DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2019–OS–0128]

Science and Technology Reinvention Laboratory (STRL) Personnel Management Demonstration Project in the Joint Warfare Analysis Center (JWAC) of the United States Strategic Command (USSTRATCOM)

AGENCY: Under Secretary of Defense for Research and Engineering (USD(R&E)), Department of Defense (DoD).

ACTION: Personnel demonstration project notice.

SUMMARY: This **Federal Register** Notice (FRN) serves as notice of the adoption of an existing STRL Personnel Demonstration Project by the Joint Warfare Analysis Center (JWAC), United States Strategic Command (USSTRATCOM). JWAC adopts, with some modifications, the STRL Personnel Demonstration Project implemented at the Air Force Research Laboratory (AFRL).

DATES: Implementation of this demonstration project will begin no earlier than May 15, 2020.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION: Section 342(b) of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 1995, Public Law (Pub. L.) 103–337; as amended, authorizes the Secretary of Defense (SECDEF), through the USD(R&E), to conduct personnel demonstration projects at DoD laboratories designated as STRLs.

1. Background

Many studies conducted since 1966 on the quality of the laboratories and personnel have recommended improvements in civilian personnel policy, organization, and management. Pursuant to the authority provided in section 342(b) of Public Law 103–337, as amended, a number of DoD STRL personnel demonstration projects have been approved. The demonstration projects are ''generally similar in nature'' to the Department of Navy's China Lake Personnel Demonstration Project. The terminology, ''generally similar in nature,'' does not imply an emulation of various features, but rather implies a similar opportunity and authority to develop personnel flexibilities that significantly increase the decision authority of laboratory commanders and/or directors.

2. Overview

DoD published notice on November 21, 2019 in 84 FR 64283 that JWAC will adopt, with some modifications, the STRL personnel demonstration project published in 75 FR 53076, August 30, 2010, and implemented in the AFRL. Section 1105(b) of the NDAA for FY 2010, as amended by section 1104 of the NDAA for FY 2018, Public Law 115–91 authorizes JWAC in the USSTRACOM to implement an STRL personnel demonstration project.

Adoption of the AFRL's personnel demonstration project, with modifications, will enable JWAC to achieve the best workforce for its mission, adjust the workforce for change, improve workforce quality, and allow JWAC to acquire and retain an enthusiastic, innovative, and highly educated and trained workforce, particularly scientific and engineering professionals. Implementation of the JWAC personnel demonstration project (JWAC–DP) is essential for competitive hiring and retention of a highly qualified workforce.

3. Access to Flexibilities of Other STRLs

Flexibilities published in this FRN will be available for use by the STRLs enumerated in section 1105 of the NDAA for FY 2010, Public Law 111–84 as amended, if they wish to adopt them in accordance with DoD Instruction 1400.37 (and its successor instructions) and after the fulfillment of any collective bargaining obligations.

4. Summary of Comments

Sixteen comments were received electronically via the Federal eRulemaking Portal regarding the Science and Technology Reinvention Laboratory (STRL) Personnel Management Demonstration Project in the Joint Warfare Analysis Center (JWAC) of the United States Strategic Command (USSTRATCOM), **Federal Register**, 84 FR 64283, dated November 21, 2019. Of the 16 comments received, 4 were not relevant to this document and are not addressed. The remaining comments by topical area and a response to each are provided below

(1) Problems With the Present Systems

Comment: A commenter expressed concern about how this project will enable JWAC to compete with the private sector and other government agencies for the best talent and be able to make job offers in a timely manner with the appropriate monetary compensation and incentives, while not penalizing current employees.

Response: JWAC–DP flexibilities, such as broadbanding, flexible pay setting and direct hire authorities, will aid in attracting the highly sought after talent. The broadbanding structure and flexible pay setting authorities will enable management to offer more competitive starting salaries and broader pay ranges. The direct hire authorities will allow JWAC to target specific occupations and recruiting events and provide a more streamlined hiring experience for candidates. Nevertheless, pay setting actions will continue to be constrained by the JWAC civilian pay budget, which is not to be confused with the pay pool budget applicable to Contribution-based Compensation System (CCS) actions. Current employee salaries are an established part of the civilian pay budget and civilian pay funds will not be reallocated to disadvantage current employees. Rather, contribution-based pay parity is achieved through the CCS assessment process.

(2) Personnel Policy Board

Comment: A commenter asked a series of questions relating to section II. F. (Personnel Policy Board): ''How does the PPB ensure accountability? Is this information shared with all employees to help ensure accountability? If not, why? If this is done behind closed doors then what true accountability is there? Pay secrecy helps make it easier for management to be less accountable for their decision. Management may want to keep in mind that many civil servant salaries are actually published online for the entire world to see—with names. If that is appropriate then is it 100% appropriate for fellow employees within JWAC to have at a minimum a full picture of what awards were given out. I am not suggesting to include names, but the monetary information should be visible to all.''

Response: The Personnel Policy Board (PPB) ensures reasonable transparency and appropriate accountability by publishing information such as the annual compensation strategy, to include pay pool funding decisions, pay pool process guidance, an aggregate rollup of CCS results, and any changes to the JWAC–DP policies. The responsibilities of the PPB will be detailed in the JWAC internal operating procedures (IOPs), which will be available to all employees. Additionally the PPB will review the results of the

evaluation described in Section VII and will publish its conclusions.

(3) Pay Setting

Comment: A commenter asked whether there would be service obligation periods for employees receiving a bonus (*e.g.,* recruitment, retention, or relocation) to prevent employee attempts to ''game'' the system by taking a bonus and then leaving immediately.

Response: Use of these pay setting flexibilities will be governed by internal JWAC IOPs which will require a continued service agreement for such bonuses.

Comment: A commenter asked a series of questions about the ''demo bonus'' available to employees converting into or hired into JWAC–DP: ''Where does this money come from? If it is from the general pot of money how does offering bonuses to new employees not penalize existing employees as money would be taken out of the pot of money being divided for yearly payouts? Under pay setting ''demo bonus'': Why is the limitation on the bonuses allowed with the total compensation not to exceed Level 1 of the Executive schedule? That appears to mean that the bonus could potentially be between 76,941 and 198,958! These potential bonuses seem excessive as well as seem like an excessive amount of leeway being given to management. While someone being given almost a 200K sign on bonus seems implausible, why is it even a granted option? Wouldn't this be better written as a ''demo bonus'' up to X-thousand dollars can be given, where total compensation for the year does not exceed Level 1 of the Executive Schedule? On the flip side to retain a highly preforming employee with an 'alternative employment opportunity' that employee can only be offered a bonus up to 50% of one year of base pay. This means a maximum of 68,329.50. (This authority in itself seem excessive!) So in order to retain a proven worker JWAC is authorized to give a bonus smaller than the bonus authority authorized to get a new-unproven employee? Where does all this money come from, and how does awarding these bonuses not affect the pay of other employees?''

Response: While the flexible pay setting authority is meant to help the JWAC compete with private industry for high quality candidates, pay setting actions will continue to be constrained by the JWAC civilian pay budget which does not reallocate funds to disadvantage existing employees. Moreover, JWAC–DP will continue to apply the aggregate pay limitations in section 5307 of Title 5, United States Code (U.S.C.) and part 503, subpart B of title 5 of the Code of Federal Regulations (CFR). Under these provisions, an employee's total monetary compensation (to include base pay and bonuses) may not exceed the basic rate of pay in level I of the Executive Schedule ($219,200 for calendar year 2020). To recruit top talent, management is otherwise afforded significant flexibility to develop a compensation package, to include annual pay and bonus, based on the employee's academic qualifications, competencies, experience and anticipated contributions.

Comment: A commenter asked what limits are placed on how much students returning to duty at JWAC can be paid incentives/bonuses?

Response: The PPB will determine the use and the financial limits of this incentive. The initial incentive payment may be based on anticipated expenses, or a portion thereof. Documentation, to include receipts of actual expenses, must be provided by the student to validate initial incentive payment and support potential future payments. Actual expenses may include airline tickets, rental car, van rental, driving cost from each location, and lodging. Management has the discretion to determine the appropriate incentive amount, which may or may not cover all expenses. Payments may be made incrementally (*e.g.,* monthly, quarterly). This authority is not intended to pay moving expenses in conjunction with permanent appointment action.

(4) CCS

Comment: A commenter expressed concerns with the use of the word ''perceived'' in relation to employee accomplishments.

Response: The word has been removed.

Comment: A commenter asked a series of questions about application of the General Pay Increase (GPI) to pay calculations: ''Are the rails moved FIRST and then it is determined if someone falls within the rails or above or below? Or is the location determination made first and then the rail moved? What happens if (when) a late or even retroactive basic pay rate increase occurs? All this could affect if someone gets the basic rate increase or not. (Ex: someone was just above the rail so they would not automatically get any late general basic pay rate).''

Response: Rail position is based on the current year's pay. Retroactive changes to the General Pay Increase (GPI) do not affect pay calculations, but only affect the amount of the GPI payout. Once the retroactive increase is approved and ready to be processed, revised pay transactions are sent through the personnel and pay systems to update pay. The current STRL demonstration projects followed this process with the retroactive change in GPI for 2019.

Comment: A commenter asked what concrete steps have been taken to ensure that compensation bias does not affect the outcomes of this program.

Response: The question does not identify the the bias of concern. The Office of Personnel Management (OPM) reviewed how various demographics have fared under the STRL personnel demonstration projects and found the STRL results to be similar to GS employees. The Meetings of Managers process used in this compensation system helps to alleviate bias by using a group of managers who have been provided objective criteria to make compensation decisions. Additionally, the PPB will review and analyze annual CCS and evaluation results, and make overall policy changes as needed.

Comment: A commenter made the following observations about opportunities for employees to increase contribution levels in order to receive pay increases: ''As this system is so dependent on 'contribution' what concrete steps are being taken to ensure that ALL employees are given equal opportunity to contribute in a significant way? In other words what does management do to ensure that every year, every employee has the opportunity to advance and be rewarded equally? This cannot be left up to the employee. Perhaps the employee is doing a valid job that takes 100% of their time, but it is not an appreciated job. Employees are not aware of all the opportunities that are available, so they can't ask for an opportunity. And, of course they don't control what they are given, even if they asked for new opportunities. As an example: Say my given job was to empty the trash. It takes all day and I don't have time to do anything else. No one else is willing to do this job. People don't seem to appreciate the contribution I make when the trash is emptied, but there will certainly be criticism if the job is NOT done. Thus we don't give credit for a good job being done which is a required (and very important) job. In other words the true contribution is not acknowledged except in the negative. If this job is going to continue to be discounted then what opportunity will I be given to learn and practice a new skill which makes a greater 'contribution'? Or as a flip side, what steps will be taken to ensure that when

management rates me, my 'contribution' is truly appropriately acknowledged? The multiple level evaluations do not seem to alleviate this issue. How is the actual opportunities the employee was given taken into account? If they are, how will management ensure that the general population actually believes this is true? How will management prove it to the general worker? Bottom line: If an employee is not given an opportunity to 'contribute' in a significant way how is the salary/award outcome fair and equal in this system?''

Response: The employee and the supervisor must work together to ensure that assigned duties and tasks contribute to the mission. Both the employee and the supervisor should be able to articulate the relevance and the impact of the work. An employee's expected contribution is determined by the current level of base pay and the duties of the job as defined in the Statement of Duties and Experience. As long as the employee contributes at the level of the current level of pay, the employee will receive the GPI each year. To receive more than the GPI, the employee must contribute at a higher level. For example, this may involve expanding the duties of the job or performing the duties in a manner that is more efficient. However, when additional contribution opportunities for a certain level of pay or occupation become limited, an employee may need to pursue a higher level position in order to obtain greater compensation opportunities.

(5) JWAC–DP Training

Comment: A commenter questioned whether the JWAC–DP Training provided during transition will lead to program commitment on the part of the participants.

Response: Training is a key component of JWAC preparation for a smooth transition. Training is expected to increase the rate of change management success, encourage belonging, provide clarity and understanding, and promote employee engagement. This section has been revised to better convey JWAC's intent to provide workforce training in order to ease employee concerns about moving to a new system.

(6) Evaluation Plan

Comment: A commenter asked whether an evaluation has been conducted for the existing STRL programs to ensure that there is no detriment to employees' pay and bonuses based on sex, race, or any other protected class and, if so, where the evaluation results are published.

Response: Evaluations conducted by various public and private organizations over the last 40 years are maintained by those organizations. The Office of Personnel Management (OPM) published evaluation reports in the early years of the STRL demonstration projects but no longer does, Each STRL is responsible for conducting and maintaining their own evaluations. JWAC will be required to do the same, as outlined in the FRN.

(7) Terminology Clarification

Comment: A commenter questioned the use of the gender pronouns ''his'' and ''her'' because some may believe that they exclude non-binary employees.

Response: Although use of such pronouns is not objectionable, they are not necessary for the purposes of this FRN and have been removed.

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I. Executive Summary

JWAC is a global warfighting organization and a subordinate organization of the USSTRATCOM. JWAC provides targeting analysis to combatant commands, Joint Staff, and other customers including effects-based, precision targeting options for selected networks and nodes in order to carry out the national security and military strategies of the U.S. during peace, crisis, and war. In order to enable military forces to rapidly achieve U.S. national security objectives, JWAC relies on the analysis of a variety of engineering, scientific, intelligence, and social science disciplines. The analytical and research teams apply social and physical science techniques and engineering expertise to provide quick-turn-around solutions to support the warfighter. Further, JWAC conducts research and development of new methodologies and technologies to advance technical analysis of critical networks and provide more targeting options against emerging threats.

JWAC must be able to acquire and retain an enthusiastic, innovative, and highly educated and trained workforce, particularly scientists and engineers, and must have in place a system that fosters their development, enhances their contribution and experience, and provides a strong retention incentive.

II. Introduction

A. Purpose

The purpose of JWAC—DP is to demonstrate that the effectiveness of DoD laboratories can be enhanced by allowing greater managerial control over personnel functions and, at the same time, expanding the opportunities available to employees through a more responsive and flexible personnel system. JWAC—DP will provide managers, at the lowest practical level, the authority, control, and flexibility needed to achieve a quality laboratory and quality products.

B. Problems With the Present System

1. JWAC has a proven history of providing the warfighter with targeting recommendations that break free from attrition warfare and focus on striking the enemy at the point that produces the greatest advantage for friendly forces. It has the ability to provide recommendations that can prevent war and, if necessary, help our nation win in time of conflict. To achieve its mission, JWAC must acquire and retain an enthusiastic, innovative, and highly educated and trained workforce, particularly scientific and engineering professionals.

