

**National Security Personnel System (NSPS)  
Guide to Specially Situated Employees**

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## Introduction

The statutory and regulatory basis for the National Security Personnel System (NSPS) is provided in 5 USC 9902 and 5 CFR 9901. In addition, the NSPS Implementing Issuances (DoD 1400.25-M, Subchapters (SC) 1910 through 1950) provide further guidance on the implementation of the system. The information in this guide is designed to supplement those provisions. Therefore, this guide must be read in conjunction with the law, regulation, and issuances. Users of this guide should be particularly familiar with 5 CFR 9901.342, 5 CFR 9901.407, and the NSPS Implementing Issuances, DoD 1400.25-M, SC 1930 and SC1940.:

The National Defense Authorization Act for Fiscal Year 2010 (NDAA 2010) repealed the authority for NSPS and required the transition of employees out of NSPS by not later than January 1, 2012. NDAA 2010 also required the Department to begin appointing individuals to non-NSPS statutory pay systems. The Director, NSPS PEO memo of December 10, 2009, provided guidance governing the hiring of positions into NSPS during the transition period prior to termination. The memo identified certain categories of position and/or employees that are excluded from the hiring restrictions. The examples of hiring into NSPS positions identified in this guide are only for those positions specifically excepted from the restriction.

The information in this guide applies only to employees who remain covered under NSPS authority on January 2, 2011.

### What are specially situated employees?

Specially situated employees, for the purposes of this guide, refers to NSPS employees in situations that may impact his/her eligibility for an NSPS rating and/or a performance payout. For example, some NSPS employees are entitled to a salary increase even though he/she is not eligible for a rating. These situations are outlined in the NSPS regulations and include employees that do not meet the 90-day minimum period under an NSPS performance plan as specified in 5 CFR 9901.407 due to one of the following reasons:

- Leave without Pay – Military Duty (LWOP-US);
- Leave without Pay – Workers Compensation;
- Temporary Assignments outside of NSPS;
- Union Duties;
- Long Term Training; or
- Approved Paid Leave.

Other special situations addressed in this guide include employees that retire, separate, or take a position outside of NSPS; employees that move between pay pools between the end of the rating cycle and the effective date of the NSPS payout; and employees in pay pools that are cross-serviced (e.g., part of the pay pool receives their HR servicing from Navy and the other part from Army).

## How to use this guide

This guide outlines the numerous specially situated employee situations and describes how each is processed. For those situations handled within the Compensation Workbench (CWB), the guide indicates how to appropriately adjust the employee’s record in the CWB. For those situations not handled within the CWB, the guide describes how these are processed manually. For example, the table below shows how to indicate in the CWB that an employee is not eligible for a rating because he/she did not have 90 days under an NSPS performance plan. Tables like the one below are included throughout this guide.

<b>CWB Example</b>	An employee is hired from a non-NSPS organization (non-DoD, GS, etc.) on August 15. The employee does not have at least 90 days under an approved NSPS performance plan during the rating cycle, so he/she is not eligible for a performance rating or payout.
Not eligible for a rating	

<b>CWB Columns</b>	Include in CWB Extract	Yes
	Column P: Rated?	No
	Column Q: Modal rating eligibility?	No
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	d-not payout eligible
	Column U: Specially situated condition	h-min period not met
	Eligible for rate range and LMS adjustment	Yes

If there are differences between the instructions in this guide and the NSPS law, regulation, or Implementing Issuances, the applicable legal or regulatory authorities take precedence. Some situations may be specifically addressed by provisions from a Component or DoD agency that may differ or supplement information in this guide. Pay pools must follow their own component/agency guidance. In some cases, more than one special situation may apply to an employee. As a general rule, the action that gives the greatest benefit to the employee is the one that should be applied. If you need help identifying employees in special situations or determining the appropriate course of action, contact your servicing human resources professional.

## Relationship to the Compensation Workbench (CWB)

The Compensation Workbench (CWB) has several columns that are used to identify specially situated employees. These columns and the available values in each are described below. Additional information on the CWB is available in the CWB user guide. The CWB examples in this guide include the values for each of these columns appropriate for each specially situated scenario.

<b>Col P: Rated?</b>	This column indicates whether an employee is eligible for an NSPS rating.
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Value	Description
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<b>Yes (default)</b>	Employee met the 90-day minimum requirement and otherwise met the minimum performance period requirements under 5 CFR 9901.407; and is eligible for a rating of record.
No	Employee did not meet the 90-day minimum requirement or otherwise meet the minimum performance period requirements under 5 CFR 9901.407; and is not eligible for a rating of record.

<b>Col Q: Modal Rating Eligibility?</b>	This column indicates whether an employee is eligible for a salary increase based on the modal rating process [See 5 CFR 9901.342(i) thru (l) for eligibility for payout based on modal rating of record.].
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Value	Description
<b>No (default)</b>	Modal rating process is not applicable.
Yes	Modal rating process should be used (payout is calculated and paid outside of the CWB). <i>If “yes” is selected in this column, then column P – Rated? must be “No.”</i>

<b>Col R: Include Salary in Pay Pool?</b>	This column indicates whether an employee’s salary should be included when pay pool funds are being calculated in the CWB.
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Value	Description
<b>Yes (default)</b>	The employee’s salary is included when calculating pay pool funds.
No	The employee’s salary is not included when calculating pay pool funds.

<b>Col S: Payout Eligibility?</b>	This column indicates whether an employee is eligible for a payout.
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Value	Description
<b>a (default)</b>	Employee is rated and his/her payout is calculated in this pay pool’s CWB.
b	Employee will be rated in this CWB, but paid by another pay pool (this is for employees moving between pay pools).
c	Employee will receive a salary increase based on the modal process and be paid outside of the CWB. <i>The salary increase is calculated in the CWB, but the payout action must be processed manually. Employees receiving a payout based on a modal are not included in the mass payout process.</i>
d	Not payout eligible.

<b>Col U: Specially Situated Condition</b>	This column indicates the special situations that may apply to the employee.
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Value	Condition	Description
<b>a (default)</b>	Not Applicable	No specially situated condition.
b	Ex-Employee	Employee left DoD after rating cycle ended.
c	LWOP (Mil)	Employee is not eligible for a rating because of military duties (LWOP-US).
d	LWOP (Wkrs Comp)	Employee is not eligible for a rating because of leave without pay due to workers compensation.
e	LWOP (Other)	Employee is not eligible for a rating because of leave without pay due to some other qualifying condition.
f	Temp Assignmt Non-NSPS	Employee is not eligible for a rating because of a temporary assignment to a non-NSPS position.
g	Perf. 100% Union Duties	Employee is not eligible for a rating because of performing union duties full time.
h	Min period not met	Employee is not eligible for a rating because he/she did not meet the 90-day minimum period under an NSPS performance plan.
i	Moved to non-NSPS position	Employee moved to a non-NSPS position after the rating cycle ended, but before the effective date of the payout.
j	Post cycle move to new pay pool	Employee will be rated in the old pay pool and paid in the new pay pool.
k	Ext'd paid leave	Employee is not eligible for a rating due to being away from his/her position for a period of extended paid leave.
l	Long Term Tng	Employee is not eligible for a rating due to being away from his/her position for a period of long term training.

## Employee Profile Report

The Employee Profile Report provides HR data from the Defense Civilian Personnel Data System (DCPDS) for each employee in a pay pool. This data can help pay pool managers and administrators identify specially-situated employees. The report is generated based on the Pay Pool ID (PPID). Therefore, to generate an accurate report, the appropriate Pay Pool ID must be assigned to each employee prior to running the report.

The Employee Profile Report can be run by pay pool administrators or pay pool managers. It should be reviewed at several times during the pay pool process including:

- At the end of the rating cycle, after updating Pay Pool IDs. Since the report is pulled based on Pay Pool ID, the PPID must be up to date in employee records to get a complete report.
- Prior to pay pool panel meetings. Since personnel actions are continually being processed, even if it is run early, it should be re-run just prior to pay pool panel meetings.
- After the panel meeting, before the payout. The report should be re-run on several occasions during this period to identify employees who may be leaving your organization or have other pay-affecting actions prior to the payout. These need to be tracked carefully.

Some entries in the report are “informational” in nature rather than reflective of a special situation (e.g., a promotion during the rating cycle, or an incentive award). These are shown for pay pool panel use in the event that they want to consider this information during their deliberations.

Appendix 1 contains a description of all the fields contained in the Employee Profile Report.

## Handling Specially Situated Employees

The next several sections describe the special situations that may impact your pay pool's employees. For each situation, you will find a description of the situation and instructions on how to properly handle that employee inside or outside of the CWB. If you are unsure of the appropriate course of action for any of your employees in these situations, contact your servicing human resources professional. In addition, many of the following sections contain information on relevant personnel actions that typically accompany the special situation.

In some of the special situations addressed in this guide, employees are entitled to a salary increase even though he/she is not eligible for a rating. These situations are outlined in the NSPS regulations and include employees that do not meet the 90-day minimum period under an NSPS performance plan as specified in 5 CFR 9901.407 due to one of the following reasons:

- Leave without Pay – Military Duty (LWOP-US);
- Leave without Pay – Workers Compensation;
- Temporary Assignments outside of NSPS;
- Union Duties;
- Long Term Training; or
- Approved Paid Leave.

Information on how to calculate the salary increase amounts for the above scenarios is included later in this guide in a section titled “Determining Salary Increases Using the Modal Process.” **This year's** **The** CWB will calculate the salary increase amounts when using the modal process. However, the salary increase actions must still be processed manually.

