

PAY ADMINISTRATION

National Guard

Technician Personnel Management Course



Pay Setting Directives

- Title 5, United States Code, Chapter 53 - Federal Employees' Pay Comparability Act, 1990
- Title 29 - Fair Labor Standards Act, 1938
- Title 5, - Federal Workplace Flexibility Act, 2004
- Title 5, Code of Federal Regulation, Parts 530, 531, 532, & 536 . . .

Pay Setting Directives . . .

- Comptroller General Decisions
- DoD Financial Management Regulation, Vol 8
- NGB Technician Personnel Regulation(s)

Federal Pay Systems

- General Schedule (GS): a nationwide system set by Congress
- Federal Wage System (FWS): set by local wage surveys



General Schedule (GS)

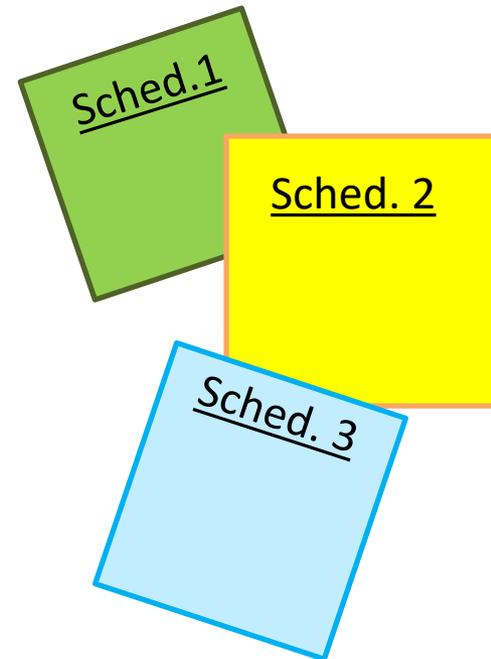


Covers . . .

- Administrative/Professional
- Clerical/Technical
- Protective *and has*
 - 15 Grades *with*
 - 10 steps each

General Schedule

- Regular nationwide schedule
- Locality schedule that supplements the General Schedule
- Special salary rate schedules



GS Salary Adjustments

- “Basic Pay”: based on Employment Cost Index, determined by Congress and approved by the President
- Locality adjustments: computed as a percentage of basic pay
- Determined annually, effective the first pay period after Jan. 1
- Special salary rates: reviewed annually

5 USC 5303 & 5304

Federal Wage Systems (FWS)

Covers...

- Trades and crafts-related fields

and has...

- 15 Grades for Non-Supervisory (WG)
- 15 Grades for Work Leaders (WL)
- 19 Grades for Supervisory (WS)

with...

- 5 steps per grade



FWS Salary Adjustments

FWS pay schedules based on “prevailing rates”

- Established by DoD Wage Setting Division
- Determined annually according to survey schedule, by local wage survey is headed by the Navy HRO, Pearl Harbor
- Effective different times of the year – normally August

5 USC 5343

Types of Technician Pay Adjustments

- Annual Nationwide Adjustments
- Promotions
- Within-Grade (Step) Increases
 - 5 CFR 531 Subpart D (GS Employees)
 - 5 CFR 532.417 (FWS Employees)

GS Within-Grade Increases

Apply only to employees in permanent or indefinite positions,

- Permanent/Indefinite Position – means a position filled by an employee whose appointment is not designated as temporary and does not have a definite time limitation of 1 year or less
- Temporary appointment – is creditable if the employee later receives a permanent appointment without a break in service of 52 weeks or more

GS and WG Within-Grade Increases

- Based on job performance - must have a rating of record at the acceptable level
- Must have completed the required waiting period
- Must not have received an "equivalent increase" in pay during the waiting period

5 CFR 531 Subpart D

GS Within-Grade Increases

Waiting Periods:

- Step 2-3-4 52 calendar weeks
- Step 5-6-7 104 calendar weeks
- Step 8-9-10 156 calendar weeks

5 CFR 531.405

FWS Within-Grade Increases

Waiting Periods:

- Step 2 26 Calendar Weeks
- Step 3 78 Calendar Weeks
- Step 4 and 5 104 Calendar Weeks

5 CFR 532.417

**The Authority to set pay rates rests with the “Appointing Official” –
The Adjutant General or his/her designated representative, The Human Resources Officer**

New Appointments

1st appointment as a civilian employee of the Federal government, whether a permanent or temporary appointment

Setting pay on new appointments:

- Must set at the minimum rate of the grade, unless
- Justified and approved as superior qualifications or special needs authority

