

Departments of the Army and the Air National Guard

Joint Force Headquarters

Tennessee National Guard

3041 Sidco Drive

Nashville, Tennessee 37204-1502

Human Resources Office Regulation No. 335-2

6 June 2011

TECHNICIAN PERSONNEL MANAGEMENT MERIT PLACEMENT PLAN

SUMMARY. This regulation prescribes policies, procedures, responsibilities and guidance for the administration of the Tennessee Army and Air National Guard's Merit Placement Plan.

APPLICABILITY. This regulation applies to both the Tennessee Army and Air National Guard Technicians.

IMPACT ON UNIT MANNING SYSTEM. This regulation does not contain policies that affect the Unit Manning System.

INTERIM CHANGES. Interim changes to this regulation are not official unless they are authenticated by the Human Resources Office. Interim changes will be destroyed on their expiration dates unless superseded or rescinded earlier.

SUGGESTED IMPROVEMENTS. The proponent of this regulation is the Tennessee National Guard, Human Resources Office. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to Joint Force Headquarters, Attn: HRO, 3041 Sidco Drive, Nashville, TN 37204-1502. Bargaining Unit Technician is requested to forward comments and suggestions to their Union chapter.

This publication supersedes SPMR No. 335-2 dated 1 June 1994 with Change 1 dated 17 November 2000 and any other previously dated Merit Placement Plans within the Tennessee Army and Air National Guard.

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Chapter 1

GENERAL

1-1. Purpose. This plan establishes procedures and provides information on the merit placement program for Dual Status and Non-Dual Status technician positions in the Tennessee Army and Air National Guard.

1-2. Policy. It is the policy of the Tennessee National Guard that all technician positions be filled by the best qualified individuals available and ensures that all technicians have an opportunity to develop and advance to their full potential. All technician vacancies will be filled on the basis of merit and job-related factors. All actions under this plan will be made without discrimination for non-merit reasons such as race, color, religion, sex, national origin, marital status, membership or non-membership in an employee organization, and age or non-disqualifying physical handicap (except for military requirements for Dual Status technicians).

1-3. Definitions.

- a. **Appointment** is the personnel action that brings an individual onto the rolls as a technician.
- b. **Dual Status Technician** is a person employed as a technician under the provisions of Section 709(b), Title 32, United States Code. As a condition of employment, dual status technicians must be members of the National Guard. Dual status technicians must occupy a compatible military assignment as specified by the appropriate NGB Compatibility Listing.
- c. **Indefinite Technician** is a non-permanent employee who is hired for an unlimited time period to perform work required for one year duration or longer.
- d. **Non-Dual Status Technician** is a person employed as a technician under Section 709 (c), Title 32, and is not required to be a member of the Army or Air National Guard as a condition of employment.
- e. **Temporary Technician** is a non-permanent employee who is hired for a limited time period to perform work usually required for less than one year in duration. This may be extended by HRO or NGB as required.
- f. **Selecting Official** is the supervisor who has authority to interview and select qualified applicants for placement or promotion.
- g. **Selective Placement Factors** are the job-related knowledge, skills, abilities (KSAs) or personal characteristics absolutely essential for satisfactory performance in a particular position. Selective placement factors are in addition to the minimum qualification requirements. They will be determined by the selecting supervisor in advance of advertising a position and will be stated in the vacancy announcement. When used, they are a basic part of the eligibility requirements for the position.
- h. **Selection** is the determination by the supervisor of the best qualified technician available and the individual's acceptance of the job offer.
- i. **Position Change** is a move by an employee to another position during an employee's continuous service within the same agency. This occurs when the move establishes the employee's eligibility for grade retention under 5 U.S.C. 5362.

j. **Promotion** is the change of an employee to a position at a higher grade level within the same job classification system and pay schedule or to a position with a higher rate of basic pay in a different job classification system and pay schedule.

k. **Promotion Not to Exceed** is a promotion made on a temporary basis. This may be used when an employee is entitled to a grade retention under 5 U.S.C. 5362, is temporarily assigned to a position at a grade above the retained grade, or under the Emergency Hiring Procedures.