### Minimum time period (90 calendar days) under an NSPS performance plan

*References: 5 CFR 9901.407; 9901.342(i) thru (l); 5 USC 5303(a).*

Probably the most common special circumstance in pay pools is employees who do *not* meet the minimum period of performance requirement under 5 CFR 9901.407. Typically, such employees do not have at least 90 days under an approved NSPS performance plan. However, this circumstance may also apply to an NSPS employee who completed 90 days under an NSPS performance plan but had a break in NSPS covered service which was not due to reasons described under 5 CFR 9901.342(i) thru (l). Users of this guide should become thoroughly acquainted with all the requirements of 5 CFR 9901.407 and 9901.342 (i) through (l) before determining that an employee meets the NSPS minimum performance period requirement (see Appendix 3 for some of the policies cited in this guide). Employees who are not able to meet the minimum period of performance requirement are not eligible for a rating of record or performance payout associated with that rating cycle. For example, if an employee was newly hired from a non-NSPS organization in August, he/she is not eligible for a rating of record or performance payout for that cycle because he/she does not have 90 days under an approved NSPS performance plan. Instead, he/she will receive a base salary increase in January equivalent to the General Schedule annual adjustment under section 5 USC 5303(a).

Remember that an employee’s rating cycle may be extended beyond September 30 to meet the minimum period of performance requirement under 5 CFR 9901.407 provided the extension does not affect any other employees in the pay pool (see 5 USC 9901.411). The extended rating cycle period is documented by changing the appraisal period end date in the PAA. Also remember to change the appraisal period start date for the next rating cycle.

<b>CWB Example</b>	An employee is hired from a non-NSPS organization (non-DoD, GS, etc.) on August 15. The employee does not have at least 90 calendar days under an approved NSPS performance plan during the rating cycle, so he/she is not eligible for a performance rating or payout.
Not eligible for a rating	

<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	No
	Column Q: Modal rating eligibility?	No
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	d-not payout eligible
	Column U: Specially situated condition	h-min period not met
	Eligible for rate range and LMS adjustment	Yes*

<b>CWB Example</b>	An employee is hired from a non-NSPS organization (non-DoD, GS, etc.) on June 15th. The employee takes three full weeks of annual leave in August for a planned family trip. The supervisor does not extend his/her rating cycle. Since the employee does not have at least 90 days in a non-leave status under an approved NSPS performance plan during the rating cycle, he/she is not eligible for a performance rating or payout. Instead, the employee will receive a salary increase based on the modal process effective the first day of the first full pay period in January.
Not eligible for a rating	

<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	No
	Column Q: Modal rating eligibility?	Yes
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	c-eligible based on modal rating
	Column U: Specially situated condition	k-ext paid leave
	Eligible for rate range and LMS adjustment	Yes

\* If the employee is not eligible for a rating and is not eligible for a salary increase under 9901.342(i), (j), (k), or (l), then he/she will receive a base salary increase equivalent to the General Schedule annual adjustment under section 5 USC 5303(a) and LMS adjustment under 5 CFR 9901.332 and 9901.334.

## Leave without Pay (LWOP)

References: 5 CFR 9901.407.

*This section does not cover employees on LWOP to perform military service (LWOP-US). For information on military service please see the LWOP-US section of this guide.*

The length and dates of a period of LWOP are significant when determining employee eligibility for a rating and payout under NSPS. If the employee did not work under an approved NSPS performance plan for at least 90 days during the rating cycle as specified in 5 CFR 9901.407 due to LWOP, then the employee is not eligible for an NSPS rating of record or a performance payout. The employee is treated the same as the employee in the previous example who did not have 90 days in NSPS because he/she joined the organization late in the rating cycle. However, if the employee did have at least 90 days in a non leave status under an approved NSPS performance plan during the rating cycle as specified in 5 CFR 9901.407, then the employee is eligible for a rating of record and a performance payout.

Employees on LWOP on the last day of the rating cycle are included in the CWB data extract. If the employee receives a performance payout, his/her salary will be adjusted to reflect the applicable performance pay increase and/or he/she will receive a performance bonus. These actions will be processed as of the effective date of the payout even if the employee is still on LWOP. Since the employee is not getting paid while on LWOP, he/she will not see any salary increase until the employee returns to a pay status. If applicable, the employee will receive a bonus on the effective date of the payout.

This section covers employees who are on leave without pay (LWOP), including “terminal” LWOP. Terminal LWOP is most often used when an employee goes on voluntary LWOP to accompany a spouse on a change of station and hopes to find continued Federal employment in the new location. A resignation action, effective at some point in the future, is also prepared in the event that a new job cannot be found.

<b>CWB Example</b>  Eligible for a rating	An employee had more than 90 days under an approved NSPS performance plan(s) during the rating cycle, but was put in LWOP status on August 15 and does not return to duty until March the following year. The employee is eligible for a rating and payout. The effective date of the payout is the first day of the first full pay period in January.
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	Yes
	Column Q: Modal rating eligibility?	No
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	a-paid in this CWB
	Column U: Specially situated condition	a-Not Applicable
	Eligible for rate range and LMS adjustment	Yes

<b>CWB Example</b>  Not eligible for a rating	An employee joins your organization from a non-NSPS position on June 15, and is then put in LWOP status on August 15. The employee does not meet the 90-day requirement because of LWOP. Therefore, the employee is not eligible for a rating or payout.
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	No
	Column Q: Modal rating eligibility?	No
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	d-not payout eligible
	Column U: Specially situated condition	h-min period not met
	Eligible for rate range and LMS adjustment	Yes

**Leave without Pay – Military Service (LWOP-US)**

*References: 5 CFR 9901.407; 9901.342(i).*

If an NSPS employee is absent during the performance cycle to perform honorable service in the uniformed services, but meets the 90-day requirement under an approved NSPS performance plan as specified in 5 CFR 9901.407, then that employee is eligible to receive a rating of record and normal NSPS performance payout. However, if an employee does not meet the 90-day requirement because of LWOP-US, then he/she will receive a salary adjustment using the modal process. An employee in this situation who does not meet the 90-day minimum requirement is not eligible for an NSPS rating of record or performance bonus, except as otherwise required by law.

Employees on LWOP-US on the last day of the rating cycle are included in the CWB data extract. If the employee is eligible for a salary increase based on an NSPS rating or the modal process, the employee’s salary will be adjusted to reflect the applicable increase. If the employee received a rating of record, and part or all of his/her payout was in the form of a bonus, he/she will receive the bonus. In addition, employees with a current rating of record above “unacceptable” and those eligible for a payout based on a modal rating will have his/her salary adjusted to reflect the applicable rate range adjustment. These actions will be processed as of the effective date of the payout even if the employee is on LWOP-US on this date. Since the employee is not getting paid while on LWOP-US, he/she will not see any salary increase at that time, but he/she will receive the bonus, if applicable, on the effective date of the payout.

Additional information: When an employee is called to active duty, he/she is usually placed on LWOP-US using NOAC 473. When the active duty period ends, he/she is returned to duty using NOAC 292. Some employees separate to enter military service, and are processed as Separation-US (NOAC 353). This latter situation should be treated the same as other separations.

<b>CWB Example</b>  Eligible for a rating	An employee has 90 days under an approved NSPS performance plan during the rating cycle and otherwise meets the requirements specified in 5 CFR 9901.407, but he/she is on LWOP-US on 30 September and does not return to civilian duty until March of the following year. He/she is eligible for a rating and payout. The effective date of the payout is the first day of the first full pay period in January.
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	Yes
	Column Q: Modal rating eligibility?	No
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	a-paid in this CWB
	Column U: Specially situated condition	a-Not Applicable
	Eligible for rate range and LMS adjustment	Yes

<b>CWB Example</b>  Not eligible for a rating	An employee does <i>not</i> have 90 days under an approved NSPS performance plan(s) during the rating cycle because he/she was on LWOP-US for all or most of the rating cycle. The employee is not eligible for an NSPS rating, but the employee is eligible for a salary increase, based on the modal process, effective the first day of the first full pay period in January.
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	No
	Column Q: Modal rating eligibility?	Yes
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	c-modal rating process
	Column U: Specially situated condition	c-LWOP (mil)
	Eligible for rate range and LMS adjustment	Yes

### Leave without Pay – Workers Compensation

*References: 5 CFR 9901.407; 9901.342(j).*

If an NSPS employee is absent during the performance cycle because he/she was injured and is receiving continuation-of-pay or workers' compensation, but meets the 90-day requirement under an approved NSPS performance plan and otherwise meets the minimum performance period requirements as specified in 5 CFR 9901.407, then that employee is eligible to receive a rating and payout. However, if an employee does not meet the 90-day requirement because of LWOP-Worker Compensation, then he/she will receive a salary adjustment using the modal rating process. An employee in this situation who has not met the 90-day requirement is not eligible for a performance bonus.

Employees on LWOP-Workers Compensation on the last day of the rating cycle are included in the CWB data extract (provided the employee is still on your rolls since in some cases employees on workers compensation are transferred to Department of Labor rolls). If the employee is eligible for a performance payout based on an NSPS rating of record or the modal process, the salary will be

adjusted to reflect the applicable pay increase. If the employee received an NSPS rating of record (as opposed to a payout based on a modal rating) and part or all of his/her payout was in the form of a bonus, he/she will receive the bonus. In addition, employees with a current rating of record above “unacceptable” and those eligible for a payout based on a modal rating will have his/her salary adjusted to reflect the applicable rate range adjustment. These actions will be processed as of the effective date of the payout even if the employee is on LWOP-Workers Compensation on this date. Since the employee is not getting paid while on LWOP, he/she will not see any salary increase until he/she returns to a pay status, but he/she will receive the bonus, if applicable, on the effective date of the payout.

