

Template for Requesting use of the Critical Position Pay Authority

Agencies requesting approval to use the critical position pay (CPP) authority under 5 U.S.C. 5377 and 5 CFR part 535 should complete this template and submit all supporting documentation to OPM's Pay Systems team at paypolicy@opm.gov. Agencies should provide sufficient information to demonstrate that the statutory requirements in 5 U.S.C. 5377 are met, as required by 5 CFR 535.104(c) and (d). The level of documentation should be commensurate with the complexity of the request and the proposed critical pay rate. OPM may request additional information as needed to evaluate a submission.

A single request may include more than one position, including a group of similar or identical positions, where appropriate. Complete Part I for each distinct position or group of identical positions included in the request. Part II should be completed separately for each position unless the work, occupational field, qualification requirements, and relevant labor market are substantially identical, in which case a single justification may be submitted. Complete Part III only for those positions for which the agency is requesting a critical pay rate above the rate for level I of the Executive Schedule (EX-I).

Submission requests must be signed by the head of the agency or authorized agency official delegated the authority to make such requests by the agency head (e.g., Chief Human Capital Officer).

Part I: Agency and Position Information

Requesting Department or Agency:

Requesting Agency Head or Designee Name and Title:

Agency Point of Contact (Include Title, Email Address, and Phone Number):

Organization of the Position Proposed to be Designated as Critical:

Position Title:

Position Appointment Authority:

Pay Plan and Grade/Level of the Position:

Occupational Series of the Position:

Geographic Location of the Position:

Current Rate of Basic Pay for the Incumbent or Position, Including Any Applicable Locality Pay, Special Salary Rate, or Other Basic Pay Supplements:

Name of Incumbent (or "Vacant" if vacant):

Length of Time the Incumbent, if any, has Been in the Position:

If the Position is Vacant, Length of Time the Position has been Vacant:

Proposed Annual Rate of Basic Pay Under a Critical Position Pay Authorization:

Part II: Justification

Describe the work performed by the position, the level of expertise required, and the organizational and mission context in which the position operates. Explain why the position is critical to the successful accomplishment of an important agency mission or function.

Describe the occupational field associated with the position, including the range of positions and qualification requirements within the field.

Provide information on compensation levels generally required for comparable positions in the Federal Government, the private sector, and other relevant labor markets.

Describe the availability of individuals who possess the qualifications, including any relevant labor market indicators, recruitment results, applicant pool data, vacancy history, turnover information, or other supporting evidence.

Describe the agency's efforts to recruit or retain exceptionally well-qualified individuals for the position and explain why the position cannot be filled or retained within a reasonable amount of time without use of the critical position pay authority. Include any compensation, hiring, or pay-setting flexibilities, such as recruitment, relocation, or retention incentives under 5 CFR part 575, special salary rates, direct-hire authority, superior qualifications and special needs pay-setting authority, or other applicable flexibilities the agency has used, considered, or determined to be insufficient, and explain why those flexibilities did not adequately address the agency's recruitment or retention need.

Explain the organizational context of the position and how it compares with other mission-critical positions in the agency.

Describe the effect on the successful accomplishment of an important agency mission if the position is not designated for use of the critical position pay authority.

Provide any additional information the agency deems appropriate to demonstrate that higher pay is needed to recruit or retain an employee for the critical position.

If the request is made in connection with a specific individual, describe the qualifications of that individual and explain why those qualifications are exceptional relative to the field.

Attached to your request, please include the following:

1. Position description (unless the position is an Executive Schedule position)
2. Does your agency plan to require an employee receiving critical pay to sign a service agreement as authorized under 5 CFR 535.103(e)? (Note: OPM may require a service agreement with any critical pay approval.)
3. Any additional supporting documentation, as applicable

Part III: Requests for Pay Above the Rate for Level I of the Executive Schedule

Complete this section only if the agency is requesting a critical pay rate above the rate for level I of the Executive Schedule (EX-I), in addition to Parts I and II. Such requests require written approval of the Director of OPM in consultation with OMB under 5 CFR 535.104(c), expanding on the justification provided in Part II. Requests for rates above EX-I should include substantial supporting evidence demonstrating that compensation at or below EX-I is insufficient to recruit or retain the individual needed for the position.

Provide market data demonstrating that a rate above EX-I is necessary to recruit or retain an exceptionally well-qualified individual for this position. Include the sources and methodology used to identify comparable compensation in the public and private sectors.

Describe the specific recruitment or retention need that cannot be addressed at or below EX-I. If applicable, identify compensation offers, competing opportunities, or other evidence demonstrating why compensation at or below EX-I is insufficient.