l. **Change to Lower Grade** is the change of an employee to a lower grade when both the old and the new positions are under the General Schedule, or under the same wage grade schedule.

m. **Reassignment** is the change of an employee from one position to another without promotion or demotion.

n. **Qualified Candidates** are those who meet established qualifications requirements for the position.

o. **Detail** is a temporary assignment to a different position for a specified period when the employee is expected to return to his/her regular duties at the end of the assignment. This action is normally taken when the duty will last for a period of more than 30 days and less than 120 days.

p. **Priority Placement** is the assignment of a technician in grade retention status (as a result of reduction in force or classification action) to a vacant position at his/her former grade, or an intervening grade, provided the technician fully meets the technician and military qualification requirements for the vacant position.

q. **Target Grade** is the fully qualified grade of the position being filled.

1-4. Scope. This plan encompasses Technician positions in the Tennessee Army and Air National Guard.

1-5. Responsibilities

a. The Adjutant General is the appointing authority for the Tennessee Army and Air National Guard technician program, and is the highest level of authority in the State concerning the overall application of this merit placement plan.

b. The Human Resource Officer (HRO) is responsible to The Adjutant General for ensuring that the requirements of this Merit Placement Plan are carried out. The HRO will:

- (1) Develop, maintain, evaluate, and revise the program as necessary.
- (2) Assure compliance with the program.
- (3) Provide guidance and assistance to commanders and supervisors concerning their responsibilities under this plan.
- (4) Assure that candidates are properly evaluated and certified for placement.
- (5) Maintain necessary records.
- (6) The Staffing section may aid Technician(s) in the application process by providing access to his/her employee records, blank forms, coordinating access to military records as necessary and

providing review of draft applications, if requested, to ensure completeness and accuracy before final submission for consideration.

(7) HRO may use Official Personnel Folders (OPF)/Employee Performance Files (EPF) data to verify qualifications of applicants. However, OPF/EPF will not be used in lieu of a completed application by an interested candidate.

(8) Inform workforce when cancellation of Technician Personnel Vacancy Announcement (TPVA) occurs and reason for cancellation.

(9) Encourage supervisors to seek out appropriate training opportunities.

c. Managers and supervisors will:

(1) Request the fill of projected vacant position.

(2) Know and comply with provisions of this plan and keep technicians under their supervision informed of its provisions.

(3) Assure that actions effected within their area of responsibility are based on merit without discrimination.

(4) Encourage technician under their supervision to participate in developmental opportunities and to apply for positions for which qualified.

(5) Recommend changes to this plan to HRO.

(6) Assure that technicians under their supervision who are absent e.g. (military duty, compensable injury which does not exceed 1 year) are considered for positions for which qualified.

(7) Encourage Technician growth through support of developmental opportunities such as additional training and provide reasonable use of resources to complete necessary forms or to seek assistance to facilitate the application process.

(8) After receiving approval of job selection, the selecting official will notify both selectee and other applicants interviewed their status within a reasonable time.

(9) After all applicants are notified; an open notification of the selected individual will be made within the affected directorate.

(10) Assist applicants who ask for help with the application procedures.

(11) Provide constructive feedback after an interview.

(12) Encourage the sharing of information about vacant positions with all soldiers and airmen.

(12) Encourage technicians to seek assistance from the Education Officer and develop their career goals and potential career path opportunities.

d. Individual technicians are responsible for:

(1) Completing required training requirements.

(2) Pursuing developmental opportunities in preparing to assume higher level duties.

(3) Familiarizing themselves with the provisions of this plan.

(4) Assuring that application forms and official personnel folders (OPF's) contain accurate and current information concerning experience, qualifications, training and self-development activities.

(5) Arranging with their supervisors to submit applications for vacancies when temporarily absent from their jobs.

(6) Ensuring compatibility of military assignment.

1-6. Management's Rights. Recognize that it is essential to the accomplishment of the mission of the Tennessee Army and Air National Guard mission that technician positions be filled with the best qualified individuals available. Management retains the right to:

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

b. Select candidates from any appropriate source that will best meet the mission.