Additional information: Workers compensation actions are processed using Leave Without Pay, NOAC 460, but with authority code Q3K to distinguish it from other LWOP actions. If the employee returns to duty, these actions are processed using Return to Duty, NOAC 292.

<b>CWB Example</b>  Eligible for a rating	An employee works under an approved NSPS performance plan for the year, but he/she goes on LWOP-Workers Compensation on 15 September and does not return to duty until April of the following year. He/she is eligible for an NSPS rating of record and payout. The effective date of the payout is the first day of the first full pay period in January.
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	Yes
	Column Q: Modal rating eligibility?	No
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	a-paid in this CWB
	Column U: Specially situated condition	a-not applicable
	Eligible for rate range and LMS adjustment	Yes

<b>CWB Example</b>  Not eligible for a rating	An employee is on LWOP-Workers Compensation for 10 months during the rating cycle. The employee is not eligible for an NSPS rating of record as he/she does not meet the minimum performance period requirements, but the employee is eligible for a salary increase based on the modal process effective the first day of the first full pay period in January.
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	No
	Column Q: Modal rating eligibility?	Yes
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	c-modal rating process
	Column U: Specially situated condition	d-LWOP (workers comp)
	Eligible for rate range and LMS adjustment	Yes

## Temporary Assignment to a Non-NSPS Position

*References: 5 CFR 9901.407; 9901.342(l).*

If an NSPS employee was not working on an approved NSPS performance plan during part of the performance cycle because he/she was temporarily assigned to a non-NSPS position (e.g., temporary promotion to GS), but meets the 90-day requirement under an approved NSPS performance plan as specified in 5 CFR 9901.407, then that employee is eligible to receive an NSPS rating of record and payout. The employee’s salary increase and any other adjustments will be added into the employee’s base salary when pay is set upon return to his/her NSPS position. Any performance-based bonus will be processed and paid on the effective date of the payout.

For example, an employee is temporarily promoted from YA-2 to GS-14 on July 18, 2010 and receives a 6 percent salary increase. While on the temporary promotion, the employee goes through a performance cycle and receives a performance payout that results in a 3.1497 percent increase to base salary. When the employee’s temporary promotion ends, the employee’s base salary will be returned to his/her base salary prior to the temporary promotion and will then be recalculated to include the 3.1497 percent increase to base salary received during the performance payout. The employee would also be entitled to any general salary increase(s) in accordance with 5 CFR 9901.323 and SC1930.8.1.2. through SC1930.8.1.3. that occurred while the employee was on a temporary promotion, provided that he/she met the eligibility criteria when those adjustments would have been made.

If an employee does not meet the 90-day requirement because of a temporary assignment to a non-NSPS position, then he/she will receive a salary adjustment using the modal process. An employee in this situation who does not meet the 90-day minimum requirement is not eligible for an NSPS rating of record or performance bonus.

Employees who are temporarily assigned to a non-NSPS position and are occupying that non-NSPS position on the last day of the rating cycle *are* included in the CWB extract process. However, *his/her performance payout should be calculated manually outside of the CWB.*

Additional information: The “to” side of the personnel action will reflect a non-NSPS pay schedule (not starting with the letter “Y”), e.g., “GS” when an employee is temporarily assigned to a non-NSPS job, NOAC 703, Promotion NTE.

<p><b>CWB Example</b></p> <p>Eligible for a rating</p>	<p>An employee who had more than 90 days under an approved NSPS performance plan(s) during the rating cycle and otherwise met the requirements specified under 5 CFR 9901.407, but was given a 6-month temporary promotion to a GS position on August 15. The employee is eligible for an NSPS rating of record and a payout. The payout will be processed outside of the CWB. In this example, the employee will still be on the non-NSPS position on the effective date of the payout. Therefore, his/her bonus will be effective on the date of the NSPS payout, but his/her NSPS salary increases will be processed when he/she returns to the NSPS position.</p>
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<b>CWB Columns</b>	Included in CWB Extract?	Yes
	Column P: Rated?	Yes
	Column Q: Modal rating eligibility?	No
	Column R: Include salary in pay pool?	No
	Column S: Payout eligibility	d (not payout eligible) (Process manual RPA)
	Column U: Specially situated condition	F (temp asmnt Non-NSPS)
	Eligible for rate range and LMS adjustment	Yes*

<p><b>CWB Example</b></p> <p>Not eligible for a rating</p>	<p>An employee joins your organization from a non-NSPS position on June 15, and is given a 6-month temporary promotion to a GS position on August 15. The employee does not meet the 90-day requirement because of the temporary promotion to GS. The employee is not eligible for a NSPS rating, but is eligible for a performance-based salary increase based on the modal process. An employee in this situation who does not meet the 90-day minimum requirement is not eligible for an NSPS rating of record or performance bonus. In this example, the employee will still be on the non-NSPS position on the effective date of the payout. Therefore, his/her NSPS salary increases will be processed when he/she returns to the NSPS position.</p>
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	No
	Column Q: Modal rating eligibility?	Yes
	Column R: Include salary in pay pool?	No
	Column S: Payout eligibility	c (Eligible based on modal rating)*
	Column U: Specially situated condition	F (temp asmnt Non-NSPS)
	Eligible for rate range and LMS adjustment	Yes*

\* When calculating the modal increase amount or the performance payout, the calculations are based on the employee's salary **held immediately prior to the movement from NSPS to the non-NSPS position, not the non-NSPS salary on 30 September**. Employees are not eligible to receive the performance pay increase or NSPS rate range adjustment on the effective date of the payout if he/she has not returned to the NSPS position on the date of the payout. However, the employee will receive any general increase authorized for his/her assigned pay system, i.e., general schedule, wage grade, etc. If and when he/she returns to the permanent NSPS position, his/her NSPS salary will be recalculated to include any applicable NSPS performance increase and NSPS General Salary Increase, and/or LMS adjustments. (See Appendix 2, Submitting Manual RPAs)

## Extended Paid Leave

References: 5 CFR 9901.407; 9901.342(k).

If an NSPS employee is absent during the performance cycle because he/she was on approved paid leave, but meets the 90-day requirement under an approved NSPS performance plan and otherwise meets the requirements of 5 CFR 9901.407, then that employee is eligible to receive an NSPS rating of record and payout. However, if an employee does not meet the 90-day requirement or does not otherwise meet the requirements of 5 CFR 9901.407 due to approved paid leave, then he/she will receive a salary adjustment using the modal process. An employee in this situation who does not meet the 90-day minimum requirement is not eligible for a performance bonus.

In either case, if the employee is on approved paid leave on the last day of the rating cycle, the employee is included in the CWB data extract.

<b>CWB Example</b>  Eligible for a rating	An employee works under an approved NSPS performance plan for the entire year, but then goes on approved paid leave on August 20th. He/she is eligible for an NSPS rating of record and payout. The effective date of the payout is the first day of the first full pay period in January.
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	Yes
	Column Q: Modal rating eligibility?	No
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	a-paid in this CWB
	Column U: Specially situated condition	a-Not Applicable
	Eligible for rate range and LMS adjustment	Yes

<b>CWB Example</b>  Not eligible for a rating	An employee is on approved paid leave for 10 months during rating cycle. The employee is not eligible for an NSPS rating because he/she did not meet the minimum performance period requirement, but the employee is eligible for a salary increase based on the modal process effective the first day of the first full pay period in January.
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	No
	Column Q: Modal rating eligibility?	Yes
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	c-modal rating process
	Column U: Specially situated condition	k-ext'd paid leave
	Eligible for rate range and LMS adjustment	Yes

## Long-Term Training

References: 5 CFR 9901.407; 9901.342(k).

If an NSPS employee is absent during the performance cycle because he/she was on long-term training, but meets the 90-day requirement under an approved NSPS performance plan and otherwise meets the requirements of 5 CFR 9901.407, then that employee is eligible to receive a NSPS rating and payout. However, if an employee does not meet the 90-day requirement or does not otherwise meet the requirements under 5 CFR 9901.407 because of long-term training, then he/she will receive a salary adjustment using the modal process. An employee in this situation who does not meet the 90-day minimum requirement is not eligible for a performance bonus.

Employees on long-term training on the last day of the rating cycle are included in the CWB data extract.

Additional information: Assignment to long-term training programs uses NOAC 978. Completion of long-term training uses NOAC 979.

<b>CWB Example</b>  Eligible for a rating	An employee works under an approved NSPS performance plan for the entire year, but then begins a long-term training assignment on August 20th. He/she is eligible for a NSPS rating of record and payout. The effective date of the payout is the first day of the first full pay period in January.
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	Yes
	Column Q: Modal rating eligibility?	No
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	a-paid in this CWB
	Column U: Specially situated condition	a-Not Applicable
	Eligible for rate range and LMS adjustment	Yes

<b>CWB Example</b>  Not eligible for a rating	An employee is in approved long term training for 10 months during rating cycle <u>and was not covered under an approved NSPS performance plan</u> . The employee is not eligible for an NSPS rating, but the employee is eligible for a salary increase based on the modal process effective the first day of the first full pay period in January.
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	No
	Column Q: Modal rating eligibility?	Yes
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	c-modal rating process
	Column U: Specially situated condition	l-Long Term Tng
	Eligible for rate range and LMS adjustment	Yes

## Union Officials

References: 5 CFR 9901.407; 9901.342(k).