2. The Civil Service General Schedule (GS) personnel system has several major inefficiencies that hinder management's ability to recruit and retain the best-qualified personnel. Line managers have only limited authority to manage personnel resources, and existing personnel regulations are often in conflict with management's ability to support JWAC's mission. Current personnel action processes and

procedures cause delays in recruiting, reassigning, promoting, and removing employees.

3. The GS classification system rigidly defines types of work by occupational series and grade, with very precise qualifications for each job which are then classified by complex classification standards, causing lengthy hiring delays, and limiting the manager's ability to offer competitive compensation. This system does not easily or quickly respond to changes in the work based on mission requirements. One of the JWAC—DP's goals is to support simplified classification processes that can be accomplished quickly and efficiently at the lowest level of management.

4. JWAC must be able to compete with the private sector and other government agencies for the best talent and be able to make job offers in a timely manner with the appropriate monetary compensation and incentives to attract high quality employees. JWAC must successfully compete for high quality scientists and engineers locally with Naval Surface Warfare Center (NSWC) Dahlgren Division, an established STRL, and the public and private sector across the National Capital Region. Today, other STRLs can make an employment offer, at a much higher salary, to a promising candidate before JWAC can prepare the paperwork necessary to begin the recruitment process.

C. Expected Benefits

1. This project is expected to demonstrate that a human resources system tailored to the mission and needs of JWAC will result in:

a. Increased quality in the total workforce and the products they produce;

b. increased timeliness of key personnel processes;

c. increased retention of high contributing employees;

d. increased employee satisfaction with the laboratory; and

e. improved procedures for effectively and efficiently dealing with poor contributors.

2. The JWAC–DP builds on the successful features of existing demonstration projects, including the AFRL's. For the JWAC–DP to achieve the same results it must enable and enhance:

a. The ability to attract highly qualified scientific, technical, business, and support employees in today's competitive environment;

b. the ability to select personnel and make job offers in a timely and efficient manner, with the competitive compensation that attracts high-quality, in-demand employees;

c. employee satisfaction with pay setting and adjustment, recognition, and career advancement opportunities;

d. human resources (HR) flexibilities needed to staff, shape, and adjust to evolving requirements associated with sustaining a quality workforce for the future; and

e. retention of high-level contributors.

3. To effectively meet the above expectations, the JWAC–DP has identified and established in this notice those features and flexibilities that provide the mechanisms to achieve its objectives. Those features and flexibilities alone, however, will not ensure success. The nature of the JWAC–DP and its ambitious workforce goals will require HR support at an enhanced level. A traditional process-oriented and reactive construct will serve neither the mission nor the management needs of the organization. The JWAC–DP's emphases include its streamlined hiring, a sophisticated contribution-based compensation system, talent acquisition/retention, and professional human capital planning and execution. Accordingly, successful execution of that vision includes an HR service delivery model that is highly proactive, expertly skilled in analytical tools, and fully capable of engaging as a strategic partner and trusted agent of a modern multi-faceted organization.

D. Participating Employees

1. The JWAC–DP will cover civilian appropriated fund employees in the competitive and excepted service, unless otherwise excluded. Personnel added to the laboratory after implementation either through appointment, conversion, promotion, reassignment, change to a lower grade, or where their functions and positions have been transferred into the laboratory will be converted to the demonstration project.

2. Senior Executive Service (SES) members, Defense Civilian Intelligence Personnel System (DCIPS, pay plan GG) positions, and Department of Air Force (DAF) centrally funded interns and recent graduates appointed under the Pathways Program are not covered in the demonstration project.

3. DAF centrally funded interns and recent graduates will convert to the JWAC—DP once they have successfully completed a formal development program and converted to a competitive position in JWAC. Performance appraisals will be conducted using the Defense Performance Management and Appraisal Program (DPMAP) until such employees are converted to the JWAC—DP.

E. Project Design

The JWAC–DP was designed and led by a cross-functional team comprised of the Director or Deputy Director and other senior leaders representing each JWAC directorate. The design team was augmented and supported by volunteers from across JWAC to support the iterative development, assessment and evaluation of all of the elements of the JWAC–DP design. The team composition represented all career fields and utilized their vast experience in the current systems and authorities as well as previous DoD personnel management systems. The design team reviewed and considered all existing STRL designs through detailed reviews of the published FRNs, exchanges with other STRL program managers, and organizational site visits to leverage the experience and lessons-learned of existing, mature STRL designs. The JWAC design team relied heavily on subject-matter-expertise that has been supporting the AFRL demonstration project's design and revisions, as well as demonstration projects that have been utilized at other STRLs, some for over 20 years. The JWAC–DP design is grounded in the AFRL demonstration project's design, and takes advantage of authorities and design elements from other DoD laboratories and personnel systems applicable to JWAC. The JWAC–DP design team utilized an iterative approach of reviews and a series of mock activities to develop, test, and exercise the JWAC–DP design proposal, including a JWAC-wide workforce critique of the draft FRN. The design is focused on recruiting and hiring authorities and flexibility as well as a contribution-based compensation system. This FRN adopts hiring authorities currently utilized by other DoD STRL Personnel Demonstration Projects.

F. Personnel Policy Board

JWAC has created a Personnel Policy Board (PPB) to oversee and monitor the fair, equitable, and consistent implementation of the provisions of the demonstration project to include establishing internal controls and accountability. The PPB Chairperson and members of the board are senior JWAC managers appointed by the JWAC Commander and documented in internal operating procedures (IOPs). The PPB Chairperson serves as the pay pool manager and must report directly to the JWAC Commander. Ad hoc members can be assigned at the discretion of the JWAC Commander to

provide subject matter expertise or to advise the PPB. The establishment of this Board shall not affect the authority of any management official in the exercise of their management rights set forth in 5 U.S.C. 7106(b)(1). The PPB is tasked with the following:

1. Formulating and managing the civilian pay pool budget;
2. Determining the composition of the pay pool in accordance with the guidelines of this proposal and internal procedures;
3. Reviewing operation of JWAC's pay pool process;
4. Providing guidance to the pay pool process;
5. Reviewing seamless broadband level movements;
6. Reviewing Accelerated Compensation for Developmental Position (ACDP) increases;
7. Monitoring award pool distribution by organization or any other special categorization;
8. Assessing the need for and making changes to the JWAC–DP policies when needed to further define specific flexibilities to ensure standard application across the organizational units;
9. Ensuring all budget decisions are in alignment with funding sponsor's fiscal guidelines and boundaries; and
10. Ensuring that all employees are treated in a fair and equitable manner in accordance with all policies, regulations, and guidelines covering this demonstration project.

III. Personnel System Changes

A. Hiring and Appointment Authorities

1. Description of Hiring Process

JWAC is implementing a streamlined examining process as demonstrated in other STRLs. This applies to all covered positions in JWAC, with the exception of Senior Executive Service (SES) and DAF centrally funded interns and students. This process includes coordination of recruitment and public notices, the administration of the examining process, the certification of candidates, and selection and appointment consistent with merit system principles, to include existing authorities under title 5 U.S.C. and title 5 of the CFR. The ''rule of three'' is eliminated, similar to the authorities granted to AFRL in 75 FR 53076, August 30, 2010. When there are no more than 15 qualified applicants and no preference eligible applicants, all qualified applicants are immediately referred to the selecting official without rating and ranking. Rating and ranking are required only when the number of qualified candidates exceeds 15 or there is a mix of preference eligible and non-preference eligible applicants. Statutes and regulations covering veterans' preference are observed in the selection process and when rating and ranking are required.

The JWAC Commander is delegated authority, with respect to a JWAC employee, to administer the oath of office required by 5 U.S.C. 3331, incident to entrance into the executive branch or any other oath required by law in connection with employment in the executive branch.

2. Direct Hiring Authorities

The JWAC–DP will use the direct-hire authorities authorized by section 1108 of the NDAA for FY 2009 as amended by section 1103 of the NDAA FY 2012 and in 10 U.S.C. 2358a to non-competitively appoint the following:

a. Candidates with advanced degrees to scientific and engineering positions;
b. Candidates with bachelor's degrees to scientific and engineering positions;
c. Veteran candidates to scientific, technical, engineering, and mathematics positions (STEM), including technicians; and
d. Student candidates enrolled in a program of instruction leading to a bachelors or advanced degree in a STEM discipline.

3. Distinguished Scholastic Achievement Authority (DSAA): The JWAC–DP will use the Distinguished Scholastic Achievement Authority (DSAA) to non-competitively appoint candidates possessing a bachelor's degree or higher to Science and Engineering positions, Business Management and Professional positions or Technician positions, up to the equivalent of GS–12 (DR–II or DO–II). Candidates may be appointed using this authority provided all of the following conditions are met: the candidate meets the minimum standards for the position as published in OPM's operating manual, ''Qualification Standards for General Schedule Positions,'' plus any selective factors stated in the vacancy announcement; the occupation has a positive education requirement; and the candidate has a cumulative grade point average of 3.5 or better (on a 4.0 scale) in those courses in those field's of study that are specified in the Qualifications Standards for the occupational series.

Veterans' preference procedures will apply when selecting candidates under this authority. Preference eligible candidates who meet the above criteria will be considered ahead of non-preference eligible candidates. In making selections, to pass over any preference eligible candidate(s) to select a non-preference eligible candidate requires approval under applicable DA pass-over or objection procedures. Distinguished Scholastic Achievement Appointments will enable JWAC to respond quickly to hiring needs for eminently qualified candidates possessing distinguished scholastic achievements.

4. Flexible Length and Renewable Term Technical Appointments (Flexible Term Appointment): Non-permanent positions (exceeding one year) needed to meet fluctuating or uncertain workload requirements may be competitively filled using the Flexible Length and Renewable Term Technical Appointment Authority, authorized in section 1109 of NDAA FY16, Section 1109, as amended by section 1112 of NDAA FY19 and described 82 FR 43339, 43340, or the Contingent Employee Appointment Authority authorized in 62 FR 34876, 34899.

Employees hired for more than one year, under the Contingent Employee Appointment Authority (CEAA), are given modified term appointments in the competitive service for up to five years. The JWAC Commander is authorized to extend a contingent appointment for up to one additional year.

Using the Flexible Length and Renewable Term Technical Appointment Authority (FLRTTA), a modified term scientific or technical position may be filled for any period of more than one year but not more than six years, and may be extended in up to six year increments at any time.

Employees hired under these appointment authorities may be eligible for conversion to career appointments. To be converted from CEAA or FLRTTA, the employee must (a) have been selected for the term position under an announcement or public notice specifically stating that the individual(s) selected for the term position(s) may be eligible for conversion to career-conditional appointment at a later date without further competition; (b) served two years of substantially continuous service in a term position; and (c) have a current rating of acceptable or better.

Employees serving under term appointments at the time of conversion to the STRL Demonstration Project will be converted to new term contingent employee appointments. Time served in term positions prior to conversion to the contingent employee appointment is creditable to the requirement for two years of continuous service stated above, provided the service was continuous.

5. Reemployed Annuitants and Voluntary Early Retirement Authority

and Voluntary Separation Incentive Payment: The JWAC Commander may appoint reemployed annuitants and/or offer Voluntary Early Retirement Authority (VERA)/Voluntary Separation Incentive Payment (VSIP) packages as described in 82 FR 43339, September 15, 2017, to shape the mix of technical skills and expertise in the workforce.

6. Probationary Period. The probationary period will be three years for all newly hired employees, including individuals entering the JWAC–DP after a break in service of 30 calendar days or more. Employees who enter the JWAC–DP with a break in service of less than 30 calendar days are not required to complete an extended probationary period if their previous service was in the same line of work as determined by the employee's actual duties and responsibilities upon reappointment. Current permanent Federal employees hired into the JWAC–DP are not required to serve a new probationary period. Any employee appointed prior to the date of this FRN will not be affected.

Employees on non-status appointments (appointments that are time-limited or nonpermanent and from which employees do not acquire competitive status) will be subject to the probationary period required by their appointing authority. Upon conversion from a non-status appointment to a competitive service appointment, employees will be required to serve a three-year probationary period. However, employees serving on a Flexible Length and Renewable Term Technical Appointment will serve a three-year trial period (in accordance with (IAW) 5 CFR 316.304 except that rather than a one-year trial period, it is a three-year trial period). Upon conversion to competitive service, any periods of employment served during a non-status appointment or a flexible term appointment will be counted toward the completion of the extended probationary period.

All other features of the current probationary period are retained, including the potential to remove an employee without providing the full substantive and procedural rights afforded a non-probationary employee. Probationary employees will be terminated if an employee fails to demonstrate proper conduct, technical competency, and/or adequate contribution for continued employment. When the JWAC Commander or designee decides to terminate an employee serving a probationary period because their work performance or conduct during this period fails to demonstrate fitness or qualifications for continued employment, the employee will be provided written notification of the reasons for separation and the effective date of the action. The information in the notice as to why the employee is being terminated will, as a minimum, consist of the manager's conclusions as to the inadequacies of their performance or conduct.

Supervisory probationary periods will be made consistent with 5 CFR 315.901. Employees that have successfully completed the initial probationary period will be required to complete an additional one year probationary period for the initial appointment to a supervisory position. If, during the supervisory probationary period, the decision is made to return the employee to a nonsupervisory position for reasons solely related to supervisory performance, the employee will be returned to a comparable position of no lower payband and pay than the position from which promoted.

