



IDAHO NATIONAL GUARD
Human Resource office
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JFHQ-ID/J1HR

10 February 2009

MEMORANDUM FOR ALL SUPERVISORS AND MANAGERS

SUBJECT: HR Policy Ltr 09-002; Highest Previous Rate Policy

1. 5 CFR, 531-221, and the National Guard Bureau (NGB) permits each state to establish policy for the utilization and application of the "Highest Previous Rate Rule". For the purpose of this policy letter, the term "Highest Previous Rate Rule" means the highest scheduled rate of pay previously paid to a person employed in a position in a branch of the Federal Government. The Human Resource Office (HRO) will make the determination of where to place an employee on the pay scale based on this policy.
2. This policy applies to all permanent and indefinite General Schedule and Federal Wage Schedule technicians of the Idaho National Guard.
3. The technician's highest previous rate shall be based on an established tour of duty and earned under a permanent or indefinite appointment. (see 5b and 5c for exceptions)
4. An individual must have been previously employed as a Federal Civil Service Employee for at least one year in a similar position. This one year period must have been within the five year period immediately preceding this appointment. Exception: a previously employed Federal Civil Service Employee who subsequently entered military duty in an assignment which was identical or a comparable occupational series and then returns as a technician in the same or comparable occupational series after release from military duty within five years will meet the year requirement.
5. The Highest Previous Rate Rule will not be applicable in the following instances unless circumstances exist which are determined to have an adverse impact on the mission of the Idaho National Guard:
 - a. Service breaks in excess of five years, except when the last five years were in a line of work directly related to the duties of the position to which employed.
 - b. Temporary employment of any length, except when an employee is converted from that temporary position to an Indefinite or Permanent position in the same or comparable occupational series and without a break in service.
 - c. Temporary promotions of any length when reverting back to their permanently assigned position and grade; except if a technician is permanently promoted to the same position to which they were temporarily promoted within five years.

d. Changes to lower grade resulting from cause based on character, conduct, or inefficiency. The technician shall be paid the Step one rate of the grade to which demoted. This grade and rate shall be used to determine any future highest previous rate decisions.

6. Appointments made using the Highest Previous Rate rule must be approved by HRO prior to the effective date of the appointment.

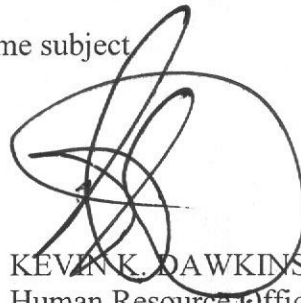
7. The Staffing Section of the HRO must determine the technician is "highly qualified" as defined in the Merit Promotion Plan.

8. There is no automatic entitlement to the maximum application of the Highest Previous Rate Rule.

9. Approval authority for utilization of the Highest Previous Rate Rule is the setting of the rate of pay is delegated to the Human Resource Officer. When applying this policy and very unusual circumstances are involved, the HRO may appoint a panel to review the merits of the case and make a recommendation to the Commanding General concerning exception to this policy.

10. This policy letter supersedes previous letter, same subject

FOR THE COMMANDER:

A handwritten signature in black ink, appearing to read 'KEVIN K. DAWKINS', is written over a circular stamp or seal. The signature is stylized and overlaps the circular boundary.

KEVIN K. DAWKINS, Lt Col, IDANG
Human Resource Officer

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