## Standard Operating Procedure (SOP)

# TEXAS MILITARY DEPARTMENT (TMD) RECRUITMENT, RELOCATION, AND RETENTION (3R) INCENTIVE PLAN

Number 1035.01 21 January 2018

Texas Military Department (TMD) 2200 W. 35<sup>th</sup> St Austin, TX 78703

**OPR:** Human Resource Office (HRO)

Official KATHERING V. BROWN CW4 AG US

**Summary.** Establish a TMD recruitment, relocation and retention incentive plan, in accordance with applicable laws, Office of Personnel Management (OPM) regulations, Department of Defense (DoD) Issuances, and National Guard Bureau (NGB) policy that provides detailed and applicable program criteria, options, requirements for consideration, recommendation, and payment of recruitment, relocation and retention incentives for TMD Title 5 and Title 32 employees.

**Applicability.** This guidance applies to all eligible TMD Title 5 and Title 32 employees under the general schedule (GS) and federal wage system (FWS).

Management Control Process. NA

**Proponent and Exception Authority.** The proponent of this SOP is TMD Human Resources Officer (HRO). The HRO has the authority to approve exceptions to this memorandum consistent with controlling law and regulation.

**Supplementation.** Supplementation of this SOP or establishment of command and local forms is prohibited without prior approval from the Adjutant General, ATTN: NGTX-JHR, P.O. Box 5218, Austin, TX 78763-5218.

**Suggested Improvements.** Users are invited to send comments and suggested improvements to SIG, Attn: NGTX-JSI, P.O. Box 5218, Austin, Texas 78763-5218.

Distribution. A

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## CHAPTER 1 GENERAL

**1-1. Purpose**. This SOP establishes and implements TMD recruitment, relocation and retention incentive program and plan; establishes and implements program policy and procedures; provides program guidelines and authorities; and assigns program responsibilities. Recruitment, relocation and retention incentives are used to attract and retain highly trained and qualified National Guard employees and applicants, to support program needs and mission requirements; and are consistent with the criteria in law (10 U.S.C., 5 U.S.C. and 32 U.S.C.), OPM regulations (Title 5 Code of Federal Regulations), and DoD policy (DoDD 1400.25 and DoD 7000.14-R).

#### 1-2. References. See Appendix J

- **1-3. Explanation of Abbreviations and Terms.** This guidance applies to all eligible TMD Title 5 and Title 32 employees under the general schedule (GS) and federal wage system (FWS). This SOP supersedes AGTX Reg 690-500 Section III, dated 15 May 2002.
- **1-4. Applicability.** This guidance applies to all eligible TMD Title 5 and Title 32 employees under the general schedule (GS) and federal wage system (FWS). This SOP supersedes AGTX Reg 690-500 Section III, dated 15 May 2002.

#### 1-5. Responsibilities.

- a. <u>Director, Manpower and Personnel Directorate (NG-J1)</u>. Serves as the primary advisor to the Chief National Guard Bureau (CNGB) for all National Guard personnel and manpower issues. Serves as the delegated authority for establishing policy and programs for the employment and use of National Guard employees. Manages and oversees human resources program development, staffing, and the execution of policies, plans, and programs specific to employment. Provides an annual report to CNGB, in accordance with the instructions provided in Appendix H.
- b. <u>Director, Army National Guard (DARNG)</u>. Serves as the primary advisor to the CNGB for all Army National Guard (ARNG) personnel and manpower issues. Implements programs for Army National Guard (ARNG) recruitment, relocation, and retention incentives. Provides annual funding guidance for ARNG Recruitment, Relocation and Retention Incentives. Executes fiscal oversight responsibilities for the expenditure of funds used for ARNG Recruitment, Relocation, and Retention Incentives. Provides an annual report to NG-J1, for submission to CNGB, in accordance with the instructions provided in Appendix H

- c. <u>Director, Air National Guard (DANG)</u>. Serves as the primary advisor to the CNGB for all Air National Guard (ANG) personnel and manpower issues. Implements programs for Air National Guard (ANG) recruitment, relocation, and retention incentives. Provides annual funding guidance for ANG Recruitment, Relocation and Retention Incentives. Executes fiscal oversight responsibilities for the expenditure of funds used for ANG Recruitment, Relocation, and Retention Incentives. Provides an annual report to NG-J1, for submission to CNGB, in accordance with the instructions provided in Appendix H.
- d. <u>Chief, Technician Personnel Division (NG-J1-TN)</u>. Serves as the primary advisor to the NG-J1, Army and Air National Guard Directorates, State Human Resources Officers (HRO), commanders, staff, and operating officials for all National Guard human resources programs. Oversees the development, staffing and execution of the National Guard Technician Program.
- e. <u>The Adjutant General (TAG)</u>. Establishes policies and programs for the employment and use of National Guard employees, within their jurisdiction, in accordance with applicable statutes, OPM and DoD regulations, and NGB policy. In direct support of recruitment, relocation and retention incentive programs, the TAG will:
- (1) Establish a state recruitment, relocation and retention incentive plan, in accordance with applicable laws, OPM regulations, DoD instructions, and NGB policy that provides detailed and applicable program criteria, options, and requirements for consideration, recommendation, and payment of recruitment, relocation and retention incentives for employees in their jurisdiction.
- (2) Direct the management, oversight, evaluation, and policy execution of recruitment, relocation and retention incentive programs, in writing, to the state HRO.
- (3) Establish key indicators and internal management controls to ensure full program compliance that is consistent with the criteria in law, regulations, and policy.
- (4) Establish procedures to annually review and certify retention incentives to determine the appropriateness of continued payment. (NOTE: recertification requires TAG signature)
- (5) Hold managers and supervisors accountable for the proper management and administration of the recruitment, relocation and retention incentive program.
- (6) Ensure the execution of recruitment, relocation and retention incentive programs, within the Texas Military Department, meet merit principles and is consistently applied among assigned National Guard employees in similar circumstances.

- f. <u>Human Resources Officer (HRO)</u>. Serves as the primary advisor to the TAG for all National Guard human resources programs. Manages the National Guard Title 5 and Title 32 program within the Texas Military Department. In direct support of recruitment, relocation and retention incentive programs, the state HRO will:
- (1) Establish a state recruitment, relocation and retention incentive plan, in accordance with applicable laws, OPM regulations, and DoD and NGB policy that provides detailed and applicable program criteria, options, and requirements for consideration, recommendation, and payment of recruitment, relocation and retention incentives for Title 32 and Title 5 employees in the Texas Military Department.
- (2) Establish key indicators and internal management controls to ensure full program compliance that is consistent with the criteria in law, regulations, and policy.
- (3) Ensure annual recertification is complete, properly documented, and certified by the TAG (signature) prior to continuing payments beyond the annual anniversary date of payment.
- (4) Ensure all documentation, specific to the approval and payment of a recruitment, relocation or retention incentive, is maintained for a period of two years following the completion of the service period.
- (5) Terminate all recruitment, relocation and retention incentives on the effective expiration/termination date; provide the servicing ARNG or ANG payroll office with a copy of the Notification of Personnel Action (SF 50) to terminate payment of the incentive; and suspense all termination actions to ensure payments have stopped.
  - (6) Meet all reporting requirements identified in Appendix H.
- (7) Provide NG-J1-TN with a copy of the most current state recruitment, relocation and retention plan.

