



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



NGID-HRO

16 July 2024

MEMORANDUM FOR Idaho National Guard Federal Technicians

SUBJECT: HR Policy Letter 001; Superior Qualifications and Special Needs Pay-Setting Authority

1. Agency authority.

a. In accordance with 5 U.S.C. 5333 dated 26FEB24 and 5 CFR 531.212 dated 23FEB24, 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

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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. Historical Superior Qualification Analysis (HSQA): The step at which pay has been set for employees who had similar qualifications (based on the level, type, or quality of the candidate's skills or competencies or other qualities and experiences) and who have been newly appointed to positions that are similar to the candidate's position (based on the position's occupational series, grade level, organization, geographic location, or other job-relevant factors), if applicable; and

b. One or more of the following factors, as applicable in the case at hand:

(1) The level, type, or quality of the candidate's skills or competencies;

(2) Significant disparities between Federal and non-Federal salaries for the skills and competencies required in the position to be filled;

(3) Existing labor market conditions and employment trends, including the availability and quality of candidates for the same or similar positions;

(4) The success of recent efforts to recruit candidates for the same or similar positions or the recent turnover in the same or similar positions;

(5) 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. HSQA and if five of the five pay rate determination factors are valid then step 7-10 can be authorized for GS employees or step 4-5 can be authorized for WG employees.

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b. HSQA and if four of the five pay rate determination factors are valid then step 5-6 can be authorized for GS employees or step 3 can be authorized for WG employees.

c. HSQA and if three of the five pay rate determination factors are valid then step 2-4 can be authorized for GS employees or step 2 can be authorized for WG employees.

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. Each request must document all the following for each determination to use the superior qualifications and special needs pay-setting authority sufficient to allow reconstruction of the action taken in each case.

(1) The superior qualifications of the candidate under paragraph (2)(a) of this section or the special agency need for the candidate's services under paragraph (2)(b) of this section which justifies a higher than minimum rate;

(2) HSQA and an explanation of the factors and supporting documentation under paragraph (c) of this section which were used to justify the rate at which the employee's pay is set. The written documentation must explain how the factors directly relate to the rate approved; and

(3) The reasons for authorizing a higher than minimum rate instead of or in addition to a recruitment incentive under 5 CFR part 575, subpart A.

c. 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.

d. 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.

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e. 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.

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

(1) IDHRO Form 001 Annex A

(2) Appropriate documentation to support IDHRO Form 001 Annex A narrative.

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.

1 Encls
IDHRO Form 001 Annex A

JAMES W. HICKS
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