7. Qualification Determinations: A candidate's basic eligibility will be determined using OPM's ''Qualification Standards Handbook for General Schedule Positions.'' Selective placement factors may be established in accordance with OPM's Qualification Handbook when determined to be critical to successful position contribution. These factors are communicated to all candidates for particular position vacancies and must be met for basic eligibility.

a. Science and Engineering (S&E) (Pay Plan DR) Career Path: This career path includes technical professional positions, such as engineers, physicists, chemists, metallurgists, mathematicians, operations research analysts, and computer scientists. Additional occupational series may be added in the future. Employees in these positions require specific course work or educational degrees. Five broadband levels have been established for the S&E career path:

- Band level I minimum eligibility requirements are consistent with the GS–07 qualifications.
- Band level II minimum eligibility requirements are consistent with the GS–12 qualifications.
- Band level III minimum eligibility requirements are consistent with the GS–14 qualifications.
- Band level IV minimum eligibility requirements are consistent with the GS–15 qualifications.
- Band level V minimum eligibility requirements are above the GS–15 qualifications. This band is limited to senior scientific technical manager (SSTM) positions, the primary functions of which are to engage in research and development in the physical, biological, medical or engineering sciences or another field closely related to the mission of the JWAC; and to carry out technical supervisory responsibilities. The number of such positions shall not exceed two percent of the number of scientists and engineers employed at JWAC.

b. Business Management and Professional (Pay Plan DO) Career Path: This career path supports the S&E mission, and includes specialized positions such as finance, acquisition, human resources, IT services, and administrative specialists. Employees may or may not be required to have specific course work or degrees to qualify for these positions. Four broadband levels have been established for the Business Management and Professional career path:

- Band level I minimum eligibility requirements are consistent with the GS–07 qualifications.
- Band level II minimum eligibility requirements are consistent with the GS–12 qualifications.
- Band level III minimum eligibility requirements are consistent with the GS–14 qualifications.
- Band level IV minimum eligibility requirements are consistent with the GS–15 qualifications.

c. Technician (Pay Plan DX) Career Path: This career path is associated with and supportive of a professional field and may involve substantial elements of the work of the professional field, but requires less than full knowledge of the field involved. It includes positions such as Engineering Technician and Electronics Technician. Employees in these positions may or may not require specific course work or educational degrees. Four broadband levels have been established for the Technician career path:

- Band level I minimum eligibility requirements are consistent with the GS–01 qualifications.
- Band level II minimum eligibility requirements are consistent with the GS–05 qualifications.
- Band level III minimum eligibility requirements are consistent with the GS–08 qualifications.
- Band level IV minimum eligibility requirements are consistent with the GS–11 qualifications.

d. Mission Support (Pay Plan DU) Career Path: This career path includes positions for which specific course work or educational degrees are not required. This career path includes clerical work, that usually involves the processing and maintaining of records, as well as assistant work, that requires knowledge of methods and procedures within a

specific administrative area. Examples of positions within this career path include secretaries, office automation clerks, and budget/program/computer assistants.

- Band level I minimum eligibility requirements are consistent with the GS–01 qualifications.
- Band level II minimum eligibility requirements are consistent with the GS–05 qualifications.
- Band level III minimum eligibility requirements are consistent with the GS–07 qualifications.
- Band level IV minimum eligibility requirements are consistent with the GS–09 qualifications.

8. Temporary Promotions and Details: JWAC may detail its employees to higher broadband level positions and temporarily promote employees for up to one year within a 24-month period, with or without competition, and may extend such detail or promotion by one additional year, similar to the authority adopted by the AFRL in 75 FR 53076, August 30, 2010.

B. Pay Setting

1. Management has authority to establish appropriate basic pay for employees converting into or hired by the JWAC—DP. The basic pay of newly hired personnel will be at a level consistent with the expected contribution of the position. The expected contribution is based on the employee's academic qualifications, competencies, and experience, as well as the position's scope and level of difficulty. Except for Senior Scientific Technical Manager (SSTM) positions, basic pay is limited to an amount equal to GS–15, step 10 pay. A demo bonus (a lump sum payment made to an employee) may be provided to employees converting into or hired by the JWAC–DP. An employee's total monetary compensation paid in a calendar year may not exceed the basic rate of pay paid in level I of the Executive Schedule consistent with 5 U.S.C. 5307 and 5 CFR part 530, subpart B. Further details will be published in the IOP.

2. The JWAC Commander is authorized to approve retention, recruitment, and relocation incentives. Unless specifically amended by this notice, the eligibility and documentation requirements in 5 CFR part 575 remain in effect.

3. The JWAC Commander may offer a retention counteroffer to retain high performing employees with critical scientific or technical skills who present evidence of an alternative employment opportunity with higher compensation. Such employees may be provided increased base pay (up to the ceiling of the pay band) and/or a one-time cash payment that does not exceed 50 percent of one year of base pay. Retention counteroffers, either in the form of a base pay increase or a bonus, count toward the aggregate limitation on pay consistent with 5 U.S.C. 5307 and 5 CFR part 530, subpart B. Further details will be published in the IOP.

4. Student recruitment is currently limited to the local commuting area because college students often cannot afford to temporarily relocate to the Dahlgren area while enrolled at schools outside of the local commuting area. To expand recruitment to top universities, the authority in 5 CFR part 575 is expanded to allow management to pay a relocation incentive/bonus each time a student returns to duty to JWAC. The PPB will determine the use and the financial limits of this incentive. The initial incentive payment may be based on anticipated expenses, or a portion thereof. Documentation, to include receipts of actual expenses, must be provided by the student to validate initial incentive payment and for determining potential future payments. Actual expenses may include the cost of airline or other commercial transportation, rental vehicles, fuel, and lodging. Management has the discretion to determine the appropriate incentive amount, which may or may not cover all expenses. Payments may be made incrementally (*e.g.,* monthly, quarterly). This authority is not intended to pay moving expenses in conjunction with a permanent appointment.

5. Accelerated Compensation for Developmental Positions (ACDP): The JWAC Commander may authorize an increase to basic pay for employees participating in training programs, internships, or other development capacities. ACDP will be used to recognize development of job related competencies as evidenced by successful contribution to the JWAC.

The use of ACDP is limited to employees in pay bands I and II in the Business Management and Professional and S&E career paths. Additional guidance will be published in an IOP.

6. Maintained Pay: The JWAC–DP will eliminate retained grade and retained pay and will adopt ''maintained pay'' provisions similar to those utilized in AFRL (75 FR 53076). An employee may be entitled to maintain the employee's current rate of basic pay if, as a result of personnel actions that would entitle the employee to grade or pay retention under Title 5, the employee is placed in a payband where the employee's current rate of basic pay exceeds the maximum rate of basic pay for the pay band. At the time of conversion, an employee on grade retention will be converted to the career path and broadband level based on the assigned permanent position of record, not the retained grade. An employee's adjusted pay will not be reduced upon conversion. Implementing instructions will be documented in IOPs.

C. Broadbanding

JWAC–DP will use a broadbanding approach to compensation and classification. A broadbanding structure will simplify the classification system, reduce the number of distinctions between levels of work, and facilitate delegation of classification authority and responsibility to line managers.

The broadbanding structure replaces the GS structure. Table 1 shows the four broadband levels in each career path, labeled I, II, III, IV, and the additional broadband level, labeled V, for SSTM positions in the S&E career path. The broadband levels are designed to enhance pay progression and to allow for more competitive recruitment of quality candidates at differing rates within the appropriate broadband level(s). Competitive promotions will be less frequent and movement through the broadband levels will be a more seamless process. Like the broadbanding system used at AFRL, advancement within each band is based upon contribution.

The four distinct career paths within JWAC–DP are: S&E, Business Management and Professional, Technician, and Mission Support.

1. S&E (Pay Plan DR)

- Band I includes the current GS–7 through GS–11;
- Band II includes the current GS–12 through GS–13;
- Band III includes the current GS–14;
- Band IV includes the current GS–15;
- Band V SSTM positions above GS–15.

2. Business Management and Professional (Pay Plan DO)

- Band I includes the current GS–7 through GS–11;
- Band II includes the current GS–12 through GS–13;
- Band III includes the current GS–14;
- Band IV includes the current GS–15.

3. Technician (Pay Plan DX)

- Band I includes the current GS–1 through GS–4;
- Band II includes the current GS–5 through GS–7;

• Band III includes the current GS–8 through GS–10;

• Band IV includes the current GS–11 through GS–12.

4. Mission Support (Pay Plan DU)

• Band I includes the current GS–1 through GS–4;

• Band II includes the current GS–5 through GS–6;

• Band III includes the current GS–7 through GS–8;

• Band IV includes the current GS–9 through GS–10.

Comparison to the GS grades was useful in setting the upper and lower dollar limits of the broadband system; however, once employees are converted or hired into the JWAC–DP, GS grades and steps no longer apply.

TABLE 1. BROADBANDING SYSTEM

Career Paths	Corresponding GS Grades															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Above 15
	Band Structure															
Scientists & Engineers							DR-I					DR-II		DR-III	DR-IV	DR-V
Business Mgt/Professional							DO-I					DO-II		DO-III	DO-IV	
Technician	DX-I				DX-II			DX-III			DX-IV					
Mission Support	DU-I				DU-II		DU-III		DU-IV							

The JWAC–DP will use the authority in title 10 U.S.C. 2358a to expand the S&E career path to include a broadband level V. This broadband level is designed for SSTM positions, the primary functions of which are: (1) To engage in research and development in the physical, biological, medical, or engineering sciences, or another field closely related to the JWAC mission; and (2) to carry out technical supervisory responsibilities. The SSTM positions will be similar to those described in 79 FR 43722. Panels will be created to assist in filling SSTM positions. Panel makeup will be included in the IOPs. The panel will apply criteria developed largely from the current OPM Research Grade Evaluation Guide for positions exceeding the GS–15 level. Vacant SSTM positions will be competitively filled to ensure that selectees are preeminent researchers and technical leaders in the specialty fields who also possess substantial managerial and supervisory abilities.

Upon the implementation of the JWAC–DP, and periodically thereafter, the JWAC Commander will review organizational and mission requirements, and where appropriate, may modify the duties of existing SSTM positions and/or the total number of SSTM positions. Consistent with 10 U.S.C. 2358a, the total number of SSTM positions may not exceed two percent of the number of scientists and engineers employed at the JWAC as of the close of the last fiscal year before the fiscal year in which any additional appointments are made. The minimum basic pay for SSTM positions is 120 percent of the minimum rate of basic pay for GS–15. Maximum SSTM basic pay with locality pay is limited to Executive Level III (EX–III), and maximum salary without locality pay may not exceed EX–IV. The contribution management system used to evaluate an SSTM employee will be documented in the JWAC IOPs.

D. Classification

1. Statement of Duties and Experience (SDE)

Under the JWAC–DP's simplified classification system, the SDE replaces the DAF Form 1003 Air Force Core Personnel Document (CPD). The SDE includes a description of position-specific information; identifies the career path, occupational series and broadband level; includes the factors and descriptors for the assigned career path and broadband level; and provides data element information pertinent to the position.

2. Occupational Series

The present system of OPM classification standards is used for the identification of proper series and occupational titles of positions within the JWAC–DP. The OPM occupational series scheme, which frequently provides well-recognized disciplines with which employees are to be identified, is maintained and facilitates movement of personnel into and out of the JWAC–DP. Other series may be added as the need for new competencies emerges within the JWAC environment.

3. Classification Factors and Descriptors

Current OPM Position Classification Standards will not be used to grade positions in the JWAC–DP. JWAC's factors and descriptors will describe the level of work expected for each broadband level in each career path. The AFRL classification factors and descriptors published in 75 FR 5076, August 30, 2010, and OPM classification guidance will be used as a framework to develop JWAC specific factors and descriptors (see Appendix B). The JWAC–DP factors and descriptors will also be used for the annual Compensation-based Contribution System (CCS) employee assessments (Section III., E. 3). Factors and descriptors will be documented in JWAC IOPs.

4. Classification Authority

The JWAC Commander will have classification authority and may, in-turn, re-delegate this authority to appropriate levels. HR Specialists will provide ongoing consultation and guidance to managers and supervisors throughout the classification process. The final classification decision will be documented on the SDE.

5. Classification Process

The SDE is developed using the following process:

a. The supervisor identifies the organizational location, SDE number, and the employee's name. The supervisor selects the appropriate occupational series, pay plan, broadband level, and title; the level factor descriptors corresponding to the broadband level that is most commensurate with the level of contribution necessary to accomplish the duties and responsibilities of the position; and the Defense Civilian Personnel Data System (DCPDS) supervisory level. The classification system is not hierarchical, meaning that a supervisor's broadband level is based on the contributions the employee has made to the organization, and not based on the broadband level of subordinate

employees, as is typical under other personnel systems. Therefore, supervisors may be at the same, lower, or higher broadband level than the employees they supervise.

b. The supervisor selects a brief description of the primary purpose of the position making sure the description is consistent with the series and title chosen for the position. The supervisor chooses statements pertaining to physical requirements; competencies required to perform the work; and special licenses or certifications needed. Based on the supervisory level of the position, the system produces mandatory statements pertaining to affirmative employment, safety, and security programs.

c. The supervisor selects other position data, such as position sensitivity and drug testing requirements. The supervisor also selects the Fair Labor Standards Act (FLSA) status. The FLSA status selection must be in accordance with OPM guidance and HR Specialists may advise management as necessary. The data elements are maintained as a separate page of the SDE (*i.e.,* an addendum) and may be changed as needed, without creating and classifying a new SDE.

d. The supervisor makes a recommended classification, then signs and dates the document. The supervisor sends the SDE to the classification authority for classification. The classification is finalized when the classification official signs and dates the SDE. The SDE development process incorporates definitions for the CCS supervisory levels, and occupational series as appropriate.

E. Contribution-Based Compensation System (CCS)

1. Overview

The CCS is a contribution-based assessment system that goes beyond a performance-based rating system. The CCS measures the employee's contribution to the organization's mission, the contribution level, and how well the employee performed a job. Contribution is defined as the measure of the demonstrated value of what an employee did in terms of accomplishing or advancing the organizational objectives and mission impact. The purpose of the CCS is to provide an effective, efficient, and flexible method for assessing, compensating, and managing the JWAC workforce. It is essential for the development of a highly productive workforce and to provide management, at the lowest practical level, the authority, control, and flexibility needed to achieve a quality laboratory and quality products. The CCS allows for more employee involvement in the assessment process, increases communication between supervisors and employees, promotes a clear accountability of contribution, facilitates employee career progression, provides an understandable basis for basic pay changes, and delinks awards from the annual assessment process. The CCS process described herein applies to broadband levels I through IV. The assessment process for broadband level V positions will be documented in the JWAC IOPs.

2. Factors and Descriptors

Each factor (*e.g.,* Communication, Technology/Business Management, Problem Solving, and Teamwork/Leadership) has descriptors that describe increasing levels of contribution corresponding to each broadband level. The same factors and descriptors will be used for classification and for the annual CCS employee assessments. The factors and descriptors for the appropriate career path will be used by the rating official to determine the employee's overall contribution score (OCS). Employees can score within, above, or below the range for their broadband level. For example, a broadband level II employee could score in the broadband level I, II, III, or IV range. Therefore, supervisors utilize all factors and descriptors to determine each employee's contribution assessment.

3. CCS Assessment Scoring

The annual CCS assessment scoring process begins with employee input, which provides employees with an opportunity to communicate their accomplishments and level of contribution to their supervisors. An employee's basic pay determines an expected score when plotted on the appropriate career path Standard Pay Line (SPL) (discussed in section III.E.4).

