for merit promotion considerations to advertised T5 Excepted Service NG employee vacant positions.

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

e. NG T5 Competitive Service employees may apply/compete for placement in T5 or T32 Excepted Service positions. Competitive Service employees appointed into Excepted Service positions will convert to Excepted Service appointments but will retain their individual Competitive status which may be claimed upon appointment or reappointment to another Competitive Service position.

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

g. Concerns and inquiries in regard to potential controversial issues must be forwarded, in writing, to the HR Federal Personnel Branch Management Office, for review and final decision.

#### **1-6. Veteran's Preference Programs for T5 NG Excepted Service Positions**

a. Hiring Authority References: 5 USC 3320, 5 CFR, and OPM Veteran Guide.

b. 5 CFR §335.106, Special selection procedures for T5 Excepted Service positions

and veterans under merit promotion. Veteran's preference will be considered for vacancies under merit promotion when an agency accepts applications from individuals outside its own workforce.

### **1-7. Responsibilities:**

a. **The Adjutant General (TAG)** is responsible for the employment and administration of NG T32 DS Technicians, NG T5 Competitive Service employees, and NG T5 Excepted Service employees for the Ohio National Guard (OHNG). He or she will accomplish any personnel force management actions involving employment, appointments, promotions, reassignments, other internal placements, or external recruitment in accordance with guidance provided in this plan. The Adjutant General is the highest level of authority in the State concerning the overall application of this plan.

b. **The Human Resources Officer (HRO)** is responsible to TAG to ensure the requirements of this plan are properly administered. The HRO reviews and ensures that personnel actions are accomplished in accordance with statute, US Office of Personnel Management (OPM), Department of Defense (DoD), and NG manual/regulation/issuances, as well as terms of current negotiated bargaining agreements. Provides training, technical guidance, and staff assistance to managers and supervisors in carrying out responsibilities under this manual. Provides timely and efficient service and ensures all personnel actions processed are consistent with the provisions of this plan. Works with supervisors, performing job analysis to identify knowledge, skills, abilities, competencies or other requirements for the job and develops crediting plans. Ensures that all T32 DS Technicians, T5 Competitive Service employees, and T5 Excepted Service employees are entitled to placement or promotion, receive full and fair consideration; ensures appropriate treatment of candidates entitled to priority consideration (e.g., DoD Priority Placement Program (PPP), Technician Reemployment Priority List (TRPL), Retained Grade List, and Interagency Career Transition Assistance Plan (ICTAP)). Maintains associated records for review.

c. **Managers and Supervisors** are responsible for complying with the requirements of this plan. They must evaluate T32 DS Technicians, T5 Competitive Service employees, and T5 Excepted Service employees fairly, objectively and in a timely manner; develop job-related evaluation criteria; and, determine appropriate evaluation methods in collaboration with the HRO prior to announcing the position. They will ensure that all T32 DS Technicians, T5 Competitive Service employees, and T5 Excepted Service employees have access to the OHNG Merit Plan and are fully informed of promotional opportunities and related requirements. They will work collaboratively with human resource representatives to ensure prompt posting of job opportunity announcements (JOAs) or vacancy announcements (VAs). If desired, they will promptly arrange for interviews of candidates referred for consideration. They will return referral certificates within scheduled time frames. Provide assistance to employees with the application process.

d. **NG T32 DS Technicians, NG T5 Competitive Service employees, and NG T5**

e. **Excepted Service employees** are responsible for familiarizing themselves with the provisions of this plan, providing the HRO with current, timely, and accurate information about their qualifications, and submitting complete and timely application packages for positions. They will ensure their position appointments meet the applicable T32 DS Technician, T5 Competitive Service, or T5 Excepted Service requirements, such as, the military compatibility program requirements for T32 DS Technicians.

**1-8. Management's Rights:** Recognizing that it is essential to the mission of the OHNG that all positions are filled with the best qualified individuals available, management retains the right to:

- a. Select applicants from any appropriate source.
- b. Select or non-select from among any group of qualified candidates.
- c. Submit pass-over requests of veteran preference qualified candidates for T5 NG Excepted Service Positions to HRO for endorsements to OPM for reconciliation.

(1) The HRO must initiate procedures as directed in the OPM Delegated Examining Operations Handbook, Chapter 6, Section D, *Object to an Eligible*.

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

**1-9. Union Rights:** The union is responsible for representing the interests of all Bargaining Unit status technicians and employees. The Union shall be given the opportunity to be represented at any formal discussion between one or more representatives of the agency and one or more Bargaining Unit technicians or employees concerning general conditions of employment. Union officials may request to review selection packages for bargaining unit positions for up to 90 days after the date HRO approves the selection in question. HRO shall provide the union officials a redacted copy of the requested information subject to the Privacy Act of 1974.

**1-10. Oversight:** T5 Excepted Service numeric value ratings are documented in accordance with OPM and DoD directive processes.

**1-11. Documentation and Reporting Requirements:** Documentation is maintained in accordance with the OPM and DoD reporting criteria.

**1-12. Merit System Principles:**

**Federal personnel management should be implemented consistent with the following merit system principles:**

a. Recruitment should be from qualified individuals from appropriate sources in an endeavor to achieve a work force from all segments of society, and selection and advancement should be determined solely on the basis of relative ability, knowledge, and skills, after fair and open competition which assures that all receive equal opportunity.

b. All employees and applicants for employment should receive fair and equitable treatment in all aspects of personnel management without regard to political affiliation, race, color, religion, national origin, sex, marital status, age, or handicapping condition, and with proper regard for their privacy and constitutional rights.

c. Equal pay should be provided for work of equal value, with appropriate consideration of both national and local rates paid by employers in the private sector, and appropriate incentives and recognition should be provided for excellence in performance.

d. All employees should maintain high standards of integrity, conduct, and concern for the public interest.

e. The Federal work force should be used efficiently and effectively.

f. Employees should be retained on the basis of the adequacy of their performance, inadequate performance should be corrected, and employees should be separated who cannot or will not improve their performance to meet required standards.

g. Employees should be provided effective education and training in cases in which such education and training would result in better organizational and individual performance.

h. Employees should be –

(1) protected against arbitrary action, personal favoritism, or coercion for partisan political purposes, and

(2) prohibited from using their official authority or influence for the purpose of interfering with or affecting the result of an election or anomination for election.

i. Employees should be protected against reprisal for the lawful disclosure of information which the employees reasonably believe evidences –

(1) a violation of any law, rule, or regulation, or

(2) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

## **CHAPTER 2**

### **T32 TECHNICIAN JOB ANNOUNCEMENTS, APPLICATIONS, AND SELECTION**

**2-1. Request for Technician Job Announcement.** When requesting a position to be filled, the Selecting Official will submit an SF 52, Request for Personnel Action, through the Activity Director to the Human Resources Office. Submission of the SF52 will be made electronically. Failure to provide all of the information contained on the sample may result in the requested action being returned.

**2-2. Position Status.** This data will be specified in Part D of the SF 52. At the discretion of the HRO, positions may be advertised with more than one status and/or with the option to gain permanent status without further competition.

a **Permanent.** Funded positions that possess a designated NGB requirement and authorization with no indefinite limitations are designated as permanent. Permanent positions confer benefits such as military, annual and sick leave, health and life insurance, TSP and retirement. Tenures 1 and 2 designate permanent status.

b **Indefinite.** Indefinite positions confer the same benefits as a permanent position; however, incumbents with indefinite status may be separated at any time with a 30-day notice at the agency's discretion. Tenure 3 designates indefinite status.

c **Temporary promotion.** Temporary promotions of 120 days or less are considered noncompetitive actions and therefore not advertised. Temporary promotions lasting more than 120 days will be advertised.

d **Temporary.** Temporary appointments are considered noncompetitive actions and therefore not normally advertised; however, the agency reserves the right to announce temporary positions at its discretion (e.g., to meet a temporary staffing need when a shortage of qualified applicants exists). Tenure 0 designates temporary status.

e **Special Projects.** These positions have been pre-arranged with the HRO and may be filled with indefinite or temporary appointments.

f **Backfill.** Backfill positions are used to backfill deployed Soldiers and Airmen and may be filled with indefinite or temporary appointments.

**2-3. Military Requirements.** Certain military requirements must be met by applicants at the time of application or at the time of appointment. Each JA will specify the military requirements unique to the specific position. Military compatibility requirements are governed by TPR 303. Military compatibility requirements will not be used unfairly to restrict the ability for applicants to apply and compete for hire or merit promotion considerations. Legitimate military compatibility concerns are not unfair restrictions.

***NOTE: Military grade inversion within the full-time work force is not permitted. Grade inversion is inconsistent with the military nature of the National Guard. The military grade of the full-time supervisor must be equal to or exceed the military grade of the personnel supervised. Unit assignment or service component of the individual does not change this policy.***

**2-4. Area of Consideration (AOC).** The area of consideration for each JA will be requested by the Selecting Official. The type of position, availability of applicants, position qualifications, budgetary limitations, and military compatibility requirements are all considered in determining the area of consideration. The HRO may adjust the area of consideration as appropriate to ensure the receipt of sufficient numbers of qualified applicants. AOC criteria must be identified at the time of request for job announcement. These data will be specified in the Area of Consideration section of the AGOH Form 690-52.

- a. Statewide. All members of the Ohio Army or Air National Guard.
- b. Nationwide. All individuals eligible to become members of the Ohio Army or Air National Guard.
- c. As specified by the Selecting Official and approved by the HRO. This can be used with proper justification under special circumstances such as funds/resource authorization availability.

**2-5. Position Sensitivity/Security Requirement.** Technician must possess the security clearance requirements for the position announced. The JA will indicate if the clearance must be satisfied at the time of application, prior to appointment, or within a specified period of time. This data will be specified in the Security Clearance/Position Sensitivity section of the AGOH Form 690-52.

**2-6. Announcing Positions at a Lower Grade.** A supervisor may request a position be filled at less than the targeted grade (e.g., WG-05/08/10 for a WG-10 position). The primary reason to consider this option is to increase the pool of applicants. Prior to announcing a position at a lower grade, the Supervisor, in coordination with the HRO, will prepare a Statement of Difference (SoD) to document the duties at each level if a position description at the lower level is not already available. Qualification requirements for each grade level will be specified on the JA.

The following positions will not be announced at multiple grade levels.

- a. Supervisory or managerial positions (does not include positions announced with understudy authority).
- b. Small shop chief positions

- c. Wage leader positions.
- d. Certain journeyman-level positions as determined by HRO

**2-7. Incentives:**

**a. Advanced In-Hire rate Appointments.** A Superior Qualifications and Special Needs Appointment (SQA) and Advanced In-Hire Rate Appointments (AIHA) provide the ability to set pay at a step higher than the minimum step due to the candidate's superior qualifications or the agency's special need for his or her unique abilities. This authority is only applicable for initial appointment or appointment after a 90 day break in service in accordance with 5 CFR 531.212. The Selecting Official will document the need, via official memorandum, for the SQA or AIHA. Justification must specifically outline the selectee's superior qualifications for the position or the special-needs of the agency to authorize the payment of the higher rate. The HRO will thoroughly screen the request IAW with 5 CFR 531.212 and the HRO policy on AIHA to ensure supporting documentation justifies the action.

**b. Recruitment Incentive.** A recruitment incentive may be paid to an individual who is newly appointed as an employee of the Federal Government to a position the agency has determined is likely to be difficult to fill in the absence of a recruitment incentive. Coordination with the Army or Air funds representative must occur prior to announcing the incentive. This incentive must be on the JA to be offered to an applicant.

**c. Relocation Incentive.** A relocation incentive to a current Federal employee of the OHNG or another agency of the Federal Government who must relocate to accept a position in a different geographic area if the agency determines that the position is likely to be difficult to fill in the absence of an incentive. Coordination with the Army or Air funds representative must occur prior to announcing the incentive. This incentive must be on the JA to be offered to an applicant.

**2-8. Content of Technician Job Announcements.** JAs will contain the following information:

- a. **Job Title**
- b. **Job Announcement number, position description number, payplan, occupational series, and grade**
- c. **Salary range**
- d. **Type of appointment**
- e. **Information regarding known tenure and/or promotion potential, if applicable**
- f. **Organization and location**

g. **Opening and closing dates**

h. **Area of consideration.** See paragraph 2-4

i. **Brief description of duties.** IAW the official position description

j. **Incentives.** See paragraph 2-7

k. **Major Duties.** This will provide a snapshot of the primary duties required by the position. While this will be a comprehensive list it may not cover all of the duties for which the position is responsible.

l. **Minimum Qualification Requirements (Basic Eligibility).** Basic eligibility represents the minimum experience, education, training, and qualifications essential for successful performance of the job. Applicants must possess the minimum qualification requirements to be considered for the position. Minimum qualifications requirements are extracted from NGB, DoD, and/or OPM qualification standards and will be implemented by the HRO. When no qualification standards exist for an occupational series or when the existing standards no longer support the occupational series, the HRO may coordinate with subject matter experts to develop the qualification standards.

m. **Knowledge, Skills, Abilities and Behaviors.** KSABs will be extracted from NGB, DoD and/or OPM qualification standards and/or position descriptions and will be implemented by the HRO. When no KSABs for an occupational series exist or when the existing KSABs no longer support the occupational series, the HRO may coordinate with subject matter experts to develop the KSABs. KSABs must be measurable yet not be so specific or narrow that they preclude the selection of applicants who could perform the duties of the position or who could acquire the KSABs during the normal period of job orientation. KSAB's will not be used during the initial application process to determine an applicant's qualification status. KSAB's will be used only during the formal interview process as a basis for the formulation of board questions.

n. **Conditions of employment.** Conditions of employment are those requirements necessary to perform the duties of the position. Failure to attain and maintain these conditions may result in the loss of employment. Unless otherwise specified, all conditions of employment must be met prior to appointment.

o. **Equal employment opportunity statement.**

p. **Military incentives disclosure statement.** Appointment to a Technician position may cause termination of the incentive with or without recoupment based on the current Selected Reserve Incentive Program (SRIP) policy.

q. **How to Apply.** The website for the application process is <http://www.usajobs.gov/>. The How to Apply section of the JA will provide the link to the assessment questionnaire as

well as outline the required documents necessary for the applicant to provide to be considered for the position.

## **2-9. Posting of Technician Job Announcements.**

a. JA's for Bargaining Unit positions will normally be opened for thirty (30) calendar days. All other JA's will normally be opened for fifteen (15) calendar days. Requests for announcements less than 15 calendar days will require justification from the Selecting Official and approval by the Human Resource Office. All JAs will be posted on <http://www.usajobs.gov/>.

b. The same referral certificate of eligibles may be used by the agency for 90 days after the closing date to select additional applicants if subsequent vacancies of the same position and duty location become available. Selecting Officials may request in writing to use the certificate of eligibles for periods of time greater than 90 days from the closing date. The HRO may authorize selection from the certificate of eligibles for periods greater than 90 days.

**2-10. Corrections to Technician Job Announcements.** If a JA is found to be in error before the closing date, the HRO may amend, rescind or republish the JA and/or extend the closing date to ensure eligible candidates have time to submit application packages or make corrections to previously submitted application packages.

**2-11. Personnel Actions Exempt from Competition.** The following personnel actions will be processed as exceptions to competition.

### **a. Noncompetitive actions.**

(1) Promotions due to the issuance of new classification standards or the correction of a classification error.