#### APPENDIX A

#### RECRUITMENT INCENTIVES

- 1. <u>Authorization of Recruitment Incentives</u>. A recruitment incentive, up to 25 percent of an employee's annual rate of pay, may be offered to an employee who is "newly appointed" (see 5 CFR 575.102) to a position that is difficult to fill in the absence of an incentive.
- 2. <u>Approval Authority</u>. The authority to approve recruitment incentives for TMD Title 5 and Title 32 employees is TAG.
- 3. <u>Determination to Pay</u>. The determination to pay a recruitment incentive must be made prior to the advertisement of the position and submitted with the Standard Form 52, Request for Personnel Action, and document that in the absence of an incentive it would be difficult to fill the position. Requests for recruitment incentives are submitted using the Recruitment Incentive Request Form (Appendix I). An employee who has not yet reported to duty must sign a Service Agreement prior to payment of a recruitment incentive.
- 4. <u>Approval Authority Review</u>. A recruitment incentive, and the amount of the incentive, must be approved and certified by the TAG prior to payment of a recruitment incentive. All TXANG approved recruitment incentives will be forwarded to ANGRC for review.
- 5. <u>Service Agreement</u>. Before a recruitment incentive is paid, the employee offered a recruitment incentive must sign a written Service Agreement to complete a specified period of fulltime employment in the position hired with the Texas Military Department. The minimum period of service required is no less than 12-months and no more than 4-years (48-months) of continued employment in the position for which a recruitment incentive was approved. The employee's failure to complete the service period, as stipulated in the Service Agreement, will obligate the employee to a pro rata repayment of the recruitment incentive. The following outlines the service agreement requirements with the Texas Military Department:

≤ 25% Recruitment Incentive	4 year service agreement
≤ 20% Recruitment Incentive	3 year service agreement
≤ 15% Recruitment Incentive	2 year service agreement
≤ 10% Recruitment Incentive	1 year service agreement

6. <u>Payment of a Recruitment Incentive</u>. A recruitment incentive is calculated as a percentage (not to exceed 25 percent) of the employee's annual rate of basic pay to include either locality pay or a special rate supplement; is not considered a part of basic pay for any purpose. Recruitment incentives will be paid in bi-weekly installments.

- 7. Written Notification. State HROs must notify the employee, in writing, when a Service Agreement is terminated. Written notification and acknowledgement must be executed within three business days of the decision to terminate the Service Agreement. A copy of the notification memorandum must be maintained by the state HRO for a two-year period following the termination of the Service Agreement.
- 8. Repayment of a Recruitment Incentive. Recruitment incentive payments, made for periods of time that are not completed in accordance with the employee's written Service Agreement, are overpayments and are subject to the debt collection process outlined in DoD 7000.14-R. The recovery of an employee's debt may not be waived, in whole or in part, by TAG.
- 9. <u>Program Oversight and Evaluation</u>. The Chief, National Guard Bureau is responsible for the management, oversight, evaluation, and execution of recruitment incentive program policy through the Director, Army National Guard, the Director, Air National Guard, and the Director, J1 Manpower and Personnel (NG-J1-TN). Each National Guard state, territory and the District of Columbia will furnish NG-J1-TN with a copy of their state recruitment, relocation and retention plan.
- 10. <u>Documentation and Records</u>. TAG is responsible for ensuring that the basis for a recruitment incentive is sufficiently documented. This written documentation will be maintained by the state HRO for a period of two years following the completion of the service period.
- 11. <u>Reporting Requirements.</u> The state HRO will complete an annual report, at the end of each Fiscal Year, for submission to NG-J1-TN. This report must include, at a minimum, the information detailed below. Annual reports must be received by NG-J1-TN no later than 15 October of every year.
- a. A description of how the recruitment incentive authority was used during the previous fiscal year (e.g. number of incentives offered and accepted).
- b. The individual percentage and dollar amount of recruitment incentives paid to employees during the previous fiscal year, by pay plan, series, and grade.
- c. A summary statement assessing the effectiveness recruitment incentives have on recruiting qualified employees/applicants for positions that are difficult to fill.

#### APPENDIX B

#### RELOCATION INCENTIVES

- 1. <u>Authorization of Relocation Incentives</u>. A relocation incentive, up to 25 percent of an employee's annual rate of basic pay, may be offered to an assigned employee who must relocate, without a break in service, to accept a position that is difficult to fill in the absence of an incentive, in a different commuting area.
- 2. <u>Approval Authority</u>. The authority to approve relocation incentives for TMD Title 5 and Title 32 employees is TAG.
- 3. <u>Determination to Pay</u>. The determination to pay a relocation incentive must be made prior to advertising the position and submitted with the Standard Form 52, Request for Personnel Action, and document that in the absence of an incentive it would be difficult to fill the position. Requests for relocation incentives are submitted using Relocation Incentive Request Form (Appendix I). The employee must establish a residence in the new geographic area before the relocation incentive is paid and provide supporting documentation to the HRO.
- 4. <u>Approval Authority Review</u>. A relocation incentive, and the amount of the incentive, must be approved and certified by TAG prior to payment of a relocation incentive. All TXANG approved relocation incentives will be forwarded to ANGRC for review.
- 5. <u>Service Agreement</u>. Before a relocation incentive is paid, the employee offered a relocation incentive must sign a written Service Agreement to complete a specified period of fulltime employment in the relocated position with the Texas Military Department. The minimum period of service required is no less than 12-months and no more than 4-years (48-months) of continued employment in the position for which a relocation incentive was approved. The employee's failure to complete the service period, as stipulated in the Service Agreement, will obligate the employee to a pro rata repayment of the relocation incentive.
- 6. Payment of a Relocation Incentive. A relocation incentive is calculated as a percentage (not to exceed 25 percent) of the employee's annual rate of basic pay to include either locality pay or a special rate supplement; is not considered a part of basic pay for any purpose. Relocation incentives will be paid in bi-weekly installments with the first installment to begin after the employee has established a residence in the new location. The following outlines the service agreement requirements with the Texas Military Department:

≤ 25% Relocation Incentive	4 year service agreement
≤ 20% Relocation Incentive	3 year service agreement
≤ 15% Relocation Incentive	2 year service agreement
≤ 10% Relocation Incentive	1 year service agreement