If an NSPS employee is not performing his/her assigned duties during the performance cycle because he/she was performing union duties, but meets the 90-day requirement under an approved NSPS performance plan and otherwise meets the requirements of 5 CFR 9901.407, then that employee is eligible to receive a rating of record and payout. However, if an employee does not meet the 90-day requirement because of official union duties, then he/she will receive a salary adjustment using the modal process. An employee in this situation, who does not meet the 90-day minimum requirement, is not eligible to receive a performance bonus.

Additional information: Union-related activities are not recorded in DCPDS and therefore cannot be shown on the Employee Profile. Situations will have to be examined on a case-by-case basis to determine what, if any, impact official time for union activities has on an employee's eligibility for a rating of record and a payout under NSPS. Time spent performing union duties does not count toward the minimum 90-day performance period rating eligibility requirement as specified in 5 CFR 9901.407. (See also 5 CFR 9901.342(k)).

<b>CWB Example</b>  Not eligible for a rating	An employee worked 100% on union activities for the entire rating cycle. The employee is not eligible for an NSPS rating, but the employee is eligible for a salary increase based on the modal process effective the first day of the first full pay period in January.
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	No
	Column Q: Modal rating eligibility?	Yes
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	c-modal rating process
	Column U: Specially situated condition	g-perf union duties
	Eligible for rate range and LMS adjustment	Yes

## Movement between Pay Pools

References: 5 CFR 9901.407; 9901.342(g)(9)(C).

When an employee moves to a position that falls under the authority of a different NSPS pay pool between 1 October and the payout date, that employee's payout will be calculated and paid based on the pay pool funding and share valuation of the gaining pay pool except when the employee transfers to an NSPS position that does not have a fully constituted pay pool. In this case, the payout is based on the share valuation of the losing pay pool. In all cases, the gaining pay pool will determine the share assignment and payout distribution between salary increase and bonus.

A fully constituted pay pool is defined as one that is funded for the performance cycle associated with the effective date of the payout and which has active pay pool deliberations for that performance cycle.

The employee’s rating of record should be forwarded to the gaining pay pool, who will determine the number of shares, the payout amount based on the gaining pay pool’s share value, and the distribution between salary increase and bonus. This calculation is done outside of the CWB. These movements require close coordination and cooperation between the two pay pools.

Additional information: When reviewing the payout previews in DCPDS in preparation for processing payouts, **the losing pay pool should de-select the uploaded record of the employee who has moved.** The gaining pay pool will need to work with the HR office to process the appropriate salary and/or bonus for the new employee.

<b>CWB Example</b>	An employee moves from one pay pool to another on November 1. The employee is rated in the losing pay pool, but will receive the number of shares, payout, and distribution between salary increase and bonus from the gaining pay pool. The losing pay pool should indicate that this employee is rated in the CWB, but paid from another pay pool. <i>The employee will NOT appear in the gaining pay pools CWB.</i>
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<b>CWB Columns</b>	Include in CWB	Yes ( <i>losing pay pool only</i> )
	Column P: Rated?	Yes
	Column Q: Modal rating eligibility?	No
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	b-eligible to be paid from different CWB
	Column U: Specially situated condition	j-post cycle move to new pay pool
	Eligible for rate range and LMS adjustment	Yes

In the above example, the gaining pay pool is responsible for determining the employee’s number of shares and payout distribution. The employee’s payout is based on the gaining pay pool’s share value. The following is an example of the calculations required to determine the employee’s payout, salary increase, and bonus.

Assume the employee’s base salary is \$100,000 and the employee received a rating of record, Level 4 from the losing pay pool. The gaining pay pool gives the employee 3 shares and 70% of the payout as a salary increase. The gaining pay pool’s share value was 2.1021%.

Step 1: Calculate the Payout Amount

$$\begin{aligned}
 \text{Payout} &= \text{Salary} * \text{Shares} * \text{Share Value} \\
 &= \$100,000 * 3 * .021021 \\
 &= \$6,303 \text{ (cents are truncated)}
 \end{aligned}$$

Step 2: Calculate the Salary Increase Amount

$$\begin{aligned}
 \text{Salary Increase} &= \text{Salary Split \%} * \text{Payout} \\
 &= 70\% * 6,303
 \end{aligned}$$

= \$4,412 (follow normal rounding rules)

Step 3: Calculate the Bonus Amount

Bonus = Payout - Salary Increase  
 = \$6,303 - \$4,412  
 = \$1,891

### Temporary Reassignment or Promotion to another NSPS Position

*References: 5 CFR 9901.407; 9901.354(c)(2).*

Employees who have been temporarily reassigned or promoted within NSPS during part or all of the rating cycle do not require any special handling within the CWB. However, pay pool panels may wish to consider the reassignment/promotion when reconciling the employee's rating or making distribution decisions. A closeout assessment from the earlier position should be available if the employee was in that position for 30 days or more.

The salary that imports into the CWB for employees reassigned/promoted within NSPS is his/her salary as of the last day of the rating cycle. His/her payout, therefore, will be based on that salary. When the employee returns to his/her permanent NSPS position then the employee's base salary is adjusted by the same proportional increase. Any bonus payment granted to the employee will remain as originally calculated during the pay pool process. If the temporary reassignment/promotion is terminated after 30 Sep but before the payout date (23 Jan 2011~~0~~), the salary increase payout actions may need to be adjusted. Payouts for employees in this situation should not be processed through the mass actions generated from the CWB. Pay pools should contact their servicing HR professional for assistance.

For example, an employee is temporarily promoted from YA-2 to YA-3 on July 185, 2010~~09~~ and receives a 6 percent salary increase. While on the temporary promotion, the employee goes through a performance cycle and receives a performance payout that results in a 3.1497 percent increase to base salary. When the employee's temporary promotion ends, the employee's base salary will be returned to his/her base salary prior to the temporary promotion and will then be recalculated to include the 3.1497 percent increase to base salary increase received during the performance payout. The employee would also be entitled to any general salary increase(s) in accordance with 5 CFR 9901.323 and the NSPS Implementing Issuance, SC1930.8.1.2. through SC1930.8.1.3., that occurred while the employee was on a temporary promotion, provided that he/she met the eligibility criteria when those adjustments would have been made.

Additional information: Employee is temporarily promoted to a higher pay band before or during the rating cycle (NOAC 703 Promotion NTE) and the temporary action covers part or all of the rating cycle. Temporary promotions are terminated with a Change to Lower Band (NOAC 713 Change to Lower Grade/Band) action, or, in some cases, the temporary promotion is made permanent by processing a Promotion action. A change to lower band action which is effective before 30 Sep must be processed before pulling the CWB extract, otherwise the employee's base salary, pay pool funding, and the resultant payout calculations will be wrong.

Employee is reassigned to a different NSPS position, with or without a change in salary, during the rating cycle (NOAC 611, Reassignment NTE). Note: employees who are reassigned temporarily to positions in war zones use NOAC 921 with an authority code beginning with "7". A Termination of Reassignment NTE (NOAC 613) which is due before 30 Sep must be processed before pulling the CWB extract if there is a salary change involved, otherwise pay pool funding may be off and the employee's base salary (and resultant payout calculations) may be wrong.

### **Permanent Reassignment or Promotion to another NSPS Position**

Employees who have been permanently reassigned or promoted within NSPS during the rating cycle do not require any special handling within the CWB. However, pay pool panels may wish to consider the reassignment/promotion information when reconciling the employee's rating or making share and payout distribution decisions. A closeout assessment from the earlier position should be available if the employee was in that position for 30 days or more.

| For **those\_employees** who are permanently reassigned or promoted to a higher NSPS pay band during the rating cycle, the effective date of the promotion will determine which position he/she is rated on. If the reassignment or promotion is effective prior to the last 90 days of the rating cycle, the annual rating is based on the new position. However, if the reassignment or promotion is effective within 90 days of the end of the rating cycle, the rating is based on the previous position and an early annual recommended rating is given to that employee.

The salary that imports into the CWB for the reassigned or promoted employee is the salary as of the last day of the assigned pay pool's rating cycle. His/her payout, therefore, will be based on the salary as of that date, regardless of the position upon which the rating is based.

### **Permanent Movement to a Non-NSPS Position (e.g. Promotion)**

*References: 5 CFR 9901.407; 9901.342(g)(7); 9901.412(l).*

| If an employee permanently moves to a non-NSPS position **during the 90 days** prior to 30 September, but meets the 90-day requirement under an approved NSPS performance plan and otherwise meets the minimum performance period requirements described in 5 CFR 9901.407, then that employee is eligible for a rating of record and will be included in the pay pool process. However, since the employee is no longer covered by NSPS on 30 September, he/she will not be included in the CWB extract and the employee's performance must be reviewed and reconciled outside of the CWB. If the employee moves to a non-NSPS position on or after 1 October, but before the effective date of the payout, then the employee is eligible to receive an NSPS rating of record but is not eligible for a payout. If the employee moves to a non-NSPS position *after* the effective date of the payout and receives an NSPS rating of record, then the employee is eligible for a payout.

If the movement occurs on or after 1 October, but *before* the effective date of the payout, the CWB should be changed to reflect the employee's ineligibility for a payout since this will affect the share value and payout amounts for the other members of the pay pool. If the movement date is not known before uploading the CWB export to DCPDS, you should not change the CWB to reflect the employee's ineligibility for a payout.

