|  |  |
| --- | --- |
| **Employee/Selectee:** | **Effective Date:** |
| **Title, PP/Series/Grade/Step:** | **Organization:** |
| **NOAC/Nature of Action:** | **LAC/Legal Authority:** |
| **Performance Rating and Date:** | |

**References:** [5 U.S.C. 5334](https://www.law.cornell.edu/uscode/text/5/5334#:~:text=(1)%20the%20maximum%20rate%20of%20the%20higher%20grade;%20or.%20(2)), [5 U.S.C. 5343,](https://www.law.cornell.edu/uscode/text/5/5343) [5 CFR 531,](https://www.law.cornell.edu/cfr/text/5/part-531) [5 CFR 532](https://www.law.cornell.edu/cfr/text/5/part-532), [5 CFR 550,](https://www.law.cornell.edu/cfr/text/5/part-550) [Guide to Processing Personnel Actions (GPPA)](https://www.opm.gov/policy-data-oversight/data-analysis-documentation/personnel-documentation/#url=Processing-Personnel-Actions), [Pay, Leave, and Workforce Flexibilities for Recruitment and Retention (opm.gov)](https://www.opm.gov/policy-data-oversight/pay-leave/pay-and-leave-flexibilities-for-recruitment-and-retention/),

[Maximum Payable Rate Rule (opm.gov)](https://www.opm.gov/policy-data-oversight/pay-leave/pay-administration/fact-sheets/maximum-payable-rate-rule)

\*Agency policies, procedures, memos, etc.

**Instructions:** This form can be used in conjunction with other evaluation checklists by copying and pasting sections, into the respective talent checklist, as appropriate. It may also be used as a stand-alone checklist for the type of action under review.

* [Appointments Based on Superior Qualifications and Special Needs Pay-Setting Authority– See Section A](#SectionA)
* [Promotions – See Section B](#SectionB)
* [Within-Grade Increases for GS, GM, and FWS employees – See Section C](#SectionC)

[Quick Link to "Case File Summary/Comments"](#_Case_File_Summary/Comments:)