- 7. Repayment of a Relocation Incentive. Relocation incentive payments, made for periods of time that are not completed in accordance with the employee's written Service Agreement, are overpayments and are subject to the debt collection process outlined in DoD 7000.14-R. The recovery of an employee's debt may not be waived, in whole or in part, by TAG.
- 8. <u>Program Oversight and Evaluation</u>. The Chief, National Guard Bureau is responsible for the management, oversight, evaluation, and execution of relocation incentive program policy through the Director, Army National Guard, the Director, Air National Guard, and the Director, J1 Manpower and Personnel (NG-J1-TN). Each National Guard state, territory and the District of Columbia will furnish NG-J1-TN with a copy of their state recruitment, relocation and retention plan.
- 9. <u>Documentation and Records</u>. TAG is responsible for ensuring that the basis for a relocation incentive is sufficiently documented. This written documentation will be maintained by the state HRO for a period of two years following the completion of the service period.
- 10. <u>Reporting Requirements</u>. The states HRO will complete an annual report, at the end of each fiscal year, for submission to NG-J1-TN. This report must include, at a minimum, the information detailed below. Annual reports must be received by NG-J1-TN no later than 15 October of every year.
- a. A description of how the relocation incentive authority was used during the previous fiscal year (e.g. number of incentives offered and accepted).
- b. The individual percentage and dollar amount of relocation incentives paid to employees, during the previous fiscal year, by pay plan, series, and grade.
- c. A summary statement assessing the effectiveness a relocation incentive has on relocating a qualified employee to a position that is difficult to fill, in a different commuting area.

#### APPENDIX C

#### RETENTION INCENTIVES

- 1. <u>Authorization of Retention Incentives</u>. An "individual" retention incentive up to 25 percent of an employee's annual rate of basic pay may be offered to retain their services in their current position. A retention incentive, up to 10 percent of an employee's annual rate of basic pay, may be offered to an assigned "group" of Title 5 or Title 32 employees to retain their services in their current positions. Employees eligible for a retention incentive must have unusually high or unique qualifications; or it has been determined that there is a special need for the employee's services that makes it essential to retain them in their current position(s) and, in the absence of a retention incentive, the employee is likely to leave federal service.
- 2. <u>Approval Authority Individual/Group.</u> The authority to approve retention incentives for TMD Title 5 and Title 32 employees is TAG. TAG is the final approval authority for all approved retention incentives. All TXANG approved retention requests, to include annual recertification of incentives beyond an initial 12-month period, will be forwarded to ANGRC for review.
- 3. <u>Determination to Pay</u>. An "individual" or "group" retention incentive may be considered for approval and payment when the recommending official (Wing Commander/Directorate) and TAG have certified, in writing, that the unusually high or unique qualifications of the employee, or a special need for the employee's services makes it essential to retain them in their current position and, in the absence of a retention incentive, the employee is likely to leave federal service.
- 4. <u>TAG Review and Certification</u>. An "individual" or "group" retention incentive, and the percentage and amount of the incentive, must be reviewed and certified by TAG prior to payment of a retention incentive. TAG must establish the criteria for offering a retention incentive in advance and the criteria must be consistently applied to other employees in similar situations.
- 5. <u>Service Agreement</u>. Before a retention incentive is paid, the employee(s) offered a retention incentive must sign a written Service Agreement to complete a specified period of fulltime employment with the Texas Military Department. The minimum period of service required is no less than 12-months and no more than 4-years (48-months). The employee's failure to complete the service period, as stipulated in the Service Agreement, will obligate the employee to a pro rata repayment of the retention incentive. Retention incentives will be paid in bi-weekly installments with the first installment to begin after approval of the incentive. Bi-weekly incentives paid at the full incentive amount (25% individual or 10% group) do not require a service agreement but must be reviewed on an annual basis. Annual recertification is required before payment

of subsequent retention incentive installments. The following outlines the service agreement requirements with the Texas Military Department:

≤ 25% Retention Incentive	4 year service agreement
≤ 20% Retention Incentive	3 year service agreement
≤ 15% Retention Incentive	2 year service agreement
≤ 10% Retention Incentive	1 year service agreement

- 6. <u>Payment of a Retention Incentive</u>. A Retention incentive is calculated as a percentage (not to exceed 25% for an "individual" or 10% for a "group" incentive) of the employee's annual rate of basic pay (to include either locality pay or a special rate supplement); is not considered a part of basic pay for any purpose. Payment of a retention incentive is subject to the aggregate limitation on pay in accordance with 5 CFR Part 530, Subpart B.
- 7. Annual Recertification Requirement. At least 45-days prior to the annual anniversary date of an approved retention incentive, TAG must review the incentive to determine whether the incentive is still warranted and that the conditions giving rise to the original determination(s) still exist. Annual recertification must be reviewed by TAG, using the Annual Incentive Recertification Request Form (Appendix I) and must be documented in writing. All TXANG approved 3R incentives, to include annual recertification of incentives beyond an initial 12-month period, will be forwarded to ANGRC for review. TAG is the final approval authority for all 3R requests. This documentation must be maintained by the State HRO for a period of two years following the completion of the service period.
- 8. Repayment of a Retention Incentive. Retention incentive payments, made for periods of time that are not completed in accordance with the employee's written Service Agreement, are overpayments and are subject to the debt collection process outlined in DoD 7000.14-R. The recovery of an employee's debt may not be waived, in whole or in part, by TAG.
- 9. <u>Program Oversight and Evaluation</u>. The Chief, National Guard Bureau is responsible for the management, oversight, evaluation, and execution of retention incentive program policy through the Director, Army National Guard, the Director, Air National Guard, and the Director, J1 Manpower and Personnel (NG-J1-TN). Each National Guard state, territory and the District of Columbia will furnish NG-J1-TN with a copy of their state recruitment, relocation and retention plan.
- 10. <u>Documentation and Records</u>. TAG is responsible for ensuring that the basis for a retention incentive is sufficiently documented every year. This written documentation will be maintained by the state HRO for a period of two years following the completion of the service period.

- 11. <u>Reporting Requirements</u>. The state HRO will complete an annual report, at the end of each fiscal year, for submission to NG-J1-TN. This report must include, at a minimum, the information detailed below. Annual reports must be received by NG-J1-TN no later than 15 October of every year.
- a. A description of how retention incentives were used during the previous fiscal year (e.g. number of incentives offered and approved).
- b. The individual percentage and dollar amount of retention incentives paid to employees during the previous fiscal year.
- c. A summary statement assessing the effectiveness a retention incentive has on retaining qualified employees in their current position(s).

