

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**D.C. Department of Human Resources**

District Personnel Manual Issuance System

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**E-DPM Instruction No. 11B-70**

**SUBJECT:** Superior Qualifications Appointments in the Career and Management Supervisory Services

**Date:** June 29, 2009

**NOTE:** This Electronic District Personnel Manual (E-DPM) instruction supersedes DPM Instruction No. 11B-58, *subject as above*, dated May 28, 2008, for the main purpose of providing a revised form for agencies to complete when requesting approval of superior qualifications appointments (see Paragraph 5 below).

***SUPERIOR QUALIFICATIONS APPOINTMENTS***

***– Definition –***

- ***NEW*** (initial) appointment with the District government, or reappointment, for which the SALARY is set above the representative rate\* for the position because of the *superior qualifications* of the person selected for the position
- The authority to make superior qualifications' appointments may be utilized for new appointments and reappointments in the Career Service and Management Supervisory Service (MSS) to positions paid under salary or rate schedules with steps only, as follows:

*For an appointment to a [white collar] position paid under Career Service salary schedules (CS) with steps → at GRADES 7 – 14; and*

*For an appointment to a [blue collar] position paid under a Career Service (pay plans RW, LW, SW) or MSS Wage Service rate schedule (pay plan MW) → at ANY GRADE*

***– Criteria –***

- *The special needs of the agency for the candidate's services;*
- *The candidate's unusually high or unique qualifications for the position; or the exceptional or highly specialized nature of his or her trade or craft, as applicable; and*
- *Rate of basic pay of the candidate.*

\*Please refer to page 2 of this E-DPM instruction.

**Note:** E-DPM instructions that are strictly procedural in nature have direct applicability only to agencies and employees under the personnel authority of the Mayor. Other personnel authorities or independent agencies may adopt any or all of these procedures or guidance materials for agencies and employees under their respective jurisdictions.

**Inquiries:** Compensation and Classification Administration, DCHR (202) 442-9700

**Distribution:** Heads of Departments and Agencies, HR Advisors, and DPM Subscribers

**Retain Until Superseded**

## **Other Provisions for Superior Qualifications Appointments**

### **1. Exclusions**

The provisions in this instruction do not apply to new appointments or reemployments to positions in the Career Service or MSS paid from **OPEN RANGE SALARY SCHEDULES**. New appointments to the Excepted Service and Legal Service are also excluded.

### **2. Superior Qualifications Appointments Made by Reemployment**

When a superior qualifications appointment is made by reemployment, the candidate must have had a break in service of at least 90 days since his or her last period of District government service.

### **3. Representative Rate**

The rate used to determine the nature of a job change when the job change involves different salary or rate schedules. Specifically, the representative rate is used to determine if the job change constitutes a promotion, change to lower grade, or reassignment, by comparing the representative rates of the salary/rate schedules involved in the job change.

The representative rates for the various District government salary and rate schedules are as follows:

- The *4<sup>th</sup> step* for salary schedules with *10 steps*;
- The *3<sup>rd</sup> step* for rate schedules with *6 steps*; and
- The *midpoint range* for *open range salary schedules*.

### **4. Approval of Superior Qualifications Appointments**

When justified, the appropriate official within the D.C. Department of Human Resources (DCHR) will consider and approve a request for a superior qualifications appointment submitted by a subordinate agency. The agency's request must include a justification stating the basis for requesting the particular rate of pay.

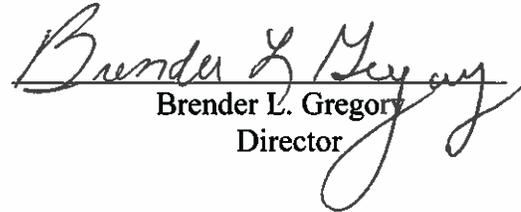
The *General Guide* attached to this E-DPM instruction provides detailed information on the criteria for superior qualifications appointments, and outlines the procedures that agencies requesting the approval of this type of appointment must follow.

### **5. Revised Form**

- a. *D.C. Standard Form (DCSF) No. 11B-09, Request for Salary Exception under Open Range Salary Schedule*, has been rescinded; and *DCSF No. 11B-01, Request for Superior Qualifications Appointment*, has been revised and renamed as "Request for Superior Qualifications Appointment/Salary Exception (Open Range Salary Schedule)." Thus,

effective immediately, agencies requesting DCHR's approval of either a Superior Qualifications appointment or a Salary Exception for a position paid under an open range salary schedule must use the revised *DCSF No. 11B-01*.

- b. In addition to combining the two (2) forms into one (1), the revised/renamed *DCSF No. 11B-01* is now available as an **electronic fillable form**. Agencies may access the form on the DCHR's Intranet website at [www.dcop.in.dc.gov](http://www.dcop.in.dc.gov) under the heading "Services," by clicking on "Forms."