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| --- | --- | --- | --- |
| **SECTION A: APPOINTMENTS BASED ON SUPERIOR QUALIFICATIONS AND SPECIAL NEEDS PAY-SETTING AUTHORITY** | | | |
| **Y** | **N** | **Review Item** | **Comments** |
|  |  | The superior qualification appointment is appropriately justified and documented.  [[5 CFR 531.212(b)]](https://www.law.cornell.edu/cfr/text/5/531.212)  Documentation should allow for reconstruction to include the following:   1. Superior qualification of individual and/or special need of the agency that justifies use of authority 2. Factors considered in determining the individual’s existing pay 3. Reasons for authorizing an advanced rate instead of or in addition to a recruitment bonus |  |
|  |  | For superior qualifications appointment, candidate meets one of the criteria in [5 CFR 531.212(b)](https://www.law.cornell.edu/cfr/text/5/531.212) and the authority is used for a first appointment or reappointment that is considered a new appointment under [5 CFR 531.212(a)](https://www.law.cornell.edu/cfr/text/5/531.212#:~:text=An%20agency%20may%20set%20the%20payable%20rate%20of%20basic%20pay) |  |
|  |  | The agency has established appropriate internal guidelines and evaluation procedures for using the superior qualifications authority.  [[ 5 CFR 531.212(f)]](https://www.law.cornell.edu/cfr/text/5/531.212#:~:text=An%20agency%20may%20set%20the%20payable%20rate%20of%20basic%20pay) |  |
|  |  | The highest previous rates and the maximum payable rate are correctly applied. [[5 CFR 531.211(b)(2)](https://www.law.cornell.edu/cfr/text/5/531.211#:~:text=(b)%20Reemployment.%20For%20an%20employee%20who%20has%20previous%20civilian%20service), [531.212](https://www.law.cornell.edu/cfr/text/5/531.212#:~:text=An%20agency%20may%20set%20the%20payable%20rate%20of%20basic%20pay), [531.221](https://www.law.cornell.edu/cfr/text/5/531.221), [222](https://www.law.cornell.edu/cfr/text/5/531.222), and [223](https://www.law.cornell.edu/cfr/text/5/531.223)] |  |
|  |  | The agency has established an internal policy regarding the use of the MPR rule that includes:   * Designation of officials with the authority to approve and set pay under the MPR rule; * Any situations in which the agency must use the MPR rule; * Any situations in which the agency may exercise its discretion in using the MPR rule; * Consideration of the step at which pay has been set for employees performing similar work in the organization (based upon occupational series, grade level, types of duties, or other job relevant factors); * Any other factors the designated officials may or must consider in determining the step at which to set the employee’s pay between the employee’s entitlement under any other applicable pay-setting rule and the employee’s MPR; and * Documentation and recordkeeping requirements sufficient to allow reconstruction of the action.   [[531.221(a)(6)]](https://www.law.cornell.edu/cfr/text/5/531.221) |  |
|  |  | The agency adheres to internal policy for fair and equitable use of maximum payable rates. [[531.212(f)]](https://www.ecfr.gov/current/title-5/chapter-I/subchapter-B/part-531/subpart-B/subject-group-ECFR9b085ee4a0f815a/section-531.212) |  |
| **SECTION B: PROMOTIONS** | | | |
| **Y** | **N** | **Review Item** | **Comments** |
|  |  | **For General Schedule Employees**:  Pay upon promotion has been set applying the promotion rules set forth in [5 CFR 531.214](https://www.law.cornell.edu/cfr/text/5/531.214).  If the new rate of pay for the employee falls between two steps, the agency has rounded up to ensure the rate exceeds existing rate of pay by at least two steps. [[5 U.S.C. 5334(b)]](https://www.law.cornell.edu/uscode/text/5/5334#:~:text=(1)%20the%20maximum%20rate%20of%20the%20higher%20grade;%20or.%20(2)) |  |
|  |  | **For Federal Wage System Employees**:  The agency has properly computed the promotion as prescribed by law, e.g., used the proper wage survey and computed pay to include at least a four percent increase of the representative rate of the grade from which promoted. The agency has applied the highest previous rate in computing new rate of pay. [[5 CFR 532.407]](https://www.law.cornell.edu/cfr/text/5/532.407) |  |
| **SECTION C: WITHIN-GRADE INCREASES** | | | |
| **Y** | **N** | **Review Item** | **Comments** |
|  |  | The employee’s most recent rating of record shows performance at an acceptable level of  “Fully Successful” for GS or better. [[5 CFR 531.404(a)](https://www.law.cornell.edu/cfr/text/5/531.404) and [5 CFR 532.417(a)](https://www.law.cornell.edu/cfr/text/5/532.417)] |  |
|  |  | The within-grade increase was effective at the beginning of the first applicable pay period following the day the employee became eligible.  [[5 CFR 531.412(a)](https://www.law.cornell.edu/cfr/text/5/531.412) and [5 CFR 532.417(d)](https://www.law.cornell.edu/cfr/text/5/532.417)] |  |
| *For General Schedule Employees:* | | | |
|  |  | The employee encumbers a permanent position. [[5 CFR 531.402(a)]](https://www.law.cornell.edu/cfr/text/5/531.402) |  |
|  |  | The GS employee has completed the required waiting period for the within-grade increase. [[5 CFR 531.404(b)]](https://www.law.cornell.edu/cfr/text/5/531.404) |  |
|  |  | The GS employee has not received an equivalent increase in pay during the required waiting period. [[5 CFR 531.404(c)]](https://www.law.cornell.edu/cfr/text/5/531.404) |  |
| *For Federal Wage System Employees:* | | | |
|  |  | The employee (including temporary) has met waiting period requirements. [[5 CFR 532.417(b)]](https://www.law.cornell.edu/cfr/text/5/532.417) |  |
|  |  | All the employee’s creditable service time has been considered for the purposes of within-grade waiting periods. [[5 CFR 532.417(c)]](https://www.law.cornell.edu/cfr/text/5/532.417) |  |
|  |  | Considerations for how Agencies use these flexibilities:   * Are they being used simultaneously with other human resources/tools? * Are they being used effectively to enhance an agency’s recruitment and retention efforts? * Are they being used by agencies to recruit and retain talent in positions of need that meet applicable coverage and approval criteria? |  |
| Case File Summary/Comments: | | | |

**Reviewer/Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**