(2) Promotion when competition was held earlier (i.e., position advertised with promotion potential).

(3) Position change required by Reduction in Force (RIF) regulations.

(4) Selection of a former Technician from the Re-employment Priority List for a position at the same or lower grade than the one last held.

(5) Re-promotion to a grade or an intervening grade or position from which a Technician was demoted without personal cause and not at his/her request.

(6) Temporary appointments.

(7) Key Staff appointments.

(8) Temporary promotion of 120 days or less.

(9) Detail to a higher grade position for 120 days or less.

(10) Placement of over-graded Technicians entitled to grade retention as a result of RIF or reclassification.

## **2-12. Selection of Personnel Exempt From Competition.**

a. Prior to announcing a position vacancy, the Human Resources Office may give consideration to filling the vacancy through those actions exempt from competition.

b. Except for details and RIF, applicants selected to fill positions under this chapter must meet all qualification requirements for the position considered.

**2-13. Re-promotion of Over-Graded Technicians.** The HRO will maintain a Re-promotion Priority List (RPL) of all over-graded Technicians currently receiving grade retention as a result of RIF, reorganization, or reclassification. The maximum entitlement to grade retention is two years.

a. Prior to announcing a position vacancy, the HRO will give first consideration to the re-promotion of all over-graded Technicians entitled to grade retention provided they fully meet the technician and military qualification standards of the position.

b. **Position of the same retained grade and within the commuting area.** If the available position is at the same grade as the Technician's retained grade and within the same commuting area, within fifty miles of the original duty location, the offer is considered a valid offer. The technician must accept the position or will be removed from grade and pay retention.

c. **Position of the same retained grade and not within the commuting area.** If the available position is at the same grade as the Technician's retained grade and not within the same commuting area, within fifty miles of the original duty location, the offer is not considered a valid offer. The technician may decline the position offer and remain on grade and pay retention.

d. **Position of an intervening grade to the retained grade.** If the available position is greater than the reduced grade but less than the retained grade it is considered an intervening grade. Whether the available position is within or not within the commuting area, the Technician may decline the position offer and remain on grade and pay retention.

e. The over-graded Technician will be removed from the RPL at the expiration of the two-year Grade Retention period.

**2-14. Application Procedures.** The application package is the sole document by which the applicant's qualification for the position is determined. It should reflect the applicant's current

and past employment data as well as military service (Active, Reserve, and/or NG) and current or last military rank and duty MOS/AFSC. Complete and accurate data is essential to ensure fair evaluation of applicants. Applicants for a position will be screened via an on-line assessment which will determine if the applicant meets the required minimum qualifications. **A complete Technician application package consists of the following;**

a. Resume' that clearly addresses how the applicant meets the required experience for the position. The resume' must provide specific dates applicant performed the duties in order to receive credit for the experience.

b. Application packages will be submitted electronically via the USAJobs.gov website, within the time limitations on the announcement in order to receive consideration. All documentation required for the application must be uploaded to the USAJobs website per the instructions in the advertisement. Failure to upload **ALL** of the required documentation within the open period of the advertisement may result in non- consideration for the position.

c. A properly completed and separate application package will be submitted for each VA. Applicants may contact the HRO Staffing office for procedural assistance in completing their application package; however, it is the ultimate responsibility of the applicant to ensure that a complete, accurate, and up-to-date application package is submitted for each vacancy. Failure to comply with this policy may result in non- consideration for the position.

**2-15. Minimum Qualification Requirements (Basic Eligibility).** Application packages will be reviewed by the HRO to ensure basic eligibility using the minimum qualifications requirements listed on the JA. The applicant must possess the minimum qualification requirements at the time of application. Applicants not meeting the minimum qualifications will be so informed in writing.

a. **Crediting experience.** All grade levels require a certain number of months experience for qualification at that grade. Credit is given for all experience of the type and level specified in the appropriate qualification standard when determining an applicant's qualifications. Credit for experience is given on the basis of the regular workweek; part-time experience is credited on a pro-rata basis in the relation to a full workweek. No additional credit is allowed for overtime regardless of its length.

b. **Crediting military experience.** NG military (part-time) service is credited as full- - time experience when evaluated against the qualifications requirements for a Technician position.

c. **Crediting education.** Education may be credited to satisfy education requirements or substituted for experience. When education and experience have been gained concurrently, credit is given for each based on time spent and the merit of each. Double credit is not allowed for the same academic curriculum or courses (i.e., if the education is used to satisfy positive education requirements, it cannot be used to satisfy experience requirements).

d. **Positive education requirements.** Some positions require unique education or

training to meet the minimal qualification for the position. An official college transcript is required to certify course completions. Foreign education transcripts will not be accepted. Foreign education must be evaluated by a credential evaluation service recognized by the U.S. Department of Education in order to be credited towards qualification and conducted in accordance with OPM guidelines.

e. **Other qualification requirements.** In addition to meeting experience and/or education requirements, some applicants must meet certification, licensure, or registration requirements. Such requirements or provisions are contained in the NGB, DoD and/or OPM Qualification Standards.

**2-16. Conditions of Employment.** Application packages may be reviewed by the HRO to determine if the conditions of employment have been attained or will be attained prior to appointment (as appropriate). Applicants who are unable to meet the conditions of employment will be so informed in writing.

**2-17. Release of Applicant Information.** Applicant information is protected under the Privacy Act of 1974 and will be adhered to by the HRO. The HRO will:

a. Provide the names and application packages of qualified applicants to the Hiring Manager with the Certificate of Eligible.

b. NOT release the name, gender, quantity, etc., of applicants to anyone during the announcement period of the JA.

c. NOT release the name, gender, quantity, etc., of non-qualified applicants except when determined by the Director of Human Resources to be directly related to the conduct of an internal or external evaluation, investigation or grievance.

**2-18. Selection Package.** The HRO will electronically forward a Selection Package to the Selecting Official containing the following:

a. A memorandum of instruction concerning the selection process and convening of a Selection Board.

b. Certificate of Eligible(s).

d Application packages of the qualified applicants reflected on the Certificate of Eligible(s).

d. Copy of the Technician Vacancy Announcement.

e. Copy of the Position Description.

## CHAPTER 3

### T5 EXCEPTED SERVICE JOB ANNOUNCEMENTS, APPLICATIONS, AND SELECTION

**3-1. Request for T5 Excepted Service Job Announcement.** When requesting a position to be filled, the Selecting Official will submit an **SF 52, Request for Personnel Action**, through the Activity Director to the Human Resources Office. Submission of the SF52 will be made electronically. Failure to provide all of the information contained on the sample may result in the requested action being returned.

**3-2. Position Status.** This data will be specified in the Type of Announcement Remarks section of the AGOH Form 690-52. At the discretion of the HRO, positions may be advertised with more than one status and/or with the option to gain permanent status without further competition.

a. **Permanent.** Funded positions that possess a designated NGB requirement and authorization with no indefinite limitations are designated as permanent. Permanent positions confer benefits such as military, annual and sick leave, health and life insurance, TSP and retirement. Tenures 1 and 2 designate permanent status.

b. **Indefinite Appointment.** Indefinite positions confer the same benefits as a permanent position; however, incumbents with indefinite status may be separated at any time with a 30 day notice at the agency's discretion. Tenure 3 designates indefinite status.

c. **Temporary promotion.** Temporary promotions of 120 days or less are considered noncompetitive actions and therefore not advertised. Temporary promotions lasting more than 120 days will be advertised.

d. **Temporary.** Temporary appointments must be advertised. Tenure 0 designates temporary status.

e. **Special Projects.** These positions have been pre-arranged with the HRO and may be filled with indefinite or temporary appointments.

f. **Backfill.** Backfill positions are used to backfill deployed Soldiers and Airmen and may be filled with indefinite or temporary appointments.

#### **3-3. Area of Consideration (AOC)**

The area of consideration for each JA will be requested by the Selecting Official. The type of position, availability of applicants, position qualifications, budgetary limitations, are all considered in determining the area of consideration. The HRO may adjust the area of consideration as appropriate to ensure the receipt of sufficient numbers of qualified

applicants. AOC criteria must be identified at the time of request for job announcement. This data will be specified in the AOC remarks section of the AGOH Form 690-52.

a. T5 Excepted Service AOCs:

(1) All On Board Federal Employees/Technicians within the OHNG in tenures 0,1,2,and 3.

(2) All current Federal Employees and Technicians (from any agency) in tenures 1 and 2.

(3) Nationwide. All U.S. Citizens.

(4) As specified by the Selecting Official and approved by the HRO. This authority can be used with proper justification under special circumstances such as funds/resource authorization availability.

**3-4. Position Sensitivity/Security Requirement.** T5 Excepted Service applicants must possess a favorable background National Agency Check (NAC) prior to starting employment. The JA will indicate if a security clearance is required at the time of application, prior to appointment, or within a specified period of time. These data will be specified in Part D of the SF- 52. A security clearance is a condition of employment; loss or suspension of a security clearance may be grounds for removal.

**3-5. Announcing Positions at a Lower Grade.** A supervisor may request a position be filled at less than the targeted grade (e.g., GS-07/09/11 for a GS-11 position). The primary reason to consider this option is to increase the pool of applicants. Prior to announcing a position at a lower grade, the supervisor in coordination with the HRO will prepare a Statement of Difference (SoD) to document the duties at each level. Qualification requirements for each grade level will be specified on the JA. The following positions will not be announced at multiple grade levels.

- a. Supervisory or managerial positions (does not include positions announced with understudy authority).
- b. Small shop chief positions
- c. Wage leader positions.
- d. Certain journeyman-level positions as determined by HRO

**3-6. Incentives**

a. **Advanced In-Hire rate Appointments.** A Superior Qualifications and Special Needs Appointment (SQA) and Advanced In-Hire Rate Appointments (AIHA) provide the

ability to set pay at a step higher than the minimum step due to the candidate's superior qualifications or the agency's special need for his or her unique abilities. This authority is only applicable for initial appointment after a 90 day break in service in accordance with 5 CFR 531.212. The Selecting Official will document the need, via official memorandum, for the SQA or AIHA. Justification must specifically outline the selectee's superior qualifications for the position or the special-needs of the agency to authorize the payment of the higher rate. The HRO will thoroughly screen the request IAW with 5 CFR 531.212 to ensure supporting documentation justifies the action.

**b. Recruitment Incentive.** A recruitment incentive may be paid to an individual who is newly appointed as an employee of the federal government to a position the agency has determined is likely to be difficult to fill in the absence of a recruitment incentive. Coordination with the Army or Air funds representative must occur prior to announcing the incentive. This incentive must be on the JA to be offered to an applicant.

**c. Relocation Incentive.** A relocation incentive to a current federal employee of the OHNG or another agency of the federal government who must relocate to accept a position in a different geographic area if the agency determines that the position is likely to be difficult to fill in the absence of an incentive. Coordination with the Army or Air funds representative must occur prior to announcing the incentive. This incentive must be on the JA to be offered to an applicant.

**3-7. Content of T5 Excepted Service Job Announcements.** JAs will contain the following information.

**a. Job Title**

b. Job Announcement number, position description number, payplan, occupational series, and grade

**c. Salary range**

**d. Type of appointment**

**e. Information regarding known tenure and/or promotion potential, if applicable**

**f. Organization and location**

**g. Opening and closing dates**

**h. Area of consideration – see paragraph 3-3**

**i. Brief description of duties IAW the official position description**

**j. Incentives – see paragraph 3-6**

k. **Major Duties.** This will provide a snapshot of the primary duties required by the position. While this will be a comprehensive list it may not cover all of the duties for which the position is responsible.

l. **Minimum Qualification Requirements (Basic Eligibility).** Basic eligibility represents the minimum experience, education, training, and qualifications essential for successful performance of the job. Applicants must possess the minimum qualification requirements to be considered for the position. Minimum qualifications requirements are extracted from NGB, DoD, and/or OPM qualification standards and may be supplemented by the HRO or the Selecting Official when necessary. When no qualification standards exist for an occupational series or when the existing standards no longer support the occupational series, the HRO may coordinate with subject matter experts to develop the qualification standards.

m. **Knowledge, Skills, Abilities, and Behaviors.** KSABs will be extracted from NGB, DoD and/or OPM qualification standards and/or position descriptions and will be implemented by the HRO. When no KSABs for an occupational series exist or when the existing KSABs no longer support the occupational series, the HRO may coordinate with subject matter experts to develop the KSABs. KSABs must be measurable yet not be so specific or narrow that they preclude the selection of applicants who could perform the duties of the position or who could acquire the KSABs during the normal period of job orientation.

n. **Conditions of employment.** Conditions of employment are those requirements necessary to perform the duties of the position. Failure to attain and maintain these conditions may result in the loss of employment. Unless otherwise specified, all conditions of employment must be met prior to appointment.

o. **Equal employment opportunity statement.**

p. **Veteran's Preference Statement.** With veterans' preference, you may receive preference over non-veteran applicants in the hiring process. Veterans' preference can be used when applying to permanent, indefinite and temporary positions.

q. **Military incentives disclosure statement.** Appointment to a T5 position may cause termination of the incentive with or without recoupment based on the current Selected Reserve Incentive Program (SRIP) policy.

r. **Status Statement.** If selected, federal employees currently serving in the competitive service must acknowledge they will voluntarily leave the competitive service by accepting an offer of employment for this NG excepted service position. Selection under this appointment does not confer civil service competitive status.

s. **How to Apply.** The website for the application process is <http://www.usajobs.gov/>. The How to Apply section of the JA will provide the link to the assessment questionnaire as well as outline the required documents necessary for the applicant to provide to be considered for the position.

### **3-8. Posting of T5 Excepted Service Job Announcements.**

a. JA's for Bargaining Unit status positions will normally be opened for thirty (30) calendar days and all other JA's will normally be opened for fifteen (15) calendar days. Requests for announcements less than the specified calendar days will require justification from the Selecting Official and approval by the Human Resource Office. All JA's will be posted on <http://www.usajobs.gov/>.

b. The same referral certificate of eligibles may be used by the agency for 90 days after the closing date to select additional applicants if subsequent vacancies of the same position and duty location become available. Selecting Officials may request in writing to use the certificate of eligibles for periods of time greater than 90 days from the closing date. The HRO may authorize selection from the certificate of eligibles for periods greater than 90 days.

**3-9. Corrections to T5 Excepted Service Job Announcements.** If a JA is found to be in error before the closing date, the HRO may amend, rescind or republish the JA and/or extend the closing date to ensure eligible candidates have time to submit application packages or make corrections to previously submitted application packages.

### **3-10. Filling T5 Excepted Service Positions.**

a. **Filling a T5 Area (1), (2), and (4) Position.** When filling T5 Excepted Service positions from current employees, the same merit promotion and placement principles outlined in this regulation will be followed.

b. **Filling a T5 Area (3) Position.** The DOD Priority Placement Program (PPP) must be used for T5 civilian vacancies. The PPP will be cleared before proceeding with action to fill the vacancy. If a PPP match is found a job offer will be made to the well qualified candidate, and the vacancy request or JA will be cancelled.

c. **Veterans' Preference Programs for NG T5 Excepted Service Positions.**

(1) Veterans' Preference eligibility will be applied IAW 5 USC 3319, 5 CFR 337.304 and OPM Veteran Guide.

(2) Preference does not apply to the following internal personnel actions.

