

Department of Justice Information on Salary Cap

DOJ has a salary cap applicable to awards above \$250,000 that limits the rate of compensation to 110% of the annual maximum salary payable to a member of the Federal Government's [Senior Executive Service \(SES\)](#) at an agency with a Certified SES Performance Appraisal System for that year.

<https://oip.gov/financialguide/DOJ/PostawardRequirements/chapter3.9b.htm>

2015 DOJ Grants Financial Guide

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Compensation for Personal Services

Limit on Use of Award Funds for Employee Compensation

You may not use Federal grant funds to pay cash compensation (salary plus bonuses) to any employee at a rate that exceeds 110 percent of the annual maximum salary payable to a member of the Federal Government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year.

▶ OJP SPECIFIC TIP

With respect to the limitation, compensation for salary plus bonuses are applicable to any award of more than \$250,000.

The ~~2016~~ salary table for SES employees is available on the U.S. Office of Personnel Management's [2015 Executive and Senior Level Employee Pay Tables](#) web page. [2017 SES Pay Table web page](#)

A recipient may compensate an employee at a higher rate, provided the amount in excess of the limitation is paid with non-Federal funds. For employees who charge only a portion of their time to an award, the allowable amount to be charged to that award is equal to the percentage of time worked on the grant times the maximum salary limit (110% of SES salary).

▶ OJP SPECIFIC TIP

The Assistant Attorney General for OJP (or, for certain awards, the official listed in the applicable program solicitation) may exercise discretion to waive, on an individual basis, the limitation on compensation rates allowable under an award. An applicant requesting a waiver should include a detailed justification in the budget narrative of the application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request the applicant to adjust and resubmit the budget. The justification should include the particular qualifications and expertise of the individual, the uniqueness of the service the individual will provide, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work to be done.

ⓘ FINANCIAL MANAGEMENT TIP

Any additional compensation beyond 110 percent of the U.S. Government SES level will not be considered matching funds where matching requirements apply.

2017 SES Pay Table

<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/17Tables/exec/html/ES.aspx> DOJ allows an additional 10% to be charged.

Pay & Leave		
SALARIES & WAGES		
Salary Table No. 2017-ES		
Rates of Basic Pay for Members of the Senior Executive Service (SES)		
Effective January 2017		
Structure of the SES Pay System	Minimum	Maximum
Agencies with a Certified SES Performance Appraisal System	\$124,406	\$187,000

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RATES

Executive Level II Effective Jan. 2017	\$187,000
DOJ Level (110%)	\$205,700

GMU Mason Faculty Limitations (salary over these amounts require cost share)

12 month faculty limit	\$205,700
9 month faculty limit	\$154,275 (salary amount Aug. 25 – May 24 per academic year)
Summer Research	\$ 8,571 per pay period from all sources. (Salary cap portion will be charged to a non-sponsored org.)

DOJ Salary Cap Template

<https://osp.gmu.edu/wp-content/uploads/DOJ-Salary-Cap-Template1.8.17.xlsx>

The template will calculate the percentage of salary to be charged to the award and the percentage charged as cost share to an ORG. Please attach the completed template to the Funding Change form.

Cost Share Presentation

<https://osp.gmu.edu/wp-content/uploads/Cost-Share.pdf>

See pages 8 – 13 for Salary Cap Information

The following Department of Justice (DOJ) agencies follow the salary cap guidelines above:

- Office of Justice Programs (OJP)
 - Bureau of Justice Assistance (BJA)
 - Bureau of Justice Statistics (BJS)
 - National Institute of Justice (NIJ)
 - Office of Juvenile Justice and Delinquency Prevention (OJJDP)
 - Office for Victims of Crime (OVC)
 - Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART)
- Office on Violence Against Women (OVW)
- Office of Community Policing Services (COPS Office)
- General Counsel / Asst. Attorney General / Administration / Audit, Assessment, & Management / Chief Financial Officer / Chief Information Officer / Civil Rights / Communications / Equal Employment Opportunity Office