



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

June 10, 2024

Memorandum for Heads of Executive Departments and Agencies

From: Robert H. Shriver, III, Acting Director

Subject: Certifying the Use of a Merit Personnel System as Required by the Intergovernmental Personnel Act of 1970

The Intergovernmental Personnel Act (IPA)¹ and its implementing regulations requires states to administer certain federal funded and state-administered grant-in-aid programs through a system of personnel administration consistent with merit principles.² The IPA's intent is to facilitate proper administration of federally funded programs.

In 2019, OPM published a notice in the Federal Register which provided guidance clarifying the discretion of state chief executives to determine appropriate staffing methods, including the use of contractors, when administering certain federally funded and state administered programs. OPM also informed agencies about this new guidance on November 27, 2019.

Consistent with a recommendation made by the White House Task Force on Worker Organizing and Empowerment established by Executive Order 14025 titled "Worker Organizing and Empowerment", OPM has subsequently reviewed this previous guidance and has issued updated guidance in the Federal Register. This updated guidance is attached. Adherence to merit principles in employment practices for certain federal funded and state-administered grant-in-aid programs supports equity and effective and efficient staffing methods when administering these programs. Consistent with 42 U.S.C. § 4728, this notice supersedes OPM's [November 27, 2019, memorandum](#) to agencies and any other guidance to state and local governments in 2019 that could be construed to interpret the IPA.

Additional Information

Agency headquarters-level offices may contact OPM at employ@opm.gov with questions about this guidance. Agency field offices should contact their appropriate headquarters-level agency human resources offices.

¹ Intergovernmental Personnel Act of 1970, as amended, 42 USC Section 4701

² 5 CFR 900, Subpart F – Standards for a Merit System of Personnel Administration

cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs and Human Resources Directors

Attachment:

[“Certifying the Use of a Merit Personnel System as Required by the Intergovernmental Personnel Act” Federal Register Guidance](#)