Each career path has its own SPL based on the salary range established for that career path. Scores have a direct relationship with basic pay; therefore, the significance of an employee's actual score is not known until it is compared to their expected score. For instance, an employee in the Mission Support career path with a basic pay rate of $33,091 in 2018 would have an expected score of 2.25, while an employee in the Business Management and Professional career path with a basic pay rate of $74,705 would have the same expected score. The comparison between expected score and OCS provides an indication of equitable compensation, under-compensation, or overcompensation. (Typically, employees who are overcompensated are not meeting contribution expectations and may be placed on a Contribution Improvement Plan, described in further detail in section III.F.) Broadband levels in each career path have the same expected score range, as depicted in Table 2 below, which also includes the 2018 basic pay ranges for each broadband level. As the general basic pay rates increase annually, the minimum and maximum basic pay rates of each broadband level for each career path are adjusted accordingly. Individual employees receive basic pay increases and/or bonuses based on the annual assessments under the CCS. There are no changes to title 5 U.S.C., regarding locality pay under the JWAC–DP.

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TABLE 2. 2018 BASIC PAY AND CCS SCORE RANGES

Science and Engineering (DR) Broadband Score and 2018 Pay Ranges				
Broadband Level	CCS Score Lower	CCS Score Higher	Min Basic Pay	Max Basic Pay
I	0.75	2.25	$38,909	$74,705
II	1.75	3.25	$62,773	$98,569
III	2.75	4.25	$86,637	$122,433
IV	3.75	5.25	$110,501	$136,659

*Basic salary is limited to GS-15, step 10

Business Management and Professional (DO) Broadband Score and 2018 Pay Ranges				
Broadband Level	CCS Score Lower	CCS Score Higher	Min Basic Pay	Max Basic Pay
I	0.75	2.25	$38,909	$74,705
II	1.75	3.25	$62,773	$98,569
III	2.75	4.25	$86,637	$122,433
IV	3.75	5.25	$110,501	$136,659

*Basic salary is limited to GS-15, step 10

Technical (DX) Broadband Score and 2018 Pay Ranges				
Broadband Level	CCS Score Lower	CCS Score Higher	Min Basic Pay	Max Basic Pay
I	0.75	2.25	$14,641	$39,558
II	1.75	3.25	$31,252	$56,169
III	2.75	4.25	$47,863	$72,780
IV	3.75	5.25	$64,474	$89,391

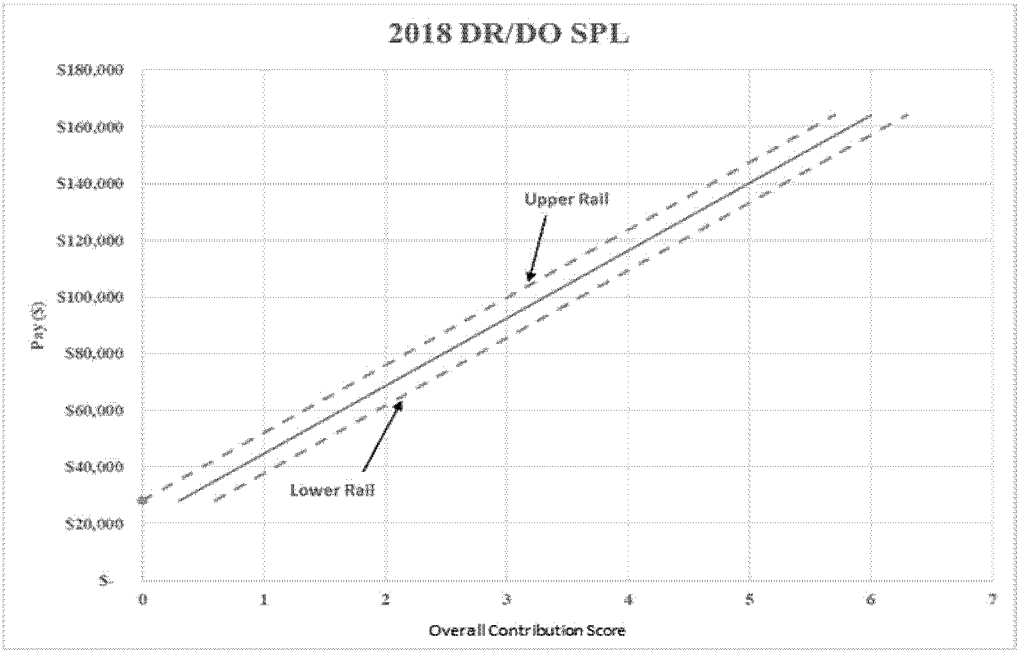
Mission Support (DU) Broadband Score and 2018 Pay Ranges				
Broadband Level	CCS Score Lower	CCS Score Higher	Min Basic Pay	Max Basic Pay
I	0.75	2.25	$15,932	$33,091
II	1.75	3.25	$27,371	$44,530
III	2.75	4.25	$38,810	$55,969
IV	3.75	5.25	$50,249	$67,408

4. Standard Pay Line (SPL)

A mathematical relationship between assessed contribution and basic pay will be used to create the SPLs for each career path used in the CCS, similar to the formulas adopted by AFRL in 75 FR 53076, dated August 30, 2010. The SPL is a straight line which yields a reasonable correlation between basic pay rates in the broadband levels and those of the corresponding GS grade(s); provides a single relationship (equation) for the entire range of pay and OCS; and demonstrates equitable *(i.e., consistent*) growth at each CCS score.

The JWAC equation for the 2018 S&E (DR) and the Business Management and Professional (DO) SPL is BASIC PAY = $21,011 + ($23,864 × CCS SCORE). Figure 1 provides a pictorial representation of the 2018 DR & DO SPL.

FIGURE 1. CCS RELATIONSHIP – S&E (DR) AND BUSINESS MANAGEMENT AND PROFESSIONAL (DO) CAREER PATHS



The JWAC equation for the 2018 Mission Support (DU) SPL is BASIC PAY = $7,353 + ($11,439 × CCS SCORE), and JWAC equation for the 2018 Technician (DX) SPL is BASIC PAY = $2,183 + ($16,611 × CCS SCORE); as shown in Figures 2 and 3. The equations for future JWAC SPLs may be modified consistent with this notice and the IOP.

FIGURE 2. CCS RELATIONSHIP – MISSION SUPPORT (DU) CAREER PATH

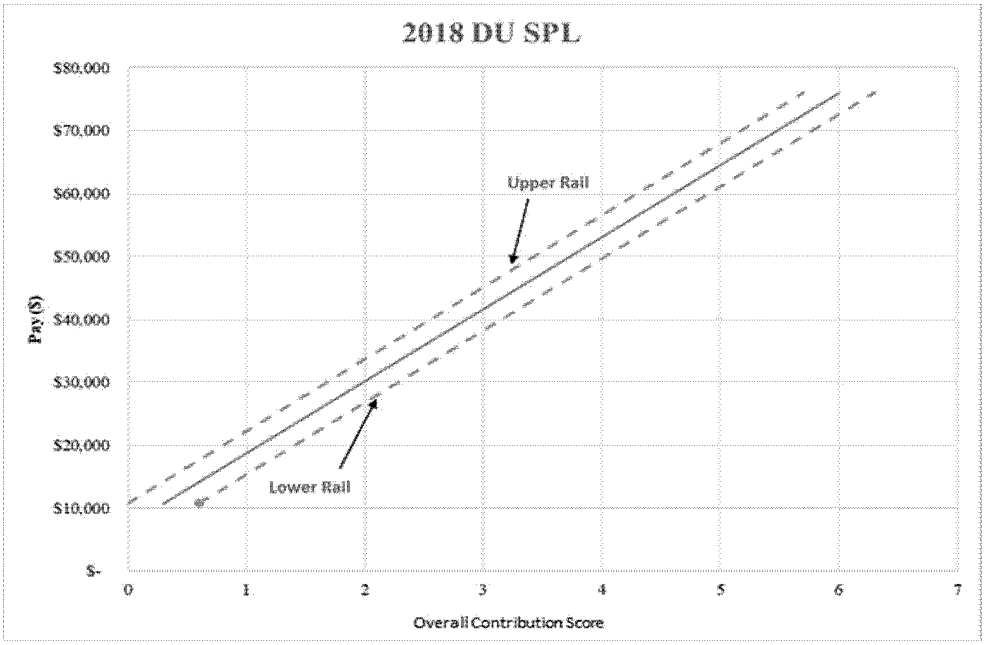
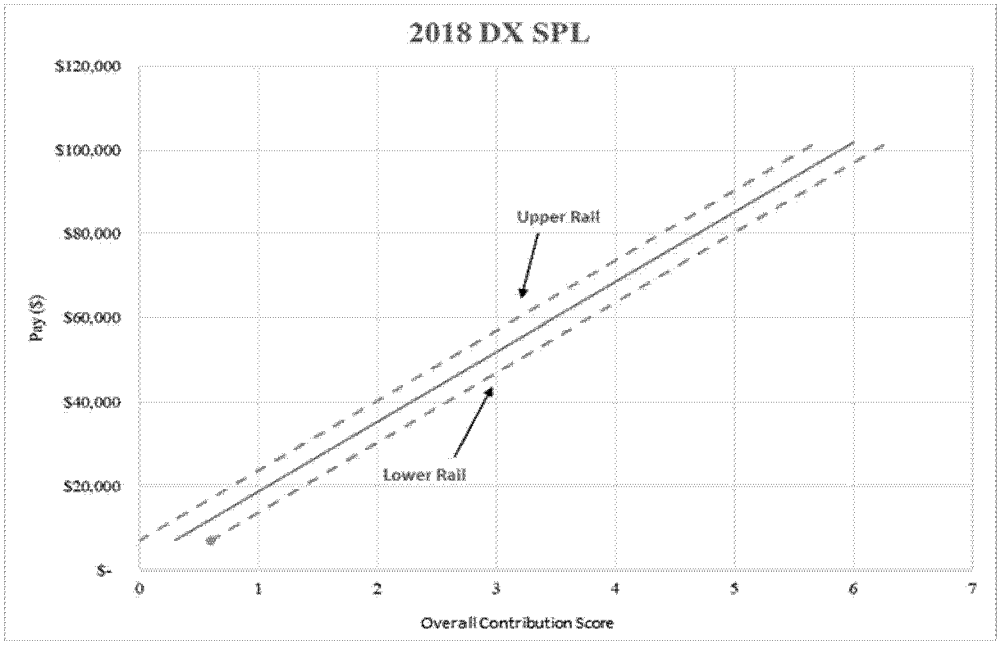


FIGURE 3. CCS RELATIONSHIP – TECHNICIAN (DX) CAREER PATH



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5. The CCS Assessment Process

The rating official is the first-level supervisor of record for at least 90 days during the rating cycle. If the current immediate supervisor has been in place for less than 90 days during the rating cycle, the next higher level supervisor in the employee's rating chain who has been in place for more than 90 days during the rating cycle conducts the assessment.

The annual assessment cycle begins on September 1 and ends on August 31 of the following year. At the beginning of the annual assessment period, the broadband level factors and descriptors are provided to employees setting forth the basis on which their contribution is assessed.

A midyear review, in the February to March timeframe, is conducted for employees. During this review the employee's professional qualities, competence, developmental needs, and mission contribution are discussed, as well as future development and career opportunities. Additionally, employees provide feedback to supervisors on their supervisory qualities and skills. To highlight its importance, all feedback sessions are certified as completed by the rating official conducting the feedback session. While one documented formal midyear feedback session is required, supervisors are encouraged to conduct informal feedback sessions throughout the rating period. The preferable method for all feedback sessions is face-to-face.

At the end of the annual assessment period, employees summarize their contributions in each factor for their rating official. Employees are highly encouraged to submit written self-assessments identified to management, to ensure that all of the employee's contributions accomplished during the rating cycle are taken into consideration. The rating official first determines preliminary CCS scores using the employee's input and the rating official's assessment of the employee's overall contribution to the laboratory mission, based on the appropriate broadband level factor descriptor. The preliminary score is determined by comparing an employee's contribution results to the descriptors for a particular factor and selecting the most appropriate general range (*e.g.,* high, medium, or low).

The rating officials (*e.g.,* branch chiefs) and the next level supervisors (*e.g.,* the respective division chief) then meet as a group (*e.g.,* first-level Meeting of Managers (MoM)) to review and discuss all proposed employee assessments and preliminary CCS factor scores. Giving authority to the group of managers to determine CCS factor scores ensures that contributions are assessed and measured similarly for all employees. During the MoM, the preliminary factor scores are further refined into decimal scores. For example, if the employee's contribution level for a factor is at the lowest level of broadband level I, a factor score of 1.0 is assigned. Higher levels of contribution are assigned factor scores increasing in 0.1 increments up to 4.9. A factor score of 0.0 can be assigned if the employee does not demonstrate a minimum broadband level I contribution. Likewise, a factor score of 5.9 can be assigned if an employee demonstrates a contribution that exceeds the broadband level IV descriptor. Rating officials must document justification for each proposed factor score.

Factor scores are then averaged to give an overall CCS score (OCS). Each broadband level is defined for OCS from 0.75 to 5.25 as shown in Table 2. The maximum OCS for broadband level IV is set at 5.25, to be consistent with the maximum overall CCS scores for other broadband levels (4.25 for broadband level III, 3.25 for broadband level II, and 2.25 for broadband level I). Therefore, when the average of CCS factor scores exceeds 5.25, the overall CCS score is set to 5.25, and the employee who was scored above 5.25 will be identified to upper management as having exceeded the maximum contribution defined by the broadband. The maximum basic pay for each broadband is the basic pay corresponding with an X.25 OCS (*i.e.,* 2.25, 3.25, 4.25, and 5.25). Once the scores have been finalized, the pay pool manager approves the scores for the entire pay pool. The pay pool manager has the ability to look across the entire pay pool and may address anomalies

through the appropriate management chain.

If, on September 1, an employee has been covered by the CCS for less than 90 days, the rating official waits for the subsequent annual cycle to assess the employee. Such an employee is considered ''presumptive due to time'' and is assigned a score at the intersection of their basic pay and the SPL. Periods of approved, paid leave are counted toward this 90-day time period. When an employee cannot be evaluated readily by the normal CCS assessment process due to special circumstances that take the employee away from normal duties or duty station (*e.g.,* long-term full-time training, extended sick leave, leave without pay, etc.), the rating official documents the rating as ''presumptive due to circumstance'' in the CCS software. The rating official then assesses the employee using one of the following options:

- Recertify the employee's last OCS; or
- Assign a score at the intersection of the employee's basic pay and the SPL.

Basic pay adjustments, *i.e.,* decisions to give or withhold basic pay increases or bonuses, are based on the relationship between the employee's actual CCS score and the employee's current basic pay (as discussed in section III.E.5). Decisions for seamless broadband movement (discussed in section III.E.6.) are also based on this relationship. Final pay determinations and broadband level changes are made by the pay pool manager.