1-7. Key Staff Position. The National Guard Bureau has authorized states to non-competitively assign military technicians, AGR members, and traditional Guard members in order to accommodate either an "overarching military consideration" or a military assignment at the Key Staff level. It is the intent of the Bureau to limit the number of Key Staff positions to those positions that clearly meet the purpose and should be minimal and are considered a significant requirement. When provisions of "key staff" are invoked, open competition for those positions through the states' formal vacancy announcement procedures is not required.

CHAPTER 2

Exceptions to Competition

2-1. Actions Exempt from Competition:

- a. Promotion due to issuance of new classification standards or the correction of a classification error.
- b. Placement of over-graded technicians entitled to grade retention as a result of RIF, reclassification, or management directed change-to-lower grade.
- c. Promotion when competition was held earlier (i.e., position advertised with known promotion potential). An employee who is selected through merit promotion procedures to fill a position at less than the authorized grade and who completes the necessary training program(s) recommended by their supervisor.
- d. Re-promotion to a grade or an intervening grade or position from which a technician was demoted without personal cause and not at his or her request.
- e. Promotion resulting from a technician's position being reclassified at a higher grade because of additional duties and responsibilities.
- f. Reassignment (lateral) to a position having no higher promotion potential. Technician may "swap" positions with the approval of the chain of command. The Technicians must have the same occupational code and grade. This move is at no expense to the government.
- g. Position change required by RIF regulations.
- h. Temporary promotion of 120 days or less. Prior service under all details to higher graded positions or temporary promotions is included whether competitive or noncompetitive during the preceding 12 months. Supervisors are encouraged to pursue competitive procedures for temporary promotions.
- i. Detail to higher graded position or to a position with known promotion potential for 120 days or less.
- j. Reemployment of a previously employed permanent technician to the same or lower graded position. This must occur within three (3) years of separation not for cause or in lieu of adverse actions.
- k. Placement as a result of an employee being given a priority consideration letter due to a settlement action.

2-2. Priority Placement Actions.

- a. Technicians Under Grade Retention. A technician who is changed to lower grade without personal cause is entitled to priority placement for a period of two (2) years unless re-promoted to his/her former grade. The HRO will keep a roster of technicians entitled to priority placement. This provision of the Merit Placement Plan does not apply to technicians entitled solely to pay retention.
- b. Re-employment Priority List. Tenure groups I and II technicians, separated from employment as a result of reduction in force (RIF) action, will be considered for reemployment priority for a period of

2 years, unless they decline priority consideration in writing. When a position fill request is received, the HRO will review the reemployment priority list. The selecting official retains the authority to select or non-select from the listing of reemployment referrals.

2-3. Temporary Promotions.

a. Generally, a temporary promotion is the appropriate way to meet a situation requiring the temporary service of a technician in a higher graded position. Promoting a technician recognizes the increased responsibility and properly compensates him/her for the work being performed.

b. The technician must perform those duties that determine the grade of the position. Normally, temporary promotions are not made unless the technician's services are required for more than 30 calendar days. Promotions of less duration would not normally require the performance of the full range of duties upon which the position is graded. Management determines when and if a temporary promotion would be an appropriate action.

c. Competition is not required for temporary promotions of 120 days or less. Competition should be held from the onset if management feels that the position will be filled permanently. The fact that the temporary action may lead to a permanent promotion must be made known to all potential applicants.

2-4. Details to a Higher Graded Position Without Promotion.

a. Technician may be detailed, without promotion, to positions of a higher grade or positions with known promotion potential for 120 days or less without competition. Details to a higher grade are appropriate when the assignment is for 30 days or less, or the full range of duties of the higher graded position will not be performed.

b. Detail assignments will be recorded by the supervisor on the technician's NGB Form 904-1, Supervisor's Record of Technician Employment and should be initialed by the employee. Details in excess of 30 days will be processed on Standard Form 52, Request for Personnel Action and maintained in the individual's Official Personnel File.

