PAY RATE DETERMINANT

Definition: A designation of any special factors that help determine an

employee's rate of basic pay or adjusted basic pay.

Responsible Organization: Office of Personnel Management, Division for Strategic

Human Resources Policy.

Applicability: Mandatory (Central Personnel Data File, Personnel Actions).

Cross-Reference: Code set is used by PRIOR PAY RATE DETERMINANT.

Format: X

Note:

Pay Rate Determinants are defined in terms of provisions in title 5 of the United States Code and Title 5 of the Code of Federal Regulations.

The Pay Rate Determinants may also be used for pay systems not covered by these references that have similar provisions in law, regulation, or administrative procedure.

- Regular Rate. This code is used for all employees, regardless of pay system, who receive a scheduled rate and for whom none of the following codes apply.
- 2 Saved Rate--Indefinite. Employee is paid, without time limitation, at a pay rate above the maximum rate for the grade (or for purposes of paragraph (c), the SES rate range) when: (a) on or before June 30, 1984, the Foreign Service domestic employee was converted to the General Schedule in accordance with P.L. 96-465; (b) prior to January 11, 1979 (the effective date of section 801(a) of the Civil Service Reform Act (CSRA), P.L. 95-454, 92 Stat. 1111), the employee and his or her position had been converted from one pay plan to another under appropriate authority and the employee was not entitled to either grade or pay retention (codes A, B, J, K, U, or V below) on the effective date of the CSRA; or (c) after January 11, 2004, the SES member is paid above level III of the Executive Schedule and he or she may not suffer a reduction in pay under 5 CFR 534.404(h)(2) as a result of transferring from an agency with a maximum SES rate of basic pay equal to the rate for level II of the Executive Schedule to an agency with a maximum SES rate of basic pay equal to the rate for level III of the Executive Schedule or he or she may not suffer a reduction in pay under 5 CFR 534.403(b) because his or her agency's applicable SES performance appraisal system is suspended under 5 CFR 430.405(h).
- Retained Pay--Special Rate Adjustment. Employee is receiving retained pay due to: (1) a downward adjustment of a special rate range that left the employee with a pay rate higher than the highest pay rate in the new special rate range; or (2) abolishment of a special rate range that left the employee with a pay rate in excess of the top rate of the grade.

 References: 5 U.S.C. 5363(a)(2) and 5 CFR 536.301(a)(3).
- Saved Rate--Other. Employee is receiving saved rate pay at a pay rate above the regular rate and no other code is applicable.
- Special and Superior Qualifications Rates. For use when PRD codes 6 and 7 below are both applicable. Note: Code 5 is used only on the action that appointed the employee at a superior qualifications rate within a special rate range; code 6 is used on subsequent actions while the employee continues to receive a special rate of pay.

- Special Rate. Employee is paid a special rate or a special pay supplement, established under appropriate authority to recruit or retain well qualified individuals in selected agencies, occupations, work levels, and locations. (If employee is also entitled to a retained grade, use code E or F, as appropriate.) References: 5 U.S.C. 5305, 5 U.S.C. 5343(a)(1)(A)(ii), 5 U.S.C. 5343(a)(1)(B)(ii), and similar authorities under law and regulation.
- Superior Qualifications Rate. Employee is hired at a pay rate above the minimum rate of the grade. Note: Code 7 is used only on the action that appointed the employee at a superior qualifications rate; code 0 or another appropriate code is used on actions subsequent to the appointment action. References: 5 U.S.C. 5333 and 5 CFR 531.212.
- A Retained Grade--Different Position. Employee retains grade for a 2-year period, but is occupying a different position than that held before the grade reduction. (If employee is also entitled to a special rate in the retained grade, use code E.) References: 5 U.S.C. 5362 and 5 CFR 536.201-203.
- B Retained Grade--Same Position. Employee retains grade for a 2-year period and continues to occupy the same position held before the grade reduction. (If employee is also entitled to a special rate in the retained grade, use code F.) References: 5 U.S.C. 5362 and 5 CFR 536.201-203.
- C Critical Position Pay. Employee is receiving pay greater than would otherwise be payable for the employee's position because the position has been designated critical by the Office of Personnel Management in consultation with the Office of Management and Budget under 5 U.S.C. 5377, or the position has been designated critical by the head of an agency under other similar, legal authority.
- D Inspector General in a designated Federal entity. Employee is an Inspector General in a designated Federal entity (as defined in section 8G of the Inspector General Act of 1978) and thus is covered by section 4(b) of the Inspector General Reform Act of 2008. (Section 4(b) provides authority to adjust the classification of such an Inspector General and establishes a pay rate floor.)
- E Retained Grade and Special Rate--Different Position. Employee retains grade for a 2-year period, is entitled to a special rate in the retained grade, but is occupying a different position than that held before the grade reduction.
- F Retained Grade and Special Rate--Same Position. Employee retains grade for a 2-year period, is entitled to a special rate in the retained grade, and is occupying the same position held before the grade reduction.