6. Pay Pools

The pay pool structure is under the authority of the JWAC Commander who, in-turn, may delegate this authority. The following guidelines apply to pay pools: (a) A pay pool is based on the JWAC organizational structure and should include a range of basic pay rates and broadband levels; (b) a pay pool must be large enough to constitute a reasonable statistical sample, *i.e.,* 35 or more employees; (c) a pay pool must be large enough to encompass a second level of supervision since the CCS process uses a group of supervisors in the pay pool to determine assessments and recommend basic pay adjustments; (d) the pay pool manager holds annual pay adjustment authority; and (e) neither the pay pool manager nor the supervisors within the pay pool recommend or set their own individual pay.

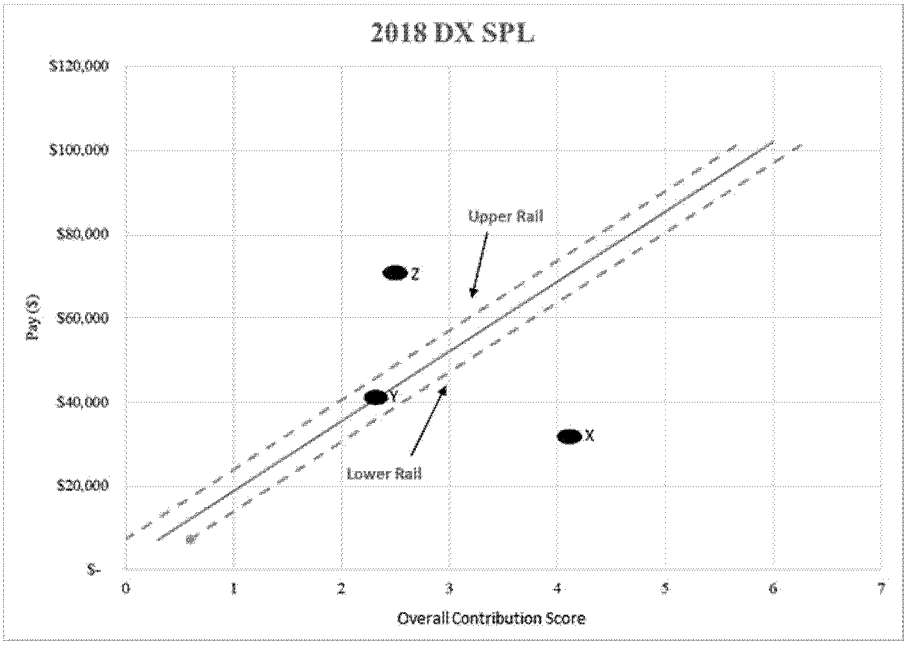
The amount of money available for basic pay increases within a pay pool is determined by the amount of the general increase (''G'') authorized by law or the President for the GS under 5 U.S.C. 5303, and an incentive amount (''I'') drawn from money that, under the GS system, would be available for step increases and career ladder promotions. The incentive amount is set by the PPB each year and is adjustable to ensure cost discipline over the life of the JWAC–DP. The dollars derived from ''G'' and ''I'' percentages included in the pay pool are computed based on the basic pay of eligible employees in the pay pool as of August 31 of each year. The Under Secretary of Defense (Personnel & Readiness) has discretion to adjust the minimum funding levels to take into account factors such as the Department's fiscal condition, guidance from the Office of Management and Budget, and equity in circumstances when funding is reduced or eliminated for GS pay raises or awards.

7. Basic Pay Adjustment Guidelines

The maximum basic pay for any employee is limited to GS–15, step 10, except for employees in SSTM positions. Any employee whose basic pay would exceed GS–15, step 10, based on the employee's OCS, will be identified to upper management as having exceeded the maximum allowable basic pay and will be paid a bonus to cover any difference between the GS–15, step 10, basic pay and the basic pay associated with the employee's OCS. There are no changes to 5 U.S.C., regarding locality pay under the JWAC–DP.

Employees' OCSs are determined by the CCS assessment process described in Section III.E.3. Employees' OCSs are plotted on the appropriate SPL graph based on their current basic pay as shown in Figure 5. The position of those points in relation to the SPL provides a relative measure (Delta Y) of the degree of over-compensation or under-compensation for each employee. This process permits all employees within a pay pool to be rank-ordered by Delta Y, from the most undercompensated employee to the most overcompensated.

Figure 5. EMPLOYEE POSITIONING



In general, those employees who fall below the SPL (indicating under-compensation; for example, employee X in Figure 5) should expect to receive greater basic pay increases than those who fall above the line (indicating overcompensation; for example, employee Z in Figure 5). An OCS that falls on either rail is considered to be within the rails. Over time, employees will migrate closer to the SPL. The following provides more specific guidelines: (a) Employees who fall above the upper rail (for example, employee Z in Figure 5) are given an increase ranging from zero to a maximum of the dollar amount determined by the ''G'' percentage increase; (b) those who fall within the rails (for example, employee Y in Figure 5) are given a minimum of the dollar amount determined by the ''G'' percentage increase; and (c) those who fall below the lower rail (for example, employee X in Figure 5) are given at least their basic pay multiplied by ''G'' and ''I'' percentages. The pay pool manager may give a CCS bonus (a lump sum payment made to an employee in lieu of a basic pay increase as part of the CCS assessment process) to an employee as compensation, in whole or part. This may be appropriate in a situation when the employee's continued contribution at this level is uncertain. The CCS Bonus criteria will be documented in JWAC IOPs.

The pay pool manager sets the necessary guidelines for pay adjustments in the pay pool based on guidance from the PPB. Decisions will be consistent in the pay pool within these general rules: final decisions are standard and consistent within the pay pool; are fair and equitable across the organization; and maintain cost discipline.

8. Broadband Level Movements

A key concept of the JWAC–DP is that career growth may be accomplished by seamless broadband movement, *i.e.,* movement through the broadband levels within a particular career path by significantly increasing levels of employee contribution toward the JWAC mission. Seamless broadband level movement may occur once a year during the CCS process, if certain conditions are met. An employee's contribution is a reflection of their OCS, which is derived from a comparison of the employee's contribution to each of the factors and descriptors. Because the descriptors are written at progressively higher levels of work and are the same descriptors used in the classification process, higher scores reflect that an employee's contribution is equivalent to the level associated with the score they are awarded. An employee's broadband level may be increased when an employee consistently contributes at a level consistent with the expectations for a higher broadband level than the one to which the employee is currently assigned, such as through increased expertise and by performing expanded duties and responsibilities commensurate with the higher broadband level factor and descriptors. If an employee's contributions impact and broaden the scope, nature, intent, and expectations of the position and are reflective of higher level factors and descriptors, the classification of the position is updated accordingly. This form of movement through broadband levels is referred to as a seamless broadband movement and can only happen within the same career path; employees cannot cross over career paths through this process. The criteria is similar to that used in an accretion of duties scenario and must be met for an employee to move seamlessly to a higher broadband level. For seamless broadband movement to occur: (1) The employee's current position must be absorbed into a reclassified position, while the employee continues to perform the same basic duties and responsibilities (although at the higher level); and (2) the employee's current position must be reclassified to a higher broadband level as a result of additional, higher- level duties and responsibilities. It may take a number of years for contribution levels to increase to the extent a seamless broadband movement is warranted, and not all employees achieve the increased contribution levels required for such moves.

This simplified classification and broadbanding structure allows management to assign duties consistent with the broadband level of a position without the necessity to process a personnel action and provides managers

authority to move employees between positions within their current broadband level, at any time during the year. However, management also has the option to fill vacancies throughout the year using various staffing alternatives, to include details, reassignments, or competitive selection procedures (as applicable and/or required) for competitive promotions or temporary promotions (typically used for filling supervisory positions). Employees may be considered for vacancies at higher broadband level positions consistent with the JWAC–DP competitive selection procedures.

Any resulting changes in broadband levels that occur through the CCS process are not accompanied by pay increases normally associated with formal promotion actions, but, rather, are processed and documented with a pay adjustment action to include appropriate changes/remarks (*e.g.,* change in title (if appropriate), change in broadband level, and classification of a new SDE). The terms ''promotion'' and ''demotion'' are not used in connection with the CCS process.

The broadbanding structure creates an overlap between adjacent broadband levels that facilitates broadband movement. For instance, the minimum basic pay for a broadband level I is that basic pay from the SPL corresponding to a CCS score of 0.75. And the maximum basic pay for broadband level I is that basic pay from the SPL corresponding to a CCS score of 2.25. The minimum basic pay for broadband level II is that basic pay from the SPL corresponding to a CCS score of 1.75. And the maximum basic pay for broadband level II is that basic pay from the SPL corresponding to a CCS score of 3.25. Likewise, the minimum basic pay for broadband level III is that basic pay from the SPL corresponding to a CCS score of 2.75, and so on for the different broadband levels. This structure provides a basic pay overlap between broadband levels that is consistent with, and similar to, basic pay overlaps in the GS schedule.

9. Voluntary Pay Reduction and Pay Raise Declination

Under CCS, an employee may voluntarily request a pay reduction or a voluntary declination of a pay raise which would effectively place an overcompensated employee's pay closer to the SPL. Since an objective of the CCS is to properly compensate employees for their contribution to the JWAC, granting such requests is consistent with this goal. Under normal circumstances, all employees should be encouraged to advance their careers through increasing contribution rather than being undercompensated at a fixed level of contribution.

To handle these special circumstances, employees must submit a request for voluntary pay reduction or pay raise declination during the 30-day period immediately following the annual payout and document the reasons for the request. The pay pool manager may consider voluntary pay reductions at other times throughout the year, as documented in internal operating procedures. Management must properly document all decisions to approve or disapprove such requests. This type of basic pay change is not considered to be an adverse personnel action.

F. Dealing With Inadequate Contributions

The CCS is a contribution-based assessment system that goes beyond a performance-based rating system. Contribution is measured against factors, with each factor having descriptors that describe increasing levels of contribution corresponding to the broadband level. Employees are plotted against the SPL based on their score and current basic pay, which determines the amount of over-compensation or under compensation the employees are receiving. When an employee's contribution plots in the area above the upper rail of the SPL (Section III.E.3.), the employee is overcompensated for their level of contribution and is considered to be in the Automatic Attention Zone (AAZ).

This section addresses reduction in pay or removal of JWAC–DP employees based solely on inadequate contribution, as determined by the amount an employee is overcompensated. The following procedures are similar to and replace those established in 5 CFR part 432 pertaining to performance-based reduction in grade and removal actions. Adverse action procedures under 5 CFR part 752 remain unchanged. The immediate supervisor has two options when an employee's contribution plots in the AAZ. The first option is document the employee's inadequate contributions in a memorandum for record. In this memorandum, the supervisor should state, in writing, the specifics regarding where the employee failed to contribute at an adequate level and provide a rationale for not taking a formal action. Examples where this might be used are when an employee's contribution plots just above the upper rail of the SPL, or extenuating circumstances exist that may have decreased the employee's overall CCS score during the rating period and are expected to be temporary in nature. A copy of this memorandum is provided to the employee and to higher levels of management.

The second option is to take a formal action by placing the employee on a Contribution Improvement Plan (CIP), providing the employee an opportunity to improve. The CIP must inform the employee, in writing, that unless the employee's contribution increases and is sustained at the expected contribution level, the employee may be reduced in pay or removed. The supervisor will afford the employee a reasonable improvement opportunity period, generally 30 days, to demonstrate increased contribution commensurate with the duties and responsibilities of the employee's position. As part of an employee's opportunity to demonstrate increased contribution, management will offer appropriate assistance to the employee.

If an employee has been placed on a CIP and afforded a reasonable opportunity to demonstrate increased contribution, yet fails to do so, management has sole and exclusive discretion to initiate reduction in pay or removal for that employee. If the employee's contribution increases to a higher level during the opportunity period and is again determined to deteriorate in any area within two years from the beginning of the improvement opportunity period, management has sole and exclusive discretion to initiate a reduction in pay or removal with no additional opportunity to improve. If an employee has contributed appropriately for two years (or longer) from the beginning of an improvement opportunity period and the employee's overall contribution once again declines, management will afford the employee an additional improvement opportunity period to demonstrate increased contribution before determining whether or not to propose a reduction in pay or removal.

An employee is entitled to at least a 30-day advance notice of a proposed reduction in pay or removal action. This advanced notice will identify specific instances of the employee's inadequate contribution. The employee will be afforded a reasonable time (as stated in 5 U.S.C. 7513(b)(2)), but not less than seven days, to answer the notice of proposed action, which may be done orally and/or in writing, at the employee's discretion.

A decision to reduce pay or remove an employee for inadequate contribution may only be based on those instances of inadequate contribution that occurred during the two-year period immediately preceding the date of the notice of proposed action is

issued. Management will issue a written notice of its decision on reduction in pay or removal to the employee at or before the time the action will be effective. This notice will specify the instances of inadequate contribution by the employee on which the action is based and will inform the employee of any applicable appeal or grievance rights as specified in 5 CFR 432.106.

Management will preserve all relevant documentation concerning a reduction in pay or removal based on inadequate contribution and make the relevant documentation available for review by the affected employee and/or the employee's designated representative. At a minimum, the documentation will consist of a copy of the notice of proposed action; the employee's written answer or a written summary of the employee's oral reply; and the written notice of decision to take the action, including the reasons therefore, along with any supporting material including documentation regarding the opportunity afforded the employee to demonstrate increased contribution.

G. Voluntary Emeritus Corps

The JWAC Commander has the authority to offer former Federal employees who have retired or separated from the Federal service, voluntary assignments at JWAC. Voluntary Emeritus Corps assignments are not considered ''employment'' by the Federal government (except as indicated below). Thus, such assignments do not affect an employee's entitlement to buyouts or severance payments based on an earlier separation from Federal service. The Volunteer Emeritus Corps will ensure continued quality research while reducing the overall salary line by allowing higher paid individuals to accept retirement incentives with the opportunity to retain a presence in the scientific community. This authority will be of most benefit during manpower reductions as senior employees could accept retirement and return to provide valuable on-the-job training or mentoring to less experienced employees. Volunteer service will not be used to replace any employee, or interfere with career opportunities of employees. The Volunteer Emeritus Corps may not be used to replace or substitute for work performed by civilian employees occupying regular positions required to perform the JWAC's mission.

To be accepted into the Volunteer Emeritus Corps, a volunteer must be recommended by a JWAC manager to the JWAC Commander. Everyone who applies is not entitled to a volunteer assignment. The JWAC Commander will document the decision process for each candidate and retain selection and non-selection documentation for the duration of the assignment or two years, whichever is longer.

To ensure success and encourage participation, the volunteer's federal retirement pay (whether military or civilian) will not be affected while serving in a volunteer capacity. Retired or separated federal employees may accept an emeritus position without a break or mandatory waiting period.