Chapter 3

Position Announcement and Application Procedures

3-1. Request for Filling Vacancy. When requesting that a position be filled, the supervisor will submit an SF-52, Request for Personnel Action, to HRO. Required information on SF-52 is:

- a. Position title, job number, grade(s), and location.
- b. Type of appointment (for those positions that can be filled by either excepted or competitive technicians).
- c. Military grade (Officer, Warrant Officer, and Enlisted).
- d. Recommended area of consideration.
- e. Recommended selection placement factors.
- f. Designated security clearance required.
- g. Desired dates of the announcement.
- h. Medical standard/physical requirements and/or requirement for periodic medical evaluation, when applicable.

3-2. Vacancy Announcements. When a vacancy is not going to be filled as an exception to competition, (see chapter 2) the vacant position will be announced. As a minimum, the vacancy announcement will contain the following information:

- a. Title, series, grade, and salary range of the position.
- b. Type of appointment – Dual or Non-Dual
- c. Military grade (Officer, Warrant Officer, Enlisted) and compatibility (SSI, MOS, AFSC) requirements.
- d. Organizational and geographical location of the position.
- e. Summary of duties and minimum qualification requirements.
- f. Information regarding known promotion potential, if applicable.
- g. Special conditions of employment, or developmental training, if applicable.
- h. Opening and closing dates and how to apply.
- i. Equal employment opportunity statement.
- j. The Knowledge, skills, and abilities (KSA's) factors.
- k. Area of consideration
- l. Medical standards/physical requirements and requirement for periodic medical evaluation, when applicable.

m. Designated Security Clearance required, if any.

o. Shift work or rotating shifts.

3-3. Posting of Announcements. Vacancy announcements will normally be posted for 15-20 calendar days. To ensure that all interested persons are aware of the vacancy, announcements will be posted electronically. Consideration will be given to posting vacancies over drill weekend.

3-4. Areas of Consideration. The areas of consideration for each specific position vacancy announcement will be that deemed most appropriate to ensure the receipt of sufficient highly qualified candidates. The grade and type of position, availability of candidates, position qualifications, budgetary limitations, and compatibility requirements will be considered in determining the area of consideration. Management can extend the established area of consideration for a particular placement action when it has been determined that the initial area would not produce a sufficient number of highly qualified candidates. The areas of consideration for the Dual Status positions will be IAW their perspective Labor Organization Agreement. Non-Dual Status positions will be considered as indicated below:

a. Permanent Non-Dual Status Technicians of the Tennessee National Guard

b. Applicants from outside the organization. This includes individuals on an OPM certificate and those eligible for reinstatement due to prior competitive status.

3-5. Application Procedures. The application is the basic document used to determine an individual's eligibility. It must reflect the applicant's current and past employment data as well as military duty assignments, qualifications, and training. Complete and accurate data is essential to ensure fair evaluation of candidates. Applications will be submitted as follows:

a. Applications "must be received" no later than the closing date specified on the vacancy announcement. Applications submitted electronically have until 1200am CST. Applications may be emailed to: fulltimeemployment@ng.army.mil

b. Applicants may apply using USA Staffing or the current NGB approved automated system.

c. Applicants not currently commissioned, applying for a position requiring commissioned status, must submit evidence of eligibility for a commission (ie. letter of eligibility or approved pre-determination letter).

d. Technicians whose absence may preclude them from having knowledge of, or applying for, a vacancy may request in writing that applications be submitted for them by their supervisor.

Chapter 4

Processing Applications

4-1. Basic Eligibility. Applications will be reviewed by HRO Staffing Specialist to determine basic eligibility. Candidates must meet the basic qualifications established for the position including any selective placement factors. Applicants who meet the minimum qualifications will be considered basically eligible. Applicants who do not meet the minimum qualifications will be notified as to what basic qualifications were lacking after a selection has been made.

4-2. Selective Placement Factors. Selective placement factors are the knowledge, skills, abilities (KSA's), or other personal characteristics absolutely essential for satisfactory performance on the job. They will be determined in advance of advertising a position, and will be stated in the vacancy announcements. When used, they are a part of the basic eligibility requirements for the position.