5 CFR 531, Subpart B

Highest Previous Rate

- Highest actual rate of basic pay received while Federally employed
- Based on local policy, if policy is established
- Based on a regular tour of duty
- Appointment longer than 90 days

5 CFR 531.203 & 532.405

General Schedule Pay Setting

Promotion

GS Mandatory Promotion Rule (2 step rule):

- When an employee moves from a lower GS Grade to a higher GS grade, the employee is entitled to the lowest rate which exceeds the existing rate of basic pay by not less than two step increases of the grade from which promoted

USC 5334(b)

GS Promotions

- Use the Mandatory Promotion Rule or Highest Previous Rate
- Cannot set pay lower than step one or higher than step 10

Change to Lower Grade

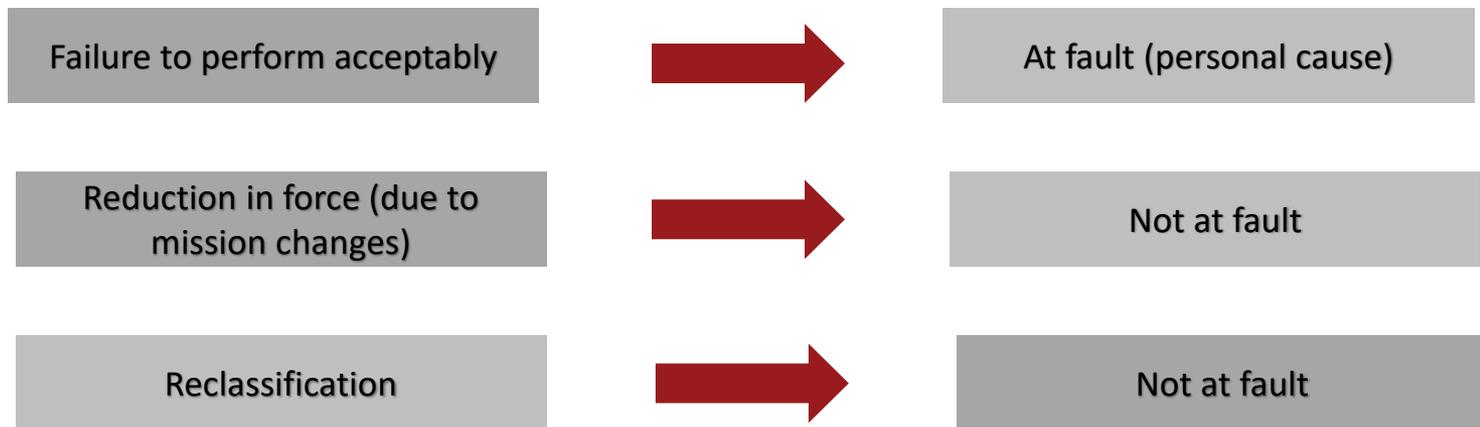
- An action in which a technician moves from a GS position at one grade to a position at a lower GS grade; also known as a demotion
 - Can be voluntary
 - May be involuntary

Change to Lower Grade

- A voluntary change to Lower Grade usually is:
 - Requested by an employee for their own convenience or benefit
 - Such as a geographical move or a career change
 - Returns employee to their lower graded position following a temporary promotion

Change to Lower Grade

- An involuntary change to Lower Grade occurs when the supervisor or manager moves the employee to a lower graded position; whether the employee is at fault or not at fault makes a great deal of difference on how pay is determined



Federal Wage System Pay Setting

FWS Promotions

FWS MANDATORY PROMOTION RULE:

- Current pay grade calculated by 4% increase of the representative rate (step 2), added to the current hourly pay, and fit into the higher grade level pay scale

5CFR 532.407

Pay Incentives

Pay Incentives

- Recruitment Incentive
- Relocation Incentive
- Retention Incentive
- Superior Qualifications Authority

Recruitment Incentives

- Are paid to newly appointed technicians *if* the position is likely to be difficult to fill; document justification in writing amount and timing of payment, and service obligation period
- Are paid to FWS and GS positions
- Must be approved prior to selection and appointment of the candidate
- May be up to 25% of annual basic pay at the beginning of the service period

Relocation Incentives

- Are paid to currently employed technicians who must relocate to accept a position in a different geographic location *if* the position is likely to be difficult to fill
- Are paid to FWS and GS positions
- Technician must relocate to receive
- Must document justification in writing, amount and timing of payment, service obligation period, and be approved prior to payment
- May be up to 25% of annual basic pay at the beginning of the service period