  
Brender L. Gregory  
Director

Attachments:

- *Criteria for Superior Qualifications Appointments – General Guidance*
- *Standard Form No. 11B-01, Request for Superior Qualifications Appointment/Salary Exception (Open Range Salary Schedule) (Rev. 6/09)*

## CRITERIA FOR SUPERIOR QUALIFICATIONS APPOINTMENTS

### BASIS FOR THE APPOINTMENT:

The rate of basic pay of an individual newly appointed or reemployed to certain positions in the Career Service or Management Supervisory Service (blue collar (MSS)) may be set above the representative rate (a step 4 on a salary or rate schedule with 10 steps; a step 3 on a rate schedule with 6 steps) of the appropriate schedule on the basis of the superior qualifications of the individual, as follows:

### FOR AN APPOINTMENT PAID UNDER:

- *A Career Service salary schedule (CS) WITH STEPS → AT GRADES 7 – 14*
- *A Career or MSS Wage Service rate schedule (RW, LW, SW, MW) → AT ANY GRADE*

### GENERAL CONSIDERATIONS FOR THE APPOINTMENT:

1. The primary consideration in using the superior qualifications appointment authority is the ability to meet the needs of the District government by giving agencies some flexibility in negotiating salaries with individual candidates. Therefore, the authority shall be used only when necessary to meet the needs of the District government.
2. A request for a superior qualifications appointment should be submitted only after it is determined that the candidate is within reach on a certificate of eligibles or has reinstatement eligibility.
3. Before submitting a request for a new appointee, agencies must ensure that current employees will not be adversely impacted. That is, it is important not to disrupt the pay alignment of an organization just to hire one individual if that individual truly does not meet the requirements for a superior qualifications appointment.

### CRITERIA FOR THE APPOINTMENT:

#### 1. SPECIAL NEEDS of the Agency for the Candidate's Services –

- The agency has a need for the services of a particular candidate because his or her special experience, knowledge, or skills are essential to the accomplishment of a highly important agency program objective.

[It must be clearly demonstrated that a significant part of an agency's mission would be negatively impacted if the candidate is not hired. Mere convenience to the agency does not meet this criterion. Also, curtailment of a function at a single agency activity will not be the basis for the approval of a superior qualifications appointment unless it can be shown that this will materially affect the whole District government.]

**2. QUALIFICATIONS of the Candidate Are –**

- Significantly superior to those of a well-qualified candidate for the position being filled
- A rare combination of education and experience immediately pertinent to the position being filled

As applicable, an agency may also consider factors such as –

- The current labor/market conditions and employment trends
- Significant pay disparity between District government and non-District government salaries
- The candidate's high stature in the field of endeavor
- How well the candidate is regarded by others in the field
- The number of advanced degrees attained
- Published articles, unusual skills, or interdisciplinary training pertinent to the position being filled
- Whether the candidate's outstanding reputation will contribute to success on the job

**3. The Candidate's RATE OF BASIC PAY (OR EXISTING PAY), which includes –**

- The candidate's income from his or her present position and from any other employment which forms a regular, continuing portion of the candidate's total income
- Current bona fide offers of employment from other sources at a higher rate than the candidate's existing salary

[It is important to remember that the candidate's existing pay is only 1 factor and cannot be considered singly, and that this factor and the candidate's unusually high or unique qualifications for the position being filled must be considered jointly.]

**PRIOR APPROVAL REQUIRED:**

1. Prior approval from the Director of the Department of Human Resources (DCHR) (or designee) must be obtained when an agency wishes to make a superior qualifications appointment.
2. An agency may not appoint an individual at the first (1<sup>st</sup>) step of the grade and then request approval to change the appointment to a higher step based on a claim of superior qualifications.
3. A superior qualifications appointment is not appropriate after the candidate enters on duty, and retroactive approval will not be considered. [Selecting officials are cautioned against making firm salary commitments to prospective appointees before the approval of the Director, DCHR (or designee) is obtained.]

**PROCEDURES FOR REQUESTING A SUPERIOR QUALIFICATIONS APPOINTMENT/  
REQUIRED DOCUMENTATION AND INFORMATION:**

1. The employing agency is required to complete a *Standard Form No. 11B-01, Request for Superior Qualifications Appointment/Salary Exception (Open Range Salary Schedule)*, and submit the form to the DCHR.
2. The submission must include the following information:
  - The basis for the rate of basic pay requested;
  - A complete justification for the use of the authority; and
  - A narrative comparing the candidate's qualifications with those of any others who may have been determined to be among the best qualified candidates available.