(a) Promotions

(b) Reassignments

(c) Change to lower grade

(d) Transfers

(e) Reinstatements

(3) Individuals requesting Veterans' preference will be required to provide the following.

(a) DD-214 (Member Page 4 ONLY).

(b) If Applicable, SF-15; Application for 10-point Veterans' Preference or the documentation outlined on the reverse of the SF-15 for 10-point preference eligibility.

(c) All documentation must be uploaded into your USAJobs application.

(d) Veterans' preference will apply to current T32 technicians applying for a T5 employee position.

**3-11. Personnel Actions Exempt from Competition.** The following personnel actions will be processed as exceptions to competition.

**a. Noncompetitive actions.**

(1) Promotions due to the issuance of new classification standards or the correction of a classification error.

(2) Promotion when competition was held earlier (i.e., position advertised with promotion potential).

(3) Position change required by RIF regulations.

(4) Selection of a former Employee from the Re-employment Priority List for a position at the same or lower grade than the one last held.

(5) Selection of DOD T5 from the PPP.

(6) Re-promotion to a grade or an intervening grade or position from which an employee was demoted without personal cause and not at his/her request.

**3-12. Selection of Personnel Exempt From Competition.**

a. Prior to announcing a position vacancy, the Human Resources Office will give consideration to filling the vacancy through those actions exempt from competition.

b. Except for details and RIF, applicants selected to fill positions under this chapter must meet all qualification requirements for the position considered.

- c. Promotion resulting from a position being reclassified at a higher grade because of added duties and responsibilities.
- d. Temporary promotion of 120 days or less.
- e. Detail to a higher grade position for 120 days or less.
- f. Placement of over-graded employee entitled to grade retention as a result of RIF or reclassification.

**3-13. Re-Promotion of Over-Graded T5 Employees.** The HRO will maintain a Re-promotion Priority List (RPL) of all over-graded T5 employees currently receiving grade retention as a result of RIF, reorganization, or reclassification. The maximum entitlement to grade retention is two years.

a. Prior to announcing a position vacancy, the HRO will give first consideration to the re-promotion of all over-graded T5 employees entitled to grade retention provided they fully meet the qualification standards of the position.

b. **Position of the same retained grade and within the commuting area.** If the available position is at the same grade as the T5 employees retained grade and within the same commuting area, within fifty miles of the original duty location, the offer is considered a valid offer. The T5 employee must accept the position or will be removed from grade and pay retention.

e. **Position of the same retained grade and not within the commuting area.** If the available position is at the same grade as the T5 employees retained grade and not within the same commuting area, within fifty miles of the original duty location, the offer is not considered a valid offer. The T5 employee may decline the position offer and remain on grade and pay retention.

d. **Position of an intervening grade to the retained grade.** If the available position is greater than the reduced grade but less than the retained grade it is considered an intervening grade. Whether the available position is within or not within the commuting area, the Title 5 Employee may decline the position offer and remain on grade and pay retention.

e. The over-graded T5 employee will be removed from the RPL at the expiration of the two-year retention period.

**3-14. Application Procedures.** The application package is the sole document by which the applicant's qualification for the position is determined. It should reflect the applicant's current and past employment data. Complete and accurate data is essential to ensure fair evaluation of applicants. Applicants for a position will be screened via an on-line assessment which will determine if the applicant meets the required minimum qualifications. **A complete T5**

**application package consists of the following:**

a. Resume' that clearly addresses how the applicant meets the required experience for the position. The resume' must provide specific dates applicant performed the duties in order to receive credit for the experience.

b. Application packages will be submitted electronically via the USAJobs.gov website, within the time limitations on the announcement in order to receive consideration. All documentation required for the application must be uploaded to the USAJobs website per the instructions in the advertisement. Failure to upload **ALL** of the required documentation within the open period of the advertisement may result in non- consideration for the position.

c. A properly completed and separate application package will be submitted for each VA. Applicants may contact the HRO Staffing office for procedural assistance in completing their application package; however, it is the ultimate responsibility of the applicant to ensure that a complete, accurate, and up-to-date application package is submitted for each vacancy. Failure to comply with this policy may result in non- consideration for the position.

**3-15. Minimum Qualification Requirements (Basic Eligibility).** Application packages will be reviewed by the HRO to ensure basic eligibility using the minimum qualifications requirements listed on the VA. The applicant must possess the minimum qualification requirements at the time of application. Applicants not meeting the minimum qualifications will be so informed in writing.

a. **Crediting experience.** All grade levels require a certain number of months experience for qualification at that grade. Credit is given for all experience of the type and level specified in the appropriate qualification standard when determining an applicant's qualifications. Credit for experience is given on the basis of the regular workweek; part-time experience is credited on a pro-rata basis in the relation to a full workweek. No additional credit is allowed for overtime regardless of its length.

b. **Crediting military experience.** NG military (part-time) service is credited as full-time experience when evaluated against the qualifications requirements for a position.

c. **Crediting education.** Education may be credited to satisfy education requirements or substituted for experience. When education and experience have been gained concurrently, credit is given for each based on time spent and the merit of each. Double credit is not allowed for the same academic curriculum or courses; i.e., if the education is used to satisfy positive education requirements, it cannot be used to satisfy experience requirements.

d. **Positive education requirements.** Some positions require unique education or training to meet the minimal qualification for the position. An official college transcript is required to certify course completions. Foreign education transcripts will not be accepted. Foreign education must be evaluated by a credential evaluation service recognized by the U.S. Department of Education in order to be credited towards qualification and conducted in accordance with OPM guidelines.

e. **Other qualification requirements.** In addition to meeting experience and/or education requirements, some applicants must meet certification, licensure, or registration requirements. Such requirements or provisions are contained in the NGB, DoD and/or OPM Qualification Standards as implemented by HRO .

**3-16. Conditions of Employment.** Application packages may be reviewed by the HRO to determine if the conditions of employment have been attained or will be attained prior to appointment (as appropriate). Applicants who are unable to meet the conditions of employment will be so informed in writing.

**3-17. Release of Applicant Information.** Applicant information is protected under the privacy act of 1974 and will be adhered to by the HRO. The HRO will provide the following to the Selecting Official:

a. A Certificate of Eligible(s) listing the names of qualified applicants. When necessary multiple Certificates of Eligibles may be issued.

b. Application packages. IAW 5 CFR 302.304, individuals who have a compensable service-connected disability of 10 percent or more will be listed first on the certificate of referrals, followed by other 10-point preference eligibles, then by 5-point preference eligible.

c. The HRO will not release any information related to the numbers of qualified applicants or any personal information about an applicant during the announcement period of the VA. Any requests for information related to non-qualified applicants must be made in writing to the Director of Human Resources upon completion of the hiring process. Requests must fully substantiate the need for the information to be released.

## **CHAPTER 4**

### **OTHER PLACEMENT ACTIONS**

**4-1. General.** Certain assignments may occur in which a Technician or T5 employee is moved from one position to another position without competition, and may or may not include a change in grade or pay. These non-competitive assignments may be management directed (involuntary) or initiated by the Technician or T5 employee (voluntary). Management Directed Reassignments (MDR), temporary promotions and temporary assignments (detail) are not authorized for the non-competitive placements of NG T32 technicians into established NG T5 employee positions; and, are not authorized for the non-competitive placements of NG T5 employees into NG T32 technician positions.

#### **4-2. Management Directed Reassignment.**

a. When management reassigns a Technician or T5 employee, he or she is moved to another position with the same grade and pay. It may include the movement of a Technician

or T5 employee from a position with potential for noncompetitive promotion to a position without that potential. There must be a valid reason for a management- directed reassignment, such as management's need for the employee's skills elsewhere; action taken to avoid a RIF; or movement in accordance with management's right to assign work. The Union retains the right to negotiate the impact and implementation and/or appropriate arrangements of management directed-reassignments.

b. The HRO is responsible for providing written notification of management directed reassignment to the affected Technician or T5 employee. As a minimum, this notification must.

(1) Explain why the management directed reassignment is taking place in sufficient detail to show that the action is for bona fide reasons;

(2) Provide the effective date of reassignment;

(3) Give the Technician or T5 employee a specified amount of time, to accept or reject the reassignment;

(4) Explain that if the offer is rejected, the notification letter constitutes a 30 day notice of termination; and,

(5) Provide applicable benefits information to the Technician or T5 employee if termination occurs.

#### **4-3. Management Directed Change to Lower Grade**

a. Use of a management directed change to lower grade allows flexibility to move a Technician or T5 employee to accommodate mission requirements. A Technician or T5 employee who accepts a management directed change to lower grade may be eligible for grade and pay retention; however, grade retention is only authorized when a management directed change to lower grade is due to a reclassification action, RIF, or when the personnel action is initiated by management to further the agency's mission as determined by TAG. Grade retention is not authorized when a management-directed change to lower grade is due to disciplinary action.

b. The HRO is responsible for providing written notification of management directed change to lower grade to the Technician or T5 employee. As a minimum, this notification must:

(1) Explain the reason for the management-directed change;

(2) Provide the effective date of the change to lower grade;

(3) Explain the provisions of grade and pay retention

**4-4. Voluntary Change to Lower Grade or Pay.** A Technician or T5 employee may request to be reassigned to a position of lesser grade or pay at any time. The reassignment is requested by the Technician or T5 employee in accordance with the current negotiated Collective Bargaining Agreement (CBA). A Technician or T5 employee who requests a voluntary assignment to a position of lower grade or pay is not entitled to grade or pay retention.

**4-5. Temporary Promotions.** A temporary promotion is the appropriate method to meet a situation requiring the temporary service of a Technician or T5 employee in a higher graded position. Temporary promotions will not be made unless the Technician or T5 employee's services are required for more than 30 days. In cases where the absence is for 30 days or less, a detail would be more appropriate. Management should assess the mission requirements of the organization prior to requesting temporary promotion. The HRO will determine if the Technician or T5 employee meets the federal qualification standards prior to effecting the temporary promotion; A Technician or T5 employee must be qualified to perform the higher graded work prior to the temporary promotion. Temporary promotions cannot be made between T5 and T32 positions and vice versa. These actions are Conversion to Appointment actions and must be made using competitive procedures.

a. **Length of temporary promotion.** A temporary promotion must begin at the start of a pay period and may last from 31 days to 120 days during a one year period without competitive procedures. Competitive announcement procedures described in Chapter 2 or 3 will be used when the temporary promotion is in excess of 120 days or if reasonable expectations exist that the position will be filled permanently.

b. **Military requirements.**

(1) Technicians serving under a temporary promotion will not create grade inversion.

(2) Technicians serving under a temporary promotion are not required to satisfy MOS/AFSC or unit of assignment compatibility criteria in the promoted position.

c. **Termination of a temporary promotion.** A temporary promotion will terminate:

(1) Automatically on the specified date.

(2) Any time funds are not available.

(3) Any time the agency or supervisor determines the services are no longer needed or when unacceptable performance or conduct becomes evident. Justification will be provided to HRO to support termination. Termination will be effective on the last day of a pay period.

d. **Request procedures.** Supervisors will submit a SF 52, Request for Personnel Action, along with a complete resume' to HRO no less than five working days prior to the beginning of a pay period. The reverse side of the SF 52 (part D) will contain a short

justification for temporary promotion.

**4-6. Detail of Technicians or Title 5 Employees.** A detail is the temporary assignment of a Technician or T5 employee to a different position for a specified period that confers no change in pay. At the termination of the detail, the Technician or T5 employee returns to his or her regular duties, though they remain in his or her official position of record throughout the detail.

**a. Restrictions to detail.**

(1) Technicians may not be detailed to positions which may only be filled by T5 employees and vice versa.

(2) The detail of a Technician or T5 employee must take into account the type and level of his or her regular duties and responsibilities.

(3) Details to a higher graded position can be made for periods up to 120 calendar days. Details to the same or lower graded positions will be accomplished in accordance with the current Collective Bargaining Agreement (CBA).

**b. Status of detailed Technician or Title 5 Employee.** During the period of detail, the Technician or T5 employee remains assigned to his or her official position of record. A RIF or reclassification action which effects the detailed position will not have an adverse impact upon the grade and pay of the detailed Technician or T5 employee. The official position of record cannot be permanently filled while a Technician or T5 employee is in detailed status.

**c. Request procedures.**

(1) **Details less than 30 calendar days.** Details less than 30 calendar days may be executed by the supervisor without written authority from the HRO. Such details can be recorded on an SF 52 and filed in the Electronic Personnel Folder.

(2) **Details more than 30 calendar days.** Details in excess of 30 days and not to exceed 120 days will be submitted on an SF 52 to the HRO indicating the duration and purpose. Upon approval of the detail, the HRO will file the SF 52 effecting the detail in the Technician or T5 employee's eOPF. Details for Bargaining Unit positions in excess of 120 days will be accomplished in accordance with the current Collective Bargaining Agreement (CBA). Details for non-Bargaining Unit positions to a higher grade must be competitively bid per this plan. In the case where a detail involves a change in supervisors, the gaining and losing supervisors will closely coordinate the duration of duty and mission requirements.

**4-7. Temporary Appointments.** Temporary appointments are used to meet administrative needs such as filling temporary workload increases or filling a required position for a temporary period due to the incumbent's absence. Competitive announcement procedures are

not required for temporary appointment of Technicians. T5 temporary appointments must be filled by the competitive process described in chapter 3.

a. **Requirements.** Persons appointed to temporary positions under this authority:

- (1) Must be members of the OHNG.
- (2) Applies to Technicians only.
- (3) Must meet the qualification standards established for the position.
- (4) Must not create grade inversion (technician only).
- (5) Are not required to satisfy MOS/AFSC or unit of assignment compatibility requirements (technician only).

b. **Tenure of temporary Technicians.** Temporary appointments:

- (1) Do not have the protection of reduction-in-force procedures.
- (2) Do not confer permanent status.
- (3) Do not serve a trial period.

c. **Length of temporary appointment.** Temporary appointments will be for a period no less than 90 days and will not normally exceed one continuous year. Extensions beyond one year will be considered on a case-by-case basis and must be approved in writing through the chain of command by the HRO.

d. **Termination of a Temporary Appointment.** A temporary appointment will terminate as follows.

- (1) On the specified date.
- (2) Any time funds are not available.
- (3) Any time the agency or supervisor determines the services are no longer needed or when unacceptable performance or conduct becomes evident. A reason for termination will be provided to the HRO on the reverse of the SF52.

e. **Request procedures.**

(1) **New appointments.** Supervisors will submit an SF 52, Request for Personnel Action, along with a resume to HRO fourteen (14) calendar days prior to the beginning of a pay period. The reverse of the SF 52 (part D) will contain a brief justification for employment. During in-processing, the applicant will sign a statement of understanding

outlining the conditions of employment.

(1) **Extension of temporary appointment.** Supervisors will submit an SF 52 requesting extension to temporary appointment and must be received in the HRO at least two weeks prior to the Not-To-Exceed (NTE) date to ensure no break in temporary employment occurs.

**Note:** If the extension request exceed one continuous year, the SF 52 must contain justification why the position cannot be filled with an indefinite or permanent appointment.

**4-8. Indefinite Appointment.** An indefinite appointment should be used when the appointment is expected to extend beyond one year but will have an unknown time limitation. Competitive announcement procedures described in Chapters 2 and 3 must be used when filling a position with an indefinite status.

a. Persons appointed with indefinite status.

(1) Must meet all military membership and compatibility requirements (technician only)

(2) Must meet the qualification standards established for the position.

