

# RECRUITMENT AND PLACEMENT

National Guard

Technician Personnel Management Course



# Statutory & Regulatory References for Recruiting and Placement

- 5 USC 2301 - Merit System Principles
- 5 USC 2303 - Prohibited Personnel Practices
- CFR 300s
- NGB Technician Personnel Regulations –  
TPR 300-series
- Local Merit Placement Plans
- Bargaining Unit Agreements

# Merit System Principles

- Recruit qualified individuals from appropriate sources
- All employees and applicants should receive fair and equitable treatment in all aspects of personnel management
- Provide Equal Pay for Work of Equal Value
- Maintain High Standards of Integrity, Conduct, and Concern for the Public Interest
- Manage Employees Efficiently and Effectively

# Merit System Principles

- Retain or separate employees on the basis of performance
- Educate/train employees when it will result in better organizational or individual performance
- Protect employees from arbitrary action, personal favoritism or coercion for political purposes
- Protect employees against reprisal for lawful disclosure of information

# Prohibited Personnel Practices

Employees (e.g. HRO staff, supervisors, etc.) who have authority to take, recommend or approve any personnel action, shall not:

- Discriminate for or against a current employee or a job applicant because of his or her race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information

# Prohibited Personnel Practices

- Solicit or consider any recommendation or statement not based on personal knowledge or on records of performance, ability, aptitude, general qualifications, character, loyalty or suitability
- Coerce political activity of any person, or take any action as reprisal for the refusal of any person to engage in political activity
- Deceive or willfully obstruct any person with respect to such person's right to compete for employment

# Prohibited Personnel Practices

- Influence a person to withdraw from competition for any position
- Grant *any* preference or advantage not authorized by law, regulation, or rule to any employee or applicant
- Appoint, employ, promote, or advance a relative
- Take or fail to take, or threaten to take or fail to take, a personnel action against a whistleblower, whether an employee or an applicant

# Prohibited Personnel Practices

- Retaliate against employees or applicants who exercise their appeal rights, testify, cooperate with an Inspector General or Special Counsel, or refuse to violate a law
- Discriminate based on actions not adversely affecting performance
- Violate any law, rule or regulation implementing or directly concerning the merit system principles



# Oversight Agencies

- Office of the Comptroller General, General Accounting Office (CG/GAO)
- Equal Employment Opportunity Commission (EEOC)
- Office of Special Counsel (OSC)
- Office of Personnel Management (OPM)
- Department of Defense (DoD), Defense Civilian Personnel Advisory Service (DCPAS), Inspector General (IG)
- National Guard Bureau (NGB)

# Merit Promotion and Placement

- Merit promotion & placement is the process we use to consider internal and external candidates for competitive and non-competitive placement
- Your state merit promotion & placement plan and negotiated agreement will determine many of the policies and procedures in your state

# Merit Promotion & Placement Plan

- Identify broad areas of consideration to ensure availability of high-quality candidates
- Ensure technicians, who are within the areas of consideration but are absent for legitimate reasons, are considered for promotion (e.g., LWOP-US, Mobilization, Detail)

# Merit Promotion & Placement Plan

- Use NGB qualifications standards to evaluate applicants for dual-status positions; USOPM standards for non-dual status positions
- Ensure candidates meet minimum qualifications prescribed for the position
- Ensure procedures used to identify, qualify, evaluate and select candidates are based on job-related criteria

# Merit Promotion & Placement Plan

Management has the right to:

- Select or not select from properly referred / best-qualified applicants
- Select candidates from any appropriate source most likely to best meet mission objectives

# Competition Is Required

- Permanent promotions
- Time-limited (temporary) promotions (over 120 days)
- Detail to higher graded positions (over 120 days)
- Reinstatement to a higher graded position than previously held
- Transfer (from another agency) to a higher graded position than previously held

# Competition is Discretionary

- Placement in a position with no higher promotion potential than previously held or competed for
- Time limited promotions – promotion NTE
- Details to higher graded positions – *without the higher pay*
- Re-promotion when demoted without personal cause or at own request
- Special consideration after failure to receive proper consideration

# Competition is Not Required

- Promoted due to position upgrades resulting from the application of a new classification standard or correction of a classification error
- May be appointed, promoted, reassigned, etc. without competition if they have previously held the position being filled



# Competition is Not Required

- If the promotion is a career ladder promotion and the original competition clearly established the promotion potential
- A promotion is a result of accretion of duties (NGB PD Release)
- The promotion is temporary not to exceed 120 days

# Non-Competitive Procedures May Apply

Candidates may be reassigned without competition when:

- The reassignment is to another position of the same grade with no known promotional potential.
- The reassignment is as a result of failure to meet requirements of a performance improvement plan
- Placement as a result of reorganizations, reductions in force or realignments

# Supervisory Responsibilities

- Identify the knowledge and skills needed for your organization
- Be aware of budgetary constraints



# Supervisory Responsibilities

Anticipate vacancies and personnel actions that will support the transformation of the National Guard:

- Promotions
- Reassignments
- Details
- Retirements
- Resignations

# Supervisory Responsibilities

- Determine how to fill positions
  - Permanent, temporary or indefinite
  - Full-time or part-time
- Complete a Standard Form (SF) 52/DCPDS RPA
  - Chain of command signatures
  - Ensure specific remarks are annotated
- Send to your HIANG MWG reps for Gp/CC or HIARNG chain of command for CoS approvals, then to HRO Liaison or HRO HI ACTION DCPDS box

# Supervisory Responsibilities

- Area of Consideration
- Determine the potential applicant pool and recruitment sources prior to announcement
- Positions are not announced simultaneously as DS and NDS (e.g., excepted versus competitive procedures)

# Supervisory Responsibilities

Initiate the selection process:

- Conduct interviews as negotiated in your union contract or as defined in the State Merit Promotion and Placement Plan
- Apply consistent interview techniques with all candidates
- Attendance of Interview Board Training –  
3-year requirement

# Hiring Flexibilities

- Recruitment Incentive (5 CFR 575)
- Relocation Incentive (5 CFR 575)
- Retention Incentive (5 CFR 575)



# Hiring Flexibilities

## Appointment Above the 'Minimum Entry Rate'

- Superior Qualifications
- Special Need

Appointments made above the minimum rate must be approved by the TAG **prior** to the effective date of the appointment

# **Workforce Restructuring**

**Realignment  
&  
Reorganization  
&  
Reduction in Force**

# Workforce Restructuring

- The Human Resources staff shall:
  - Conduct interest surveys and determine retirement eligibility
  - Accomplish qualifications update and review
  - Establish re-training programs

# Workforce Restructuring

- The Human Resources Staff Shall:
  - Work to avoid or minimize involuntary separations
  - Use vacancies to place surplus technicians
  - Obtain Voluntary Early Retirement Authority and Voluntary Separation Incentive funding to offer to employees to encourage them to resign from federal employment or retire early

# Workforce Restructuring

- The Human Resources staff shall:
  - Identify options available to avoid involuntary separations
  - Project education and training requirements of the remaining staff
  - Process actions in a timely manner

# Reduction in Force (RIF)

## DEFINITION:

A procedure used to terminate occupied employment positions caused by lost funding, change of work requirements, or the reorganization of a department or business operation.

<http://www.businessdictionary.com>

# What Causes a RIF

- Budget Deficits
- Force Structure Changes - Realignment
- Unit Deactivations
- Unit Relocation
- Unit Consolidations or Reorganizations
- Aircraft Conversions or Reductions