4-3. Conditions of Employment. Conditions of employment are those requirements of the position which are necessary in order to perform duties of position (e.g., security and education requirements). In addition, positions may have established requirements which must be met for continued retention (e.g., developmental training). When either conditions of employment or requirements for continued position retention have been established, they must be included in the vacancy announcement.

a. Security requirements. A Technician is subject to the personnel security requirements IAW TPR 700 (732.1). The HRO must determine whether the applicant has the required security clearance for the assignment, if required.

b. Training requirement. All applicants for a position with a designated developmental training requirement must be informed in advance that failure to complete the required course(s) will be cause for removal from the position. The Selecting Supervisor will require the applicant to submit a "Military Technician Training Agreement" that will state he/she understands he/she must either satisfactorily complete the appropriate course(s) or corrective action will be taken.

c. Medical/physical requirements. Applicants must meet any medical standards or physical requirements designated for position as required.

4-4. Evaluation. All eligible candidates will be forwarded to the selecting official. If there are more than ten qualified applicants, a rating and ranking evaluation panel may evaluate the applicants. The evaluation procedures in Chapter 5 will be used to further screen candidates prior to referral.

4-5. Military Grade Requirement. Upon appointment, applicants must meet the military grade and compatibility requirements established for the position. Military grade inversion is not permitted. Determination of eligibility of appointment or commission as an officer will be made by the appropriate Military Personnel Officer. Applicants ineligible for appointment to the required military grade will not be considered for the position. HRO will notify those candidates of their ineligibility.

Chapter 5

Evaluating Candidates

5-1. Job Analysis. When it is necessary to refine a list of eligible candidates through the evaluation process, a job analysis will be conducted by HRO to determine the knowledge, skill, and abilities (KSAs) needed to identify high quality candidates. The KSA factors will be recorded on NGB Form 300-3 for use in evaluating candidates' qualifications. Three to eight KSA factors will be used.

5-2. Evaluating Experience. After the KSAs have been identified, the applications and OPFs will be used to gather job-related background data to be used in the evaluation process. Experience will be evaluated in terms of type and quality in relation to the requirements of the position. Experience will be rated in categories as shown below on each KSA determined in the job analysis:

a. "A" level experience. Candidate possesses type and quality of experience that substantially exceed the basic requirements of the position, including selective placement factors, and that would allow the candidate to perform effectively in the position almost immediately or with a minimum of training and/or orientation.

b. "B" level experience. Candidate possesses type and quality of experience that exceed the basic requirements of the position, including selective placement factors, and that would allow the candidate to perform effectively in the position within a reasonable period of time (e.g., 3 to 6 months).

c. "C" level experience. Candidate satisfies the basic requirement of the position/

(1) Type and quality of experience beyond that which is basically required is minimal.

(2) Extensive additional training and/or orientation would be required to enable the candidate to satisfactorily perform the duties of the position.

d. The point value assigned to A, B, and C levels are determined by the number of KSA factors used. Points are then totaled for each candidate and considered weighted equally.

5-3. Evaluating Performance. Points for this factor will only be awarded based on the current appraisal on file with HRO. If a performance appraisal is overdue for an applicant, a minimum of 8 points will be assigned unless the performance appraisal on file results in higher points. The appraisal score will be: Outstanding = 9, Excellent = 6, Fully Successful = 3. Marginal or unexceptional will not receive points.

5-4. Evaluating Awards. Credit is awarded for pertinent monetary and honorary awards. Points for this factor will only be awarded for the past three years of employment as follows:

a. Approved Suggestion Award = 2.

b. Quality Step Increase/Sustained Superior Performance Award/On-The-Spot-Cash Award = 1.

c. Time off Award = ½.

5-5. Training and Education. A maximum of two (2) points will be awarded for this factor. This refers to training and education, other than that considered elsewhere in the evaluation process, which is relevant to the position.

a. Post secondary formal education will be awarded as follows:

- (1) 3-15 semester hours = ½
- (2) 16-30 semester hours = 1
- (3) 31-60+ semester hours = 2
- (4) Four year college degree = 3

b. The formal education must be relevant to the position being filled.

