



NSPS Classification Bulletin: Supervision of Foreign Nationals

12 June 2009

1. Reference: DoD 1400.25-M, Subchapter 1920, Classification, Appendix 5.
2. Purpose: This bulletin clarifies the classification of positions which supervise only Local National (LN) or Master Labor Contract (MLC) employees.
3. The Implementing Issuances (DoD 1400.25-M) in Appendix 5 of Subchapter 1920 contain Classification Criteria for supervisor/managers. According to these provisions, in order for a position to be classified as supervisory, the supervised employees must include "Federal civilian employees, military or uniformed service employees, volunteers, or other noncontractor personnel." Additionally, to be classified as a supervisor, and assigned a pay band in the Supervisor/Manager Pay Schedule, the position must perform the functions of an Immediate Supervisor. They are:
 - Assign work to subordinates based on priorities, difficulty of assignments, and the capabilities of employees;
 - Provide technical oversight;
 - Develop performance plans, evaluate work performance of subordinates and provide recommended rating of record;
 - Interview candidates for subordinate positions; recommend hiring, promotion, or reassignments;
 - Take disciplinary measures, such as warnings and reprimands;
 - Identify developmental and training needs of employees; provide and/or arrange for needed development and training.
4. Although local national employees do not receive a "rating of record", as described in DoD 1400.25-M, Subchapter 1940, this supervisory requirement is satisfied if the immediate supervisor evaluates the work performed and provides feedback to the local national employees under his or her direction and creates a forum where those employees may discuss their goals and achievements.
5. In some OCONUS locations positions may be classified as supervisory, and the incumbents may nevertheless be in bargaining units if they supervise only military or local national employees; those bargaining unit employees should not be reclassified or converted into NSPS.
6. The establishment of a supervisory position should be based on the need for the position; the cost of the position; and other business-based considerations. If the incumbent in a position is exercising less than the minimum supervisory authorities of an Immediate Supervisor, the question as to whether the position's primary purpose is supervisory should be considered, and a decision should be made whether the position should assigned to an appropriate non-supervisory pay schedule.

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