#### APPENDIX D

#### **FACTORS FOR CONSIDERATION**

- 1. Recruitment and Relocation Incentives. The determination to pay a recruitment or relocation incentive must be documented in writing and reviewed and certified by TAG prior to paying an incentive. All TXANG approved 3R incentives, to include annual recertification of incentives beyond an initial 12-month period, will be forwarded to ANGRC for review. TAG is the final approval authority for all 3R requests. To ensure all recruitment and relocation incentives meet the criteria for payment, consideration must be given to the following factors and their applicability in each case.
  - a. Availability and quality of candidates
- b. Recent efforts to recruit-to-fill. A position is designated as hard to fill if it has been announced at least 2 times and received no qualified applicants. The area of consideration must have been nationwide, advertised using current compatibility requirements and no specific military rank (i.e., E4-E6, MAJ-LTC), unless it would create grade inversion. A position may also be considered hard to fill if a referral of qualified applicants resulted in non-selection. Documentation of non-selection of each candidate must be provided to HRO.
  - c. Recent employee turnover in similar positions.
  - d. Salaries paid for similar positions outside the federal government.
  - e. Local employment trends and labor-market factors.
  - f. Special or unique competencies/certifications required for the position.
  - g. Use of non-pay flexibilities (e.g. telework, alternate work schedules).
- h. Use of monetary flexibilities (e.g. cash awards, Time Off awards, Quality Step Increase).
  - i. Desirability of duties/work/organizational environment of the position.
  - j. Geographic location of the position.
  - k. Other supporting factors.
- 2. <u>Retention Incentives</u>. The determination to pay an "individual" or "group" retention incentive must be documented in writing and reviewed and certified by TAG prior to

paying an incentive. To ensure all retention incentives meet the criteria for payment, consideration must be given to the following factors and their applicability in each case.

- a. Availability and quality of assigned employees who, with minimal training, could perform the duties of the position.
- b. Success of recent efforts to recruit and retain Title 5 and Title 32 employees with similar competencies. A position is designated as hard to fill if it has been announced at least 2 times and received no qualified applicants. The area of consideration must have been nationwide, advertised using current compatibility requirements and no specific military rank (i.e., E4-E6, MAJ-LTC), unless it would create grade inversion. A position may also be considered hard to fill if a referral of qualified applicants resulted in non-selection. Documentation of non-selection of each candidate must be provided to HRO.
  - c. Salaries paid for similar positions outside the Federal government.
  - d. Employment trends and labor-market factors.
- e. Special or unique competencies required for the position (e.g. education, license, warrant, and/or professional certification).
- f. Success in using non-pay flexibilities/authorities to retain employees (e.g. telework, alternative work schedules).
- g. Success in using pay flexibilities/authorities to retain employees (e.g. cash awards, Time Off awards, Quality Step Increase).
  - h. Desirability of duties/work/organizational environment of the position.
  - i. Geographic location of the position (e.g. lower grade position in a high cost area).
- j. Extent to which the employee's departure would affect the State's ability to carry out an activity, perform a function, or complete a mission-essential project.
  - k. Other factors may include, but are not limited to:
    - (1) Pay based on a Special Rate Table.
- (2) Period of time during which an employee received retention incentive payments.

#### APPENDIX E

#### **ELIGIBILITY CRITERION**

- 1. <u>Eligibility.</u> Includes Army and Air National Guard general schedule (GS) and federal wage system (FWS) positions employed under Title 5 or Title 32. Employees being considered for a recruitment, relocation or retention incentive, must also meet all of the following eligibility criteria:
- a. Current/recently employed as Title 5 or Title 32 employee (e.g. does not include employees on ADOS, AGR or Title 10 Stat Tour).
- b. On a proper appointment (e.g. correct appointment/authority and valid position description.
  - c. Conditions of employment are permanent or indefinite. (Tenure Group 1, 2, or 3).
  - d. All military compatibility requirements are met (for DS only).
  - e. Valid security clearance.
- f. Last rating of record (e.g. previous rating year) is fully successful or higher. Use of military evaluations in lieu of employee rating is prohibited. (retention and relocation incentives only).
- 2. <u>Ineligible Employees/Applicants</u>. The following are ineligible for a recruitment, relocation or retention incentive:
- a. Army and Air National Guard Title 5 or Title 32 hired under a temporary appointment authority and/or occupying a temporary position.
- b. Employees without a current performance appraisal (e.g. previous year); or with a performance appraisal of less than "fully successful".
  - c. Employees selected for, or occupying, a key staff position.
  - d. Employees approved for a voluntary separation incentive.
- 3. <u>Position Change</u>. Recruitment, relocation and retention incentives will be terminated when an employee is permanently assigned to a different position (e.g. management-directed reassignment, voluntary request for reassignment, change to lower grade or applies thru competitive procedures for another position), other than the one for which an Incentive was approved. Incentive payments made for periods of time that are not

completed in accordance with the employee's written Service Agreement, are overpayments and are subject to the debt collection process outlined in DoD 7000.14-R. The recovery of an employee's debt may not be waived, in whole or in part, by the TAG. The service agreement will be extended for the period the employee was placed in a temporary assignment (detail or temporary promotion not to exceed 120 days) and was not for cause or at their request, upon return to their permanent position.

- 4. <u>Non-Pay Status</u>. Recruitment, relocation and retention incentives will be terminated for an employee who is placed in an Absent US Status (e.g. AGR, ADOS, and Title 10 Stat Tour). The service agreement will be extended for the period the employee was placed in a personal leave without pay status thru an SF52 and for more than 30 days. Upon return to a paid status, the employee may be re-considered for the Incentive under the following conditions:
- a. When returning to the same position for which an Incentive was previously approved; as long as a determination has been made that the incentive is still warranted and the conditions giving rise to the original determination(s) still exist; and as long as the cumulative service period and payments received do not exceed the 4-year (48-month) limit.
- b. When returning to a new position; as long as a determination has been made that a Retention Incentive is warranted; and the cumulative service period and payments received do not exceed the 4-year (48-month) limit.
- 5. <u>Service Agreement Termination.</u> Service Agreements are terminated under conditions deemed to be mandatory or discretionary. The decision to terminate an incentive, or Service Agreement, cannot be grieved or appealed.
- a. TAG <u>must</u> terminate an employee's Service Agreement under the following mandatory conditions:
  - (1) Failure to fulfill the terms of the Service Agreement.
  - (2) Demotion or separation for cause (e.g. unacceptable performance or conduct).
- (3) Performance appraisal of less than "Fully Successful", or equivalent, during the service period.
  - (4) Selection/assignment to a Key Staff position.
- b. The TAG <u>may</u> terminate a Service Agreement under the following discretionary conditions (e.g. needs of the state National Guard):

- (1) Insufficient funds to continue payment(s).
- (2) Reduction-in-force.

#### APPENDIX F

#### INCENTIVE DOCUMENTATION REQUIREMENTS

All recruitment, relocation, and retention incentives must include, at a minimum, the following documentation to allow reconstruction of the action and ensure auditability and accountability of the program.

#### 1. Recruitment Incentives

- a. A complete signed copy of the recruitment incentive request form and Service Agreement provided in Appendix I. NOTE: TAG signature is required.
- b. Documentation to support that the position is likely to be difficult to fill in the absence of an incentive. This documentation must include, but is not limited to:
  - (1) Previous Job Vacancy Announcement(s) for the position.
  - (2) List of applicants and certificate of qualified candidate(s) considered.
  - (3) Written decision with justification for non-selection of qualified candidate(s).
  - c. Current Job Vacancy Announcement.