Volunteers will not be permitted to monitor contracts on behalf of the government or to participate on any contracts or solicitations where a conflict of interest exists. The same rules that currently apply to source selection members will apply to volunteers.

An agreement will be established between the volunteer, the JWAC Commander, and the JWAC/J1. The agreement will be reviewed by the USSTRATCOM Legal Office. The agreement must be finalized before the assumption of duties and will include:

a. A statement that the service provided is gratuitous, that the volunteer assignment does not constitute an appointment in the civil service and is without compensation or other benefits except as provided for in the agreement itself, and that, except as provided in the agreement regarding work-related injury compensation, any and all claims against the Government (stemming from or in connection with the volunteer assignment) are waived by the volunteer;

b. A statement that the volunteer will be considered a federal employee for the purpose of:

(1) 18 U.S.C. 201, 203, 205, 207, 208, 209, 603, 606, 607, 643, 654, 1905, and 1913;

(2) 31 U.S.C. 1343, 1344, and 1349(b);

(3) 5 U.S.C. chapters 73 and 81;

(4) The Ethics in Government Act of 1978;

(5) 41 U.S.C. chapter 21;

(6) 28 U.S.C. chapter 171 (tort claims procedure), and any other Federal tort liability statute;

(7) 5 U.S.C. 552a (records maintained on individuals); and

c. The Volunteer Emeritus/Corps participant's work schedule;

d. The length of agreement (defined by length of project or time defined by weeks, months, or years);

e. The support to be provided by the JWAC (travel, administrative, office space, supplies);

f. The Volunteer Emeritus Corps participant's duties,

g. A provision that states no additional time will be added to a participant's service credit for such purposes as retirement, severance pay, and leave as a result of being a participant in the Volunteer Emeritus Corps,

h. A provision allowing either party to void the agreement with 10 working days written notice;

i. The level of security access required (any security clearance required by the assignment will be managed by the JWAC while the participant is a member of the Volunteer Emeritus Corps);

j. A provision that any written products prepared for publication that are related to Volunteer Emeritus Corps participation will be submitted to the JWAC Commander for review and must be approved prior to publication;

k. A statement that the Volunteer Emeritus Corps participant accepts accountability for loss or damage to Government property occasioned by the Volunteer Emeritus Corps participant's negligence or willful action;

1. A statement that the activities of the Volunteer Emeritus Corps participant on the premises will conform to the JWAC's regulations and requirements;

m. A statement that the Volunteer Emeritus Corps participant will not improperly use or disclose any non-public information, to include any pre-decisional or draft deliberative information related to DoD programming, budgeting, resourcing, acquisition, procurement or other matter, for the benefit or advantage of the Volunteer Emeritus Corps participant or any non-Federal entities. Volunteer Emeritus Corps participants will handle all non-public information in a manner that reduces the possibility of improper disclosure;

n. A statement that the Volunteer Emeritus Corps participant agrees to disclose any inventions made in the course of work performed at the JWAC. The JWAC Commander will have the option to obtain title to any such invention on behalf of the U.S. Government. Should the JWAC Commander elect not to take title, the JWAC will retain a non-exclusive, irrevocable, paid up, royalty-free license to practice or have practiced the invention worldwide on behalf of the U.S. Government;

o. A statement that the Volunteer Emeritus Corps participant must complete either a Confidential or Public Financial Disclosure Report, whichever applies, and ethics training in accordance with office of Government Ethics regulations prior to implementation of the agreement; and

p. A statement that the Volunteer Emeritus Corps participant must receive

post-government employment advice from a DoD ethics counselor at the conclusion of program participation. Volunteer Emeritus Program participants are deemed Federal employees for purposes of post-government employment restrictions.

H. Employee Development

1. Training for Degrees: degree training is an essential component of an organization that requires continuous acquisition of advanced and specialized knowledge. Degree training in the academic environment of laboratories is also a critical tool for recruiting and retaining employees with critical skills. Constraints under current law and regulation limit degree payment to shortage occupations. In addition, current government-wide regulations authorize payment for degrees based only on recruitment or retention needs. Degree payment is currently not permitted for non-shortage occupations involving critical skills.

Under the JWAC–DP, JWAC will expand the authority to provide degree training for purposes of meeting critical skill requirements, to ensure continuous acquisition of advanced and specialized knowledge essential to the organization, and to recruit and retain personnel critical to the present and future requirements of the organization. It is expected that the degree payment authority will be used primarily for attainment of advanced degrees.

2. Sabbaticals: JWAC will have the authority to grant paid sabbaticals to career employees to permit them to engage in study or uncompensated work experience that will contribute to their development and effectiveness. Each sabbatical should benefit JWAC as well as increase the employee's individual effectiveness. Examples are as follows: advanced academic teaching, study, or research; self-directed (independent) or guided study; and on-the-job work experience with a public, private, or nonprofit organization. Each recipient of a sabbatical must sign a continued service agreement and agree to serve a period equal to at least three times the length of the sabbatical.

IV. JWAC—DP Training

The key to the success of the JWAC–DP will be the training provided for all involved. This training format and content will provide the workforce with the knowledge and skills necessary to implement the proposed changes and foster participant commitment to the program

Training, which will begin prior to implementation and continue throughout the JWAC–DP, will be tailored to the needs of supervisors, employees, and the administrative staff responsible for assisting managers in effecting the changeover and operating the new system. At a minimum, the following subjects will be covered:

- An overview of the JWAC–DP personnel system.
- How employees are converted into and out of the system.
- Broadbanding.
- The Contribution-based Compensation System.

V. Conversion

A. Conversion to the Demonstration Project

Initial entry into the JWAC–DP for covered employees is accomplished through a full employee protection approach that ensures each employee an initial place in the appropriate broadband level without loss of pay. Employees are converted into the career path and broadband level which corresponds to their permanent GS grade and occupational series of their current appointment (temporary promotions are not retained), unless there are extenuating circumstances which require individual attention, such as special pay rates or pay retention. Adverse action provisions do not apply to the conversion process as there is no change in total adjusted pay.

Under the GS pay structure, successful employees automatically progress, from step 1 to 10, within grade, in periodic increments. In the JWAC–DP, basic pay progression within and through the broadband levels depends on contribution to the mission, and there are no automatic within-grade increases (WGIs). Rules governing WGIs under the current DAF performance plan will continue in effect until the implementation date. Adjustments to the employees' basic pay for WGI equity will be computed effective the date of conversion to the JWAC–DP. WGI equity is acknowledged by increasing basic pay rates by a prorated share based upon the number of days the employee has performed at a successful level for purposes of eligibility for the next higher step under the GS system. Employees at step 10 on the date of conversion are not eligible for WGI equity adjustments since they are already at the top step of the corresponding GS pay grade.

All employees are eligible for future locality pay increases for the geographical areas of their official duty station. Special salary rates are not applicable to JWAC–DP employees. Employees on special salary rates at the time of conversion receive a new basic pay rate which is computed by dividing their highest adjusted basic pay (*i.e.,* special pay rate or, if higher, the locality rate) by one plus the locality pay percentage for their area. The new basic pay rate is then multiplied by the locality pay percentage and the result is added to the new basic pay rate to obtain the adjusted basic pay, which is equal to the adjusted basic pay prior to conversion.

Grade and pay retention entitlements are eliminated. At the time of conversion, an employee on grade retention will be converted to the career path and broadband level based on the employee's assigned position, not the retained grade. The employee's basic pay and adjusted basic pay while on grade retention status will be used in setting appropriate pay upon conversion to the JWAC–DP and in determining the amount of any WGI equity adjustment. An employee's adjusted basic pay will not be reduced upon conversion.

B. Conversion to Another Personnel System

1. Demonstration Project Termination

In the event the JWAC–DP ends, a conversion back to the former (or another applicable) Federal Civil Service system may be required. The grade of employees' positions in the new system will be based upon the position classification criteria of the gaining system. Employees, when converted to positions classified under the new system, may be eligible for pay retention under 5 CFR part 536, if applicable.

However, an employee will not be provided a lower grade than the grade held by the employee immediately preceding conversion, lateral reassignment, or lateral transfer into the JWAC–DP, unless since that time the employee has undergone either a reduction in broadband level or a reduction in basic pay within the same broadband due to unacceptable contribution.

2. Conversion or Movement from a Project Position to a General Schedule Position:

If a demonstration project employee is moving to a GS position not under the demonstration project, or if the project ends and all project employees must be converted back to the GS system, the following procedures will be used to convert the employee's broadband level to a GS-equivalent grade and the employee's JWAC–DP basic pay to the GS-equivalent rate of pay for pay setting purposes. The equivalent GS grade and GS rate of pay must be determined

before movement or conversion out of the JWAC–DP and any accompanying geographic movement, promotion, or other simultaneous action.

An employee in a broadband level corresponding to a single GS grade is placed into that grade as the GS-equivalent grade. An employee in a broadband corresponding to two or more grades is determined to have a GS equivalent grade corresponding to one of those grades according to the following rules:

The employee's adjusted basic pay under the JWAC–DP (including any locality payment) is compared with step 4 rates in the highest applicable GS rate range. For this purpose, a GS rate range includes a rate in:

a. the GS base schedule;

b. the locality rate schedule for the locality pay area in which the position is located; or

c. the appropriate special rate schedule for the employee's occupational series, as applicable.

If the series is a two-grade interval series, only odd-numbered grades are considered below GS–11.

3. For lateral reassignments, the equivalent GS grade and rate will become the employee's converted GS grade and rate after leaving the JWAC–DP (before any other action).

For transfers, promotions, and other actions, the converted GS grade and rate will be used in applying any GS pay administration rules applicable in connection with the employee's movement out of the JWAC–DP (*e.g.,* promotion rules, highest previous rate rules, and/or pay retention rules), as if the GS converted grade and rate were actually in effect immediately before the employee left the JWAC–DP.

VI. Project Duration and Changes

Pub. L. 103–337 removed the mandatory expiration date for STRL Demonstration Projects, such as the JWAC–DP. The JWAC–DP evaluation plan adequately addresses how each flexibility is comprehensively evaluated.

Many aspects of a Demonstration Project are experimental. Minor modifications may be made from time to time as experience is gained, results are analyzed, and conclusions are reached on how the system is working.

VII. Evaluation Plan

A. Overview

Chapter 47 of title 5 U.S.C. requires that an evaluation be performed to measure the effectiveness of the demonstration project, and its impact on improving public management. A comprehensive evaluation plan for the entire STRL demonstration program, originally covering 24 DoD laboratories, was developed by a joint OPM/DoD Evaluation Committee in 1995. This plan was submitted to the Office of Defense Research & Engineering and was subsequently approved. The main purpose of the evaluation is to determine whether the waivers granted result in a more effective personnel system and improvements in ultimate outcomes (*i.e.,* organizational effectiveness, mission accomplishment, and customer satisfaction). That plan, while useful, is dated and does not fully afford the laboratories the ability to evaluate all aspects of the demonstration project in a way that fully facilitates assessment and effective modification based on actionable data. Therefore, in conducting the evaluation JWAC will ensure USD(R&E) evaluation requirements are met in addition to applying knowledge gained from other DoD laboratories and their evaluations to ensure a timely, useful evaluation of the demonstration project.

B. Evaluation Model

An evaluation model for the JWAC–DP will identify elements critical to an evaluation of the effectiveness of the flexibilities. However, the main focus of the evaluation will be on intermediate outcomes, *i.e.,* the results of specific personnel system changes which are expected to improve human resources management. The ultimate outcomes are defined as improved organizational effectiveness, mission accomplishment, and JWAC customer satisfaction.

C. Method of Data Collection

Data from a variety of different sources will be used in the evaluation. Information from existing management information systems supplemented with perceptual survey data from employees will be used to assess variables related to effectiveness. Multiple methods provide more than one perspective on how the JWAC–DP is working. Information gathered through one method will be used to validate information gathered through another. Confidence in the findings will increase as they are substantiated by the different collection methods. The following types of qualitative and/or quantitative data may be collected as part of the evaluation: (1) Workforce data; (2) personnel office data; (3) employee attitudes and feedback using surveys, structured interviews, and focus groups; (4) local activity histories; and/or, (5) core measures of laboratory effectiveness.

VIII. Demonstration Project Costs

Costs associated with the development of the JWAC–DP system include software automation, training, and project evaluation. All funding will be provided through JWAC's budget. The timing of the expenditures depends on the implementation schedule. The projected annual expenses for each area is summarized in Table 2.

Table 2. PROJECTED DEVELOMENTAL COSTS

	FY19	FY20	FY21	FY22	FY23
Training	25K	25K	25K	0K	0K
Automation	275K	175K	100K	100K	100K
Project Evaluation	0K	25K	50K	50K	50K
TOTALS	300K	225K	175K	150K	150K

IX. Required Waivers to Law and Regulation

Public Law 103–337 gave the DoD the authority to experiment with several personnel management innovations. In addition to the authorities granted by the law, the following are the waivers of law and regulation that will be necessary for implementation of the JWAC–DP. In due course, additional laws and regulations may be identified for waiver requests.

The following waivers and adaptations of certain 5 U.S.C. provisions are required only to the extent that these statutory provisions limit or are inconsistent with the actions contemplated under this demonstration project. Nothing in this plan is intended to preclude the JWAC–DP from adopting or incorporating any law or regulation enacted, adopted, or amended after the effective date of this demonstration project.

A. Title 5, United States Code

1. Chapter 5, section 522a: Records. Waived to the extent required to clarify that volunteers under the Voluntary Emeritus Corps are considered employees of the Federal government for purposes of this section.

2. Chapter 29, section 2903: Oath; authority to administer. Waived insofar as the JWAC Commander may administer the oath of office.

3. Chapter 31, section 3104: Employment of Specially Qualified Scientific and Professional Personnel. Waived to allow SSTM authority as described in this FRN and 79 FR 43722.

4. Chapter 31, section 3132: The Senior Executive Service; Definitions and exclusions. Waived to allow SSTM authority as described in this FRN and 79 FR 43722.

5. Chapter 33, Subchapter 1, Examination, Certification, and Appointment. Waived to the extent necessary to utilize the authorities authorized in 82 FR 43339.

6. Chapter 33, section 3308: Competitive Service; Examinations; Educational Requirements Prohibited. This section is waived with respect to the scholastic achievement appointment authority.

7. Chapter 33, section 3317(a), Competitive Service; certification from registers. Waived insofar as ''rule of three'' is eliminated.

8. Chapter 33, section 3318(a), Competitive Service; selection from certificates. Waived insofar as ''rule of three'' is eliminated under the JWAC–DP.

9. Chapter 33, section 3321: Competitive Service; Probationary Period. This section waived only to the extent necessary to replace ''grade'' with ''broadband level.''