<p><b>CWB Example</b></p> <p>Eligible for a rating (outside of CWB) but not eligible for a payout</p>	<p>An employee receives a permanent promotion to a GS position on 15 September, but has met the requirement to receive an NSPS rating of record. The employee is eligible for a rating of record and will be included in the pay pool process, but must be reviewed and reconciled outside of the CWB since the employee will not be included in the CWB extract. The employee is not eligible for a payout since he/she will not be in NSPS on the effective date of the payout.</p>
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<b>CWB Columns</b>	Include in CWB	No
	Column P: Rated?	n/a (employee is rated outside of the CWB)
	Column Q: Modal rating eligibility?	n/a
	Column R: Include salary in pay pool?	n/a
	Column S: Payout eligibility	n/a
	Column U: Specially situated condition	n/a
	Eligible for rate range and LMS adjustment	No

<p><b>CWB Example</b></p> <p>Eligible for a rating, but not a payout</p>	<p>An employee receives a permanent promotion to a GS position on 15 November and has met the requirement to receive an NSPS rating of record. He/she is eligible for a rating of record, but not a payout since he/she will not be in NSPS on the effective date of the payout.</p>
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	Yes
	Column Q: Modal rating eligibility?	No
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	d-not payout eligible
	Column U: Specially situated condition	i-moved to non-nsps position
	Eligible for rate range and LMS adjustment	No

<p><b>CWB Example</b></p> <p>Eligible for a rating and a payout</p>	<p>An employee receives a permanent promotion to a GS position on 25 January and has met the requirement to receive an NSPS rating of record. He/she is eligible for a rating and payout. The effective date of the payout is the first day of the first full pay period in January.</p>
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	Yes
	Column Q: Modal rating eligibility?	No
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	a-eligible to be paid from this CWB
	Column U: Specially situated condition	a-Not Applicable
	Eligible for rate range and LMS adjustment	Yes

### Retirements and Other Separations from Federal Service

*References: 5 CFR 9901.407; 9901.342(g)(7); 9901.412(l).*

When an employee retires or separates from civil service, the government’s performance management obligation ends. Therefore, if an NSPS employee separates or retires within the last 90 days of the rating cycle or at any time before the ratings are effective, there is no longer a requirement to rate the employee.

If an employee, who meets the minimum time requirement, retires or separates after 1 January (the effective date of the rating), he/she should receive an NSPS rating of record. If the employee separates or retires before the payout date (23 January 2011), he/she will not receive any payout since he/she is no longer covered by NSPS on the effective date of the payout.

If an employee retires, but then immediately (meaning a break in NSPS covered service of no more than one work day) returns to work as a reemployed annuitant, he/she will receive the performance payout, if otherwise eligible. The payout action, in this case, would be processed manually.

If the separation is effective before the upload of your CWB export file to DCPDS, you should change the CWB to reflect the employee’s ineligibility for a payout since this will affect the share value and payout amounts for the other members of the pay pool. If the separation is not effective before uploading the CWB export to DCPDS, you should not change the CWB to reflect the employee’s ineligibility for a rating or payout.

Additional information: Projected separations are not reflected in DCPDS, and therefore will not appear on the Employee Profile report.

<p><b>CWB Example</b></p> <p>Not eligible for a rating or payout</p>	<p>An employee retires on 15 November and he/she had more than 90 days under an approved NSPS performance plan during the rating cycle and otherwise meets the requirements of 5 CFR 9901.407. The employee is no longer eligible for an NSPS rating of record or performance payout once he/she retires.</p>
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	No
	Column Q: Modal rating eligibility?	No
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	d-Not payout eligible
	Column U: Specially situated condition	b-Ex-employee
	Eligible for rate range and LMS adjustment	YesNo

<p><b>CWB Example</b></p> <p>Eligible for a rating and payout</p>	<p>An employee retires on 3 January 2011 or later and he/she had more than 90 days under an approved NSPS performance plan during the rating cycle and otherwise meets the requirements of 5 CFR 9901.407. He/she is eligible for an NSPS rating of record and payout. The effective date of the payout is the first day of the first full pay period in January. A similar situation is when an employee retires, but then immediately (meaning a break of no more than one work day) is rehired as an annuitant.</p>
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	Yes
	Column Q: Modal rating eligibility?	No
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	a-paid in this CWB
	Column U: Specially situated condition	a-not applicable
	Eligible for rate range and LMS adjustment	Yes

<p><b>CWB Example</b></p> <p>Not eligible for a rating or a payout</p>	<p>An employee separates from civil service on 15 December, and had more than 90 days under an approved NSPS performance plan during the rating cycle. He/she will not receive an NSPS rating of record since he/she is separating from civil service. He/she is no longer eligible for a rating or a payout once he/she separates.</p>
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<b>CWB Columns</b>	Include in CWB	Yes
	Column P: Rated?	No
	Column Q: Modal rating eligibility?	No
	Column R: Include salary in pay pool?	Yes
	Column S: Payout eligibility	d-not payout eligible
	Column U: Specially situated condition	b-ex-employee
	Eligible for rate range and LMS adjustment	No

## Cross Serviced Employees and Joint Pay Pools

Pay pools may be comprised of employees who are serviced by more than one Component or agency – meaning that pay pool members’ records are in more than one DCPDS database such as Army and Navy. In these situations there is “lead” Component and “supporting” Component(s). The lead Component (or agency) is the one conducting the pay pool process. The lead Component should work closely with an HR point of contact from the supporting Component(s) which have employees in the pay pool. The remainder of this section describes the responsibilities of both the lead and supporting Components during the pay pool process.

Lead Component responsibilities:

- Provides information to the other Component(s) to identify the employees in the pay pool, and recommends an appropriate pay pool ID. It is critical that all the employees in the pay pool have the same pay pool ID.
- Imports the CWB extract files received from the other Component(s) into the CWB to create the complete pay pool. Special care should be taken to ensure that all employees are accounted for in the CWB prior to the start of pay pool deliberations.
- Generates a *single* export file from the CWB. This will have records of *all* employees in the pay pool.
- Sends the *complete* export file to the supporting Component(s).

Supporting Component(s) responsibilities:

- Establishes the appropriate pay pool ID for the identified employees, and adds it to the HR records of these employees. [Recommendation: It may be helpful to have the supporting Component’s HR POC be identified as the alternate pay pool or sub-pay pool administrator; you may want to have second segment of the pay pool ID include a designation for the Component who owns the HR record].
- Creates a CWB extract file for populating the CWB and sends the extract file to the lead Component.

Both lead and supporting Component(s) responsibilities:

- Upload the *complete* export file to DCPDS and process the payout actions for employees within that Component’s automation jurisdiction. Employees from other Component(s) in the export file will automatically reject because the employee IDs do not belong to that region. No further action is required on these employees.

## Incentive Awards

Employees who have received an award during the rating cycle do not require any special handling within the CWB. Pay pool panels may wish to consider the award information when determining the distribution of the payout between a salary increase and bonus, e.g. employee received a cash award (NOAC 849).

## Developmental Employees

*Reference: 5 CFR 9901.345.*

Employees in the lowest pay band of non-supervisory pay schedules who are in developmental or trainee positions are eligible to receive one or more Accelerated Compensation for Developmental Position (ACDP) salary increases during a year. Pay pool panels may wish to consider the ACDP information when determining the distribution of the performance payout between a salary increase and bonus. Please refer to your Component policy and procedures on treatment of developmental employees in the pay pool process.

Additional information: ACDP increases appear as NOAC 892 (Irreg Perf Pay), and are not processed through the CWB.

## Determining Salary Increases Using the Modal Process

*Reference: 5 CFR 9901.342*

In some of the special situations addressed in this guide, employees are entitled to a salary increase even though not eligible for an NSPS rating of record. These situations are outlined in the NSPS regulations and include employees that do not meet the 90-day minimum period under an NSPS performance plan or otherwise do not meet the requirements of 5 CFR 9901.407 due to one of the following:

- Leave without Pay – Military Duty (LWOP-US);
- Leave without Pay – Workers Compensation;
- Temporary Assignments outside of NSPS;
- Union Duties;
- Long Term Training; or
- Approved Paid Leave.

In these cases, the impacted employee's salary increase is determined based on the average base salary increase (expressed as a percentage) granted to other employees in the same pay pool who received the same rating as the employee's last NSPS rating of record (if he/she has one<sup>1</sup>) or the average base salary increase (expressed as a percentage) granted to employees who received the modal rating for the pay pool, whichever is most advantageous to the employee. This year's CWB will calculate the salary increase amounts when using the modal process. However, the salary increase actions must still be processed manually. The salary increase received by an employee in this process is in addition to any applicable rate range adjustments or adjustments to local market supplements that the employee is eligible to receive.

The modal rating is defined as the most frequent rating of record assigned to employees within a particular pay pool for a particular rating cycle. If there is more than one modal rating, the highest modal rating is used. **It is important to note that a "modal rating" is not a rating of record at all.** Rather, the modal rating is used to identify a population of other employees in a pay pool whose average salary increase percentage may be applied to the employee in the special situation.

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<sup>1</sup> If the employee has a previous NSPS rating of record, it will show on the Employee Profile Report under "Current Employee Information."

### How the average salary increase percent is determined

Once the modal rating is determined, the average salary increase for all the employees in the pay pool who received that modal rating is calculated. If the employee's previous rating of record is greater than the modal, then the average salary increase for all the employees in the pay pool who received the same rating as the employee's previous rating of record is also calculated. The higher of the two percentages is then applied to the employee in the special situation.

For example, consider a very small pay pool that had a modal rating of 3 (5 employees were rated at Level 3, 4 were rated 4, and 1 was rated 5). To determine the average salary increase % across the group, simply add up all the performance salary increases received by that group that received a 3 rating and divide it by the total salaries of that same group. The calculations should include only those employees that are both rating of record and payout eligible, and should include those employees that received his/her payout as 100% bonus. The table below provides an example of the calculations.