#### 2. Relocation Incentives

- a. A complete signed copy of the relocation incentive request form and Service Agreement provided in Appendix J. NOTE: TAG signature is required.
- b. Documentation to support that the position is likely to be difficult to fill in the absence of an incentive. This documentation must include, but is not limited to:
  - (1) Previous Job Vacancy Announcement(s) for the position.
  - (2) List of applicants and certificate of qualified candidate(s) considered.
  - (3) Written decision with justification for non-selection of qualified candidate(s).
  - c. Current Job Vacancy Announcement.
- d. A copy of the employee's last current rating of record (e.g. performance appraisal from previous year).

#### 3. Retention Incentives

- a. A complete signed copy of the Retention Incentive Request Form and Service Agreement provided in Appendix I. NOTE: TAG signature is required.
- b. Documentation to quantify that the employee is likely to leave Federal service in the absence of an incentive. This documentation should include, but is not limited to:
- (1) TAG certification that the employee is likely to leave federal service in the absence of an incentive.
- (2) Written job offer from a non-federal employer (must be provided for individual retention incentives).
- (3) Written communications (e.g. e-mail, memo) between the employee and a non-federal employer indicating their intent to leave federal service for employment in the civil sector (must be provided for individual retention incentives).
- (4) Licenses, warrants, certifications that enhance the marketability of an employee in the civil sector (e.g. Contract Specialists, IT Specialists, ANG pilots).
- c. A copy of the employee's last current rating of record (e.g. performance appraisal from previous year).
- d. Employment trends and labor-market analysis for the local commuting area (e.g. Department of Labor employment statistics and salaries for similar positions/occupations in the same geographic area).
- e. Documentation citing difficulties in retaining qualified employees in a targeted position (e.g. unsuccessful recruitment efforts in a 3-5 year window).
- 4. <u>Annual Recertification</u>. Must be reviewed and certified by TAG, using the Annual Incentive Recertification Request Form provided in Appendix I, and must include documentation that determines that incentive payments are still warranted and that the conditions giving rise to the original determination to pay an incentive still exist.

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#### APPENDIX G

#### JUSTIFICATION/CERTIFICATION

- 1. <u>Written Justification</u>. Each determination to pay a recruitment, relocation or retention incentive must be fully documented, in writing, using the applicable recruitment, relocation, or retention incentive request forms provided in Appendix I. In addition to the information required in section II of these forms, the written justification should also include:
- a. A determination that a position, or group of positions, are likely to be difficult to fill in the absence of an incentive; or that an employee or group of employees, are likely to leave fulltime National Guard employment in the absence of an incentive.
  - b. The supporting factors used to justify/support the incentive.
  - c. The reasons for determining the amount and timing of the payment(s).
  - d. The reasons for determining the length of the service period.
- 2. <u>Certification Requirements</u>. Each determination to pay a recruitment, relocation, or retention incentive must be fully documented, in writing, and certified by the officials identified in sections III through VII of the applicable recruitment, relocation, or retention incentive request forms provided in Appendix I.
- 3. <u>Recertification Requirements</u>. Annual incentive recertification must be certified by the officials identified in sections III through VII of the Annual Incentive Recertification Request Form provided in Appendix I.

#### APPENDIX H

#### **TIMELINES**

- 1. <u>Annual Recertification</u>. TAG must review and certify each retention incentive, at least 45-days prior to the anniversary date of a previously approved incentive, to determine the following:
  - a. The incentive is still warranted.
- b. The amount of payment; when the conditions that originally justified payment of a retention incentive significantly changed (e.g. increases in basic pay due to promotion, Quality Step Increase, or assignment to a different position with promotion potential).
- c. The conditions giving rise to the original determination to pay the incentive still exist.
- 2. <u>Recruitment, Relocation, and Retention Incentive Payments</u>. Approved incentive payments will begin on the first day of the next pay period following approval by the "authorized agency official". Incentive payments will be terminated on the last day of the pay period prior to the expiration date of the Service Agreement.
- 3. <u>Terminations and Disapprovals</u>. State HROs will terminate all incentives in DCPDS on the last day of the pay period prior to the expiration date of the Service Agreement; and provide the servicing ARNG/ANG payroll office with a copy of the Notification of Personnel Action (SF 50) terminating payment of the incentive.
- 4. <u>Termination Notifications</u>. State HROs must notify the employee, in writing, when a Service Agreement is terminated. Written notification must be executed within 14 business days of when the Service Agreement is terminated, or disapproved; and maintained by the state HRO for a period of two years following the termination of the Service Agreement.
- 5. <u>Debt Collection Process</u>. Unauthorized incentive payments (e.g. unauthorized payments, disapprovals, failure to complete the terms in the Service Agreement) are overpayments and are subject to the debt collection process outlined in DoD 7000.14-R, DoDFMR, Volume 8. Upon discovery, the state HRO must notify the servicing payroll office and USPFO within 3 workdays, to begin the debt collection process. Failure to comply with this requirement places pecuniary liability for the improper disbursement of Federal funds with TAG.
- 6. <u>Reporting Requirements</u>. Annual reporting requirements, established by CNGB, include the following:

- a. ARNG and ANG Directorates will provide NG-J1 with an annual report (Fiscal Year) no later than 15 October of every year. This report will include a summary of recruitment, relocation, and retention Incentive activities and expenditures, for the previous fiscal year; a description of how recruitment, relocation, and retention incentives were used, to include number of incentives requested, approved, and disapproved; and a summary statement assessing the effectiveness recruitment, relocation, and retention incentives had on recruiting and retaining qualified employees in mission essential occupations.
- b. State HROs will provide NG-J1-TN with an annual report (Fiscal Year) no later than 15 October of every year. This report will include a summary of recruitment, relocation, and retention incentive activities and expenditures, for the previous fiscal year; a description of how recruitment, relocation, and retention incentives were used, to include number of incentives requested, approved, and disapproved; and a summary statement assessing the effectiveness recruitment, relocation, and retention incentives had on recruiting and retaining qualified employees in mission essential occupations
- 7. <u>State Recruitment, Relocation and Retention Plan</u>. State HROs will provide NG-J1-TN with a copy of the current state recruitment, relocation and retention plan.