**RECORD-KEEPING:**

1. The DCHR will maintain a *RECORD* (file) of each request for superior qualifications (whether or not the request is approved). Each file is to include a copy of all of the following: (1) the Superior Qualifications Checklist; (2) the candidate's D.C. Form 2000 – Employment Application; (3) the Standard Form No. 11B-01; and (4) the Rating and Ranking Schedule and Selection Certificate (if the individual was selected competitively).
2. The original Standard Form No. 11B-01 for an approved superior qualifications appointment is to be filed on the right side of the selectee's Official Personnel Folder (OPF).

**DOCUMENTATION OF PERSONNEL ACTIONS:**

The personnel action for an approved superior qualifications appointment must be annotated in the remarks block to show the approval from the DCHR. An example of the language required is as follows:

*“Rate of basic pay for Jane Brown at the fifth (5<sup>th</sup>) step of grade CS-13 approved by the DCHR on June 8, 2009, because of the candidate's superior qualifications.”*

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
D.C. Department of Human Resources**

**REQUEST FOR SUPERIOR QUALIFICATIONS APPOINTMENT / SALARY EXCEPTION (OPEN RANGE SALARY SCHEDULE)**

**Section 1 – Designated Office Within DCHR/Type of Appointment**

To: D.C. Department of Human Resources	DCHR NO./AGENCY NO.	DATE (Month, Day, Year)
Attn: _____		
<b>Type of Appointment [Initial App. / Reappointment]</b>		
<b>Superior Qualifications Appointment</b>	<b>Salary Exception (open range)</b>	
<input type="checkbox"/> Career Appt. (Prob./Perm./Reinstatement) (Grades 1 – 14 Only) <input type="checkbox"/> Career Appt. (Prob./Perm./Reinstatement) (Wage Grade) <input type="checkbox"/> Career Appt. (Temporary/Term) (Grades 1 – 14 Only) <input type="checkbox"/> Career Appt. (Temporary/Term) (Wage Grade Only) <input type="checkbox"/> MSS Appt. (Wage Grade Only)	<input type="checkbox"/> Career Appt. (Prob./Perm./Reinstatement) (Grades 15 & Above) <input type="checkbox"/> Career Appt. (Temporary/Term) (Grades 15 & Above) <input type="checkbox"/> Excepted Service <input type="checkbox"/> MSS Appt. (White-Collar Positions Only)	

**Section 2 – Agency Submitting Request:**

Agency Name _____	For Information Call: (Name/Tel. No.) _____
Address _____	Title _____ Date _____
City, State, Zip Code _____	Signature of Agency Official Requesting this Action _____

**Section 3 – Information on Candidate/Position Being Considered For/Proposed Salary**

Name of the Candidate: _____	Pay Plan Designation
Title of the Position Being Considered for: _____	<input type="checkbox"/> CS <input type="checkbox"/> MW <input type="checkbox"/> ES <input type="checkbox"/> RW <input type="checkbox"/> MS <input type="checkbox"/> LW <input type="checkbox"/> SW
Grade and Series of the Position: _____	
Proposed Salary/ Step: _____	

**Section 4 – Justification for Superior Qualifications / Salary Exception**

Submit via email/ scanned copies of the candidate's completed D.C. 2000 – Employment Application; written justification; position description; and any other supporting documentation or statements.

**Section 5 – To Be Completed by DCHR Representatives**

<b>Recommendation:</b> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove	<b>Final Determination:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
Supvy, HR Specialist _____ Date _____	Director, DCHR (or Designee) _____ Date _____

## INSTRUCTIONS

### Agency:

- Complete sections 1 through 4
- Under section 1, include the name of the Supervisory HR Specialist within the Recruitment & Staffing Group, the D.C. Department of Human Resources (DCHR)
- The written justification required under section 4 must include all information and documentation the agency considers relevant for the DCHR to determine whether the request should be approved, including a detailed analysis of the candidate's superior qualifications and how they compare to those of other candidates/applicants; existing salary, if applicable (include proof such as pay stubs), etc.
  - Candidate's Current Salary (include pay stubs);
  - Documentation of candidate's expertise/specialized skills;
  - Effect of proposed salary on agency's budget;
  - Documentation that the position has been designated *hard-to-fill*;
  - Recruitment plan(s) and proof of recruitment efforts;
  - Market value analysis of the position; or
  - Comparative analysis of the proposed compensation to other internal pay relationships within the employing agency.

*[The regulations on superior qualifications appointments and setting pay for positions paid under open range salary schedules are contained in Chapter 11 of the D.C. personnel regulations, Classification and Compensation.]*

### DCHR:

- Assign a "DCHR No./Agency No." (Section 1) to each DCSF No. 11B-01 received
- Sign and date the form (DCHR representative making the recommendation and approving or disapproving the request)
- File the original DCSF No. 11B-01 approving the request on the right hand side of the employee's official personnel folder (OPF) along with the personnel action effecting the appointment (the DCSF No. 11B-01 becomes a permanent personnel record)
- Return the original DCSF No. 11B-01 and supporting documentation disapproving the request to the hiring agency, and keep a copy of the request