Retention Incentives

- Are paid to currently employed technicians *if* the unique qualifications or a special need of the agency makes it essential to retain the technician *and* it is likely the technician would leave the Federal service
- Are paid to FWS and GS positions
- Must document justification in writing, amount and timing of payment, service obligation period, and be approved prior to payment
- May be up to 25% of annual basic pay at the beginning of the service period

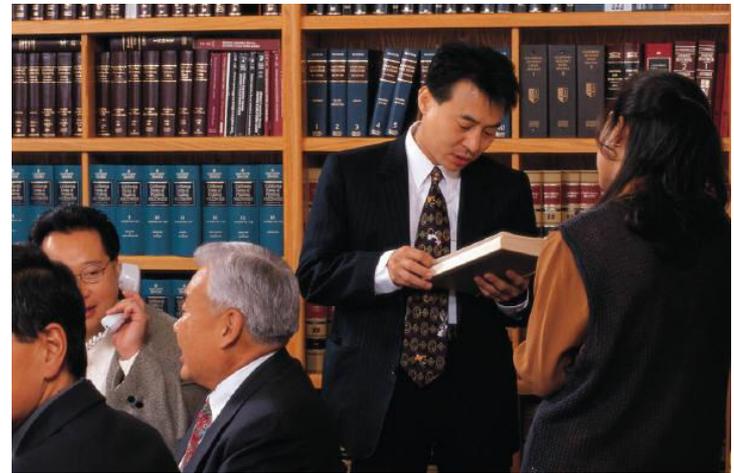
GS Superior Qualifications Adjustment

- Purpose of SQA:
 - To recruit highly qualified candidates, or fill a critical agency need
- Setting pay for SQA based on superior qualification or a special need for services:
 - Cannot set higher solely to match a candidate's existing pay
 - Cannot set higher than Step 10 of the grade

Grade & Pay Retention

Grade Retention

- An employee who is placed in a lower grade is entitled to retain the grade held immediately before the reduction for a period of 2 years



Grade Retention

- Mandatory
 - RIF
 - Reclassification
- Optional:
 - In anticipation of a RIF announced in writing
 - To further the agency's mission

Termination of Grade Retention

- The employee has a break in service of 1 workday or more
- The employee is reduced in grade for personal cause or at the employee's request (based on the grade of the employee's position of record than the employee's retained grade)

Termination of Grade Retention

- The employee moves to a position with a grade that is equal to or higher than the retained grade (excluding temporary promotions)
- The employee declines a reasonable offer of a position with a grade equal to or higher than the retained grade

Termination of Grade Retention

- The employee, in writing, elect to terminate the benefits of grade retention
- The employee moves to a position not under a covered pay system

Pay Retention

Pay Retention

Mandatory Pay Retention when:

- The expiration of the 2 year period of grade retention
- A reduction-in-force or reclassification action that places an employee in a lower-graded position when the employee does not meet the eligibility requirements for grade retention

Pay Retention

Mandatory Pay Retention when:

- A management action places a technician (in a special rate position) into a non-special rate position or in a lower-paid special rate position
- A management action places an employee under a different pay schedule
- A management action places an employee in a formal employee development program generally utilized Government wide, such as upward mobility, apprenticeship, or career intern programs

Optional Pay Retention

- An agency may provide pay retention to an employee not entitled to mandatory grade retention whose payable rate of basic pay otherwise would be reduced as a result of a management action
- To fill a position at a lower grade and is designated as “hard-to-fill”

Pay Retention

May not be provided when a technician:

- Reduced in grade or pay for personal cause or at the employee's request
- Employed on a temporary or term (indef) basis immediately before the reduction in grade or pay

Pay Retention

Termination of Pay Retention:

- The employee has a break in service of more than one workday
- The employee is entitled to a rate of basic pay which is equal to or greater than the employee's retained rate (excluding a rate resulting from a temporary reassignment)

Pay Retention

Termination of Pay Retention:

- The employee declines a reasonable offer of a position in which the employee's rate of basic pay would be equal to the employee's retained rate
- The employee is reduced in grade for personal cause or at the employee's request (based on the grade of the employee's position of record rather than the employee's retained grade)

Severance Pay

Severance Pay

- Paid to a technician who is involuntarily separated from Federal 'civilian employment' other than for inefficiency, misconduct, or delinquency
- Resigns after receiving a written general RIF notice announcing abolishment or transfer of all positions within the competitive area or a specific notice proposing his/her removal

Severance Pay - Eligibility Requirements

- The technician did not decline a reasonable offer to a position that is (1) in the same commuting area, (2) in the same 'agency', and (3) no more than two grades lower than current grade
- His or her service was at least 12 continuous months
- He or she is not eligible for an immediate annuity
- He or she is not receiving injury compensation

QUESTIONS????