### APPENDIX I

TEXAS MILITARY DEPARTMENT RECRUITMENT INCENTIVE REQUEST FORM			
	I. INDIVIDUAL IN		
Name (Last, First MI)	SSN	Date Scheduled to Report for	Duty
Position Title	Pay Plan-Series- Grade/Step	PD Number	MOS/AFSC
Selected from Vacancy Number	Unit/Organization of Assignment	Duty Location	
II. JUSTIFICATI	ON AND DETERMINAT	TION OF THE AMOUNT INCE	NTIVE
		ormation may be continued on a	
1. Requested percentage ar			additional pagoon
2. Unaviocaci ul pravioca	fforto to vocuit condi	dates for this or similar positi	
TMD Form 1035-5			

I-1 Appendix I

3. Employee Turnover in this or similar positions.
4. Labor market factors and special qualifications needed for this position.
4. Edbor market ractors and special qualifications needed for and position.
F. Doont efforts to requit any distance with similar qualifications and the socilability of
5. Recent efforts to recruit candidates with similar qualifications and the availability of
qualified candidates in the labor market.
TMD Form 1035-5

I-2 Appendix I

III. NOMINATING SUPERVISOR CERTIFICATION			
I certify that in the absence of a Recruitment Incentive, difficulty would be encountered in filling this			
position. I understand the applic	cant must sign the Re	cruitment Incentive Service A	greement upon
acceptance of the position.			
Name/Title	Signature	Date	Telephone
IV. COMMAND	ER/VICE COMMAND	ER/DIRECTOR CERTIFICAT	TION
I concur with this request.			
Name/Title	Signature	Date	Telephone
	V. CERTIFICATION		
I certify that funding is available		I not cause the employee to e	exceed the
aggregate pay limit allowed by 5	5 CFR 530.202.		
Name/Title	Signature	Date	Telephone
VI. HUN	IAN RESOURCES O	FFICER CERTIFICATION	
Nature of Action	Authority	Amount	Date
Remarks:			
<ul> <li>Member has signed a S</li> </ul>	Service Agreement va	lid through	
<ul> <li>Percentage of Recruitm</li> </ul>	nent Incentive		
<ul> <li>Annual Rate of Basic P</li> </ul>	ay used for Recruitm	nent Incentive amount \$	
\$ x	% x	(mos) = \$	
	VII. STATE REVIEW	CERTIFICATION	
I certify that the information entered on this form is accurate and that the proposed action complies with			
statutory and regulatory requirements.			
HRO/DHRO		Signature	Date
The Adjutant General		Signature	Date
The Adjutant General		Signature	Duio

TMD Form 1035-5

I-3 Appendix I

# TEXAS MILITARY DEPARTMENT RECRUITMENT INCENTIVE SERVICE AGREEMENT

Information to Employee: If you are appointed to a position in the federal government, you may be authorized payment of a recruitment incentive. Title 5 USC 5753 authorizes the payment of this incentive and the collection of the information requested on this form. The information you disclose will be used to determine whether payment of a recruitment incentive may be authorized. The information may also be used a) by a federal, state, or local agency when there is an indication of a violation or potential violation of law; b) by the Office of Personnel Management in carrying out its functions; and c) for other routine uses published in accordance with 5 USC 552a.

NAME (Last, First, MI) POSITION TITLE DUTY STATION			
I hereby understand and agree that:			
I will remain in the position for which this Recruitment Incentive is approved, for a period of months from the date of appointment, unless separated for reasons beyond my control and acceptable to the Texas Military Department.			
2. Payment of this Recruitment Incentive will be <u>paid in bi-weekly installment</u> payments. Method of payment may be modified if it exceeds the Aggregate Limitation on Pay.			
3. I understand my Recruitment Incentive will be terminated if I am demoted or separated for cause (e.g. conduct, unacceptable performance, involuntarily separation, a performance rating lower than "Fully Successful"); or fail to meet any critical elements on my performance standards; or fail to fulfill the terms of the service agreement. In such cases, I may retain any Recruitment Incentive payments attributable to completed service, but must repay any portion of the incentive payment attributable to uncompleted service.			
4. Position Change: The service agreement will be extended for the period the employee was placed in a temporary assignment (detail or temporary promotion not to exceed 120 days) and was not for cause or at their request, upon return to their permanent position.			
5. Non-Pay Status. Recruitment Incentive will be terminated for employee(s) who is placed in an Absent US Status (e.g. AGR, ADOS, and Title 10 Stat Tour). The service agreement will be extended for the period the employee was placed in a "personal" leave without pay status thru an SF52 and for more than 30 days.			
6. If I voluntarily seek and accept non-Federal employment during the period covered by this agreement, I will repay the Texas Military Department as described in paragraph 3 above.			
7. The Adjutant General may terminate the Recruitment Incentive service agreement based on the needs of the agency. In this situation, I am entitled to keep any incentive payments received for service completed.			
SIGNATURE OF EMPLOYEE DATE			
TMD Form 1035-2			
FOR HRO USE ONLY			
Entrance on Duty (EOD): Incentive Amount: \$ Beginning Service Period: End Service Period:			

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TEXAS MILITARY DEPARTMENT RELOCATION INCENTIVE			
C			
1			
2. Unsuccessful previous efforts to recruit candidates for this or similar			
2. Unsuccessful previous efforts to recruit candidates for this or similar positions.  TMD Form 1035-3			

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3. Turnover in this or similar positions.
4. Labor market factors and special qualifications needed for this position.
5. Recent efforts to recruit candidates with similar qualifications and the
availability of qualified candidates in the labor market.
TMD Form 1035-3

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III. NOMINATING SUPERVISOR CERTIFICATION			
I certify that in the absence of a Relocation Incentive, difficulty would be encountered			
in filling this position. I und			ation Incentive
Service Agreement upon a		position.	
Name/Title	Signature	Date	Telephone
IV. COMMANDER	VICE COMMAND	ER/DIRECTOR CERTIF	ICATION
I concur with this request.			
Name/Title	Signature	Date	Telephone
	V. CERTIFICATION	ON OF FUNDS	
I certify that funding is ava	ilable for this actio	n and will not cause the	employee to
exceed the aggregate pay	limit allowed by 5	CFR 530.202.	
Name/Title	Signature	Date	Telephone
VI. HUMAN	RESOURCES O	FFICER CERTIFICATION	)N
Nature of Action	Authority	Amount	Date
	·		
Remarks:			
	La corvica agraca	nent valid through	
_	•	•	
<ul> <li>Percentage of Relocation Incentive</li> <li>Annual Rate of Basic Pay used for Relocation Incentive amount</li> </ul>			
\$			
Ť			
\$	x	% x(	mos) =
	\$	<u> </u>	
VII. STATE REVIEW/CERTIFICATION			
I certify that the information entered on this form is accurate and that the proposed			
action complies with statut	ory and regulatory	1	Γ
HRO/DHRO		Signature	Date
The Adiustant Canaral		Cianatura	Doto
The Adjutant General		Signature	Date

TMD Form 1035-3

# TEXAS MILITARY DEPARTMENT RELOCATION INCENTIVE SERVICE AGREEMENT

Information to Employee: If you are appointed to a position in the federal government, you may be authorized payment of a relocation incentive. Title 5 USC 5753 authorizes the payment of this incentive and the collection of the information requested on this form. The information you disclose will be used to determine whether payment of a relocation incentive may be authorized. The information may also be used a) by a federal, state, or local agency when there is an indication of a violation or potential violation of law; b) by the Office of Personnel Management in carrying out its functions; and c) for other routine uses published in accordance with 5 USC 552a.