Employee	Salary Increase	Base Salary on 30 Sept
1	\$2,287	\$83,486
2	\$1,158	\$70,492
3	\$3,103	\$62,935
4	\$832	\$50,643
5	\$3,212	\$76,322
<b>Sum</b>	<b>\$10,592</b>	<b>\$343,878</b>

To calculate the modal increase, divide the sum of the salary increases by the sum of the base salaries:  $\$10,592 / \$343,878 = 3.0801\%$ .

To calculate the specially situated employee's salary increase, multiply the employee's base salary (as of the assigned pay pool's rating cycle end date) by the above salary increase percent. For example, if the employee earned \$58,278 on 30 September, based on the modal process, the employee's salary increase is  $\$58,278 * 3.0801\%$ , or \$1,795.

## Appendix 1 - Employee Profile Report Fields

The Employee Profile report provides data from the Defense Civilian Personnel Data System (DCPDS) for each employee in a pay pool that is used to identify specially-situated employees in your pay pool. The report is generated based on the Pay Pool ID (PPID). Therefore, to generate an accurate report, the PPID must be in all employee records prior to running the report.

The report contains the following sections for each employee:

- Position information
- Current employee information
- NTE dates
- NSPS information
- Personnel information
- Award information
- PAA information

The top of each page in the report displays the employee's name, employee number (this is a DCPDS (system)-generated number unique to the employee, often used in lieu of a social security number), and current Self-Service Supervisor (this may or may not be the Rating Official).

The remainder of this appendix describes the fields contained in each section of the Employee Profile Report.

**Position Information**

Position data reflects position data as of the pay pool’s appraisal cycle start date, the pay pool closeout date, and as of the date the report is run (“As of Today”). You will not see any data in the Appraisal Cycle Start Date column if the employee was hired after that date. Changes in this data indicate that some sort of personnel action has occurred that may need to be examined.

Data Element	Description
PS-Occ-PB	Pay schedule, occupational code, pay band.
Position Title	Self-explanatory.
Organization	Self-explanatory.
Agency Code	Self-explanatory.
Bargaining Unit Status	<ul style="list-style-type: none"> <li>• Code 6666 designates employees who have been identified for inclusion in a bargaining unit and are awaiting certification by the Federal Labor Relations Authority.</li> <li>• Code 7777 means the person is eligible for representation by a labor union, however no union has been certified as exclusive representative.</li> <li>• Code 8888 means the person is not eligible to be in a labor union.</li> <li>• All other codes reflect the union to which the employee belongs.</li> </ul>
Work Schedule	B - Baylor Plan F - Full-Time G - Full-Time Seasonal H - Full-Time On-Call (Historical Use Only) I - Intermittent J - Intermittent Seasonal P - Part-Time Q - Part-Time Seasonal S - Part-Time Job Sharer T - Part-Time Seasonal Job Sharer

### Current Employee Information

This section contains basic employee data. All data is current (as of the day the report is run) unless stated otherwise.

Data Element	Considerations
Base Salary	Assist in determining how close employee is to reaching pay cap
Locality	Locality pay
Other Pay	Any availability, supervisory differential pay
Total Pay	Base Salary + Locality + Other Pay
Pay Retention (yes/no, from and to dates)	Employees on pay retention at the end of the cycle will show up as such on the CWB. He/she will not be eligible for a performance based salary increase until increases to pay band maximums overtake his/her salary or pay retention is terminated. If otherwise eligible, he/she may receive a performance bonus. If there are no from and to dates then the employee is on indefinite pay retention.
Current NSPS Annual Appraisal (rating of record, appraisal effective date)	Shows NSPS rating of record from prior rating cycle; use when determining whether modal rating or previous NSPS rating of record is more advantageous to the employee.
Duty Status	This shows the duty status as of the day the report is run, and as of the end of the pay pool cycle (usually 30 Sep). This can affect an employee's eligibility for inclusion in a pay pool and eligibility for a rating. Table follows:  <b>00</b> - No Action Pending <b>10</b> - CAO PCS Reassignment Movement between Pay Pools; Movement out of NSPS (permanent) <b>11</b> - Separation (With Obligation) <b>20</b> - LWOP-Mil Military Service  <b>21</b> - Furlough-Non-Military Over 30 Days <b>22</b> - Furlough-Non-Military 30 Days or Less <b>23</b> - Suspension Over 30 Days <b>24</b> - Suspension 30 Days or Less <b>25</b> - LWOP and Drawing Injury Compensation From OWCP Workers Compensation <b>30</b> - LWOP Over 30 Days (Except When Drawing Injury Comp) <b>31</b> - LWOP 30 Days or Less (Except When Drawing Injury Comp) <b>32</b> - Detail With Same CCPO <b>33</b> - Detail To Another CCPO, Agency Etc <b>34</b> - Pay-Status/Non-Duty Status (Interim) <b>36</b> - LWOP-AG <b>89</b> - Leave With Pay Pending Disability Retirement <b>90</b> - Maternity Leave <b>99</b> - SES/Faculty Sabbatical (Non-Duty Status With Pay)

LWOP Hours	Reflects leave without pay hours as of the date the report is run and as of the end of the pay pool cycle. LWOP days must be verified prior to making any final pay pool decisions based on this data. Only the number of LWOP days since 1 Jan will be displayed here.
Pay Pool ID, Pay Pool Manager	Reflects pay pool assignment as of the date the report is run and as of the end of the pay pool cycle. This is helpful to identify employees who move from one pay pool to another. See the movement between pay pool section for additional information.

**NTE Dates**

This section contains any “not to exceed” dates in the employee’s record in DCPDS.

Data Element	Considerations
Temp Appt NTE Start Date, Temp Appt NTE	Can affect employee eligibility for a rating. Employees whose temporary appointment is 90 days or less will not have met the minimum time period for a performance rating. If the NTE date is prior to <b>23 Jan 2011</b> , the employee will not be eligible for a performance payout.
Limited Appt NTE Start Date, Limited Appt NTE Date	The start and end dates for term or time limited appointment.) If the NTE date is prior to <b>23 Jan 2011</b> , the employee will not be eligible for a performance payout.
Temp Prom NTE Start Date, Temp Prom NTE	Consider any closeout assessment completed by the supervisor in the temporary assignment. Review to determine if performance payout is based on NSPS rating of record or modal rating.
Temp Reas NTE Start Date, Temp Reas NTE	Consider any closeout assessment completed by the supervisor in the temporary assignment.

**NSPS Information**

The three most recent occurrences are displayed. If more than one occurrence contains data, it means that the employee has left an NSPS position and returned to an NSPS position on more than one occasion. This can affect his/her eligibility for a rating – time in an NSPS position prior to a break in NSPS service does not count toward the 90-day minimum period under a performance plan, unless the break is covered by 5 CFR 9901.342(i) through (l).

Data Element	Description
NSPS Spiral Indicator	Identifies in which spiral employee’s position was converted to NSPS.
NSPS Entry Date	Date employee entered NSPS
NSPS Entry NOA	The nature of action which brought employee into NSPS.

Mass Conversion Flag	“Y” in this field indicates the action was part of a mass conversion into NSPS.
NSPS Departure Date	Date the employee left NSPS.
NSPS Departure NOA	The nature of action which moved the employee out of NSPS.
NSPS WGI Buy In Amount	The amount of the WGI Buy In if the employee was entitled to a WGI Buy In. If NSPS WGI Buy In Status shows a value of A, E, M, R then employee was entitled to a WGI Buy In.
NSPS WGI Buy In Status	A - Awarded E - WGI Buy In Equivalent - Employee Initiated Action M - WGI Buy In Equivalent - Management Directed Action N - Not Eligible P - Previously Awarded R - Result of PPP or RPL Placement

### Personnel Actions

This section of the Profile Report lists most personnel actions that have been effected during the rating cycle. The section labeled “To SF-50 Area” contains data from the “to” side of the SF50, so it is showing data which became effective when the action occurred (may be the same as “from” data in some areas).

Data Element	Considerations
Eff Date	Date the action was actually effective.
NOA1	Nature of Action (NOA) code (see NOAC list, below) and the cleartext for the NOA. Identifies the personnel action.
Legal Authority Code (LAC)	The legal authority for the personnel action. In some cases the LAC is used to distinguish between two actions with the same NOAC (e.g., 890 is used for conversion into NSPS if the LAC is Z5A, it is used to terminate pay retention if LAC is Z6H).
NOA2	A second NOA and cleartext if one exists for this action.
Legal Authority Code	Legal authority code for the second NOA.
Approval date	Date the action was approved/updated (not the same as the effective date).
To PS-Occ-PB	Pay schedule, occupational code, pay band.
To Base Salary	Base salary (this is used when doing any pay-setting or payout calculations in NSPS).
To Total Salary	Base salary plus, as applicable, local market supplement.
To Work Sch	B - Baylor Plan F - Full-Time G - Full-Time Seasonal H - Full-Time On-Call (Historical Use Only) I - Intermittent J - Intermittent Seasonal P - Part-Time Q - Part-Time Seasonal S - Part-Time Job Sharer T - Part-Time Seasonal Job Sharer

To Annuitant Indicator	Shows if an employee is or has been retired (military or civilian). 1 - Reemployed Annuitant-CS 2 - Retired Officer 3 - Retired Enlisted 4 - Retired Officer/Reemployed Annuitant-CS 5 - Retired Enlisted/Reemployed Annuitant-CS 6 - CS-No Reduction 7 - Retired Officer/CS-No Reduc 8 - Retired Enlisted/CS-No Reduc 9 - Not Applicable A - Reemployed Annuitant-FE B - Former Ann-FE C - Retired Officer/Reemployed Annuitant-FE D - Retired Officer/Former Ann-FE E - Retired Enlisted/Reemployed Annuitant-FE F - Retired Enlisted/Former Ann-FE G - FE-No Reduction H - Retired Officer/FE-No Reduc J - Retired Enlisted/FE-No Reduc
To Self Service Supv	Supervisor shown in the self service hierarchy (may be different than the rating official shown at the top of the page).
To NSPS Spiral Ind	Identifies in which spiral the position was converted to NSPS
To UIC/PAS	UIC or PAS code (unique identifier of the employee's activity).
To SOID	Servicing Office ID, a code for the servicing HR office.
To Agency Trans To	Shows the agency to which the employee is moving.

