STATE OF WEST VIRGINIA
OFFICE OF THE ADJUTANT GENERAL
1703 COONSKIN DRIVE
CHARLESTON, WV 25311-1085

WVHRO Regulation 532-1

Environmental Differential Pay (EDP)/Hazardous Duty Pay (HDP)

1. References:

a. 5 USC, §5545 (d), and §5548 (b)

b. 5 CFR, §550.901-907 and Appendix A to Subpart I of part 550

c. 5 CFR, §532.511 and Appendix A to Subpart E of Part 532

2. Policy: The objective of the West Virginia National Guard is the elimination of or reduction to the lowest level possible all hazards, physical hardships, and working conditions of an unusually severe nature. The employer agrees to conduct EDP and HDP Programs as set forth in appropriate law, rule, and regulation.

3. General:

a. Environmental Differential Pay (EDP) is applicable to Federal Wage System (FWS) technicians. Hazardous Duty Pay (HDP) is applicable to General Schedule (GS) technicians.

b. Both EDP and HDP are defined by, and subject to, restrictions outlined in public law and applicable OPM and NGB regulations.

c. Only individuals authorized by regulation and assigned to perform work which is normally authorized EDP/HDP will perform such duties.

d. The authority to either approve or deny pay differential will reside only in EDP/HDP committee action. (as approved by The Adjutant General)

e. In the event a technician and/or immediate supervisor disagree as to the application of an approved pay differential, either party may provide a written request for submission to the HRO Classifier. The HRO Classifier will review the request, confer with the appropriate Occupational Health and Safety Specialist, and provide a written recommendation to resolve the disagreement. If the HRO Classifier's written resolution does not satisfy the disagreement, the normal grievance process may be utilized.

4. Pay Differential and authorization:

a. A proposal a local work situation be identified for inclusion under EDP/HDP will be described in writing using EDP/HDP Review HRO Form 532-1, and submitted to the EDP/HDP

committee for consideration. Supervisors will assist technicians in the proposal process.

b. EDP/HDP Review HRO Form 532-1 will be filed by the committee for each and every submitted hazard request. Committee processed forms will comprise the EDP/HDP Register.

c. The EDP/HDP register will be available on the HRO Website and, by request, from the HRO Classifier. The register will be updated as required and annually reviewed by the committee.

5. Payment of EDP/HDP differential is to a technician in accordance with procedures outlined in 5 CFR § 532-511.

6. EDP/HDP Committee:

a. The Adjutant General (TAG) will establish an EDP/HDP committee which will meet on an annual basis, or as required by the committee chairperson, or at the discretion of the Adjutant General. The purpose of the committee will be to conduct a review of the West Virginia National Guard EDP/HDP Plan to determine the adequacy of the plan and rule on proposed pay differentials. The committee will continuously evaluate the EDP/HDP register and publish new approved differentials to the HRO Classifier.

b. The committee will be appointed by the Adjutant General, and will include the President, or the appointed representative, from each of the Association Chapters. The Association State Counsel and Chapters will designate additional Association representatives to the committee. These voting members will be equal to the number of the Adjutant General's voting representatives. Identification of the Adjutant General's voting representatives will be provided to the ACT State Chairman prior to the commencement of any committee meeting. The committee chair will be a nonvoting facilitator to the committee, only casting a deciding vote in the event of a tie. Some examples of possible committee members appointed by the Adjutant General could be: ANG Administrative Officer, ANG Logistics Management Officer, ANG Air Operations Officer, ANG Airplane Flight Instructor, ANG Safety and Occupational Health Manager, ANG Industrial Hygiene Technician, ARNG Personnel Officer, USPFO, ARNG Surface Maintenance Manager, ARNG Aircraft Flight Instructor, ARNG Safety and Occupational Health Manager, ARNG Occupational Health Specialist, and HRO Classification Specialist.

c. All meetings of the committee will take place at a predetermined location, and physical attendance is preferred. The senior member from each party will designate who his/her voting members will be. In the event a committee member who is also identified as a voting member cannot physically attend a meeting, a written request for attendance by an alternate or designated representative may be submitted to the Committee Chairperson within 14 days of the committee meeting. If a designated representative cannot be physically present during the conduct of the meeting, no vote will be cast by the absent member's authority.

d. Subject matter experts may be called by either the Association or the Employer. Attendance at committee meetings will be invitation only. Individuals wishing to address the committee must notify the committee chairman in writing.

7. Oversight and Review:

a. All proposals brought before the committee will be resolved, either by denial or validated for pay differential authorization.

b. Proposals denied will be posted to the EDP/HDP register, and will become checkpoints for Occupational Safety and Health inspections.

c. Proposals validated by the committee will be posted to the EDP/HDP register authorizing appropriate pay differential.

d. Tabled proposals will be addressed within 14 days of committee adjournment. If both parties agree to table the proposal again, a final decision must be made within 30 days of original committee meeting date by the Adjutant General.

