

FDA Staff Manual Guides, Volume II – Delegations of Authority

Administrative – Personnel

Setting Pay Based on Superior Qualifications and Special Needs

Effective Date: 24 January 2020

1. Authority Delegated and To Whom Delegated.

- A. The officials listed below are authorized to recommend an advanced rate of pay under 5 CFR 531.212(e)(1) based on the superior qualifications of a candidate or a special need of the FDA for the candidate's services:
 - (1) The supervisor who is at least one level higher than the employees' supervisor.
- B. The officials listed below are authorized to approve an advanced rate of pay under 5 CFR 531.212(e)(1) based on the superior qualifications of the candidate or a special need of the FDA for candidate's services:
 - (1) Office of Operations (OO)/Office of Talent Solutions (OTS) Chief Talent Officer.
 - (2) Executive Resources Board Chairperson.
 - (3) Physicians Compensation Credentialing Board Chairperson.
- C. The officials listed below are authorized to appoint individuals in the Federal service and to set pay:
 - (1) OO/OTS Chief Talent Officer.
 - (2) Executive Resources Board Chairperson.

2. Redelegation.

- A. These authorities may be redelegated in accordance with the HHS Deputy Assistant Secretary for Human Resources memorandum to the FDA Office of Human Resources Director of 17 September 2012 entitled "Provisional Delegation of Human Resources Authorities" and the HHS Human Resources Manual Instruction 531-1, "Setting Pay Based on Superior Qualifications and Special Needs" of 10 December 2010.
- B. The OTS Chief Talent Officer may redelegate the approval authority to an OTS position that is at a higher organization level than the supervisor of the individual recommended for an advanced rate of pay.
- C. Any redelegation must be in writing and specify the nature and extent of the authority redelegated.

- D. Delegates must be certified as knowledgeable about the legal, regulatory and policy requirements regarding the subject authority.
- E. Delegates are subject to compliance audits.
- F. A copy of the redelegation of this authority must be provided to the FDA Principal Delegation Control Officer.

3. Effective Date.

The Chief Operating Officer approved this delegation, via memorandum, on 24 January 2020.

Status	Date Approved	Location of Change History	Contact	Approving Official
Initial	01/24/2020	N/A	OO/ OTS/ PAS	Jim Sigg Chief Operating Officer