**Nature of Action Code (NOAC) List**

<b>NOAC list</b>	This is not a complete list. Consult your Human Resources professional if you have questions.  Definitions: <ul style="list-style-type: none"> <li>• NOA = Nature of Action (text)</li> <li>• NOAC = Nature of Action Code</li> <li>• LAC = Legal Authority Code</li> </ul>
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NOAC	NOA	LAC	Implications
1XX	Appointment		(XX denotes wildcard) Nature of Action codes beginning with 1 are appointment actions. The next few rows give examples of the different types of appointment actions.
130	Transfer		Employee transferred to your agency from another federal agency, i.e., Navy, Dept of Commerce, Federal Aviation Agency, etc.
140	Reinstatement Career		Employee was previously a federal employee but had a break in service between the time of separation from that appointment and the current appointment.

108	Term Appointment		Appointment to a NSPS position that will last more than one year but not more than five years.
115	Temporary Appointment		An appointment made to a NSPS competitive service position for up to one year when the need for an employee's services is not permanent.
171	Temporary Appointment		An appointment made to a NSPS excepted service position for up to one year when the need for an employee's services is not permanent.
292	RTD		
3XX	(Separations)		(XX denotes wildcard) Nature of Action codes beginning with 3 are separation actions. The next rows give examples of separation actions.
350	Death		
352	Termination – Appointment In (Agency)		Employee has separated from your agency and has been appointed in another federal agency.
460	LWOP		Leave without Pay
473	LWOP-US		Leave without Pay – Military Duty
5XX			(XX denotes wildcard) Nature of Action codes beginning with 5 are conversion actions. The next few rows give examples of the different types of conversion actions. The changing of an employee from one appointment to another appointment (under either the same or a different authority) in the same agency with no break in service or with a break of 3 days or less. The change may be in one or more of the following: the type of appointment under which the employee is serving, the authority for the appointment, the position on which the employee is serving, or the not-to-exceed date of a temporary appointment (e.g., from Excepted Appt NTE in a YB-01 position in organization A to an Excepted Appt NTE in a YB-02 position in organization B.)
500	Conversion to Career Appointment		
515	Conversion to Temporary Appointment		
611	Reassignment NTE		Temporary reassignment from one NSPS position to another NSPS position.
613	Termination of Reassignment NTE		Termination of a temporary reassignment from one NSPS position to another NSPS position.
702	Promotion		
703	Prom NTE		
713	Change to Lower Grade, Level or Band		
721	Reassignment		

721	Reassignment	Z5A	Conversion into NSPS
781	Change in Work Schedule		Employee has changed work schedule, example, full time to part time, part time to full time, etc.
782	Change in Hours		Employee is part time and the number of hours scheduled to work has changed, i.e. from 20 hours to 30 hours.
790	Realignment		A realignment is the movement of an employee and employee's position when: an organization change (such as reorganization or transfer of function) occurs, the employee stays in the same agency, <i>and</i> there is no change in the employee's position, grade or pay.
846	Individual Time Off Award		
849	Indiv Cash Award		Incentive award (usually Special Act or Service). Informational, no CWB impact.
885	Lump Sum Perf Payment		Bonus from former pay pool cycle. No CWB or pay pool impact.
890	Misc Pay Adj	Z5A	Conversion into NSPS.
890	Misc Pay Adj	ZLM And 8RR	Additional salary increase for NSPS employees not eligible for a rating or payout. No CWB or pay pool impact.
890	Misc Pay Adj	Z6H	Termination of pay retention after 2 years.
890	Misc Pay Adj	ZLM	One-time noncompetitive promotion for a trainee (career ladder position in a non-professional pay schedule).
891	Reg Perf Pay	Q3A	Salary increase from payout. No CWB or pay pool impact.
892	Irreg Perf Pay	Q3B	Accelerated Compensation for Developmental Position (ACDP).
892	Irreg Perf Pay	Q3B	Extraordinary Performance Increase (from payout). No CWB or pay pool impact.
894	Gen Adj	ZLM	Rate Range and/or Local Market Supplement adjustments. No CWB or pay pool impact.
921	Reassignment NTE	7##	Used for deployments to war zones.
922	Termination of Reassignment NTE		Used to terminate deployments to war zones.
923	Extension of Reassignment NTE		Used for deployments to war zones.
978	Assignment to Long Term Training		
979	Completion of Long Term Training		

### Award Information

This section of the Profile Report lists all awards received by the employee during the rating cycle.

<b>Data Element</b>	<b>Description</b>
Award Type	Type of award granted.
Date Earned	The date the award was earned.
Amount or Hours	The dollar amount of the award, or the number of hours if a time-off award.
Award Agency	The employing agency at the time the award was given.

### **PAA Information**

This section of the Profile Report provides an overview of the employee's appraisal information for this cycle. There may be multiple PAA records displayed here.

<b>Data Element</b>	<b>Description</b>
Appraisal Type	Identifies if appraisal is annual, early annual
Appraisal ID	Unique number used to identify the appraisal
Appraisal Period Start Date	This reflects the employee's actual appraisal cycle, which may be different than the standard cycle. It can affect employee eligibility for a rating, e.g., if the employee's cycle is less than 90 days.
Appraisal Period End Date	The end of the employee's appraisal cycle.
Current PAA Status	Status of this PAA record, i.e., Interim Review Approved, Closeout Completed, etc.
Closeout Date	Date closeout appraisal was communicated to employee
Rating Official	Rating Official associated with this PAA record
Higher Level Reviewer	The Higher Level Reviewer associated with this PAA record

## Appendix 2 - Submitting Manual RPAs

This section provides instructions for employees who are receiving a rating of record but whose payouts have been calculated outside of the CWB. These payout actions need to be submitted manually for processing in DCPDS, not as part of the mass process used with records in the CWB.

<p><b>Submitting the payout information</b></p>	<p>Once the salary increase and bonus (if applicable) have been calculated, management should generate and submit Requests for Personnel Action (RPAs) using the parameters shown below.</p> <p><b>Performance Salary Increase:</b>  <i>Request for Personnel Action → Salary Change → Reg WRI / Reg Perf Pay.</i></p> <p>Include the following on the RPA:</p> <p>Part A                      Requesting Office information          Part B, item 4            Effective date: <b>23-Jan-20110</b> (always input the effective date prior to updating employee's name or social security number)          Part B, item 1            Employee name          Part D                      Remarks by Requesting Office (dollar amount of the salary increase)</p> <p><b>Performance Bonus:</b>  <i>Request for Personnel Action → Award / One-Time Payment.</i></p> <p>Include the following on the RPA:</p> <p>Part A                      Requesting Office information          Part B, item 4            Effective date: <b>23-Jan-20110</b> (always input the effective date prior to updating employee's name or social security number)          Part B, item 1            Employee name          Page 2                      Award amount (bonus amount)</p>
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<p><b>HR guidance: processing manual actions</b></p>	<p>To calculate the new salary, add the increase to the base salary <b>after</b> the rate range adjustment has been run. For example:</p> <p>\$76,125 (new salary after rate range adj of 1.74%) + \$2,193 = \$78,318</p> <p>Check to make sure this does not exceed the top of the band; adjust downwards if necessary and add the overage to the bonus, unless the action is a salary adjustment based on the modal process. An employee who receives a salary adjustment based on the modal process is not eligible for a performance bonus.</p> <p>Include on the RPAs before submitting:</p> <p><b>Performance Salary Increase:</b></p> <p>5A. NOA code: 891 (Reg Perf Pay)          5C. Legal Authority: Q3A – REG 9901.342(D)(4)          20A. Basic Pay – enter the new basic pay amount</p> <p><b>Bonus:</b></p> <p>5A. NOA code: 885 (Lump Sum Performance Payment RB-ILPA)          5C. Legal Authority:          If bonus is granted because employee has reached the pay band maximum or a control point then: V3A - REG 9901.342(D)(4)          For any other reason use: V3B – REG 9901.342(D)(4)          20. Award (bonus) Amount</p>
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## Appendix 3 – Important References

This section provides some of the frequently referenced regulations that pertain to specially situated employees, including 5 CFR 9901.407 and 9901.342(g)(7) through 9901.342(l).

### § 9901.407 Minimum period of performance.

(a) Only employees who have completed the minimum period under one or more NSPS approved performance plans may be issued a rating of record in accordance with the procedures prescribed by this subpart. (b) The minimum period of performance is 90 calendar days. (1) Periods during which an employee is in a leave status may not be applied toward the 90-day minimum. (2) If an employee has a break in NSPS-covered service (e.g., due to job change to a non-NSPS position, resignation), the service performed prior to the break may not be used to satisfy the 90-day minimum period. A break caused by a situation described in § 9901.342(i) through (1) is not considered a break for this purpose. (c) Employees who have not completed the minimum period of performance during the applicable appraisal period will not be rated and will not be eligible for a performance payout unless otherwise provided in § 9901.342(i) through (1).

