

TECHNICIAN PERSONNEL REGULATION
No. 532-1

HEADQUARTERS
DEPARTMENTS OF THE ARMY AND THE AIR FORCE
Washington, D.C. 20310 21 November 1983

TECHNICIAN PERSONNEL REGULATION 532-1

This regulation contains National Guard Bureau procedures for the job grading appeals system for technicians employed under the Federal Wage System. This regulation applies to both military and competitive technicians.

1. The following supplement to FPM Supplement 532-1 is enclosed.
 - a. S7
2. File this transmittal sheet with FPM Supplement 532-1 installment for reference purposes.

Users of this publication are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to NGB-TN, 5600 Columbia Pike, Falls Church, VA 22041

BY ORDER OF THE SECRETARIES OF THE ARMY AND THE AIR FORCE:

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(Each SPMO)

21 November 1983

TPR 532-1
S7

SUBCHAPTER S7. JOB GRADING APPEALS

S7-9(ADDED). NGB JOB GRADING APPEALS SYSTEM FOR
TECHNICIANS EMPLOYED UNDER THE FWS

a. General. Technicians employed under the FWS may appeal the grade, title or series of the job they officially occupy, or the coverage of their positions under FWS. There must be agreement between the technician and the supervisor that the position description is accurate. When disputes concerning the description of duties arise, they must be resolved outside of the appeal channel. Final adjudication cannot take place until an accurate position description is implemented. Such cases should be handled as requests for redescription and/or reclassification rather than as classification appeals.

b. Appeal letter. Technicians covered under the FWS must appeal to NGB first and subsequently to OPM, if desired. The technician's appeal letter must include:

(1) The appellant's name, location of official headquarters, and the exact location in the organizational structure of the unit in which employed. An organizational chart must also be furnished showing where and how the position fits into the organizational structure.

(2) The present title, series, grade, and position number of the job to which officially assigned.

(3) The title, series, and grade that the appellant considers proper.

(4) Reasons why the present classification is considered incorrect, and justification for the classification considered correct by reference to appropriate OPM Job Grading Standards.

(5) A signed statement that the appellant considers the official position description to be a complete and accurate description of the work.

c. Filing the appeal. A technician is encouraged to consult with the supervisor and the SPMO for advice and assistance on the procedural aspects of preparing an appeal, and may examine those official documents pertinent to the case.

d. NGB appeal channel. The technician gives the appeal statement to the immediate supervisor. The immediate supervisor forwards it through channels to the SPMO, who in turn forwards it through the servicing classification activity to NGB. The appeal should be forwarded to the classification activity as soon as possible after submission by the technician. No time limit is fixed, but within 15 days is a reasonable guideline.

e. Supervisory responsibilities. Supervisors (with assistance from the SPMO) will inform technicians of their right to appeal the classification of their positions, resolve questions as to adequacy and accuracy of duties and responsibilities as stated in technician's official position description, process the appeal promptly, and inform the SPMO of any significant changes in duties and responsibilities in the position under appeal.

f. SPMO responsibilities. The SPMO determines whether the submission meets the requirements of a classification appeal, and assures there is mutual agreement between the technician and the supervisor regarding the statement of duties and responsibilities recorded on the official position description. The following statement is submitted with the appeal: "The undersigned hereby certify that the foregoing is an accurate and complete description of this position." This statement is signed and dated by both the technician and the supervisor. The SPMO makes comments

and/or recommendations if considered necessary, ensures that all actions at and below this level of authority are completed on a timely basis, forwards the appeal to the NGB through the servicing classification activity, and sends the technician written notification of the referral.

g. Classification activity responsibilities. The servicing classification activity ensures that the appeal is complete and accurate in accordance with the provisions of this subchapter, provides comments and/or recommendations, performs desk audits if needed, and forwards the appeal promptly to NGB-TN; or takes appropriate action if it does not meet requirements and provides advice and assistance to the SPMO.

h. NGB responsibilities. NGB-TN adjudicates the appeal and transmits the appeal decision through channels to the appellant, or notifies the appellant that the appeal has been referred to OPM for final adjudication.

i. Special rules for protection of retroactive benefits. A technician may be entitled to retroactive benefits when a job-grading decision leads to a change to lower grade and a decision on the appeal reverses the adverse classification decision. The classification appeal, however, must be timely in order for the appellant to be eligible for retroactive benefits. To be timely:

(1) An initial appeal must be filed with NGB not later than 15 calendar days after the effective date of the personnel action taken. In order to preserve a technician's entitlement, the time limit for initial appeal will be stated in the notice of reclassification.

