



State of West Virginia
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NGWV-TAG

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MEMORANDUM FOR SEE DISTRIBUTION

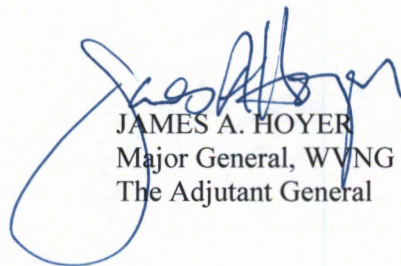
SUBJECT: Joint Policy Memorandum NGWV-TAG #14-002, West Virginia National Guard (WVNG) Highest Previous Rate (HPR) Rule (supersedes WV Human Resource Regulation 550-1, dated 1 October 2002)

1. The proponent for this policy is NGWV-HRO.
2. This policy is effective immediately and remains effective until rescinded or superceded.
3. References:
 - a. Office of Personnel Management, Department of Defense, National Guard Bureau, Title 5 Code of Federal Regulations (CFR), Parts 531 & 532
 - b. Office of Personnel Management, Department of Defense, National Guard Bureau, Title 5 United States Code Chapter 53
 - c. Office of Personnel Management, Department of Defense, National Guard Bureau, Title 32 United States Code Section 709
4. Purpose. To implement and supplement, as necessary, provisions of law and policy governing pay administration.
5. Policy: Highest Previous Rate (HPR), as defined in 5 CFR, refers to the highest schedule basic rate of pay earned as a federal employee. Previously employed Federal Technicians who are re-employed, transferred, promoted, reassigned, demoted or changed in their type of appointment **may be**, at the option of the employer, considered for placement on the pay scale at any rate, which is applicable to the position, that does not exceed their highest previous rate. If the highest previous rate falls between two steps of the new grade, they may be considered for the higher step. The rate of pay cannot exceed the maximum step for the grade of the new position. The highest previous rate is based on a regular tour of duty at any rate of basic pay received by an individual while serving under an appointment not limited to 90 days or less, or for a continuous period of not less than 90 days under one or more appointments without a break in service.
6. The West Virginia National Guard Highest Previous Rate Rule **will not** be applicable to the following:

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- a. A rate received in a position to which the technician was temporarily initially employed for less than one year, or temporarily promoted for less than one year except upon permanent placement in said position, or permanent placement in a position at the same or higher grade.
 - b. A special rate (General Schedule Only), unless in a reassignment to another position within the West Virginia National Guard; otherwise pay will be set using the basic general schedule.
 - c. Change to Lower grade for cause based on character, conduct, inefficiency or failure to meet a requirement of the position. Pay will be set at a rate in the lower grade where, on later initial promotion, the technician's pay will not be higher than it would have been without the change to lower grade.
 - d. Breaks in service in excess of five years, pay will be set at step one of the applicable grade unless otherwise approved by the Adjutant General.
 - e. Voluntary requests for change to lower grade in response to a vacancy announcement with known promotion potential. Salary will be set at a rate in the lower grade where, on later initial promotion, the technician's pay will not be higher than it would have been without the voluntary change to lower grade.
 - f. Locality pay will not be considered as a means for highest previous rate.
7. In establishing the appropriate rate of pay, some of the factors that may be considered by the HRO and discussed with the supervisor, employee and other concerned individuals are as follows:
- a. Critical need of the organization.
 - b. Time away from the applicable career field.
 - c. Workforce equity.
 - d. Impact on the morale of other employees.
8. The Human Resources Officer, in consultation with the Staffing Section of HRO, will make all HPR final determinations.
9. The point of contact for this policy is NGWV-HRO at commercial (304) 561-6749.



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