8. Appeals of EDP/HDP Decisions:

a. Proposals denied by the committee will be reviewed upon written request to the full committee, and a written response will be provided to the individual requesting the review within 30 days of receipt of the request.

b. In the event an individual still desires to appeal a denial following review by the committee, the individual may file a grievance IAW negotiated grievance procedure as stated in the current Labor Management Relations Agreement.

9. This regulation supersedes WVHRO 532-1 dated 20 February 2009 and WVHRO 550-2 dated 15 August 1998.

JAMES A. HOYER
MAJOR GENERAL, WVARNG
The Adjutant General

ENVIRONMENTAL DIFFERENTIAL/HAZARDOUS DUTY PAY
CATEGORY DETERMINATION

UNIT/ACTIVITY: _____ CATEGORY EXPOSURE (EDP): _____

DIFFERENTIAL RATE: _____ BASED ON: _____

IRREGULAR OR INTERMITTENT DUTY (HDP): _____

RATE OF HDP: _____

AUTHORITY: _____

SITUATION: (Describe in detail the types of environmental/hazardous situations that technicians will be required to accomplish and for which EDP/HDP is to be authorized).

DETERMINATION: (Describe when EDP/HDP will be paid and to which technicians by Position title and number, or other designation if applicable).

OFFICIAL(S) AUTHORIZED TO ASSIGN AND CERTIFY TO EXPOSURE, PERFORMANCE OF IRREGULAR OR INTERMITTENT DUTY FOR PAY PURPOSES: (List all by position title and number, or other designation if applicable).

DATE OF DETERMINATION: (Date approved for payment by HRO).

APPROVED FOR PAYMENT _____
Human Resources Officer

State	Form Number	Form Title	Mulitple Page Form
SC	Request for Change or Cancellation of Payroll Deduction/the NGAUS Insurance Trust.	NG-76	
SD	NGAUS Life Insurance		
TN	Employment Eligibility Verification	I-9	
TN	FEHB Election Forms	SF 2809 and SF 2810	
TN	FEGLI	SF 2817	
TN	FEGLI Beneficiary Form	SF 2823	
TN	Unpaid Compensation Bene	SF 1152	
TN	FERS Beneficiary	SF 3102	
TN	TSP Election Form	TSP-1	
TN	TSP Election Form Change	TSP-1C	
TN	Notification to TSP of Nonpay Status	TSP-41	
TN	TSP Beneficiary Form	TSP-3	
TT	AUS & RTD NGAUS	NG76	
UT	NGAUS	various	
UT	FEGLI	various	
UT	Resumes		
UT	Military Buy Back Documentation		
VA	ING Beneficiary Designation	7384S	
VA	Reliastar Life Insurance	NGAUSAPP10-MN	
VA	ING Death Claim	40302N	
VA	NGAUS Open Enrollment	48830-NGOE	
VA	NGAUS Change or Cancellation	NG76	
VA	Waiver of Premium Disability	428571	
VT	NGAUS Enrollment	48830-NGOE	
VT	NGAUS Request to Change	NG-76	
WI	Individual Development Plan	NGB Form 650	
WI	Recommendation for Award	NGB 32	
WI	NGAUS Enrollment	48830-NGOE	
WI	NGAUS Change or Cancel	NG76	
WV	Appointment Affadavit	SF 61	
WV	Employment Eligiblity Verification	I-9	
WV	Declaration for Federal Employment	OF 306	
WV	Standards of Conduct for NG Techs	SPMO Form 12	
WV	Statement of Prior Federal Service	SF 144	
WV	NGAUS Enrollment/ change forms		
WV	Unpaid Compensation Des Ben Form	SF 1152	
WY	Memo-Command Direct Move	N/A	
WY	Request for LWOP	TAG Form 28-E	
WY	Memo- TSP matching	N/A	
WY	LWOP Checklist	N/A	
WY	FEGLI Extension	N/A	
WY	RTD Checklist	N/A	
WY	Waiver of FEHB	N/A	
WY	LSCD Estimate	N/A	

- Temp/Perm NEO Checklist
- MOS Training agreement
- Personnel Contact Sheet
- Statement of understanding for Temps
- TRS for Temps
- OWCP understanding
- AUS/RTD/LWOP packet
- FEGLI extension
- RETRO TSP Election
- → Prior SF 1150 (not sep SF 1150) no/remedy
- → SCD Chg document (FRB printout)
- → New Tech info sheet (1607 only)
- → grade retention docs

Given 01 May 13

- Pay/Grade Retention
- TSP-3
- ABC-C memo for completed deposit
- Request of Deposit/redeposit Information
- refusal of NGAUS/Reliastar

01 May 13