(2) An appeal of the NGB decision on an initial appeal must be filed with OPM within 15 calendar days after the decision is received or 15 calendar days after the effective date of the action taken as a result of the classification decision, whichever is later. Each NGB decision on a classification appeal will state the time limit for a technician's further appeal.

(3) The established time limits may be extended if a technician can show that he/she was not notified of these limits and was not otherwise aware of the time limits or that circumstances beyond the technician's control prevented filing within these limits.

j. Effect on agency actions. Filing an appeal to either the NGB or OPM will not stop a classification action taken by the State and/or directed by NGB.

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HEADQUARTERS
DEPARTMENTS OF THE ARMY AND THE AIR FORCE
Washington, DC 20310 9 July 1984

TECHNICIAN PERSONNEL REGULATION 532-1

FEDERAL WAGE SYSTEM

This regulation clarifies agency level functional responsibilities and provides additional information on administering the environmental differential pay program.

1. TPR 532-1, 21 November 1983, is changed as follows:

Remove Page

Insert Page

1 (532.S3)

1 (532.S8)

2. File this change sheet in the front of the publication for reference purposes.

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TPR 532-1
S3

SUBCHAPTER S3. ORGANIZATIONAL AND FUNCTIONAL RESPONSIBILITIES

S3-2. AGENCY LEVEL

a. Agencies.

(1) Pay schedules for wage technicians are implemented under the authority of the Chief, National Guard Bureau.

(3) The Chief, National Guard Bureau is responsible for ensuring that job grading standards are uniformly applied.

9 July 1984

C1
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S8

SUBCHAPTER S8. PAY ADMINISTRATION

S8-7. ENVIRONMENTAL DIFFERENTIALS PAID FOR EXPOSURE
TO VARIOUS DEGREES OF HAZARDS, PHYSICAL HARDSHIPS, AND
WORKING CONDITIONS OF AN UNUSUALLY SEVERE NATURE

g. Determining local situations when environmental differentials are payable.

(4)(ADDED). The State Adjutant General is the approving authority for local environmental differential pay (EDP) situations. This authority should be further delegated to the SPMO. Decisions on EDP situations must be based on all relevant factors, including EDP committee recommendations.

(5)(ADDED). Each State will have a State EDP committee and a statewide EDP plan. The plan will:

(a) Ensure that EDP requests are reviewed in a timely manner and authorized EDP categories are applied to all technicians in identical work situations within the State.

(b) Contain administrative procedures covering the composition and responsibility of the EDP committee, annual review of the State EDP plan and EDP situations format for submitting EDP requests, required documentation of the hazard, physical hardship, or working condition of an unusually severe nature; and certification/decertification of work situation.

(c) All requests submitted to the EDP committee will contain the following information: a description of the work situation; the location(s) of identical work situations in the State; classification and grade levels of technicians performing the work; appropriate technical instructions; all applicable safety directives covering the work situation; safety and/or environmental health report on the work situation; a description of the unusually severe hazard, physical hardship, or working condition; and why it cannot be overcome or eliminated. If the work situation involves an explosive or incendiary device, hazard classification information must also be included. Accident records must be submitted if the EDP category is only payable when the hazard, physical hardship, or working condition of an unusually severe nature has not been practically eliminated by protective devices and/or safety procedures.

(d) Safety and/or environmental health specialists must be included in the review process for all EDP situations.

j. Computing environmental differential payments.

(3)(ADDED). EDP is authorized only when technicians are in a pay status. Overtime which is worked for compensatory time off is not a paid status for this purpose. Technicians who are paid annual premium pay are excluded from payment of EDP. (Comptroller General decision B-172031, 9 June 1971, unpublished)