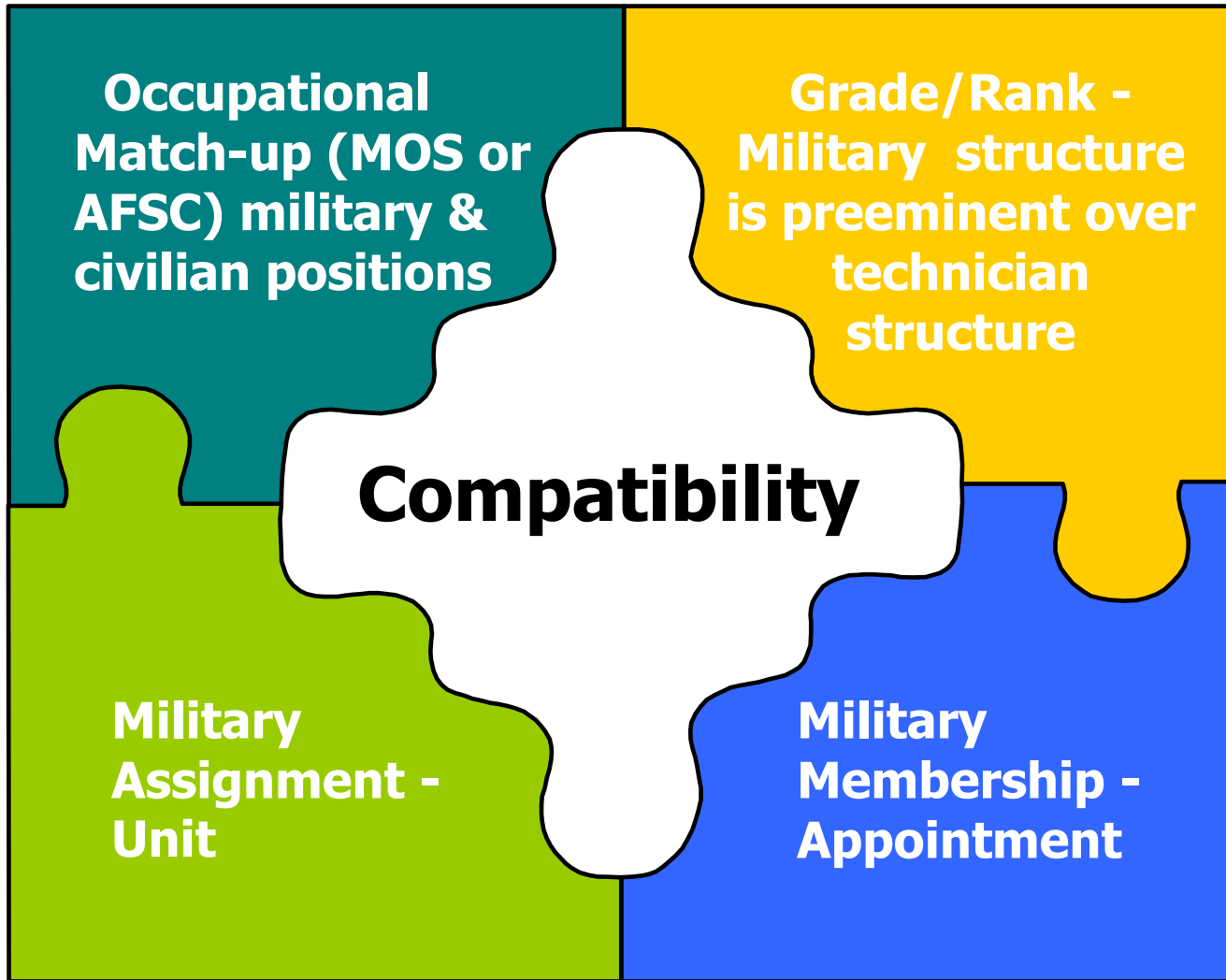
# Potential Effects of RIF

- Displacement
- Change to Lower Grade
- Furloughs – 30 days or more
- Separation



# Management Responsibilities

- HRO will keep managers, supervisor, and their subordinates informed
- Determine what positions are needed to perform the continuing mission
- Ensure technician personnel records and position descriptions are current and valid
- Ensure technician performance records are current and accurate



# Compatibility

## Statutory and Regulatory Requirements

- Title 10, United States Code
  - Armed Forces
- Title 32, United States Code
  - National Guard
- DoD Directive 1205.18
  - Full-Time Support (FTS) to the reserve components
- TPR 303 – Military Technician Compatibility,

# Compatibility is defined as:

- The condition in which the military technicians are assigned to positions in the proper military grades (officer, warrant officer, enlisted) and militarily assigned to the military units (Military Manning Documents) that employs them, or to a unit that support other military units
- Compatibility is a statutory requirement (32 USC 709), critical to full-time management

# Compatibility

- The Occupational match-up requires compatible military skills that have essentially the same duties in the technician position
- Military technicians are assigned to a military position in the same unit in which they are employed or, in a unit that is directly supported by the employing activity when authorized and directed

# Compatibility

- Technicians are required to hold particular MOS or AFSCs (Military Manning Document) for assignment to compatible military positions
- Technicians are responsible for obtaining and maintaining the military skill sets required for the technician positions

# Compatibility

## Grade Inversion

- Must follow military protocol for traditional rank structure (military rank inversion is not permitted)
- All dual status technicians must continue to maintain proper military membership (branch of service, grade, occupational specialty, unit of military assignment)



**Grade Inversion is  
NOT permitted**



# Incompatible Conditions

- Loss of military membership = separation
  - Code on discharge order is forwarded from G1/A1
  - Failure to meet a requirement of the position
  - Reference: Technician Personnel Regulation (TPR) 715 – “Voluntary & Non-disciplinary Action”

# Request for an “exception” to compatibility or assignment criteria:

- Must include a solid justification as to why current criteria is insufficient to meet the units needs
- Must be comprehensive enough to allow TAG to understand the rationale for proposed action
- Must include recommendation or proposed resolution
- Request in memo format must be routed through the full-time chain of command to HRO for TAG approval/disapproval

# QUESTIONS????