- Retained Pay--Same Position. Employee is receiving a retained rate of pay under 5 U.S.C. 5363(a)(1) or (3), 5 CFR 536.301 (except section 536.301(a)(8)), or 5 CFR 536.302, and continues to occupy the same position held before the reduction in grade or other action that otherwise would have resulted in a reduction in basic pay. (Note: The employee's pay rate may have been reduced to 150 percent of the maximum rate of basic pay payable for the present grade of the position.)
- Retained Pay--Different Position. Employee is receiving a retained rate of pay under 5 U.S.C. 5363(a)(1) or (3), 5 CFR 536.301 (except section 536.301(a)(8)), or 5 CFR 536.302, but is currently occupying a different position than that held before the reduction in grade or other action that otherwise would have resulted in a reduction in basic pay. (Note: The employee's pay rate may have been reduced to 150 percent of the maximum rate of basic pay payable for the grade of the position now occupied.)
- P Preserved IGA Pay. Employee is a Department of Veterans Affairs (VA) physician or dentist authorized under 38 U.S.C. 7401(1) and 7405(a)(1)(A) at VA facilities in the San Francisco-Oakland-San Jose, CA, Consolidated Metropolitan Statistical Area (CMSA) whose 8 percent interim geographic adjustment (IGA) was preserved when the San Francisco CMSA was removed as an IGA area in January 1995.
- R Retained Pay--SES Removal. A former career Senior Executive Service (SES) employee is receiving a retained rate of pay under 5 U.S.C. 3594 and 5 CFR 359.705 following removal from the SES.
- S Continued SES Basic Pay. A career Senior Executive Service (SES) employee appointed to a position outside of the SES for which the rate of basic pay is equal to or greater than the rate payable for level V of the Executive Schedule and the employee elected to continue to receive basic pay as if remaining in the SES in accordance with 5 U.S.C. 3392(c) and 5 CFR Part 317, Subpart H.

T Below the Minimum Rate. Employee is paid, without time limitation, at a pay rate below the minimum rate for the grade or pay band.

U

Retained Grade and Pay--Same Position. The employee: (1) has a retained grade; (2) is receiving retained pay; and (3) continues to occupy the same position held immediately before the action that otherwise would have resulted in a reduction in basic pay; i.e., use this code only when code J would be appropriate if grade retention were not also applicable. References: 5 U.S.C. 5362, 5 U.S.C. 5363, and 5 CFR Part 536.

V Retained Grade and Pay--Different Position. The employee: (1) has a retained grade, (2) is receiving pay retention, and (3) is currently occupying a different position than that held immediately before the action that otherwise would have resulted in a reduction in basic pay; i.e., use this code only when code K would be appropriate if grade retention were not also applicable. References: 5 U.S.C. 5362, 5 U.S.C. 5363, and 5 CFR Part 536.

NSPS Retained Pay. Retained rate based on former pay rate under the National Security Personnel System (NSPS) and established when an employee is converted out of NSPS, consistent with section 1113(c)(1) of Public Law 111-84. Normally applicable pay retention codes do not apply because (1) the employee has a limited-time appointment at time of conversion out of NSPS; (2) the employee's retained rate exceeds 150 percent of the applicable step 10 rate of pay; or (3) the employee's retained rate exceeds the rate of pay for level IV of the Executive Schedule. Also, this NSPS retained pay code applies when an employee's recruitment, relocation, or retention incentive under 5 U.S.C. 5753-5754 is temporarily protected from reduction under the normal rules governing such incentives. Code is for use by the Departments of the Air Force, Army, Defense, and Navy only.

Border Equalization Allowance. Employee is receiving a border equalization allowance in lieu of locality pay under section 3974 of title 22, United States Code. For use by the Department of State, the Agency for International Development, and the International Joint Commission of the United States and Canada for employees not in the Foreign Service stationed in Canada or Mexico but living in the United States.