5-6. Overall Rating. The overall rating for each factor (experience, performance, training and education, and awards) will be combined and the total score for all factors recorded.

5-7. Referral and Selection Certificate. The top candidates arrived at through the evaluation process will be listed on the referral and selection certificate. There will be no further names forwarded once the rating and ranking is completed.

Chapter 6

Referral and Selection Procedures

6-1. Referral of Candidates. Following the determination of basic eligibility and evaluation of candidates, the Selecting Official, or the HRO Remote will:

- a. Receive the qualified candidates from the first area of consideration. When more than ten candidates are qualified, they may be rated and ranked as stated in previous chapters.
- b. Receive lists of candidates IAW Areas of Consideration when the selecting official is unable to make a selection from First Area of consideration.

6-2. Action by the Selecting Official. The selecting official is entitled to select or non-select any candidate referred to him/her. Upon receipt of the selection certificate, the selecting official will:

a. Interview Candidates. The selecting official will provide for a fair and impartial interview of each eligible candidate listed on the referral and selection certificate who is available for interview. Every effort will be made to conduct personal interviews. If not possible, telephone interviews should be conducted. This provides another means of evaluating and comparing. It also gives eligible candidates a chance to discuss the position and their qualifications.

b. Sign and return Referral and Selection Certificate to HRO.

c. Ensure an Individual Development Plan (IDP), IAW TPR 400, is established for technicians hired below the full performance level.

d. Inform HRO, in writing, of the selected start date. **Under no circumstances** will a selecting official start a new employee without HRO approval.

6-3. Action by HRO. The HRO will:

a. If a selection is made:

- (1) Approve the appointment of selectee.
- (2) Upon approval, email selecting official directly or by way of the Air Remote to notify selected/non selected candidates.
- (3) Provide the Selecting Official or Air Remote with a choice of effective dates, then approve and set effective start date.
- (4) Prepare promotion folder.
- (5) Notify all others in writing (Dear John), except for personnel interviewed.

b. If selection is not made, names from the next area of consideration will be forwarded to the Selecting Official.

c. If all candidates are rejected, the selecting official will return the certificate to HRO with written justification as to why a selection could not be made.

CHAPTER 7

PLACEMENT/PROMOTION RECORDS

7-1. Purpose. Complete promotion records will be maintained by HRO to:

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

7-2. Records. Sufficient records are required to allow reconstruction of the placement action. As a minimum, the following information will be retained in the record:

- a. Copy of the vacancy announcement.
- b. List of all applicants names
- c. Copy of all resume packages of all applicants, except for selectee.
- d. Forms used in the evaluation and rating process.
- e. Referral and selection certificate signed by selecting official.
- f. Letters sent to non selected candidates.

7-3. Duration. Records will be maintained for a minimum of 2 years. If a grievance is pending, records will be maintained until resolution.

7-4. Privacy Protection. Information relating to individual placement action or to the candidate, will not be discussed with or shown to unauthorized individuals. Supervisors and personnel specialists participating in merit placement actions will not disclose the details of their work to unauthorized personnel.

CHAPTER 8

GRIEVANCES AND COMPLAINTS

8-1. Grievances. An applicant, who believes that proper procedures were not followed in a particular placement action, may present a grievance under applicable grievance procedures. A grievance will not be considered when it is based solely on non-selection. If a grievance concerning a specific merit promotion procedure has been initiated, no action to cancel the vacancy announcement will take place, for the sole purpose of avoiding the grievance, until the said grievance is resolved.

8-2. Discrimination Complaints. Allegations of discrimination because of race, color, religion, sex, age, handicapping condition, or national origin made during any phase of selection process will be considered under the Tennessee National Guard Equal Employment Opportunity Program, or other applicable procedures.

8-3. Other. Other complaints or inquiries including those made by non-technician candidates should be directed to the HRO. All such inquiries will be considered and every effort made to resolve them.

FOR THE GOVERNOR:



TERRY M. HASTON
Major General
The Adjutant General

OFFICIAL:



WILLIAM E. WYNNS, Jr.
COL, AR, TNARNG
Director of Human Resources

DISTRIBUTION:

A
All Air Bases