(3) Do not serve a trial period.

(4) Are assigned to tenure group 3 for RIF purposes.

(5) May be promoted, changed to lower grade or reassigned to other positions with indefinite status.

b. During in-processing, the applicant will sign a statement of understanding outlining the conditions of employment.

c. **Termination of an indefinite appointment.** An indefinite appointment will terminate:

(1) Automatically on the specified date.

(2) Any time funds are not available (see note); or, any time the agency or supervisor determines the services are no longer needed or when unacceptable performance or conduct becomes evident. A reason for termination will be provided to the HRO on the reverse of the SF 52. The HRO will provide a written 30 day notice of separation prior to all involuntary terminations of indefinite personnel.

## **CHAPTER 5 REFERRAL AND SELECTION PROCEDURES**

## **5-1. Referral of Applicants**

Following the determination of basic eligibility and evaluation of applicants as outlined in Chapter 5, the Human Resource Office will:

- a. Notify applicants not meeting the minimum qualifications.
- b. Notify applicants who were qualified, but not referred on the Referral and Selection Certificate for selection consideration.
- c. Certify to the Selecting Official all qualified applicants. Applicants on the Referral and Selection Certificate will be in alphabetical order. HRO may, at its discretion, refer only applicants with Veterans Preference for T5 positions.

(1) Referral and Selection Certificates (identifying eligible applicants for a particular announced position) will be valid for a period of 90 days, unless an extension is requested in writing by the Selecting Official and approved by the HRO. If a selection is not made within 90 days, the HRO will contact the Selecting Official to determine if the certificate should be canceled.

(2) A Selecting Official may reuse a Referral and Selection Certificate from which a previous candidate was selected only if both of the following conditions exist:

(a) The position to be filled has the same title, series, grade, and is located in the same organization and geographic location as the position for which the certificate was initially issued, and

(b) The Referral and Selection Certificate was issued not more than 90 days prior to its requested reuse (unless an extension is requested and approved by the HRO).

## **5-2. Procedures for the Selecting Official**

a. T5 positions advertised and referred under AOC 3 do not require interviews for all qualified applicants. Qualified applicants with Veterans Preference must be considered before non-preference eligible applicants. Selecting Officials may only consider a non-preference eligible applicant after conducting a pass-over of the Veterans Preference eligible applicants. Selecting Officials may select a qualified applicant which possess Veterans Preference with or without conducting an interview. Any selected non-preference eligible applicant must receive an interview.

b. Selecting Officials must interview all qualified applicants for positions advertised and referred under AOCs 1, 2, and 4.

c. The Selecting Official will receive instructions for conducting interviews as an attachment to the Referral and Selection Certificate. The Selecting Official is responsible for ensuring interviews are conducted in accordance with the established procedures and that they comply with the instructions in this plan. The Selecting Official, or his/her designated

representative, is responsible for ensuring each member of the interview board is provided access to the necessary materials prior to conducting interviews.

d. Upon receipt of the Referral and Selection Certificate, the Selecting Official will prepare to interview applicants (if necessary). If the selection certificate contains only one eligible applicant, the Selecting Official may conduct an interview, recommend the lone applicant for selection without an interview or re-announce the position to a wider area of consideration. If the Selecting Official chooses to re-announce the vacancy, the initial position advertisement will be cancelled and the single applicant will be advised that his/her application may be transferred to the re-advertised position upon request. Whenever there are two (2) or more qualified applicants from a certificate referred from AOCs 1, 2, and 4, certified for selection, the Selecting Official must conduct interviews and attempt to make a selection. All applicants certified as eligible for consideration will be interviewed unless an applicant declines or withdraws.

e. The Selecting Official will appoint an interview board to assist in the interview and evaluation of all applicants. The Selecting Official will either act as the interview board president or appoint a management representative with appropriate knowledge of the position requirements to act as the interview board president. The interview board shall consist of an odd number of members and shall be three, five or seven personnel.

(1) The Selecting Official will ensure that the interview board includes, at a minimum, one gender diverse member (one female and/or one male based on this individual board member's gender identity) and one minority based on the race/ethnicity with which this individual self-identifies. Individuals who self-identify with the following races/ethnicities may be considered minorities for interview board purposes: African, Latino/Latina/Hispanic, Asian, Pacific Islander, and Native American. The gender diversity and minority board members may not be the same person. This requirement applies regardless of the gender, race, or ethnicity of the certified applicants. Requests for Exception to Policy, to this requirement, require the concurrence of the applicable Chief of Staff (Army) or Director of Staff (Air), must be submitted to the HRO with a clear justification, **prior** to conducting interviews. The Selecting Official may appoint a non-voting technical advisor to the interview board who can answer technical questions about a candidate's capabilities. This individual cannot express an opinion on a candidate's capability nor be part of the selecting/recommending process. Interviews that were conducted outside of the above parameters, without prior CoS/DoS concurrence and HRO approval will be void; furthermore, the Selecting Official will be required to re-conduct interviews, using the aforementioned parameters.

(2) Interview dates must be identified with sufficient lead-time to coordinate the schedules of the interview board members, and will take place during normal duty hours. Prospective employees are expected to arrange their own schedules to interview for advertised positions.

(3) Every reasonable effort must be made to conduct in-person interviews with all applicants. If an in-person interview is not feasible, telephone interviews may be conducted. Reasonable efforts must be made to contact the applicants. Should the Selecting Official be

unable to contact an applicant after three (3) attempts, he/she may proceed with the interview process, excluding those applicants whom they could not contact. A record of the dates and times of the attempts to notify the applicant will be included on the return endorsement of the certificate to the HRO.

f. The Selecting Official must identify the criteria that the interview board will use to evaluate applicants and ensure the board understands the criteria. The evaluation and selection of all applicants will be conducted based on job-related, merit-based factors. Selecting Officials are required to carefully consider the Ohio National Guard's affirmative action goals as well as the benefits of diversity of thought, experiences, and cultural differences. Selection of minority candidates promotes a positive work environment where both similarities and differences are valued. When the relative assessment of applicants, using merit-based factors does not result in a clear selection, thoughtful consideration of the organization's diversity goals will be used in arriving at a final selection.

(1) **Employment references.** The Selecting Official, or the designated interview board president, may make employment inquiries of applicants' previous employers or supervisors. If employment inquiries are made, the results of the inquiries will be shared with the interview board prior to completing the recommendation for selection. Derogatory reference information related to work habits, conduct, and other employment-suitability factors may be considered in conjunction with experience, knowledge, and skills of an applicant in the evaluation. Additionally, any board member's first-hand knowledge of applicants' work habits and capabilities may be considered in the selection process.

(2) Selecting Officials, or their designees, must review the interview questions and written expected responses with all interview board members prior to conducting the interviews.

g. The interview board will function with the intent of providing a ranked hiring recommendation to the Selecting Official through a fair, merit-based process. The SO is entitled to select or non-select any applicant; however, a selection that deviates from the recommendation of the interview board must be communicated to all board members, and explained in a written narrative to the HRO.

h. The Selecting Official, or designated interview board president, will maintain the interview notes for a period of two (2) years after the interview, and these will become part of the placement record. When a selection has been identified, the Selecting Official will submit all forms and notes used in the interview, along with the completed selection package to the Human Resource Office. The Standard Form 52, "Request for Personnel Action," must be completed and the selection certificate must be annotated, signed, and dated.

i. Completed selection packages are subject to administrative review. The selection is not final until the selection has been administratively approved by the Human Resource Office staffing function. The Selecting Official will be notified when the final approval has occurred. The Selecting Official and interview board members are not authorized to release the proposed selectee's name prior to administrative approval from the Human Resource Office.

(1) Board members will conduct themselves in a professional manner throughout all phases of the interview and evaluation process. Personal information regarding applicants must be treated as protected information, and discussions within the interview board evaluation process will be treated as confidential.

(2) Completed selection packages may also be reviewed by the State Equal Employment Manager (SEEM), the HRO, and the Chief of Staff-Army or Director of Staff-Air as appropriate. Union officials may request to review selection packages for bargaining unit positions for up to 90 days after the date HRO approves the selection in question. HRO shall provide the union officials a redacted copy of the requested information subject to the Privacy Act of 1974. An Equal Opportunity (EO) review will be conducted on a random sampling of completed selection packages, as a standard business practice. Any reported or suspected irregularity in the selection process will trigger an EO, Command review and/or grievance of the selection process. When this occurs, the vacancy-fill process will be placed on hold, pending the outcome of the review.

### **5-3. Notification**

After administrative review (and EO/Command review, if applicable) is complete, approval or disapproval of the Selecting Official's tentative selection and notification procedures will be as follows:

a. Selection approval. The HRO staffing function will inform the SO that the selection has been authorized. Staffing will also coordinate with the SO to ensure job offer(s) and non-select notifications are made appropriately. Non-select notifications will not be made until after the job has been accepted. This may require more than one offer. If the selected candidate does not accept the offer, the Selecting Official may offer the job to another candidate. A non-selected applicant may request an out-briefing in regards to his or her qualifications for the position. In that case, the SO will coordinate a follow-up with the interview board. The feedback will cover the board's evaluation of the merits and deficiencies of that applicant only. The performance of other applicants and overall rankings will not be disclosed.

b. Selection disapproval. The HRO may disapprove the selection results submitted by the SO. When this occurs the HRO will notify the SO of the reason(s) for disapproval and provide a list of actions required to remediate the conditions leading to the disapproval. Reasons for disapproval may include, but are not limited to: improper board composition, changes in resource availability and new or previously unavailable information relevant to the board for use in making a selection.

c. For NG T32 dual-status positions, the Selecting Official must notify the appropriate military personnel office of military assignment requirements to a compatible military position, and ensure any military personnel action is documented.

d. The Human Resource staffing function will inform the immediate supervisor and/or the selectee when the proposed personnel action is approved, and initiate Standard Form 50, Notification of Personnel Action, to effect promotion/placement action.

#### **5-4. Start Date**

The effective date, as determined by the HRO, for new appointment actions will be the first day of each biweekly pay period. If the selectee is currently an on-board NG T32 dual status technician or NG T5 employee, the gaining supervisor must coordinate a start date with the losing supervisor allowing the individual to assume his/her new position as soon as practicable. The gaining supervisor must keep the HRO informed when this situation arises. Release will normally be within two weeks after selection unless a later effective date is coordinated with the Human Resource Office. Disputes over a release date will be resolved by the Director of Human Resources.

### **CHAPTER 6 ADMINISTRATION**

**6-1. Recordkeeping:** States will maintain a record of each position filled, using processes described in this plan, sufficient to allow for reconstruction of the placement action.

- a. Complete placement/promotion records will be maintained by the HRO to:
  - (1) Provide a clear record of the action taken.
  - (2) Evaluate the Merit Placement and Promotion Program.
  - (3) Provide proof that merit placements action are being made on a fair and equitable basis.
- b. The required information includes, but is not limited to:
  - (1) The Job Opportunity Announcement,
  - (2) The resume and supporting documents submitted by all applicants,
  - (3) The individual qualification sheets, if used--the panel ranking sheets,
  - (4) Correspondence to and from applicants.
  - (5) The referral and selection certificate with Selecting Official's endorsement
  - (6) Record of priority placement lists having been cleared.
  - (7) Documentation provided by the Selecting Official to justify selection.
  - (8) Supervisor's request for advanced in-hire rates, or incentives.
  - (9) Copy of the Request for Personnel Action, SF-52.

**6-2. Retention:** Retention periods may change occasionally because of statutory, legal, financial, or administrative requirements. The records must be retained in the local files area (for up to two years (5 CFR 335.103)). If disputed, case files are retained by the HRO until claim is settled.

**6-3. Merit Placement Program Review:** At a minimum, each state will make provisions to review its merit promotion and internal placement program annually. To support continued use of specific procedures, and to ensure proper administration, use, and control, the HRO must have a system for reviewing the need and appropriateness of its procedures. This includes gathering of data to illustrate the effectiveness of each procedure and subsequent documentation. Where NG-J1-TN determines an HRO does not meet the requirements of this plan, it will require the state HRO to modify or suspend any procedures which NGB determines are deficient and/or unsatisfactory. The NGB, DoD, and/or OPM may/will inspect states to see that the provisions of this and other regulatory guidance is followed; and make periodic reviews of the use of evaluation procedures in the states in order to evaluate the effectiveness of this plan. Each has the authority to require states/HROs to modify or suspend any procedures, which do not meet the requirements in this plan.

**6-4. Privacy Protection:** Information relating to individual placement actions or to the applicant 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, without a valid need to know. No one is entitled to review information regarding an employee without the written consent of the subject employee.

## **CHAPTER 7**

### **KEY STAFF POSITIONS**

#### **7-1. Background**

a. The Adjutant General has the authority to non-competitively assign NG T32 dual status technicians, AGR members, and traditional Guard members to accommodate either an overarching military consideration or a military assignment at the Key Staff level. When designated Key Staff positions are filled, open competition for those positions, through normal vacancy announcement positions is not required. Key Staff positions in the Ohio National Guard are executive managerial, NG T32 dual status positions. Incumbents of Key Staff positions serve on the immediate staff of The Adjutant General or under the immediate, direct supervision of the Director of the Joint Staff, the OHARNG Chief of Staff, the OHANG Director of Staff, or Air Commander. The impact and influence of these employees on affirmative action goals cannot be overstated. Accordingly, consideration of affirmative action criteria is essential when filling these positions. Key Staff positions are filled solely on the basis of merit. All NG employees are provided the maximum opportunity to compete for placement opportunities.

b. Key Staff positions are neither clerical nor administrative in nature. The incumbent of a Key Staff position is the head of a major organization within the state or directs a specialized program of marked difficulty, responsibility and statewide significance. The incumbent of a Key Staff position is also delegated broad autonomy and authority to manage work; to monitor and evaluate the progress of the organization to meet mission or program goals and objectives; and to adjust objectives, work plans, schedules, and the allocation of resources.

c. The Adjutant General (TAG) is the selecting authority for all Key Staff positions. However, this authority may be delegated in accordance with TAG's prerogative (e.g. for those positions in which the incumbent is not a member of TAGs immediate staff and/or the incumbent serves under the supervision of one of TAG's subordinates).

d. A list of positions currently designated as Key Staff positions is shown in Appendix D. This list remains current unless expressly modified or rescinded.

## **7-2. Alternate Selection Procedure**

a. When The Adjutant General or his delegate decides to fill a Key Staff position outside the parameters of normal vacancy announcement procedures, he/she informs the HRO that alternate selection procedures will be used and advises the HRO of the following:

(1) Area(s) of consideration: i.e. NG T32 Dual Status Technicians, AGRs, and/or Traditional Guardsmen.

(2) Specific military compatibility requirements.

(3) Any specific selective placement factors.

(4) Anticipated start date.

b. The Adjutant General or his delegate may choose to fill the Key Staff position in any of the following manners:

(1) **USA Jobs:** The Federal Personnel Management Staffing section may advertise the position on USA Jobs or screen personnel files to generate a selection certificate with a list of qualified, eligible candidates based on the Selecting Official's request. If the area of consideration includes AGRs, the Staffing section will coordinate with the AGR staffing section to develop a list of eligible candidates. If the area of consideration includes Traditional Guardsmen, the Federal Personnel Management Staffing section will coordinate with the G1 and/or A1 to develop a list of eligible candidates. All lists will be consolidated by the Staffing section into a certificate. The certificate will be sent to the Adjutant General, who may select or non-select from that certificate, returning the completed form to HRO for processing.