### § 9901.342(g)(7) through 9901.342(l)

#### (g) Performance payout.

(7) Unless otherwise specified in this section, employees who are no longer covered by NSPS on the effective date of the payout, or who moved out of NSPS on a permanent move after the end of his/her rating cycle but before the effective date of the payout, are not entitled to a performance-based payout.

(8) For employees receiving a retained rate above the applicable pay band maximum, the entire performance payout must be in the form of a bonus payment. Any performance payout in the form of a bonus for a retained rate employee will be computed based on the maximum rate of the assigned pay band.

(9)(i) NSPS employees shall be evaluated and assigned a rating of record by the appropriate official associated with the pay pool of record on the last day (normally September 30) of the appraisal period when the employee—

- (A) Changes jobs within NSPS after the last day of the appraisal period and before the effective date of the payout;
- (B) Is eligible for a rating of record; and
- (C) Moves to a position that falls under the authority of a different NSPS pay pool.

(9)(ii) For an employee covered by paragraph (g)(9)(i) of this section, the payout will be calculated and paid based on the pay pool funding and share valuation of the gaining pay pool except when the employee transfers to an NSPS position that does not have a fully constituted pay pool in which case the payout is based on the share valuation of the losing pay pool. In all cases, the gaining pay pool will determine the share assignment and payout distribution between salary increase and bonus.

(10) To the extent permitted by law, NSPS organizations will share the results of the performance management process with NSPS employees. At a minimum, these pay pool results will include the following: Average rating, ratings distribution, share value (or average share value), and average payout (expressed as a percentage). Organizations will ensure that the sharing of these or any other pay pool results will be presented in a manner that does not violate the Privacy Act.

**(h) Proration of performance payouts.** The Secretary will issue implementing issuances regarding prorating of performance payouts for employees who, during the appraisal period, are—

- (1) Hired, transferred, reassigned, or promoted into NSPS;
- (2) In a leave-without-pay status (except as provided in paragraphs (i) and (j) of this section);
- or
- (3) In other circumstances where prorating is considered appropriate.

**(i) Adjustments for employees returning after performing honorable service in the uniformed services—**(1) *General.* The rate of base salary for an employee who is absent from an NSPS position to perform service in the uniformed services (in accordance with 38 U.S.C. 4301 et seq. and 5 CFR 353.102) and who has the right to be reemployed or restored to duty by law, Executive order, or regulation under which accrual of service for seniority related benefits is protected (e.g., 38 U.S.C. 4316) will be set in accordance with this paragraph (i) and supplementary instructions in applicable implementing issuances.

(2) *Periods for which employee is eligible for a rating of record.* When an employee is eligible for an NSPS rating of record for an appraisal period, the employee will be credited with base salary rate increases as provided under § 9901.323 and under this section based on the employee's NSPS rating of record for that appraisal period. These rate adjustments are effective on the normal date for each adjustment (in accordance with §§ 9901.323 and 9901.342(g)(6)); however, if an employee is separated as opposed to in a leave status at the time of the adjustments, no adjustment will be processed until the employee is reemployed through the exercise of a reemployment right. An employee covered by this paragraph (i)(2) is eligible for a performance-based pay pool bonus if otherwise eligible by share assignment and payout distribution.

(3) *Periods for which employee is not eligible for a rating of record.* If an employee does not have an NSPS rating of record for the appraisal period serving as a basis for increases to base salary under this section, rate adjustments will be made based on the average base salary increase (expressed as a percentage) granted to other employees in the same pay pool who received the same rating as the employee's last NSPS rating of record or the average base salary increase (expressed as a percentage) granted to employees who received the modal rating for the pay pool, whichever is most advantageous to the employee. The employee will also be credited with base salary rate increases under § 9901.323 consistent with the provisions of that section. These rate adjustments are effective on the normal date for each adjustment in accordance with §§ 9901.323 and 9901.342(g)(6); however, if an employee is separated as opposed to in a leave status at the time of the adjustments, no adjustment will be processed until the employee is reemployed through the exercise of a reemployment right. The employee is not eligible for bonus payments for periods covered by this paragraph (i)(3), except as otherwise required by law.

(4) *Insufficient statistical information.* In cases where insufficient statistical information exists to determine the modal rating, the Secretary may establish alternative procedures for determining a base salary increase under this section.

(5) *Proration prohibited.* Proration of base salary rate adjustments is prohibited in the case of employees covered by this paragraph (i).

**(j) Adjustments for employees returning to duty after being in workers' compensation status—**(1) *General.* The rate of base salary for an employee who is absent from an NSPS position

while receiving injury compensation under 5 U.S.C. chapter 81, subchapter I (in a leave-without-pay status or as a separated employee), and who has rights under 5 U.S.C. 8151 will be set in accordance with this paragraph (j) and applicable implementing issuances.

(2) *Periods for which employee is eligible for a rating of record.* When an employee is eligible for an NSPS rating of record for an appraisal period, the employee will be credited with base salary rate increases as provided under § 9901.323 and under this section based on the employee's NSPS rating of record for that appraisal period. These rate adjustments are effective on the normal date for each adjustment in accordance with §§ 9901.323 and 9901.342(g)(6); however, if an employee is separated at the time of the adjustments, no adjustment will be processed until the employee is reemployed. An employee covered by this paragraph (j)(2) is also eligible for a performance-based pay pool bonus if otherwise eligible by share assignment and payout distribution.

(3) *Periods for which employee is not eligible for a rating of record.* If an employee does not have an NSPS rating of record for the appraisal period serving as a basis for increases to base salary under this section, rate adjustments will be made based on the average base salary increase (expressed as a percentage) granted to other employees in the same pay pool who received the same rating as the employee's last NSPS rating of record or the average base salary increase (expressed as a percentage) granted to employees who received the modal rating for the pay pool, whichever is most advantageous to the employee. The employee will also be credited with base salary rate increases under § 9901.323 consistent with the provisions of that section. These rate adjustments are effective on the normal date for each adjustment in accordance with §§ 9901.323 and 9901.342(g)(6); however, if an employee is separated as opposed to in a leave status at the time of the adjustments, no adjustment will be processed until the employee is reemployed. The employee is not eligible for bonus payments for periods covered by this paragraph (j)(3).

(4) *Insufficient statistical information.* In cases where insufficient statistical information exists to determine the modal rating, the Secretary may establish alternative procedures for determining a base salary increase under this section.

(5) *Proration prohibited.* Proration of base salary adjustments is prohibited in the case of employees covered by this paragraph (j).

**(k) Adjustments for employees in special circumstances**—(1) *General.* The Secretary will adjust the rate of base salary in accordance with the provisions in this paragraph for an NSPS employee who is in an NSPS covered position on the effective date of the payout and who is unable to meet the minimum performance period during the given appraisal period as a result of—

- (i) Performing activities on “official time” (as defined in 5 U.S.C. 7131);
- (ii) Serving on a long-term training assignment; or,
- (iii) Approved paid leave.

(2) *Base salary increases.* If an employee does not have an NSPS rating of record for the appraisal period serving as a basis for increases to base salary under this section, such adjustments will be based on the average base salary increase (expressed as a percentage) granted to other employees in the same pay pool who received the same rating as the employee's last NSPS rating of record or the average base salary increase (expressed as a percentage) granted to employees who received the modal rating for the pay pool, whichever is most advantageous to the employee.

(3) *Insufficient statistical information.* In cases where insufficient statistical information exists to determine the modal rating, the Secretary may establish alternative procedures for determining a base salary increase under this section.

**(1) *Adjustments for employees returning from temporary assignments outside of NSPS for which no NSPS performance plan was assigned***—(1) *General.* The Secretary will set the rate of base salary prospectively for an employee who returns from a temporary assignment (including a supervisory probationary assignment) outside of NSPS for which no NSPS performance plan was assigned in accordance with this paragraph (1).

(2) *Periods for which employee is eligible for a rating of record.* When an employee is eligible for an NSPS rating of record for an appraisal period, the employee will be credited with base salary increases as provided under § 9901.323 and this section based on the employee's NSPS rating of record for that appraisal period. When an employee returns to an NSPS position, these adjustments will be processed in determining the employee's prospective base salary rate. An employee covered by this paragraph (1)(2) is also eligible for a performance-based pay pool bonus if otherwise eligible by share assignment and payout distribution.

(3) *Periods for which employee is not eligible for a rating of record.* If an employee does not have an NSPS rating of record for the appraisal period serving as a basis for increases to base salary under this section, the employee will be credited with base salary rate adjustments based on the average base salary increase (expressed as a percentage) granted to other employees in the same pay pool who received the same rating as the employee's last NSPS rating of record or the average base salary increase (expressed as a percentage) granted to employees who received the modal rating for the pay pool, whichever is most advantageous to the employee. The employee will also be credited with base salary rate increases under § 9901.323 consistent with the provisions of that section. The base salary rate adjustments under this paragraph (1)(3) will be used solely in determining the prospective NSPS base salary rate upon return to the NSPS position. The employee is not eligible for bonus payments for periods covered by this paragraph (1)(3).

(4) *Insufficient statistical information.* In cases where insufficient statistical information exists to determine the modal rating, the Secretary may establish alternative procedures for determining a base salary increase under this section.