NAME (Last, First, MI)	POSITION TITLE	DUTY STATION
I hereby understand and agr	ee that:	
I will remain in the position months from the date of appoint to the Texas Military Department	ntment, unless separated for	entive is approved, for a period of reasons beyond my control and acceptable
established a residence at the	new geographic location. It is	eekly installments only after I have is my responsibility to inform the State HR fit exceeds the Aggregate Limitation on
conduct, unacceptable perform Successful"); or fail to meet an terms of the service agreemen	nance, involuntarily separatio ny critical elements on my per nt. In such cases, I may retain	if I am demoted or separated for cause (e in, a performance rating lower than "Fully formance standards; or fail to fulfill the in any Relocation Incentive payments on of the incentive payment attributable to
	etail or temporary promotion r	ed for the period the employee was placed not to exceed 120 days) and was not for osition.
Absent US Status (e.g. AGR, A	ADOS, and Title 10 Stat Tour	d for an employee (s) who is placed in an r). The service agreement will be extended we without pay status thru an SF52 and for
		t during the period covered by this escribed in paragraph 3 above.
7. The Adjutant General may needs of the agency. In this sit completed.	terminate the Relocation Ince cuation, I am entitled to keep	entive service agreement based on the any incentive payments received for services.
SIGNATURE		DATE
HRO Instructions: Sign and att Incentive must be approved pr		on Incentive request form. A Relocation eographic area.
MD Form 1035-4		g p
	FOR HRO USE OF	
Entrance on Duty (EOD):		e Amount: \$
seamona Service Period.	⊢nd Serv	vice Period.

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TEXAS MILITARY DEPARTMENT RETENTION INCENTIVE				
REQUEST FORM				
I. INDIVIDUAL INFORMATION				
Name (Last, First MI)		SSN	Proposed Effective Date	
Pay Plan-Series- Grade/Step	Position Title	Assigned Organization		
Last Appraisal Rating	Appraisal Date	Duty Station Location		
II. DETERMINA	TION OF THE AMO	OUNT OF RETENTION IN	CENTIVE	
Requested Percentage	Criteria Used to De	etermine Amount of Perce	ntage	
	III. JUSTIF	FICATION		
	following criteria. T	his information may be co	ntinued on	
Describe in detail all of the following criteria. This information may be continued on additional pages.  1. Document the employee's unusually high or unique qualifications. These typically refer to an employee's competencies, such as knowledge, skills, or abilities. Include training, specialized work experience, formal schools, or certifications relative to this request.				
TMD Form 1035-1				

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2. Document the special needs of the organization to retain the services that make retention essential.
3. Document the extent to which the employee's departure (likely to leave) would affect your organization's ability to carry out an activity or mission, or to perform a function.
TMD Form 1035-1

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TMD SOP 1035.01
IV. JUSTIFICATION (CONTINUED)
4. List any additional considerations for authorizing a Retention Incentive for an individual or a group of employees. An agency must consider the following factors to determine whether the qualifications of an individual or group of employees, or a special need of their services, makes it essential to retain the employee, and if the employee(s) is likely to leave Federal service in the absence of a Retention Incentive:
(a) Describe the availability and quality of candidates in the labor market who possess the competencies required for the position, and who could perform the full range of duties and responsibilities of the employee's position, at the level currently being performed, with minimal training, cost, or disruption of service to the public.
(b) The success of recent efforts to recruit qualified candidates and retain employees with competencies similar to those possessed by employees in like positions.
(c) Identify special or unique competencies required for the position.

TMD Form 1035-1 Appendix I I-11

(d) Describe agency efforts to use non-pay authorities to help retain the employee(s) instead of, or in addition to, a Retention Incentive, such as special training and work schedule
flexibilities or improving working conditions.
(e) Describe the desirability of the duties, work or organizational environment, or geographic location of the position.
(f) Describe the extent to which the employee's departure would affect the organization's
ability to carry out an activity, perform a mission, or complete a project essential to its mission.
TMD Form 1035-1

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(h) List other supporting factors
· · · · · · · · · · · · · · · · · · ·
TMD Form 1035-1

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V. NOMINATING SUPERVISOR CERTIFICATION			
I certify that the employee is likely to leave Federal service in the absence of receiving a			
Retention Incentive. The employee has signed a written Service Agreement.			
Name/Title	Signature	Date	Telephone
VI. COMMANDI	ER/VICE COMMAN	DER/DIRECTOR CERTIF	ICATION
I concur with this request.			
Name	Signature	Date	Telephone
	VII. CERTIFICAT	ION OF FUNDS	
I certify that funding is avail			loves to exceed the
aggregate pay limit allowed		•	loyee to exceed the
Name/Title	Signature	Date	Telephone
Name, mas	Oignataro	Date	Тоюрноно
VIII. HUN	MAN RESOURCES	OFFICER CERTIFICATION	N
Nature of Action	Authority	Retention Percentage	Date
		Amount	
Remarks:			
<ul> <li>Retention Incentive</li> </ul>	must be certified or	n the annual anniversary d	ate of payment
(date). Failure to complete recertification will require termination of the Retention Incentive.			
Base Pay x Retention	on Incentive % x Ser	vice Period = Total Incent	ive Amount
\$ x	% v	(mos) = \$	
Ψ ^	/0 X _	(11105) = ψ	<del></del>
VIII. STATE REVIEW/CERTIFICATION			
I certify that the information entered on this form is accurate and that the proposed action			
complies with statutory and regulatory requirements.			
Human Resources Officer		Signature	Date
The Adjutant General		Signature	Date

TMD Form 1035-1

# TEXAS MILITARY DEPARTMENT RETENTION INCENTIVE SERVICE AGREEMENT

Information to Employee: If you are appointed to a position in the federal government, you may be authorized payment of a retention incentive. Title 5 USC 5754 authorizes the payment of this incentive and the collection of the information requested on this form. The information you disclose will be used to determine whether payment of a retention incentive may be authorized. The information may also be used a) by a Federal, state, or local agency when there is an indication of a violation or potential violation of law; b) by the Office of Personnel Management in carrying out its functions; and c) for other routine uses published in accordance with 5 USC 552a.