(2) **Other Special Procedures:** The Adjutant General or his delegate may use other special procedures established for filling Key Staff positions. These special procedures need not be specific to filling Key Staff positions listed in Annex D. They must be established

and regularly-used procedures that are based on the core tenets of regulations and policies governing military personnel management. Examples include, but are not limited to the Ohio Air National Guard Force Management Council, the Ohio Army National Guard Officer Career Management Board, and the Field-Grade Officer Selection Group.

## **CHAPTER 8**

### **CORRECTIVE ACTIONS , GRIEVANCES AND COMPLAINTS**

**8-1. Grievances and Complaints:** NG T32 DS Technicians and NG T5 employees may have the right to file a grievance concerning merit promotion matters under the state NG's administrative grievance procedures or under a negotiated grievance procedure, as appropriate. Non-selection from among a group of properly ranked and certified candidates is not an appropriate basis for a grievance. NGB or OPM may conduct investigations of violations of the merit placement program or selection processes and direct corrective action(s). Management and the HRO staff will make every effort to informally resolve employees' concerns regarding placement actions. An employee may not file both a formal grievance and an EEO complaint at the same time for the same issue. However, if an applicant believes that he/she was not provided due consideration because of federally recognized bases for discrimination, he/she may file a complaint through the appropriate state NG Equal Opportunity program or if applicable through the negotiated grievance procedure in accordance with the current Collective Bargaining Agreement (CBA). To have complaints considered through the EEO process, individuals must contact the State Equal Employment Manager (SEEM) within 45 days from the date of the matter alleged to be discriminating or, in the case of personnel action, within 45 days of the effective date of the action.

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

**8-2. Corrective Actions:** Failure to adhere strictly to laws, OPM regulations and instructions, DoD, or NGB instruction, policies and guidelines must be promptly rectified by the state involved. An example of a required corrective action may be to rectify a violation incident that involved an applicant who was erroneously promoted or appointed. The nature and extent of actions taken in any case must be determined on the basis of all the verified and validated facts in the case. The provisions of this paragraph do not restrict the remedies that are afforded in resolving a grievance.

**8-3. Program Violations:** There are three types of program violations for which NGB, DoD, or OPM may require corrective action.

- a. Procedural violation occurs when a placement action does not meet the

requirements of the OHNG merit placement plan. NG T32 DS Technicians and NG T5 employees may remain in the position only if reconstruction of the action shows that he/she could have been selected if proper procedures were followed at the time the action was taken, or if NG-J1-TN gives approval. In this kind of violation, a technician is retained in the position only if –

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

(2) The NGB, DoD, or OPM gives approval.

b. A regulatory violation occurs when the NG applicant did not meet the qualification or regulatory requirements at the time of placement. The NG T32 dual status technician or NG T5 employee may be retained in the position, only if, on current date, he/she meets all of the position's qualification requirements. In this kind of violation, a technician or employee may be retained in the position only if:

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

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

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

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

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

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

(4) Immediate action is taken to correct a violation or program deficiency.

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

#### **8-4. Other Complaints**

Other complaints or inquiries, including those made by non-technician candidates, should be directed to the Director for Human Resources. All such inquiries will be considered and every effort made to resolve the complaints.

#### **8-5. Comments or Suggestions**

Users of this plan are invited to send comments and suggested improvements to the Director of Manpower and Personnel, J1, 2825 West Dublin Granville Road, Columbus, Ohio 43235-2789.

#### **FOR THE ADJUTANT GENERAL:**

WILLIAM K. GIEZIE, P.E.,  
Col, OHANG  
Director of Manpower and Personnel, J1

DISTRIBUTION: "Special"  
(1 ea. T32 DS Tech Supv, T5 Competitive and/or Excepted Supervisor)  
(1 ea. Mil Dept. Activity/Organization)

## APPENDIX A

Standard Form 52  
Rev. 7/91  
U.S. Office of Personnel Management  
FPM Supp. 296-33, Subch. 3

### REQUEST FOR PERSONNEL ACTION

**PART A - Requesting Office (Also complete Part B, Items 1, 7-22, 32, 33, 36, and 39.)**

1. Action Requested: **REQUEST FOR FILL** 2. Request Number: \_\_\_\_\_

3. For Additional Information Call (Name and Telephone Number): \_\_\_\_\_ 777-777-7777 4. Proposed Effective Date: \_\_\_\_\_

5. Action Requested By (Typed Name, Title, Signature, and Request Date):  
SFC JOHN DOE SIGNATURE 5/29/2009  
SUPERVISOR

6. Action Authorized by (Typed Name, Title, Signature, and Concurrence Date):  
LT JANE SMITH SIGNATURE 5/29/2009  
HR SUP.

**PART B - For Preparation of SF 50 (Use only codes in FPM Supplement 292-1. Show all dates in month-day-year order.)**

1. Name (Last, First, Middle) \_\_\_\_\_ 2. Social Security Number \_\_\_\_\_ 3. Date of Birth \_\_\_\_\_ 4. Effective Date \_\_\_\_\_

FIRST ACTION				SECOND ACTION			
5-A. Code	5-B. Nature of Action			6-A. Code	6-B. Nature of Action		
5-C. Code	5-D. Legal			6-C. Code	6-D. Legal Authority		
5-E. Code	5-F. Legal			6-E. Code	6-F. Legal Authority		
7. FROM: Position Title				8. TO: Position Title and Number			
8. Pay Plan	9. Occ. Code	10. Grade	11. Pay Rate	13. Pay Band	14. Pay Rate	15. Grade or Level	16. Step or Rate
12A. Basic Pay	12B. Local Adj.	12C. Ad. Basic Pay	12D. Other Pay	20A. Basic Pay	20B. Locality Adj.	20C. Ad. Basic Pay	20D. Other Pay
14. Name and Location of Position				22. Name and Location of Position's Organization			

**EMPLOYEE DATA**

23. Veterans Preference: 1 - None, 2 - 5% (10-Point/Disability), 3 - 10% (10-Point/Other), 4 - 10% (10-Point/Compassionate), 5 - 10% (10-Point/Compassionate/30%)

24. Tenure: 0 - None, 1 - Permanent, 2 - Conditional, 3 - Indefinite

25. Agency Use:  YES  NO

26. Veterans Pref for RIF:  YES  NO

27. FEGLI: \_\_\_\_\_

28. Annuitant Indicator: \_\_\_\_\_

29. Pay Rate Determinant: \_\_\_\_\_

30. Retirement Plan: \_\_\_\_\_

31. Service Comp. Date (month/year): \_\_\_\_\_

32. Work Schedule: \_\_\_\_\_

33. Part Time Hours Per Biweekly Pay Period: \_\_\_\_\_

**POSITION DATA**

34. Position Occupied: 1 - Competitive Service, 2 - Excepted Service, 3 - SES General, 4 - SES Career

35. FLSA Category: C - Except, N - Non-exempt

36. Appropriation Code: \_\_\_\_\_

37. Bargaining Unit Status: \_\_\_\_\_

38. Duty Station Code: \_\_\_\_\_

39. Duty Station (City - County - State or Overseas Location): \_\_\_\_\_

40. Agency Data: 41. \_\_\_\_\_, 42. \_\_\_\_\_, 43. \_\_\_\_\_, 44. \_\_\_\_\_

45. Educational Level: \_\_\_\_\_

46. Year Degree Attained: \_\_\_\_\_

47. Academic Discipline: \_\_\_\_\_

48. Functional Class: \_\_\_\_\_

49. Citizenship: 1 - USA, 2 - Other

50. Veterans Status: \_\_\_\_\_

51. Supervisory Status: \_\_\_\_\_

**PART C - Reviews and Approvals (Not to be used by requesting office.)**

1. Office/Function	Initials/Signature	Date	Office/Function	Initials/Signature	Date
A.			D.		
B.			E.		
C.			F.		

7. Approval: I certify that the information entered on this form is accurate and that the proposed action is in compliance with statutory and regulatory requirements.

Signature \_\_\_\_\_ Approval Date \_\_\_\_\_

CONTINUED ON REVERSE SIDE OVER Editions Prior to 7/91 Are Not Usable After 8/10/95 NSN 7540-01-333-6239

**Sample Request for Fill (Front of SF-52)**

**PART D - Remarks by Requesting Office**

(Note to Supervisors: Do you know of additional or conflicting reasons for the employee's resignation/retirement/ If "YES", please state these facts on a separate sheet and attach to SF 52.)

YES  NO

Military Unit, Para/Line,  
MOS/AFSC, Security  
Clearance Required, and  
Other Restrictions.

**PART E - Employee Resignation/Retirement**

**Privacy Act Statement**

You are requested to furnish a specific reason for your resignation or retirement and a forwarding address. Your reason may be considered in any future decision regarding your re-employment in the Federal service and may also be used to determine your eligibility for unemployment compensation benefits. Your forwarding address will be used primarily to mail you copies of any documents you should have or any pay or compensation to which you are entitled.

and agencies to issue regulations with regard to employment of individuals in the Federal service and their records, while section 8506 requires agencies to furnish the specific reason for termination of Federal service to the Secretary of Labor or a State agency in connection with administration of unemployment compensation programs.

This information is requested under authority of sections 301, 3301, and 8506 of title 5, U.S. Code. Sections 301 and 3301 authorize OPM

The furnishing of this information is voluntary; however, failure to provide it may result in your not receiving: (1) your copies of those documents you should have; (2) pay or other compensation due you; and (3) any unemployment compensation benefits to which you may be entitled.

- 1. Reasons for Resignation/Retirement (NOTE: Your reasons are used in determining possible unemployment benefits. Please be specific and avoid generalizations. Your resignation/retirement is effective at the end of the day - midnight - unless you specify otherwise.)

2. Effective Date	3. Your Signature	4. Date Signed	5. Forwarding Address (Number, Street, City, State, ZIP Code)
-------------------	-------------------	----------------	---

**PART F - Remarks for SF 50**

**REQUEST FOR PERSONNEL ACTION**

**PART A - Requesting Office (Also complete Part B, Items 1, 7-22, 32, 33, 36, and 39.)**

1. Actions Requested <b>APPOINTMENT</b>		2. Request Number
3. For Additional Information Call (Name and Telephone Number) SFC JOHN DOE 777-777-7777		4. Proposed Effective Date 1 JUNE 09
5. Action Requested By (Typed Name, Title, Signature, and Request Date) SFC JOHN DOE SIGNATURE SUPERVISOR 5/20/2009	6. Action Authorized by (Typed Name, Title, Signature, and Concurrence Date) LT JANE SMITH SIGNATURE HR STIP 5/20/2009	

**PART B - For Preparation of SF 50 (Use only codes in FPM Supplement 292-1. Show all dates in month-day-year order.)**

1. Name (Last, First, Middle)	2. Social Security Number	3. Date of Birth	4. Effective Date
-------------------------------	---------------------------	------------------	-------------------

FIRST ACTION		SECOND ACTION	
5-A. Code	5-B. Nature of Action	6-A. Code	6-B. Nature of Action
5-C. Code	5-D. Legal Authority	6-C. Code	6-D. Legal Authority
5-E. Code	5-F. Legal Authority	6-E. Code	6-F. Legal Authority

ENTER OFFICIAL POSITION DESCRIPTION TITLE, NUMBER, SPMD NO., & FAC

7. FROM: Position	16. TO: Position Title and Number
-------------------	-----------------------------------

16 & 17 FOUND IN THE OFFICIAL POSITION DESCRIPTION

8. Pay Plan	9. Occ. Code	10. Grade or Level	11. Step or Rate	12. Total Salary	13. Pay Basis	16. Pay Plan	17. Occ. Code	18. Grade or Level	19. Step or Rate	20. Total Salary/Award	21. Pay Basis
12A. Basic Pay	12B. Locality Adj.	12C. Adj. Basic Pay	12D. Other Pay	20A. Basic Pay	20B. Locality Adj.	20C. Adj. Basic Pay	20D. Other Pay				

14. Name and Location of Position	22. Name and Location of Position's Organization
-----------------------------------	--

**EMPLOYEE DATA**

23. Veterans Preference 1 - None 2 - 5-Point 3 - 10-Point/Disability 4 - 10-Point/Compensable 5 - 10-Point/Other 6 - 10-Point/Compensable/30%	24. Tenure 0 - None 1 - Permanent 2 - Conditional 3 - Indefinite	25. Agency Use	26. Veterans Pref for RIF YES NO
27. FEGLI	28. Annuitant Indicator	29. Pay Rate Determinant	
30. Retirement Plan	31. Service Comp. Date (Leave)	32. Work Schedule	33. Part-Time Hours Per Biweekly Pay Period

**POSITION DATA**

34. Position Occupied 1 - Competitive Service 2 - Excepted Service 3 - SES General 4 - SES Career	35. FLSA Category E - Exempt N - Nonexempt	36. Appropriation Code	37. Bargaining Unit Status
38. Duty Station Code		39. Duty Station (City - County - State or Overseas Location)	

40. Agency Data	41.	42.	43.	44.
45. Educational Level	46. Year Degree Attained	47. Academic Discipline	48. Functional Class	49. Citizenship 1 - USA 3 - Other
		50. Veterans Status	51. Supervisory Status	

**PART C - Reviews and Approvals (Not to be used by requesting office.)**

1. Office/Function	Initials/Signature	Date	Office/Function	Initials/Signature	Date
A.			D.		
B.			E.		
C.			F.		

2. Approval: I certify that the information entered on this form is accurate and that the proposed action is in compliance with statutory and regulatory requirements. Signature Approval Date

CONTINUED ON REVERSE SIDE  
52-118

OVER

Editions Prior to 7/91 Are Not Usable After 6/30/93  
NSN 7540-01-333-6239

**REQUEST FOR PERSONNEL ACTION**

**PART A - Requesting Office (Also complete Part B, Items 1, 7-22, 32, 33, 36, and 39.)**

1. Action Requested PROMOTION		2. Request Number
3. For Additional Information Call (Name and Telephone Number) SFC JOHN DOE 777-777-7777		4. Proposed Effective Date 1 JUNE 09
5. Action Requested By (Typed Name, Title, Signature, and Request Date) SFC JOHN DOE SIGNATURE SUPERVISOR 5/29/2009	6. Action Authorized by (Typed Name, Title, Signature, and Concurrence Date) LT JANE SMITH SIGNATURE HR. SUP. 5/29/2009	

**PART B - For Preparation of SF 50 (Use only codes in FPM Supplement 292-1. Show all dates in month-day-year order.)**

1. Name (Last, First, Middle)	2. Social Security Number	3. Date of Birth	4. Effective Date
-------------------------------	---------------------------	------------------	-------------------

**FIRST ACTION**

**SECOND ACTION**

5.A. Code of Action	6.A. Code	6.B. Nature of Action
7. FROM: POSITION Title and Number Authority	8. TO: POSITION Title, Number, SPMD, NO., & FAC Authority	

8. Pay Plan	9. Occ. Code	10. Grade or Level	11. Step or Rate	12. Total Salary/Award	13. Pay Basis	14. Pay Plan	15. Occ. Code	16. Grade or Level	17. Step or Rate	18. Total Salary/Award	19. Pay Basis
-------------	--------------	--------------------	------------------	------------------------	---------------	--------------	---------------	--------------------	------------------	------------------------	---------------

