

NIH Title 42 Pay Model

Limitation on Performance-Based Pay Adjustments within a 52-Week Period

September 2008

A fundamental provision of the NIH Title 42 Pay Model has always been that performance-based base pay increases are limited to one every 52 weeks and that additional increases require review by the NIH Compensation Committee (NCC) and approval by the Deputy Director or Director, NIH. There is apparently some confusion on this point, however, as some ICs have recently interpreted certain Pay Model provisions as allowing multiple adjustments within a 52-week period. For example, some ICs believe it is acceptable to increase scientists' base pay by: a) obtaining approval for an increase via the NCC process followed by an increase approved by the IC Director within his/her delegated authority; or b) authorizing two increases within the IC Director's delegated authority (e.g., increase upon movement to a new band followed by "spring" increase, or vice versa).

As stated, this was never the intent. The NIH Title 42 Pay Model will therefore be clarified to indicate that Title 42 scientists may be granted only one performance-based base pay adjustment within a 52-week period. Any additional increase must be thoroughly justified (e.g., based on rare high honor, urgent retention issue, to rectify salary inequities, etc.), must be reviewed by the NCC, and must be approved by the Director or Deputy Director, NIH. Pay upon recruitment or conversion to Title 42 counts as a performance-based base pay adjustment for this purpose.