10. Chapter 33, section 3324 and section 3325: Appointments to Positions Classified Above GS–15. Waived in entirety to allow SSTM authority as described in this FRN and 79 FR 43722.

11. Chapter 33, section 3327: Civil service employment information. Waived to the extent necessary to allow public notice other than USAJobs for the Distinguished Scholastic Achievement Authority described in this FRN.

12. Chapter 33, section 3330: Government-wide list of vacant positions. Waived to the extent necessary to allow public notice other than USAJobs for the Distinguished Scholastic Achievement Authority described in this FRN.

13. Chapter 33, section 3341: Details. This waiver applies to the extent necessary to waive the time limits for details.

14. Chapter 35, section 3522: Agency VSIP Plans approval. Waived to remove the requirement to submit a plan to OPM prior to obligating any resources for voluntary separation incentive payments.

15. Chapter 35, section 3523(b)(3): Related to voluntary separation incentive payments. Waived to the extent necessary to utilize the authorities authorized in 82 FR 43339.

16. Chapter 41, section 4107: Pay for Degrees. Waived to the extent necessary to allow degree training under the Developmental Opportunities described in this FRN.

17. Chapter 41, section 4108. Employee Agreements; Service after Training. Waived to the extent necessary to (1) provide that the employee's service obligation is to JWAC for the period of the required service; (2) permit the JWAC Commander to waive in whole or in part a right of recovery; and (3) require an employee in the student educational employment program who has received tuition assistance to sign a service agreement up to three times the length of the training.

18. Chapter 43, sections 4301–4305: Related to performance appraisal. These sections are waived to the extent necessary to allow provisions of the Contribution-based Compensation System as described in this FRN.

19. Chapter 51, sections 5101–5112: Related to classification standards and grading. Waived to the extent that white collar employees will be covered by the broadbanding system and to the extent necessary to allow classification provisions described in this FRN.

20. Chapter 53, sections 5301–5307: Related to pay comparability system and GS pay rates. Waived to the extent necessary to allow JWAC–DP employees, including SSTM employees, to be treated as GS employees, and to allow basic rates of pay under the demonstration project to be treated as scheduled rates of pay. SSTM pay will not exceed EX–IV and locality adjusted SSTM rates will not exceed EX III.

21. Chapter 53, sections 5331–5336: General Schedule pay rates. These waivers apply to the extent necessary to: (1) Allow JWAC–DP employees to be treated as GS employees; (2) allow the provisions of this FRN pertaining to setting rates of pay; and (3) waive sections 5335 and 5336 in their entirety.

22. Chapter 53, sections 5361–5366: Grade and pay retention. Waived to the extent necessary to allow for the elimination of pay and grade retention provisions as described in this FRN.

23. Chapter 55, section 5542(a)(1)–(2): Overtime rates; computation. These sections are adapted only to the extent necessary to provide that the GS–10 minimum special rate (if any) for the special rate category to which a project employee belongs is deemed to be the ''applicable special rate'' in applying the pay cap provisions in 5 U.S.C. 5542.

24. Chapter 55, section 5545(d): Hazardous duty differential. This waiver applies only to the extent necessary to allow JWAC–DP employees to be treated as GS employees.

25. Chapter 57, section 5753: Recruitment and Relocation Bonuses. Waived to the extent necessary to allow JWAC–DP employees, including SSTM employees, to be treated as GS employees.

26. Chapter 57, section 5754: Relocation Bonuses. Waived to the extent necessary to allow provisions of the retention counteroffer and incentives as described in this FRN.

27. Chapter 57, section 5755: Supervisory Differentials. Waived to the extent necessary to allow SSTM supervisory pay differential provisions as described in 79 FR 43722.

28. Chapter 75, sections 7501(1), 7511(a)(1)(A)(ii), and 7511(a)(1)(C)(ii): Adverse Actions—Definitions. Waived to the extent necessary to: (1) Allow for up to a three-year probationary period, (2) remove the reference to one year of current continuous service, and (3) permit termination during the extended probationary period without using adverse action procedures for those employees serving a probationary period under an initial appointment except for those with veterans' preference.

29. Chapter 75, section 7512(3): Adverse actions. This waiver applies only to the extent necessary to replace ''grade'' with ''broadband level'' and to exclude reductions in broadband level not accompanied by a reduction in pay.

30. Chapter 75, section 7512(4): Adverse actions. This waiver applies only to the extent necessary to provide that adverse action provisions do not apply to conversions from GS special rates to JWAC–DP pay, as long as total pay is not reduced.

31. Chapter 99, section 9902(f): Related to voluntary separation incentive payments. Waived to the extent necessary to utilize the authorities authorized in 82 FR 43339.

B. Title 5, Code of Federal Regulations

1. Part 300, Employment (General), other than Subpart G of Part 300. Waived to the extent necessary to allow provisions of the direct hire authorities as described in 79 FR 43722 and 82 FR 29280.

2. Part 300.601–300.605: Time-in-Grade requirements. Waived to eliminate time-in-grade restrictions.

3. Part 315.801–315.802: Probationary Period. Waived to allow the extended probationary period.

4. Part 315.803(b): Agency Action during probationary period (general). Waived to allow for termination during an extended probationary period without using adverse action procedures under subpart D of part 752, 5 U.S.C.

5. Part 315, section 315.901 and 315.907: Statutory requirements. This waiver applies only to the extent necessary to replace ''grade'' with ''broadband level.''

6. Part 316, sections 316.301, 316.303, and 316.304: Term Employment. Waived to the extent necessary to allow Flexible Length and Renewable Term Technical Appointments as described in this FRN and in 82 FR 43339.

7. Part 330.103–330.105: Related to filling vacancies. Waived to the extent necessary to allow the STRL to publish competitive announcements outside of USAJobs.

8. Part 332 and 335: Related to competitive examination and agency promotion programs. Waived to the extent necessary to (1) allow employees appointed on a Flexible Length and Renewable Term Technical Appointment to apply for federal positions as status candidates; (2) allow no rating and ranking when there are 15 or fewer qualified applicants and no preference eligible candidates; (3) allow the hiring and appointment authorities as described in this FRN; (4) eliminate the ''rule of three'' requirement; and (5) to extend the length of details and temporary promotions without requiring competitive procedures as described in this FRN.

9. Part 337.101(a): Rating applicants. Waived to the extent necessary to allow referral without rating when there are 15 or fewer qualified candidates and no qualified preference eligible candidates.

10. Part 338.301: Competitive service appointment. Waived to allow for Distinguished Scholastic Achievement Authority grade point average requirements as described in this FRN.

11. Part 359.705: Removal from the Executive Service, Pay. Waived to allow demonstration project rules governing pay retention to apply to a former SES employee placed in an SSTM or broadband level IV position.

12. Part 410, section 410.308(a–f): Training to obtain an academic degree. Waived to the extent necessary to allow provisions described in this FRN.

13. Part 410, section 309: Agreements to continue in Service. This waiver applies to that portion that pertains to the authority of the head of the agency to determine continued service requirements, to waive repayment of such requirements, and to the extent that the service obligation is to JWAC.

14. Part 430, Subpart B: Performance Appraisal for General Schedule, Prevailing Rate, and Certain Other Employees. Waived to the extent necessary to apply the Contribution-based Compensation System described in this FRN.

15. Part 432.102–432.105: Related to performance based actions. (1) Modified to the extent that an employee may be removed, reduced in broadband level with a reduction in pay, reduced in pay without a reduction in broadband level and reduced in broadband level without a reduction in pay based on unacceptable performance; (2) modified to delete reference to critical element; (3) waived to the extent necessary to replace ''grade'' with ''broadband''; (4) waived to exclude reductions in broadband level not accompanied by a reduction in pay; (5) allow provisions of CCS and addressing inadequate contribution as described in this FRN; and (6) waive ''If an employee has performed acceptably for 1 year'' to allow for ''within two years'' from the beginning of an opportunity period.

16. Part 511 Subpart A, B, and F: Classification Under the General Schedule. Waived to the extent necessary to allow classification provisions outlined in this FRN, to include the list of issues that are neither appealable nor reviewable, the assignment of series under the JWAC–DP plan to appropriate career paths; and to allow informal appeals to be decided by the JWAC Commander.

17. Part 530, Subpart C: Special salary rates. Waived in its entirety.

18. Part 531, Subparts B, D, and E: Determining rate of basic pay, within-grade increases, and quality step increases. Waived in its entirety.

19. Part 531, Subpart F: Locality pay. This waiver applies only to the extent necessary to allow JWAC–DP employees, including SSTMs, to be treated as GS employees, and basic rates of pay under the demonstration project to be treated as scheduled annual rates of pay. This waiver does not apply to ST employees who continue to be covered by these provisions, as appropriate.

20. Part 536: Grade and pay retention. Waived to the extent necessary to allow the maintained pay provisions described in this FRN and to allow personnel in SSTM positions to receive maintained pay as described in this FRN.

21. Part 550.703: Severance Pay. This waiver applies only to the extent necessary to modify the definition of ''reasonable offer'' by replacing ''two grades or pay levels'' with ''one band level'' and ''grade or pay level'' with ''band level.''

22. Part 575, subparts A, B, and C: Recruitment Incentives, Relocation Incentives, and Retention Incentives. Waived to the extent necessary to allow employees and positions under the JWAC–DP covered by the broadbanding system to be treated as employees and positions under the GS system.

23. Part 752, sections 752.201 and 752.401: Principal statutory requirements and coverage. Waived to the extent necessary to: (1) Allow extended probationary periods and to permit termination during the extended probationary period without using adverse action procedures for those individuals serving a probationary period under an initial appointment; (2) replace ''grade'' with ''broadband level''; and (3) provide that adverse action provisions do not apply to conversions from GS special rates to JWAC–DP pay, so long as total pay is not reduced.

BILLING CODE 5001–01–P

APPENDIX A. CAREER PATH OCCUPATIONAL SERIES

Occupational Series in S&E Career Path (DR)		Occupational Series in Business Management and Professionals Career Path (DO)	
Series	Occupation	Series	Occupation
0110	Economist	0080	Security Administration
0130	Foreign Affairs Specialist	0201	Human Resources Management
0131	International Relations	0260	Equal Opportunity
0150	Geographer	0301	Misc. Admin and Program
0401	Biologist	0341	Administrative Officer
0801	General Engineering	0343	Management and Program Analysis
0810	Civil Engineering	0501	Financial Administration & Program
0830	Mechanical Engineering	0560	Budget Analysis
0840	Nuclear Engineering	1035	Public Affairs
0850	Electrical Engineering	1071	Audio-Visual Production
0854	Computer Engineering	1083	Technical Writing & Editing
0855	Electronics Engineering	1084	Visual Information
0861	Aerospace Engineering	1101	Business & Industry
0893	Chemical Engineering	1410	Librarian
0896	Industrial Engineering	1412	Technical Information Services
1301	General Physical Science	2010	Inventory Management
1310	Physics	2210	Information Technology Specialist
1370	Cartography	**Student Trainee Series**	
1515	Operations Research	0399	Administrative Support
1520	Mathematics	0599	Financial Management Student
1529	Mathematical Statistics	1099	Information & Arts
1550	Computer Scientist	2299	Information Technology
2210	Information Technology Specialist		

Occupational Series in Mission Support (DU)		Occupational Series in Technician (DX)	
Series	Occupation	Series	Occupation
0086	Security Clerical	0802	Engineering Technician
0318	Secretary	0856	Electronics Technician
0335	Computer Assistant		
0342	Support Services Administration		

APPENDIX B. EXAMPLE OF FACTORS AND DESCRIPTORS

SCIENTISTS AND ENGINEERS CAREER PATH, PAY PLAN DR

KEY ELEMENTS	DR PROBLEM SOLVING FACTOR			
	DR-I	DR-II	DR-III	DR-IV
Scope/Impact	Applies knowledge of science, technology, or processes to assigned tasks. Efforts are within the technology area or own organization.	Develops new or modifies existing methods, approaches, or scientific knowledge to solve challenges. Shares new methods across discipline to further analytical capabilities. Efforts involve appropriate technology areas and if needed, other organizations.	Defines, leads and manages an area which incorporates multidisciplinary science/engineering/technology applications. Makes critical decisions which significantly impact science/engineering/technology.	Defines, leads, and manages an overall technology area which includes multidisciplinary science/engineering/technology and/or non-science/engineering/technology aspects. Makes critical decisions which significantly impact mission goals.
Complexity	Analyzes and resolves routine to moderately-difficult problems within assigned area, using established methodologies and processes, often under the guidance of senior personnel. Develops limited variations to established methods and/or techniques.	Applies knowledge of science/`engineering/technology to analyze and resolve multifaceted issues/problems with minimal guidance. Develops comprehensive modifications to established methods and/or techniques and communicates them throughout own organization.	Applies and expands knowledge of science/engineering/technology applications to resolve critical, multifaceted problems and/or develops new theories or methods. Adapts to tasks involving changes or competing requirements. Solves complex problems involving strategic implications across multiple disciplines	Applies considerable judgment to resolve critical, multifaceted problems spanning multiple disciplines with command-level impacts. Expertly accomplishes tasks or resolves issues involving significant uncertainties, changes, or competing requirements.
Relevance and Recognition	Efficiently provides solutions that resolve assigned problems with some oversight/assistance from senior personnel. Completed work is reviewed for soundness, appropriateness, and conformity. Ability is recognized within own organization.	Consults appropriately to develop objectives, priorities, and deadlines. Plans and carries out work that is well aligned with organizational goals. Completed work is generally accepted upon review. Contributes expertise internally or externally with academia, industry, think tanks, government peers, and/or national laboratories.	Actively engages organizational planning activities. Defines and leads work efforts that are focused on organizational priorities. Results of work are considered authoritative. Contributes expertise at the national/external level with academia, industry, think tanks, government peers, and/or national laboratories	Sets objectives and plans, designs, and directs work at a strategic level to meet evolving organizational goals, given only broadly defined mission and functions. Leadership/expertise is recognized at the national and/or international level across other laboratories, services, governments/DoD, industry think tanks and/or academia.
Creativity	Uses critical thinking in selecting, interpreting, and adapting known scientific principles. Considers existing approaches and researches novel alternatives.	Uses critical thinking and originality in developing innovative approaches to define and resolve complex situations. Approaches to solving problems require initiative and resourcefulness in interpreting and applying scientific/ engineering/technology	Uses critical thinking and ingenuity in making decisions/developing technologies for areas with substantial uncertainty in methodology, interpretation, and/or evaluation. Approaches to solving problems require interpretation, deviation	Using broadly stated organizational goals fosters a culture which rewards ingenuity and generates/implements innovative ideas for developing new technologies. Develops innovative approaches which significantly expand

		principles that are applicable but not clearly developed.	from existing methods, or research of trends and patterns in order to develop new methods/scientific knowledge that are applied to organizational practices.	the scientific/engineering/technology knowledge base and/or the overall effectiveness of the organization.