12A. Basic Pay	12B. Locality Adj.	13. Pay Basis	20A. Basic Pay	20B. Locality Adj.	20C. Adj. Basic Pay	20D. Other Pay
----------------	--------------------	---------------	----------------	--------------------	---------------------	----------------

14. Name and Location of Position's Organization	21. Name and Location of Position's Organization
--	--

**EMPLOYEE DATA**

23. Veterans Preference 1 - None 3 - 10 Point/Disability 5 - 10 Point/Other 2 - 5-Point 4 - 10-Point/Compensable 6 - 10-Point/Compensable/30%	24. Tenure 0 - None 3 - Conditional 1 - Permanent 3 - Indefinite	25. Agency Use	26. Veterans Pref for RIF YES NO 29. Pay Rate Determinant
27. FEGLI	28. Annuitant Indicator	30. Retirement Plan	31. Service Comp. Date (Leave)
32. Work Schedule	33. Part-Time Hours Per Biweekly Pay Period		

**POSITION DATA**

34. Position Occupied 1 - Competitive Service 3 - SES General 2 - Excepted Service 4 - SES Career	35. FLSA Category E - Exempt N - Nonexempt	36. Appropriation Code	37. Bargaining Unit Status
38. Duty Station Code	39. Duty Station (City - County - State or Overseas Location)		

40. Agency Data	41.	42.	43.	44.
45. Educational Level	46. Year Degree Attained	47. Academic Discipline	48. Functional Class	49. Citizenship 1 - USA 8 - Other
50. Veterans Status	51. Supervisory Status			

**PART C - Reviews and Approvals (Not to be used by requesting office.)**

1. Office/Function	Initials/Signature	Date	Office/Function	Initials/Signature	Date
A.			D.		
B.			E.		
C.			F.		

2. Approval: I certify that the information entered on this form is accurate and that the proposed action is in compliance with statutory and regulatory requirements.	Signature	Approval Date
--	-----------	---------------

FROM: OFFICIAL POSITION DESCRIPTION TITLE, NUMBER, SPMD NO., & FAC

TO: OFFICIAL POSITION DESCRIPTION TITLE, NUMBER SPMD, NO. & FAC

INFORMATION FOUND IN OFFICIAL POSITION DESCRIPTION

Sample Promotion SF-52

## APPENDIX B

### MERIT ANNOUNCEMENT REQUEST (Attach to SF 52, Request for Personnel Action)

<b>POSITION TITLE/GRADE:</b> <input type="text"/>	
<b>UNIT AND OFFICIAL ADDRESS OF VACANCY:</b> <input type="text"/>	
<b>VACANCY DUE TO:</b> <input type="text"/>	<input type="text"/>
<b>NAME:</b> <input type="text"/>	<b>EFFECTIVE DATE:</b> <input type="text"/>
<b>TYPE OF ANNOUNCEMENT:</b> <input type="text"/>	
<b>REMARKS:</b> <input type="text"/>	
<b>BARGAINING UNIT POSITION:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <small>If Bargaining Unit Status is unknown then leave both boxes unchecked. HRO will make the final determination on the position's status.</small>	
<b>DURATION OF ANNOUNCEMENT:</b> <input type="checkbox"/> 30 Days <input checked="" type="checkbox"/> 15 Days (Standard) <input type="checkbox"/> Other <input type="text"/> Days Provide a brief explanation of the impact on the mission if the duration requested is less than 15 days. <input type="text"/>	
<b>BRANCH:</b> <input checked="" type="checkbox"/> ARMY <input type="checkbox"/> AIR	
<b>AREA OF CONSIDERATION:</b> <input type="text"/> Provide a brief explanation if the area of consideration is not dual status technicians within the state. Explain why position should be advertised to all military members of the appropriate service if that is how it is to be advertised. Explanations must be based on factors such as those set out in TPR 200. In each case, some explanation of how the decision promotes the factor is needed. Such factors include: <input type="text"/> <input type="text"/>	
<b>MINIMUM MILITARY GRADE:</b> <input type="text"/> PROMOTABLE <input type="checkbox"/>	<b>MAXIMUM MILITARY GRADE:</b> <input type="text"/> PROMOTABLE <input type="checkbox"/>
<b>SECURITY CLEARANCE/POSITION SENSITIVITY:</b> <input type="text"/>	
<b>SUPERVISORY STATUS:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>OTHER RESTRICTIONS OR REMARKS:</b> <input type="text"/>	
<b>PCS AUTHORIZED:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>TRAVEL REQUIRED:</b> <input type="text"/>	
<b>SELECTING OFFICIAL:</b> (NAME, RANK, ADDRESS, PHONE) <input type="text"/>	

Sample AGOH Form 690-52

**APPENDIX C**

**SELECTION INSTRUCTIONS AND CHECKLIST**

Interview Board Composition

PRINT - Rank / Full Name / Title	Role
	Selecting Official (SO)
	Board President (if other than above)
	Gender Diversity Representative
	Minority Representative
	Other/SME
	Other/SME
	Other/SME
	Other/SME

Did the hiring board provide a ranked recommendation to the SO?  YES  NO

Selection Made.

No Selection Made. Non-select recommendations are subject to scrutiny by the Director for Human Resources.

The Selecting Official must provide in writing the ranking of the top three applicants, the reasons supporting the recommendation to select or non-select, and any other pertinent information below or on a separate page as needed:

---

---

---

---

---

---

---

---

---

---

Selecting Official's signature\_\_\_\_\_

DATE\_\_\_\_\_ SO Contact Information\_\_\_\_\_

## GENERAL INSTRUCTIONS AND CHECKLIST

1. Prior to being placed on the certificate, each applicant's qualifications as presented in the application were found to meet the minimal generalized and specialized experience required for the position in the announcement. You must recommend selection or non-selection from the applicants referred on this certificate.

2. When more than one applicant is referred, selection recommendations are developed using a board interview process unless the applicant(s) is referred under AOC 3. If personal interviews are not possible, telephone interviews shall be conducted. Reasonable effort must be made to interview all applicants on the certificate, including those deployed. Interviews are not required if only one applicant is referred. Written performance or job knowledge tests may not be administered.

3. Interview Board Composition:

- **Leadership:** The Selecting Official or their designated representative shall preside over the interview board and will be a voting member of the interview board. This individual is designated as the interview board president. They are responsible for coordinating the interview process with applicants and interview board and all records maintenance.
- **Number:** The interview board will consist of an odd number of members. At a minimum the board will consist of three members and at a maximum it will have seven members, a non-voting technical representative can be added to the board at the direction of the Selecting Official. This person can only provide technical advice to the board but may not participate in asking questions or making selection recommendations
- **Diversity:** All positions interviewed for selection must utilize a hiring panel that has both gender and ethnic/racial diversity on the panel. The board will include, at a minimum, one female and one male (gender diversity), and one minority representative who are not the same person.
- **Training:** At least one member of the interview board must have completed the Technician Personnel Management Course.
- **Rank:** Members of a NG T32 dual status technician interview board need not have a military rank greater than or equal to the applicants.
- **Status:** Serving on an interview board is an inherently governmental responsibility, as such all interview board members must be serving in an official government status. Members of the interview board may be NG T32 dual status technicians, T5 civilian federal employees, AGRs, drill status guardsmen (M-day soldiers/airmen) and Ohio National Guard state employees. Contractors shall not be used as members of the interview board. Members of the interview board may come from other military services, may be active duty or reserve members or National Guard members from other states. Retired military members that are not current DoD civilian employees may not be used on an interview board. The agency is responsible for the conduct, decisions, and adherence to this plan by all persons involved in the hiring process.

4. Selecting Official (SO)/Interview Board President Preparation for Interviews

- Develop a standardized interview for all applicants. HRO recommends behavioral based interviewing. Behavioral based interviews use open-ended questions to draw out personal experience. These questions allow the candidate to talk about himself or herself, providing more data for the board to evaluate who has the greatest potential for success in the position. Open-ended questions may require the interview board to ask clarifying questions if the initial response lacks specifics or is incomplete. Typically, in a response to a behavioral-based interview question, the candidate will describe a situation, a task he or she had to complete, and the result that followed. The interview board president may solicit interview questions from the interview board members or may develop the interview questions on their own. More information can be found on the Department of Veterans Affairs website at <http://www.va.gov/PBI/index.asp>.
- Questions about race, color, religion, sex (including gender identity and transgender status), national origin, sexual orientation, genetic information, age, pregnancy or disability are prohibited.
- Interview questions and the selection recommendation process shall be qualitative in nature (**i.e. individual interview questions shall not be assigned a point value**). The Selecting Official/interview board president will provide questions linked to the technical and behavioral competencies required for the position. Each question will have a desired response indicated so that the interview board evaluates consistently. The SO/interview board president will provide a space for notes so the interview board can capture responses and take notes for evaluation. Examples of qualitative evaluation methods are below.

<b>Qualitative Interview Method</b>			
<b>Competency</b>	<b>Question</b>	<b>Desired response</b>	<b>Response Notes</b>
Technical-Supply	What are the steps to log in new supply items?	Narrative Description	
Behavioral-Customer Service	Tell me about a time when you had to deal with a difficult customer.	Narrative Description	

1. Conducting the Board Interview:

- The Selecting Official/interview board president has two options for conducting interviews. They can be conducted as board interviews for bargaining unit positions, or either board interviews or individual interviews for non-bargaining unit positions. Regardless of the method chosen, all aspects of this policy shall apply to either interview method.
  - **Individual interview:** These are conducted by each member of the interview board interviewing each applicant individually without other members of the interview board present. Once one member is done interviewing an applicant, the applicant is escorted to the next interview board member. The interview is accomplished in a round robin fashion until all applicants have been interviewed by all members of the interview board. This type of interview is used to allow each interview board member to make an independent judgement on the candidate with limited influence from the other members of the interview board. Once each candidate has been interviewed, each interview board member independently ranks each applicant. Once accomplished the interview board president brings all interview board members together for a consensus discussion and to make the final selection recommendation.
  - **Board Interview:** These are conducted by the interviewing board coming together in one place at one time and collectively interviewing each applicant. This allows each interview board member to see how each candidate responds to all of the interview questions not just the questions they ask. Once all of the candidates are interviewed, each interview board member makes an independent judgement on the ranking of all applicants. After the tabulation of ranking is completed the interview board president leads a consensus discussion and the board makes the final selection recommendation.
  
- The board will review each applicant's submission for relevant information.
- T5 interviews will be conducted in a civilian manner. T32 interviews will be conducted in the appropriate military uniform. Interviewees may be required to report to the board and salute but will not be required to sit at the position of attention for the duration of the interview.
- Establish the interview as a non-threatening information gathering process for both the board and the applicant.
- Either before or after the interview, allow the applicant to ask questions about the position.

- Either before or after the interview, provide a realistic description of the position and duties.
- To ensure interview consistency and to promote fairness of the selection process, all candidates shall be asked the same interview questions. Additionally, all candidates will be asked the same questions from the same interview board member.
- Allow the applicant time to formulate his or her response to each question.
- Interview board members may ask follow-up questions if the initial response to an open-ended question is unclear or not specific enough. Questions designed to selectively assist applicants in answering questions shall not be used.
- At the close of the interviews, the board members will rank the applicants based on results from the resume reviews, interviews, reference checks and discussion.

## 2. Making the Selection Recommendation:

- The recommendation is the qualitative judgment of the board about which applicant has the greatest potential to succeed in the position to be filled. Each interview board member is to rank order their recommendation for selection from 1 to X, with 1 being their number 1 recommendation and X being the total number of candidates interviewed. This ranking is to be based upon the Complete Person Concept to include: past performance; interview results; application; past experience; information provided by their previous supervisors; and the needs of the agency in this position. This can be done in an open forum or by a silent listing. This rank order is to be tabulated and the candidate with the lowest overall aggregate score from all interview board members is to be evaluated for consensus recommendation for selection. The interview board shall then use this tabulated score to assist in determining the overall rank order of the candidates.
- The board may contact current and former employers or personal/professional references identified on the applicant's resume for employment references. Any information obtained from contacting references shall be discussed with the complete board.
- The board will compile the results of the interview process, rank all applicants, provide a selection recommendation on at least the top three applicants, and formulate a recommendation to select or non-select from the certificate.
- After tabulation of the interview board's ranking of the applicants, the interview board president will conduct a discussion on the rank order of the applicants. The interview board will attempt to obtain consensus on the rank ordering of recommended applicants.

After the interview board discussion the final selection recommendation may or may not line up with the final applicant ranking.

- The consensus step is a validation by all members of the board that the selection was a fair and equitable process and the outcome is reasonable, defensible and supportable. Consensus does not mean that all interview board members have the same ranking or recommend the same final selected applicant. Rather it means that all interview board members agree that the interview recommendations were obtained in a fair and equitable manner.
- The interview board must strive to reach a consensus recommendation. Consensus by the board does not require every board member to have independently reached the same conclusion on ranking the applicants. Board members will not be convinced to change their ranking analysis of individual applicants. Board members may arrive at varied rankings and combine the individual rankings to achieve an overall group result.
- A board member who cannot reach consensus with the proposed recommendation shall write a dissenting opinion to the selecting official.

<b>A Roll-up Ranking Sheet Example</b>					
JA # _____					
	Applicant A	Applicant B	Applicant C	Applicant D	Applicant E
Board President	3	1	5	2	4
Gender Diversity Rep	3	2	5	1	4
Minority Rep	2	1	5	3	4
Other/SME	3	1	5	2	4
Other/SME	3	1	5	2	4
<b>Total</b>	<b>14</b>	<b>6</b>	<b>25</b>	<b>10</b>	<b>20</b>
<b>Ranking</b>	<b>3</b>	<b>1</b>	<b>5</b>	<b>2</b>	<b>4</b>

Final Recommended Selection: Note that the final rank ordering may or may not be the same as the Roll-up Ranking, for this example they are the same The lower total in ranking indicates the better applicant.

1. Applicant B
2. Applicant D
3. Applicant A

- If the board needs to schedule additional interviews for the entire group or from among a list of top applicants in order to formulate a recommendation, they may do so.
- Non-select recommendations are subject to scrutiny by the Director for Human Resources.

3. Information and documents to be returned with ALL job packages to HRO will be returned in the Case File Documents section of the USA Staffing Selection Manager. The following documents must be returned:

- A signed and completed Referral and Selection Certificate (pages 1 and 2 of this form).
- Selection Instructions & Checklist: This will include documentation of the composition of the board; rankings of all applicants by order of merit; the recommendation to select or not select; a recommendation of the top three applicants for selection; and the reasons for the recommendation.
- Interview date(s) and questions, with all notes Roll-up Ranking sheet and rank order of final recommended selection with all rankings identified and a recommendation of at least the top 3 applicants.
- For a NG T32 technician or NG T5 employee hire, a completed SF-52 requesting to hire the selected individual.
- HRO retains copies of selection package documents for three years.

4. HRO Approval Process:

- A random EO review of the selection may be conducted. In that case, the packet will also be reviewed by the Director for Human Resources. This will cause a delay in processing.
- All selection recommendations are reviewed by a staffing specialist for approval. The staffing specialist will contact the SO or the Air HR Remote to confirm approval of the selection and establish the start date.