NAME (Last, First, MI)	POSITION TITLE	DUTY STATION	
I hereby understand and ac্	gree that:		
	e of this agreement, unle	Incentive is approved, for a period ofess separated for reasons beyond my control and	
2. Payment of Retention Incentive will be in bi-weekly installments at the full rate of% of my regular pay. Method of payment may be modified if it exceeds the Aggregate Limitation on Pay.			
3. This incentive will become void if I fail to fulfill the terms of this agreement before the expiration of the agreed service period specified above. Should I fail to fulfil the terms of this agreement, the Human Resources Office will immediately cancel Retention Incentive payments.			
4. If I voluntarily seek and accept non-Federal employment during the period covered by this agreement, I will repay the Texas Military Department as described in paragraph 3 above.			
5. The Adjutant General may terminate the Retention Incentive service agreement based on the needs of the agency. In this situation, I am entitled to keep any incentive payments received for service completed.			
6. Position Change: The service agreement will be extended for the period the employee was placed in a temporary assignment (detail or temporary promotion not to exceed 120 days) and was not for cause or at their request, upon return to their permanent position.			
7. Non-Pay Status. Retention Incentive will be terminated for an employee(s) who is placed in an Absent US Status (e.g. AGR, ADOS, and Title 10 Stat Tour). The service agreement will be extended for the period the employee was placed in a "personal" leave without pay status thru an SF52 and for more than 30 days.			
SIGNATURE OF EMPLOYE	E DAT	 E	
	ttach this form to the Ret	ention Incentive Request Form.	
TMD Form 1035-6 FOR HRO USE ONLY			
ntrance on Duty (EOD): Incentive Amount: \$ eginning Service Period: End Service Period:			
beginning betvice renou End betvice renou			

I-15 Appendix I

#### **TEXAS GUARD** ANNUAL INCENTIVE RECERTIFICATION REQUEST FORM I. INDIVIDUAL INFORMATION Name (Last, First MI) SSN Date of Appointment to **Current Position** Position Title Pay Plan-Series-Assigned PD Number Compatible MOS/AFSC Grade/Step Unit/Organization of Assignment **Duty Station Location II. INCENTIVE RECERTIFICATION** The determination to pay an incentive must be reviewed annually to determine if the original conditions for an

The determination to pay an incentive must be reviewed annually to determine if the original conditions for an incentive still apply, and the continued payment of an incentive is still warranted. As indicated, by the signatures below, the following serves to certify that the original conditions to pay an incentive, at the percentage approved, continue to exist.

- a. The employee is currently assigned to the position cited in the terms of the Service Agreement.
- b. There are no plans, at this time, to move this employee to a different position in the next 12-months.
- c. This Retention Incentive, at the percentage approved, is needed to retain this employee (or group of employees).
  - d. This employee received a "Fully Successful" or higher rating on their last performance appraisal.
  - e. This position will be likely to fill in the absence of an incentive.
  - f. There are sufficient funds to continue to pay this incentive at the percentage approved.

III. SUPERVISOR CERTIFICATION			
Name/Title	Signature	Date	Telephone
	MMANDER/VICE COMMAN	IDER/DIRECTOR CERTI	FICATION
I concur with this request.			
Name/Title	Signature	Date	Telephone
V. CERTIFICATION OF FUNDS			
I certify that funding is ava	ilable for this action and will i	not cause the employee to	o exceed the aggregate pay
limit allowed by 5 CFR 530	0.202.		
Name/Title	Signature	Date	Telephone
VI. STATE REVIEW/CERTIFICATION			
I certify that the information entered on this form is accurate and that the proposed action complies with			
statutory and regulatory requirements.			
HRO/DHRO		Signature	Date
The Adjutant General		Signature	Date
,			

**TMD Form 1035-7** 

#### APPENDIX J

#### REFERENCES

#### PART 1. Required Publications

Title 10 United States Code, Chapter 1011, Section 10503

Title 5 United States Code, Chapter 57 Subchapter IV, Sections 3394 and 5312-5317

Title 5 United States Code Parts 231 and 575

Title 32 United States Code, Section 709

Title 5, Code of Federal Regulations, Part 575

DoD Directive 1400.25, "DoD Civilian Personnel Management System", November 25, 1996

DoD 7000.14-R, Volume 8, "Civilian Pay Policy and Procedures", October1999

DoD Instruction 1340.23, "Waiver Procedures for Debts Resulting from Erroneous Pay and Allowances", February 14, 2006

CNGB Instruction 1400.25, "Technician Personnel Policy", 03 June 2016

#### Part II. Related Publications

NGB-HRC (690-300) Memorandum, "Decentralization of Personnel Authorities", 21 June 1995

NG-J1-TN Memorandum, "Recruitment, Relocation, and Retention Incentives", 29 April 2016

#### Part III. Prescribed Forms

Recruitment Incentive Request Form and Service Agreement Relocation Incentive Request Form and Service Agreement Retention Incentive Request Form and Service Agreement Annual Incentive Recertification Request Form

#### APPENDIX K

#### **GLOSSARY**

#### PART I. ABBREVIATIONS AND ACRONYMS

Absent-US Absent-Uniformed Service

ADOS Active Duty Operational Support

AGR Active Guard Reserve
ANG Air National Guard
ARNG Army National Guard

CFR Code of Federal Regulations
CNGB Chief, National Guard Bureau

DoD Department of Defense

DoDD Department of Defense Directive

DoDFMR Department of Defense Financial Management Regulation

DoDI Department of Defense Instruction

e.g. For example

FWS Federal Wage System
GS General Schedule

HRO Human Resources Officer

LWOP Leave Without Pay NDS Non-Dual Status

NGB National Guard Bureau

NG-J1 National Guard Bureau Director, Manpower and Personnel NG-J1-TN National Guard Bureau Office of Technician Personnel

NLT No Later Than

OPM Office of Personnel Management

QSI Quality Step Increase
TAG The Adjutant General
U.S.C. United States Code

VCNGB Vice Chief, National Guard Bureau

#### PART II. DEFINITIONS

Annual Recertification Date – The 12-month anniversary/effective date of payment of a Retention Incentive.

Competencies -- The knowledge, skills, abilities, behaviors, and other characteristics an employee needs to perform the duties of a given position.

Debt Collection Process -- Incentive payments, made for periods of time that are not completed in accordance with the employee's written Service Agreement, are overpayments and are subject to the debt collection process outlined in DoD 7000.14-R.

Group Retention Incentive -- A monetary incentive offered to a group of employees assigned to positions in the same occupational series, grade level, geographic location, to retain their services in their current positions in the State National Guard.

Local Commuting Area -- A 50-mile or more radius of the employee's current position/location of employment.

Newly Appointed Employee -- The first appointment, regardless of tenure, as a fulltime employee of the Texas Military Department; the appointment of a former employee following a 90-day break in service; or the appointment of an employee on a time-limited, competitive or excepted service appointment, in the preceding 90-days.

Recruitment Incentive -- A monetary incentive offered to an employee, or group of employees, newly appointed to a position in the Texas Military Department that is difficult to fill in the absence of an incentive.

Relocation Incentive -- A monetary incentive offered to an assigned employee who must relocate, without a break in service, to accept a position in the Texas Military Department, that is difficult to fill in the absence of an incentive and is in a different commuting area.

Retention Incentive -- A monetary incentive offered to an employee, or group of employees, to retain their services in their current position in the Texas Military Department.

Rate of Basic Pay -- Rate of pay fixed by law or administrative action for the position to which an employee is, or will be, appointed; to include any special rates and locality pay.

Service Agreement -- A written agreement between the Texas Military Department and the employee under which the employee agrees to a specified period of employment, of not less than 6 months and no more than 4 years, in return for payment of an incentive.

State National Guard -- For the purposes of this Instruction, this reference is inclusive to National Guard States, Territories, and the District of Columbia.