KEY ELEMENTS	DR COMMUNICATION FACTOR			
	DR-I	DR-II	DR-III	DR-IV
Level/ Breadth	Prepares information to use within own organization and technical area. Exchanges information with other functional areas or external contacts. Coordinates with others in order to understand/adapt to the team concept.	Provides information to peers, senior technical leaders, and/or managers within and beyond own organization to influence decisions or recommend solutions. Exchanges information with established internal/external networks. Effectively partners, negotiates and enhances team effectiveness.	Communicates complex technical, programmatic, and/or management information across multiple organizational levels and external networks to drive decisions by senior leaders. Establishes and facilitates effective, collaborative interfaces with broad functional and technical areas.	Communicates with a wide range of peers/organizations across multiple levels inside and outside the laboratory to influence major technical, programmatic, and/or management activities. Builds collaborative relationships across broad functional and technical areas and engages with leaders at the national and/or international level.
Written	Documents routine information in a clear and timely manner. Effectively utilizes communications tools to contribute to reports, documents, presentations, etc. Written communication typically requires minimal revision.	Documents complex information, concepts, and ideas in a clear, concise, well-organized, and timely manner. Effectively authors reports, documents, and presentations pertaining to area(s) of expertise. Written communication typically requires minimal revision.	Leads documentation of diverse and highly complex information, concepts, and ideas in a highly responsive and effective manner. Authors and enables authoritative reports, documents, and presentations pertaining to multiple areas of expertise, with minimal oversight or guidance required.	Promotes a culture of excellence in synthesizing and documenting diverse and highly complex information, concepts, and ideas. Authors and directs authoritative reports, documents, and presentations integrating multiple disciplines. Written communication is suitable for senior executive level.
Oral	Presents routine information in a clear and timely manner. Actively listens and responds appropriately. Develops speaking skills for basic briefings and effectively adjusts to the audience with guidance.	Presents complex information, concepts, and ideas in a clear, concise, well-organized, and timely manner. Actively listens to others' questions, ideas, and concerns and considers diverse viewpoints. Demonstrates effective speaking skills for advanced briefings, tailoring presentations to facilitate understanding.	Leads presentation of diverse and highly complex information, concepts, and ideas in a highly responsive and effective manner. Seeks opinions and ideas from others and carefully considers and incorporates diverse viewpoints. Demonstrates expert speaking skills and adaptability for critical briefings.	Develops strategies to improve presentations of diverse and highly complex information, concepts, and ideas. Fosters an atmosphere of respect for others at all levels and promotes expression of alternative viewpoints. Displays mastery of speaking skills and delivers compelling, authoritative briefings.
Review/ Oversight	Provides reports, documents, and presentations to senior personnel for review. Makes necessary revisions per guidance from senior personnel. Adapts to changes in policies, processes, programs, and/or projects with supervision.	Reviews own communication products prior to submittal to peers, senior technical leaders, managers, and/or external contacts, resulting in minimal revision. May assist with the communications of others. Adapts to changes in policies, processes, programs, and/or projects with minimal supervision.	Produces required forms of communication with minimal guidance from others. Reviews communications of others for appropriate and accurate content. Leads changes in policies, processes, programs, and/or projects at the organizational level.	Establishes guidance and oversight requirements for communication in the organization. Responsible and accountable for overall development of reports, documents, and presentations of self and others within area of responsibility. Leads and communicates change at the command and external level.

KEY ELEMENTS	DR TECHNOLOGY MANAGEMENT FACTOR			
	DR-I	DR-II	DR-III	DR-IV
Level/Scope/ Complexity	Interacts within technical area on routine issues to communicate information and coordinate actions within area of assigned responsibility. Conducts duties in support of technical goals within own organization.	Collaborates with technical partners to develop strategies and lead project teams for operations or R&D. Lead development and execution of projects within division or branch to execute or advance organization mission within required quality standards and assigned timelines.	Leads technical areas, coordinating and working across the command to develop strategies for research and development programs and mission-support tasking. Leads development and execution at the organizational level. Works jointly with stakeholders to identify highly complex, sensitive, or controversial problems and develop strategies for effective resolution.	Integrates wide-ranging activities across the command and with external partners involving multiple technical areas, to develop strategic direction for the command. Directs program/process formulation and implementation to achieve the mission goals at the command-wide level that achieve the broader mission of HHQ and DoD.
Technical & Customer Relations	Carries out tasking in accordance with best practices defined by own organization. Participates in professional growth and training. Participates in technology area planning within own organization.	Recognizes opportunities to develop technical expertise and formulates plans within own organization. Generates key ideas and contributes technically to advance technical capability of command.	Leads/contributes significantly to technical advancement of technology or discipline, including strategic planning, execution and coalition building. Pursues near term opportunities by leveraging collaborations across the command and/or with external partners.	Leads command level change management through requirements generation, strategic planning, and prioritization. Creates opportunities by identifying/proposing diverse and timely HHQ and DoD mission relevant solutions while leveraging command-wide and external collaborations.
Technical Effectiveness	Contributes within own organization to the development/integration of technology solutions. Seeks out and uses relevant technologies to support own technical and functional activities.	Implements the development/integration and transition/transfer of technology solutions, within or beyond own organization, based upon awareness of customer requirements. Evaluates and incorporates appropriate outside technology to support mission requirements.	Leads development/integration activities based upon extensive customer interactions and appropriate partnerships. Develops/integrates technology solutions by exploiting external technology to meet mission requirements	Leads world class technical programs based upon anticipating customer requirements and leveraging external partners and capabilities. Develops/integrates innovative solutions that exploit emerging technology and fosters an environment of technology exploitation.
Resource Stewardship	Efficiently performs tasks utilizing available resources, including one's own time, to successfully accomplish assigned work. Provides inputs to risk management and process improvements.	Demonstrates knowledge of corporate processes by effective application of resources. Actively manages cost, schedule, and resource risks, seeking timely remedies. Collaborates with others in using resources more efficiently and suggests innovative ideas to optimize available resources.	Manages evolution of cost, schedule, and resource risk. Anticipates changes in resource requirements and develops and advocates solutions in advance. Leads others in using resources more efficiently and implements innovative ideas to stretch limited resources.	Identifies, acquires and manages and defends the resources needed to achieve organizational goals and expertly guides the implementation of these resources in a dynamic environment. Leads, promotes, and enables process improvements to maximize resource utilization.

KEY ELEMENTS	DR TEAMWORK AND LEADERSHIP FACTOR			
	DR-I	DR-II	DR-III	DR-IV
Teaming and Collaboration (Cooperation)	Actively participates, works flexibly, and makes positive contributions in assigned areas in order to meet team goals/responsibilities. May participate as a member of cross functional teams. Communicates and shares knowledge and information with others. Develops positive working relationships with peers and superiors, treating others fairly and professionally.	Contributes as lead or key member of the team performing substantive analytical duties in support of the organizational mission. Demonstrates the ability to focus on team efforts toward goal/ responsibility accomplishment. Recognizes when others need assistance and provides support. Resolves conflicts in a positive and constructive manner. Works collaboratively with others in a dynamic environment, demonstrating respect for other people and alternative viewpoints.	Effectively seeks out and capitalizes on opportunities for the organization to achieve significant results that support organizational goals. Seeks out opportunities to share knowledge with others. Volunteers to lead or serve on cross-functional/integrated teams. Initiates and leads strategic change initiatives. Leads and provides oversight to effectively manage specific areas of responsibility.	Formulates short- and long-term teaming/collaboration strategies across organization to achieve significant results in support of the organization's goals and long-term vision. Aligns team goals with broader organizational goals and strategies. Provides expert, accurate, and timely information to organization and partners. Builds coalitions to establish integrated approaches that meet overall organizational mission requirements. Sets and maintains a tone of cooperation, cohesion, teamwork, and respect/value for others. Sought out for consultation and leadership.
Level / Breadth of Influence	Performs moderately complex assignments within a team environment. Performs work that affects the effectiveness of broader projects and programs. Coordinates actions and gains understanding of other areas sufficiently to make appropriate recommendations.	Performs complex assignments within a team environment as the lead or key team member to improve capability of a technology area or address command initiatives. Integrates efforts or works across disciplines. Leads/mentors/ provides oversight to analysts same or lower level. Provides authoritative advice to management.	Leads the critical aspects of analytical efforts of individuals and/or teams with focus on accountability, quality, and effectiveness. Has impact on analytical recommendations that affect both internal and external relationships. Integrates efforts across disciplines/organization. Sought out for consultation on complex issues that affect internal/external organizations and/or relationships.	Leads/manages all aspects of subordinate/team efforts with complete accountability for mission and program success. Utilizes situational awareness to promote competitive positioning of the organization. Has broad and substantial impact on organizational decisions affecting internal/external organizations and relationships.
Mentoring and Development	Actively pursues guidance and opportunities for professional growth and to improve/expand skills. Actively supports the development of others through teaching, mentoring, sharing knowledge and incorporating feedback. Maintains currency in area of expertise.	Demonstrates the ability to mentor new employees and actively seeks the development and training of subordinates or peers (as appropriate), directly linked to organizational goals. Assists in the development and training of internal/external team members. Works to develop/improve self in order to more effectively accomplish directorate goals.	Identifies and addresses skill deficiencies within organization. Initiates and leads the development and training of subordinates and/or team members. Participates in mentoring and motivation, actively seeking out mentoring opportunities. Proactively develops/improves self in order to more effectively accomplish organizational goals.	Initiates development and training of subordinates; demonstrates the ability to provide developmental opportunities that maximize employee's capabilities and contribute to the achievement of organizational goals. Mentors and develops future organizational leaders and personnel through evaluations/feedback. Supports and fosters a culture that encourages and rewards mentoring and development. Proactively develops/improves self in order to more effectively accomplish agency DoD goals.
Supervision	Receives close guidance	Requires minimal	Receives only broad	Establishes policy and/or

and Oversight Required	from others. Performs duties in a professional, responsive, and cooperative manner in accordance with established policies and procedures.	guidance in terms of established policies, objectives, and decisions from others. Selects or recommends selection of staff or team members. Participates in mentoring opportunities to grow personal and peer skillsets. Contributes to position/ performance management, as required. Provides constructive feedback. Recommends novel concepts and significant departures from previous practices with supervisor or team leader.	policy/guidance. Provides guidance/direction to others. Selects or recommends selection of staff, team members, and/or subordinate supervisors. Participates in coaching, instruction, and position/performance management. Assigns tasks that provide opportunities to demonstrate proficiency in acquired skills; provides sincere and constructive feedback.	provides guidance/direction to others. Works within the framework of agency policies, mission objectives, and time and funding limitations leading change as required. Effectively manages an organization involving subordinate supervisors. Selects staff, team members, and subordinate supervisors. Directs and is responsible for position/ performance management execution.

Dated: May 12, 2020.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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DEPARTMENT OF EDUCATION

Notice of Waivers Granted Under Section 3511 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act

AGENCY: Office of Career, Technical, and Adult Education, Department of Education.

ACTION: Notice.

SUMMARY: In this notice, we announce waivers that the U.S. Department of Education (Department) granted, within the last 30 days, under the CARES Act.

FOR FURTHER INFORMATION CONTACT: Hugh Reid, U.S. Department of Education, 400 Maryland Avenue SW, Room Potomac Center Plaza (PCP)—11114, Washington, DC 20202. Telephone: (202) 245–7491. Email: *Hugh.Reid@ed.gov.*

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: Section 3511(d)(3) of the CARES Act requires the Secretary to publish, in the **Federal Register** and on the Department's website, a notice of the Secretary's decision to grant a waiver. The Secretary must publish this notice no later than 30 days after granting the waiver and the notice must include which waiver was granted and the reason for granting the waiver. This notice is intended to fulfill the Department's obligation to publicize its waiver decisions by identifying the waivers granted under section 3511.

The Department has approved waivers of the following requirement: Section 421(b) of the General Education Provisions Act (GEPA) to extend the period of availability of fiscal year (FY) 2018 funds for programs in which the State educational agency (SEA) participates as the eligible agency until September 30, 2021.

In the last 30 days, the Department's Office of Career, Technical, and Adult Education (OCTAE) granted 41 waivers to SEAs.

Waiver Data

I. Extensions of the Obligation Period

A. Twenty-eight waivers were granted to SEAs for State grants authorized by Title I of the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins), and 13 waivers to SEAs for State grants authorized by Title II of the Workforce Innovation and Opportunity Act (WIOA) (*i.e.,* the Adult Education and Family Literacy Act (AEFLA)).

1. *Provision waived:* Tydings Amendment, section 421(b) of GEPA (*20 U.S.C. 1225*(b)).[1]

Reasons: These waivers were granted under section 421(b) of GEPA to extend the period of availability of FY 2018 funds until September 30, 2021, pursuant to the 2018 Consolidated Appropriations Act (GEPA section 421(b) waivers). It is not possible to obligate funds on a timely basis, as originally planned, due to extensive school and program disruptions in the States. These disruptions are in response to extraordinary circumstances for which a national emergency related to the COVID–19 pandemic has been duly declared by the President of the United States under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 100 Public Law 707, and will protect the health and safety of students, staff, and our communities.

Waiver Applicants: The SEA GEPA section 421(b) waiver applicants provided assurance that the SEA will: (1) Use, and ensure that its subgrantees will use, funds under the respective programs in accordance with the provisions of all applicable statutes, regulations, program plans, and applications not subject to these waivers; (2) work to mitigate, and ensure that its subgrantees will work to mitigate, any negative effects that may occur as a result of the requested waiver; and (3) provide the public and all subgrantees in the State with notice of, and the opportunity to comment on, this request by posting information regarding the waiver request and the process for commenting on the State website.

The Assistant Secretary for Career, Technical, and Adult Education, reviewed the SEAs' requests for a GEPA section 421(b) waiver and determined that the following SEAs met the requirements for a GEPA section 421(b) waiver on the dates indicated below:

(1) State grants authorized by Title I of Perkins:

- Alabama State Department of Education, April 21, 2020;
- Alaska Department of Education and Early Development, April 21, 2020;

[1] Section 3511(b) of the CARES Act only authorizes the Secretary to grant waivers requested by SEAs of the Tydings Amendment, section 421(b) of GEPA, to extend the period of availability of State formula grant funds authorized by the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins Act) and the Adult Education and Family Literacy Act (AEFLA). The Department currently does not have the authority to grant a waiver of the Tydings Amendment with respect to the Perkins Act or AEFLA to States in which the SEA is not the grantee for these State-administered programs.