- HRO will provide the Selecting Official or the Air HR Remote a job offer notification for the selected candidate. This will identify the position with the grade and step level the individual was selected for; estimated annual salary based upon the position and duty location; estimated leave accrual rate and optional start dates. Leave accrual rate and position grade /step will be provided based upon the information HRO has on the selected applicant at the time of selection. These rates may change based upon information submitted by the applicant after the selection is made.

#### 5. Making the Offer:

- Once HRO approves the hire the Selecting Official or designated representative will contact the selectee and offer the job. If the first selectee declines the offer, the Selecting Official may make an additional selection from the selection certificate. Once the job offer is accepted, the Selecting Official will notify the remaining applicants of non-selection. If the initial offer at Step 1 is refused the Selecting Official may negotiate salary requirements and request approval of advanced in-hire rates from the HRO. Selecting Officials shall not make a firm salary commitment above Step 1 to a candidate without approval from HRO. Selecting Officials shall refer to the HRO policy on advanced in-hire rates.
- Once the offer is accepted HRO or the Air Remote will set the start date and appointment for New Employee Orientation (NEO).
- For NG T32 technicians and NG T5 employees hired below the target grade (developmental/career ladder), the supervisor must submit an Individual Development Plan (IDP) to HRO for review and approval within 30-days of hire.
- If you have any questions or need additional guidance or support, please contact the HRO Customer Service desk at DSN 346-7051/614 336-7051.

**APPENDIX D**

**KEY STAFF POSITIONS FOR THE OHIO NATIONAL GUARD**

<b>Joint Forces Headquarters - State</b>	
<b>Position</b>	<b>Service</b>
Chief of the Joint Staff	Joint
Vice Chief of the Joint Staff	Joint
Deputy U.S. Property & Fiscal Officer	Joint
Public Affairs Officer	Joint
Chief Counsel / Staff Judge Advocate	Joint
Chaplain	Joint
Senior Enlisted Advisor	Joint
J1 Through J7	Joint
Human Resources Officer	Joint
Plans, Operations & Mission Support Officer	Joint
International Partnership Specialist	Joint
<b>Air Guard</b>	
Air Commander	Air Force
Vice Air Commander	Air Force
GSU Commander	Air Force
Wing Chief of Staff	Air Force
Director of Staff	Air Force
Comptroller	Air Force
Community Program Manager	Air Force
Operations Group Commander	Air Force
Mission Support Group Commander	Air Force
Maintenance Group Commander	Air Force
Human Resources Officer (Military)	Air Force
<b>Army Guard</b>	
Command Administrative Officer	Army
Secretary to the General Staff (Management Analyst)	Army
G1 Through G7	Army
Command Warrant Officer	Army
Comptroller	Army
Construction & Facilities Maintenance Officer	Army
State Aviation Officer	Army
Brigade/Division Commander	Army

## APPENDIX E

### VETERANS PREFERENCE PASS-OVER PROCEDURES

#### 1. References

- 5 CFR 332 - Recruitment and Selection through Competitive Examination
- 5 CFR 339 - Medical Qualification Determinations
- 5 CFR 731 - Suitability
- 5 CFR 320 - Employment in the Excepted Service
- U.S.C. 3318 - Competitive Service; Selection From Certificates
- Office of Personnel Management, Delegated Examining Operations Handbook: A Guide for Federal Agency Examining Offices, dated May 2007
- Office of Personnel Management's Memorandum for Chief Human Capital Officers: Subject: Procedures for Pass-over of Compensably-Disabled Preference Eligibles in the Excepted Service, dated February 9, 2009
- OPM's VetGuide

**2. Purpose.** The purpose of this instruction is to establish procedures for passing over veterans for T5 excepted service positions. Title 5 CFR section 332.406 provides general guidance on passing over preference eligible applicants to select non-preference eligible applicants.

#### 3. Background/Authority

a. Veterans' Preference derives from the Veterans' Preference Act of 1944. The Veterans' Preference Act of 1944 defines to whom and under what circumstances preference is granted. It provides that preference be given in competitive examinations, in appointments to positions in the Federal service, in reinstatement to positions, in reemployment, and in retention during reductions-in-force. Preference applies to T5 positions – permanent, indefinite or temporary - in all departments, agencies, bureaus, administrations, establishments, and projects of the Federal Government, and in the civil service of the District of Columbia in both the competitive and excepted services.

b. The authority to approve the pass-over of a veteran is delegated to the Appointing Officer (Human Resources Officer (HRO)). Exceptions to this, where OPM has retained final approval authority, are described in this Instruction.

c. Objections may be based on general qualifications and/or suitability or on specific requirements for the job being filled. If, at the time before and after the certificate is issued, all of the specific requirements for the job and all pertinent information about the eligibles are known to the certifying office, the certificates issued are valid. However, since information is received from a variety of sources throughout the recruiting process, it is possible that facts which could support an objection or pass-over could emerge at any point in the hiring process, including after certification or selection.

**4. Designated Veterans' Preference Codes and Definitions.** Consult the OPM Vet Guide for a comprehensive description of the eligibility requirements for each preference status.

a. The following codes designate veterans' and non-veterans' preference with definitions:

1) **CPS** - 10-Point 30 Percent Compensable Disability Preference is based on a service connected disability of 30% or more;

2) **CP** - 10-Point Compensable Disability Preference is based on a service-connected disability of 10%, but less than 30%;

3) **XP** - 10-Point Disability Preference is based on non-compensable service-connected disability (less than 10%) or receipt of a Purple Heart;

4) **XP** - 10-Point Derived Preference is granted to widow/widower or mother of a deceased veteran;

5) **TP** - 5-Point Tentative Preference; if active duty service meets any of the following:

- During a war; or
- During the period April 28, 1952 through July 1, 1955; or
- For more than 180 consecutive days, other than for training, any part of which occurred after January 31, 1955, and before October 15, 1976; or
- During the Gulf War from August 2, 1990, through January 2, 1992; or
- For more than 180 consecutive days, other than for training, any part of which occurred during the period beginning September 11, 2001, and ending on August 31, 2010, the last day of Operation Iraqi Freedom; or
- In a campaign or expedition for which a campaign medal has been authorized. Any Armed Forces Expeditionary medal or campaign badge, including El Salvador, Lebanon, Grenada, Panama, Southwest Asia, Somalia, and Haiti, qualifies for preference.

6) **SSP** – 0-Point preference based on sole survivorship.

7) **NV** - A non-veteran.

## 5. Grounds for Pass-overs

a. Pass-overs based on suitability considerations (5 CFR Part 731) may be granted by the HRO. Pass-overs based on medical considerations (5 CFR Part 339) affecting preference eligibles **will be referred to OPM for adjudication**. Additionally, objections based on the qualifications of 30 percent or more compensable preference eligibles will be referred to OPM.

b. The following paragraphs list specific kinds of objections that can be made and provide guidelines to follow when objecting to an eligible. All grounds on which objections may be made are not covered in these paragraphs, nor are the decisions suggested by the guidelines necessarily binding under all circumstances. These guidelines express principles to follow, but, unless specifically indicated to the contrary, each case must be decided on its own merits. When circumstances of a particular case justify a decision that does not fit these guidelines precisely, such a decision may, nevertheless, be proper. Decisions should recognize both the needs of the service and the basic principle that eligibles must receive fair consideration. In all cases, the written record used to support such decisions must be completed and maintained in the delegated examining (DE) case files for future reviews/audits.

(1) Availability: The selecting official must determine the eligible's availability for a specific position, at a certain salary and at a definite place of duty. Pass-overs will not be sustained on the basis of a presumption that an eligible is unavailable. Pass-overs on the basis of unavailability due to military service will be sustained only if evidence is documented that the selecting official was unable to communicate with the eligible about his or her availability for duty within a reasonable time or the preference eligible was unable to obtain a discharge from active military duty within a reasonable time.

(2) Education: When education is not an absolute minimum requirement for the position to be filled, lack of education is not a valid basis for an objection.

(3) Experience: Objections based on a lack of experience (minimum qualifying experience as defined by the applicable NGB or OPM Qualifications Standards) may be sustained only when that experience is part of the minimum requirements for the position.

(4) Fraud or false statements: A selecting official may pass-over a preference eligible on the basis of material, intentional false statements, or deception or fraud in examination or appointment. Pass-over requests based on these reasons must be referred to OPM for suitability action where warranted.

(5) Habitual Use of Alcohol: A selecting official may object to an eligible on the basis of alcohol abuse, without evidence of substantial rehabilitation, of a nature and duration that suggests that the applicant or appointee would be prevented from performing the duties of the position in question, or would constitute a direct threat to the property or safety of the applicant or appointee or others.

(6) Illegal Use of Narcotics: A selecting official may object to an eligible on the basis of illegal use of narcotics, drugs, or other controlled substances, without evidence of substantial rehabilitation.

(7) Medical: A selecting official may consider an eligible medically disqualified, in accordance with the provisions and procedures outlined in 5 CFR, Part 332.406, when he or she has a physical or medical (including mental health) condition that will prevent him or her from performing the full range of essential duties and responsibilities of the position safely and efficiently. Medical documentation must be provided as part of the pass-over request.

(8) Interviews: It is the responsibility of the selecting official to provide reasonable arrangements for selection interviews when these interviews are considered necessary or desirable. The pass-over of a preference eligible based upon the failure to appear for an interview will be sustained only if adequate advance notice is given and travel outside of the commuting area (i.e., 50 miles or more) of the eligible's residence is not involved, unless paid for by the agency. This does not mean that all other requests are unreasonable. Other cases will be decided on their individual merits, taking into consideration matters such as the relative importance of the interview to the vacancy, the amount of travel involved, the amount of notice given, or the facilities available for holding the interview. Pass-overs will be sustained only if the notice to the preference eligible clearly indicates that the failure to appear for the interview or make alternative arrangements for interview will constitute unavailability for consideration for appointment to the particular position. Pass-overs based on the inability of the selecting official to provide reasonable arrangements will not be sustained.

(9) Personal Characteristics: A selecting official may pass-over a preference eligible certified by the HRO on the grounds the eligible did not demonstrate during the selection interview possession of those personality traits that are necessary to successfully perform in the position. In support of objections based on personality traits, e.g., mature judgment, tact, objectivity, flexibility, temperament, lack of initiative, unreliability, etc., selecting officials must submit a full report of the interview. If a panel conducted the interview, the comments of each of the panel members must be submitted. The selecting official must also demonstrate that the applicant's traits in question would adversely impact the applicant's job performance and could not be sufficiently remedied with training, education, or mentoring.

The HRO will decide each case on its own merits, approving only those that have been supported by specific examples of the candidate's behavior during the interview. The behaviors must demonstrate a lack of desirable traits or the presence of undesirable traits, and the HRO agrees that the traits in question would impact successful job performance. Conversely, objections based on conclusions not supported by adequate illustrations of occurrences shall not be sustained. Note: These characteristics are typically discovered during the interview process or during a reference check.

(10) Previous Service: Objections based on negligence or misconduct in previous service in the same or another agency may be sustained when it can be established that the application would not have been accepted had complete information been available at the time. In addition, objections to an eligible based on previous unsatisfactory service may be sustained regardless of the general acceptability of the application when the service was for a length of time sufficient for a full and fair trial. Also, the character of the service was such that the eligible candidate reasonably could not be expected to complete a satisfactory probation in the new position. Generally, serious allegations about an employee's performance would be reflected in performance appraisals of record. Therefore, when such allegations are made, these

records will be provided to the HRO who will determine whether the allegations are supported by facts.

(11) Lack of Proof of Veterans' Preference: Pass-overs of preference eligibles granted tentative preference (TP) will be sustained on the basis of failure to submit the required proof within a reasonable time or because of the insufficiency of the preference claim. The evidence required from applicants to adjudicate a claim for preference is contained in OPM's Vet Guide.

(12) Security Clearance (If applicable): If the agency cannot grant a security clearance to a preference eligible, for whatever reason, the objection to that eligible will be sustained. Since the legal responsibility for granting the security clearance is with the agency, it is not necessary for the selecting official to provide the reason the eligible does not meet the agency's security requirements. If inquiries are received concerning the reason the eligible was not eligible, the servicing HR specialist will inform the eligible that he or she was not given a security clearance and refer them to the responsible security office for additional information.

## **6. Documentation**

a. The reason for a pass-over must be of the kind described in section 5 of these instructions or in OPM's Delegated Examining Operations Handbook, and must be sufficient to sustain an objection. The selecting official's reason must be specifically directed to the qualifications or suitability of the preference eligible. A justification based on a conclusion that a tentatively selected non-preference eligible is superior in qualifications to the preference eligible or has served in temporary positions in the component, regardless of the quality of the performance, will not be sufficient to support a pass-over request. Pass-overs of preference eligibles for medical reasons and objections based on qualifications, which would result in the pass-over of a compensable preference eligible with a disability of 30% or more, must be adjudicated by OPM.

b. When acting on objections based on general qualifications, performance, previous service, and other appropriate considerations, the HRO will consider the source of the information submitted by the selecting official. The individual providing the information must have had ample opportunity to observe the eligible in situations relating to the basis for the pass-over. A preferable reference is someone who supervised the eligible. If the source of the information is someone other than the eligible's present or former supervisor, the component must obtain verification from the supervisor or document why such substantiation cannot be obtained.

c. A signed statement from the person who provided the information must accompany objections based on oral interviews.

## **7. Roles and Responsibilities**

A preference eligible being considered for a pass-over by a selecting official may be removed from consideration on a certificate only after the pass-over has been sustained. The HRO's decisions will be based on the requirements of the job to be filled, including any valid selective placement factors and on the qualifications of the preference eligible.

a. Selecting Official:

*Pass-over of a 10-point compensable veteran with less than 30% service connected disability and veterans with 5-point preference:*

The Selecting Official must submit his or her reason(s) for objecting to the individual to the examining office that issued the certificate on a SF 62. Any documentation that supports the objection should be included in the packet.

If the request is not sustained, the Selecting Official has two options:

- Challenge the HRO's decision by submitting additional information to support a favorable decision; or
- Select the preference eligible for the position.

*Pass-over of a compensable disabled veteran with a 30 percent or more service connected disability or based upon medical conditions:*

The Selecting Official must submit his or her reason(s) for objecting to the individual to the examining office that issued the certificate on a SF 62. The request should be well documented as to the reason(s) for the objection with all applicable documentation.

If the HRO concurs, the Selecting Official must notify the CPS veteran of a proposed pass-over in writing. The CPS veteran notification must include:

- Notice of proposed pass-over, including the agency, title/series/grade of the job, duty location, and certificate number;
- A detailed explanation of the reason for the proposed pass-over;
- Notice of the right to respond to those reasons to OPM within 15 calendar days of the notice; and
- The appropriate OPM office and address.

If the request is not sustained, the Selecting Official has two options:

- Challenge the decision by submitting additional information to support a favorable decision to the examining office;
- Select the eligible for the position.

b. Human Resources Office (HRO)

*Qualification objection to a 10-point compensable veteran with less than 30% service connected disability and veterans with 5-point preference:*

The HRO determines if the request meets the criteria including the recognition of the needs of the service and the basic principle that an eligible must receive fair consideration.

If the request is not valid, the HRO will respond in writing to the Selecting Official with a detailed response explaining why his/her request does not meet the regulatory/statutory requirement(s) to sustain the objection.

If the request is valid, the HRO will sustain the objection request. A detailed memorandum will be developed as to the reason why the objection meets the regulatory/statutory requirements. The memorandum will be forwarded to the Selecting Official and the eligible. A copy of the memorandum will be filed in the job announcement folder. The certificate will be amended to remove the eligible's name along with the annotation of the appropriate action codes in USA Staffing and re-issued to the Selecting Official. Records (paper and electronic) will be documented to reflect the change and why.

