



IDAHO NATIONAL GUARD
JOINT FORCE HEADQUARTERS
HUMAN RESOURCE OFFICE
4792 General Manning Ave. Building 442
Boise, Idaho 83705-5004



NGID-HRO

31 March 2023

MEMORANDUM FOR Idaho National Guard Federal Technicians

SUBJECT: HR Policy Letter 001; Superior Qualifications Appointment

1. Agency authority.

a. In accordance with 5 U.S.C. 5333 and 5 CFR 531.212, this agency may use the superior qualifications or special needs pay-setting authority to set the payable rate of basic pay for an employee above the minimum rate of the highest applicable rate range for the employee's position of record. The agency for this policy is defined as the Idaho Military Division.

b. The superior qualifications or special needs pay-setting authority may be used for

(1) A first appointment (regardless of tenure) as a civilian employee of the Federal Government; or

(2) A reappointment that is considered a new appointment under 5 U.S.C. 5333 only if the employee has had a break in service of at least 90 days from the last period of civilian employment with the Federal Government, except as proved in paragraph (a)(3) of 5 CFR 531.212.

c. Requests for superior qualifications will **not** be considered after the technician has officially accepted their position and has been appointed.

2. Superior qualifications or special needs determination. This agency may set the payable rate of basic pay of a newly appointed employee above the minimum rate of the grade under this section if the candidate meets one of the following criteria:

a. The candidate has superior qualifications. This agency may determine that a candidate has superior qualifications based on the level, type, or quality of the candidate's skills or competencies demonstrated or obtained through experience and/or education, the quality of the candidate's accomplishments compared to others in the field, or other factors that support a superior qualifications determination. The candidate's skills, competencies, experience, education, and/or accomplishments must be relevant to the requirements of the position to be filled. These qualities must be significantly higher than that needed to be minimally required for the position and/or be of a more specialized quality compared to other candidates; or

b. The candidate fills a special agency need. This agency may determine that a candidate fills a special agency need if the type, level, or quality of skills and competencies or other qualities and experiences possessed by the candidate are relevant to the requirements of the position and are essential to accomplishing an important agency mission, goal, or program activity. A candidate also may meet the special needs criteria by meeting this agency's workforce needs, as documented in the agency's strategic human capital plan.

3. Superior qualification and special needs pay rate determination. This agency will consider the following factors in determining the step at which to set an employee's payable rate of basic pay.

a. The level, type, or quality of the candidate's skills or competencies;

b. The candidate's existing salary, recent salary history, or salary documented in a competing job offer that meets or exceed requested step increase. (HRO will also take into account the location where the salary was or would be earned and comparing the salary to payable rates of basic pay in the same location);

c. Significant disparities between Federal and non-Federal salaries for the skills and competencies required in the position to be filled;

d. The success of recent efforts to recruit candidates for the same or similar positions or the recent turnover in the same or similar positions;

e. The importance/criticality of the position to be filled and the effect on the agency if it is not filled or if there is a delay in filling it;

4. Pay rate determination calculation. This agency will calculate the superior qualification and special needs step increase level by the following:

a. If five of the five pay rate determination factors are valid then step 7-10 can be authorized.

b. If four of the five pay rate determination factors are valid then step 5-6 can be authorized.

c. If three of the five pay rate determination factors are valid then step 2-4 can be authorized.

5. Consideration of recruitment incentive. In determining whether to use the superior qualifications and special needs pay-setting authority and the level at which the employee's payable rate of basic pay should be set, an agency must consider the possibility of authorizing a recruitment incentive under 5 CFR part 575, subpart A.

6. Approval and documentation requirements.

a. Each request to use the superior qualifications or special needs pay-setting authority must be completed in writing, submitted to HRO. The HRO will validate and review the request and forward to the approving official for final approval. If the request is not valid, then the request will be returned disapproved. The requester can then submit an appeal thru HRO to the approving official addressing the discrepancies in the original request. The approving official will either approve or disapprove the request and return it back to HRO for final action.

b. There are six approval officials in the Idaho Military Division. The Adjutant General, Army & Air Assistant Adjutant General, the Army Chief of Staff, the Air Director of Staff, and the Wing Commander.

c. For an official of the agency to approve a request they must be at least one level higher than the employee's supervisor unless there is no official at a higher level in the agency.

d. The official of the agency and their responsibilities are defined for the Idaho Military Division as the following:

(1) Army Chief of Staff is the approving official for all Army elements.

(2) The Wing Commander is the approving official for all Squadrons and Groups under their command

(3) The Air Director of Staff is the approving official for all other Air units not assigned to a wing.

(4) Army & Air Assistant Adjutant Generals are the approving officials if subordinates work directly for Army Chief of Staff, Wing Commander, and/or Air Director of Staff.

(5) The Adjutant General is the approving official if subordinates work directly for Army & Air Assistant Adjutant Generals.

e. Requests for superior qualifications and special needs pay-setting authority must include the following.

(1) IDHRO Form 001 Appendix A

(2) IDHRO Form 001 Appendix B

(3) Appropriate documentation to support IDHRO Form 001 Appendix B narrative.

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7. Ensuring compliance. This agency will evaluate this program annually utilizing Army Programs Managers Internal Control Program.

8. This policy remains in effect until rescinded or replaced.

2 Encls

1. IDHRO Form 001 Appendix A

2. IDHRO Form 001 Appendix B

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Director, Human Resource Office