*Pass-over of a compensable disabled veteran with a 30 percent or more service connected disability or based upon medical conditions:*

If the request is not valid, the HRO will respond in writing to the Selecting Official with a detailed response explaining why his/her request does not meet the regulatory/statutory requirement(s) to sustain the objection.

If the request is valid, the HRO will endorse the request, indicating why the request meets regulatory/statutory requirements and forward the request to OPM with all the required documentation to include a copy of the notification to the CPS veteran. The veteran notification will be forward to the veteran after the request has been forwarded to OPM. The notification will address the reason for the pass-over request and his/her recourse. A copy of all correspondence will be maintained in the job announcement folder.

c. OPM. OPM will make medical determinations pertaining to preference eligible and grant or deny an agency's pass-over request of a preference eligible with a compensable service-connected disability of 30% or more; and notify the HRO of its determination.

## **8. Submitting an Objection Request to the HRO.**

a. The following documents must be submitted to the servicing DEU for a pass-over request:

- (1) Completed SF-62, Agency Request to Pass-over a Preference Eligible or Object to an Eligible.
- (2) Resume/Application package to include title, series, and grade.
- (3) Copy of Position Description.
- (4) Copy of Vacancy Announcement.
- (5) Copy of the letter regarding advance notice of proposed pass-over (applies to 30 percent or more disabled veterans only).

(6) OPM Form, OF 306, Declaration for Federal Employment, if submitted by applicant.

(7) All other supporting documentation as described in the section above entitled, "Documentation."

**9. OPM Determinations.**

a. If the pass-over is sustained by OPM, the certificate with the appropriate action code will be properly annotated. The applicant is notified in writing of the determination by the HRO. A copy of the official correspondence to the applicant must be maintained in the job announcement folder.

b. If the objection is not sustained by OPM, the certificate must be used in accordance with all other agency requirements.

**GLOSSARY**  
**PART I. ACRONYMS**

<b>ANG</b>	Air National Guard
<b>ARNG</b>	Army National Guard
<b>ASARS</b>	Automated Stopper and Referral System
<b>DoD</b>	Department of Defense
<b>CFR</b>	Code of Federal Regulation
<b>DS</b>	Dual Status Title 32 Excepted Service Military Technician
<b>EEO</b>	Equal Employment Opportunity
<b>FOIA</b>	Freedom of Information Act
<b>HR</b>	Human Resources
<b>HRO</b>	Human Resources Officer/Human Resources Office
<b>IAW</b>	In Accordance With
<b>ICTAP</b>	Interagency Career Transition Assistance Plan
<b>JOA</b>	Job Opportunity Announcements
<b>KSAB</b>	Knowledge, Skill, Ability and Behaviors
<b>MPP</b>	Merit Placement and Promotion Program
<b>NGB</b>	National Guard Bureau
<b>NG</b>	National Guard
<b>OPM</b>	U.S. Office of Personnel Management
<b>PA</b>	Privacy Act
<b>PCS</b>	Permanent Change of Station
<b>PPP</b>	Priority Placement Program
<b>RPL</b>	Reemployment Priority List
<b>SME</b>	Subject Matter Expert
<b>T5</b>	Title 5 United States Code (Competitive or Excepted Service)
<b>T32</b>	Title 32 United States Code DS Technicians
<b>USC</b>	United States Code

**GLOSSARY**  
**PART II. DEFINITIONS**

**Accession** – A personnel action that results in the addition of a NG T32 or T5 employee to the rolls (staff) of a state.

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

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

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

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

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

**Area of consideration** - The area designated by the Plan in which it can reasonably be expected to locate enough highly qualified candidates to fill vacancies in the positions covered by the Plan.

**Bargaining unit position** – The position in an organization for which a union has been certified as exclusive representative.

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

**Best qualified candidates** – A highly or well qualified candidates who rank at the top when compared with other highly qualified candidates and who are referred to the Selecting Official for consideration and selection.

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

**Career promotion** - The promotion of an employee without competition when competition was held at an earlier stage, i.e. the employee was selected from the Office of Personnel Management (OPM) register (or under other competitive promotion procedures), *and* the fact that the initial selection could lead to promotion was made known to all potential candidates (developmental/career ladder promotions); or an employee's position is 'modified' to a higher grade because of the accretion of additional duties and responsibilities.

**Change to lower grade** – A change to lower grade occurs when an employee is moved either voluntarily or involuntarily from one General Schedule grade to a lower General Schedule grade, or to a different pay system with a lower representative rate.

**Collective Bargaining Agreement (CBA):** A special agreement between an employer and a bargaining unit on working conditions and dispute resolution.

**Commuting area** – The geographic locality that constitutes one area for employment purposes. It includes any population center and the surrounding localities within which people live and can reasonably be expected to travel back and forth daily to their usual place of employment.

**Competencies:** Are defined as the attributes: Knowledge, Skills, Abilities, and Behaviors required to perform a job and are generally demonstrated through qualifying experience, certifications, education, and/or training.

**Competitive service** – All civilian positions in the Federal Government that are not specifically excepted from the civil service laws by, or pursuant to, the President, or by the OPM.

**Competitive status** – “Standing” gained through employment in a career or career-conditional appointment.

**Conditions of employment** – Personnel policies, practices, and matters, whether established by rule, regulation, or otherwise, affecting working conditions.

**Conversion** – The change of an employee from one type of appointment to another.

**Crediting plan** – Criterion or measures against which the eligible candidates are compared and ranked for determining the highly and/or best qualified.

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

**Detail** – The temporary assignment of an employee to a different position for a specified period with the employee returning to regular duties at the end of the detail; includes positions at higher or lower grades.

**Dual Status Technician (T32):** Excepted-service technicians, appointed under Title 32 USC 709(b), who are required to be military members of the National Guard as a condition of employment.

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

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

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

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

**Expert** – Person who is specially qualified by education or experience to perform difficult and challenging tasks in a particular field beyond the usual range of competent persons in that field. An expert is regarded by other persons in the field as an authority or practitioner of unusual competence or skill in a professional, scientific or other activity.

**Financial interests.** Any disqualifying financial interest of the employee or which is imputed to the employee under 5 CFR 2635.402. Questions should be referred to the State Ethics Counselor.

**Highly qualified candidates** – Eligible candidates who have been determined to possess the knowledge, skills, abilities and other personal characteristics described by the evaluation criteria as necessary to perform the position in a highly successful manner.

**Highly qualified expert (HQE)** – An individual possessing expert knowledge or skills not available within DoD that are needed to satisfy an emerging and relatively short-term, non-permanent requirement. Examples include, but are not limited to positions requiring advanced foreign language skills, science, engineering, mathematics and medical skills as well as those related to health, safety and national security.

**Intervening Grade:** A pay grade (GS or FWS) with a representative rate more than a technician's designated grade but less than his/her retained grade.

**Interview Board:** The interview board is the group charged with providing a ranked hiring recommendation to the Selecting Official. Tasks include but are not limited to reviewing

resumes, conducting interviews, checking references, and considering past performance and conduct. The board evaluates applicants using a fair process considering all appropriate criteria. The board is diverse in terms of race and gender.

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

**Knowledge, Skills, Abilities and Behaviors (KSABs)** – The competency attributes and other elements (i.e., professional certification) required for successful performance in a job that are generally demonstrated through qualifying experience, education, and training. Knowledge is a body of information applied directly to the performance of a function. Skill is an observable competence to perform a learned psychomotor act. Ability is competence to perform an observable behavior; and, a behavior results in an observable product.

**Management official** – An individual employed in a position the duties and responsibilities of which require or authorize the individual to formulate, determine, or influence the policies of the agency; [5 USC 7103].

**National Guard (NG) Employee (T5):** Excepted Service employees appointed under 5 USC 302. Excepted Service appointments are excepted from the Competitive Service and do not require the use of competitive hiring procedures. NG T5 Employees are not required to be military members of the National Guard as a condition of employment.

**Nepotism:** In compliance with federal law (see 5 USC 3110), an individual who (by law, rule, regulation, or delegation) has appointment or promotion authority, or authority to recommend employees for appointment or promotion; shall not advocate (orally or in writing) a relative's appointment, employment, promotion or advancement within the Ohio National Guard. Nor may any such individual participate on an interview board or promotion panel decision affecting a relative. A "relative," with respect to a public official, is an individual who is related to the public official as the father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

**Personal and Business Relationships.** Any relationship giving an appearance of impropriety or a covered relationship having a direct and predictable effect as defined at 5 CFR 2635.402(b)(1) on a particular matter involving specific parties as defined in 5 CFR 2635.502. Questions should be directed to the State Ethics Counselor.

**Personal competitive status** – Competitive status that was gained through employment in a career/career-conditional appointment in the competitive service that confers reinstatement eligibility.

**Priority Placement:** Assignment of a technician in grade retention status to a vacant position at his/her former grade, or an intervening grade, provided the technician meets the technician qualification requirements for the vacant position, and can be placed in a militarily compatible position (dual status only).

**Promotion** – The change of an employee to a position at a higher grade when both the old and the new positions are under the general schedule, or under the same type of graded wage schedule; or to a position with a higher rate of pay when both the old and new positions are under the same type of ungraded wage schedule.

**Promotion Plan** – Procedure designed to ensure a job-related, valid and systematic means of selection for promotion based on merit.

**Qualification Standards** – A series’ description of the knowledge, skills, abilities and behaviors along with specialized and general experience requirements needed to meet basic eligibility requirements for appointment or placement.

**Ranking Official/Panel** – Person(s) charged with the responsibility of determining the highly qualified and best qualified candidates as described by the evaluation criteria when an automated ranking system is not utilized.

**Reassignment** – The change of an employee from one position to another, without promotion or demotion, within the State NG.

**Referral and Selection Certificate:** A list of the qualified applicants referred to the designated Selecting Official for competitive consideration for a position.

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

**Selecting Official** – Manager/supervisor with the authority or delegated authority to make a selection.

**Selective placement factors** – ‘KSABs’ that go beyond minimum qualification standards but are prescribed as necessary for meeting basic eligibility. These factors are essential to successful performance in the position to be filled and are not readily attained after placement/promotion into the position. The selective placement factors must be documented, justified, contained in the position description (PD), critical job elements, and other job related processes.

**Series Qualification standards** – A description of the minimum requirements necessary to perform work of a particular occupation successfully and safely. These minimum requirements

may include specific job-related work experience, education, medical or physical standards, training, security, and/or licensure. The Qualification Standards prescribed by NGB.

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

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

**Target Grade:** The fully qualified grade of a position when it is being filled developmentally.

**Time-limited promotion** – A promotion made under specific and written conditions with a not-to-exceed-date to meet a need of a short-term nature. Upon expiration of the short-term need, the employee normally reverts to the former position. Time-limited promotions include both "temporary" and "term" promotions.

## REFERENCES

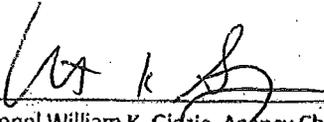
- a. Public Law 114-328, 23 December 2016, "*National Defense Authorization Act 2017*"
- b. Public Law 114-92, section 1053, 25 November 2015, "*The National Defense Authorization Act for 2016*"
- c. Executive Order 13548, 26 July 2010, "*Increasing Federal Employment of Individuals With Disabilities*"
- d. 5 U.S.C. § Chapter 71, "*Federal Service Labor-Management Relations Statute*"
- e. 5 U.S.C. § Chapter 75, "*Adverse Actions*"
- f. 5 U.S.C. §§ 2103, 2105, and 3101, "*Government Organization and Employees*"
- g. 5 U.S.C. § 4303, "*Actions Based on Unacceptable Performance*"
- h. 5 U.S.C. § 6121, "*Definitions*"
- i. 5 U.S.C. § 6127 and § 6128, "*Compressed Schedules*"
- j. 5 U.S.C. § 6132, "*Prohibition of Coercion*"
- k. 10 U.S. C. § 1721, Designation of Acquisition Positions
- l. 29 U.S.C. Chapter 8, "*Fair Labor Standards*"
- m. 32 U.S.C. §709, "*Technicians: Employment, Use, Status*"
- n. 42 U.S.C. § 2000e-16, "*Employment by Federal Government*"
- o. 5 CFR "*Administrative Personnel*"
- p. 5 CFR Part 302, "*Employment in the Excepted Service*"
- q. 5 CFR 315.103, Agency Promotion Programs
- r. 5 CFR § 315.610, "*Noncompetitive Appointment of Certain National Guard Technicians*"
- s. 5 CFR Part 332, "*Recruitment and Selection Through Competitive Examination*"
- t. 5 CFR Part 335, "*Promotion and Internal Placement*"

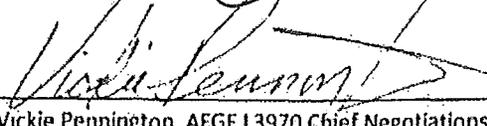
- u. 5 CFR Part 335, Subpart A, “*General Provisions*”
- v. 5 CFR Part 335 §335.102, *Merit Promotion Plans*
- w. 5 CFR 335, “*Promotion and Internal Placement*”
- x. 5 CFR Part 337, “*Examining System*”
- y. 5 CFR, 432, “*Performance Based Reduction in Grade and Removal Actions*”
- z. 5 CFR 531-212, “*Superior Qualifications and Special Needs*”
- aa. 5 CFR 532, Subpart E, “*Overtime Pay*”
- bb. 5 CFR 550, Subpart A, “*Premium Pay*”
- cc. 5 CFR 551, “*Pay Administration Under The Fair Labor Standards Act*”
- dd. 5 CFR 2422, “*Representation Proceedings*”
- ee. Department of Labor, CA 810, Revised 2009, “*Injury Compensation for Federal Employees*”
- ff. DODI 1400.25, Volume 1100, 09 September 2010, “*DOD Civilian Personnel Management System: Civilian Personnel Information Systems*”
- gg. DODI 1400.25, Vol. 711, 01 December 1996, “*Labor Management Relations*”
- hh. DODI 1400.25, Vol. 771, 26 December 2013, “*DOD Civilian Personnel Management System: Administrative Grievance System*”
- ii. OPM “*Guide to Processing Personnel Actions*”, 27 September 2017
- jj. AR 25–400–2, “*The Army Records Management System (ARIMS)*”
- kk. CNGBI 5001.01, 05 December 2016, “*National Guard Bureau Records Management Program*”
- ll. Chief, National Guard Bureau Memorandum, Subject: *TAG Delegation*, 16 February 2017
- mm. TPR 300, “*Title 32 Dual Status Technician Employment Program*”
- nn. TPR 335, “*Title 32 Dual Status Technician Merit Program*”

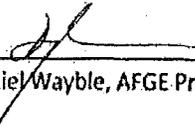
oo. TPR 351, "Title 32 Dual Status Technician Reduction-in-Force Program"

pp. TPR 303, "Title 32 Dual Status Technician Computibility Program"

qq. State Collective Bargaining Agreement, as applicable

  
23 MAR 18  
Colonel William K. Gidzie, Agency Chief Negotiations

  
3/22/2018  
Vickie Pennington, AFGE L3970 Chief Negotiations

  
20180322  
Daniel Wayble, AFGE President L3970