

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Office of Fire & Aviation
3833 S. Development Ave.
Boise, Idaho 83705

January 31, 2000

In Reply Refer to:
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Instruction Memorandum No. OF&A 2000-005
Expires: 09/30/01

To: All Field Officials

From: Director, Office of Fire and Aviation

Subject: 2000 Pay Plan for Emergency Workers

Attached is the 2000 Administratively Determined (AD) Pay Plan. This plan authorizes and provides specific direction relative to the hiring of Emergency Workers and replaces all previously approved plans. The plan, which is approved by the Secretary of the Interior, is updated and issued annually.

All offices hiring under this authority need to be fully familiar with, and adhere to, the provisions of this pay plan.

The following changes became effective on January 1, 2000:

- Increases the rate for AD-1 through AD-4 to reflect the 4.8 percent general pay increase (paragraph B1).
- Adds guidance regarding a change in the pay rate for an individual who is sent to an incident outside the area of hire and the new area has, through a geographic area supplement, a higher AD-5 rate for that position (paragraph B2).
- Adds severity authority and prevention team activation as examples of indicators that high risk conditions exist in order to hire emergency personnel (paragraph D2).
- Expands to 120 hours the training needed each year for an individual to obtain a required license and/or certification for a fire emergency (paragraph D5b).
- Replaces "Agency" with "Agency Representative" throughout section D of the plan.
- Adds new guidance regarding subsistence and lodging at Government expense to include reimbursement for out-of-pocket expenses as per diem through the agency travel process (paragraph E17).

- Adds a rule that individuals attending training for higher-level positions will be given a rate one level lower than full performance (paragraph F3).
- Adds a rule that individuals attending a refresher course will be given their current rate of pay (paragraph F4).

Questions should be directed to Ed Lewis at (202) 387-5166

Signed by:
Edward W. Shepard
Acting Director, Office of Fire and Aviation

Authenticated by:
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1 Attachment

1 - 2000 Pay Plan for Emergency Workers (11pp)

Distribution

Fire program Manager
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Jay Thietten, MIB Room 5627
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Effective Date: January 1, 2000
FOR EMERGENCY WORKERS

Expiration Date: December 31, 2000 PAY PLAN

A. PREAMBLE. Pursuant to 5 U.S.C. 5102(c)(19), 7 U.S.C. 2225 and 2226, and 43 U.S.C. 1469, there is hereby established, effective January 1, 2000, the following Administratively Determined (AD) Pay Plan, which replaces and supersedes previously approved plans. In the event there is an emergency in progress on the effective date of this pay plan, the AD hires (casual) on that emergency shall be paid under the provisions of the AD pay plan in effect at the start of the emergency.

This pay plan applies wherever and whenever it becomes necessary to hire persons

1. To cope with a sudden and unexpected emergency caused by a fire, or extreme fire potential, flood, storm, or any other emergency that threatens damage to Federally protected property unless brought under immediate control, or
2. To provide emergency assistance to State Foresters under formalized cooperative agreements (see paragraph D).

Such hiring is of uncertain or purely temporary duration, and shall be terminated when the emergency has sufficiently abated to be handled by the regular employees at the particular field location. Under the new Federal fire appropriations, this plan can be used for suppression operations, suppression for resource benefit and hazard fuels reduction projects.

This pay plan is complete within itself. Therefore, for any hiring under this plan, the provisions herein take precedence over any other policies or regulations that may be prescribed elsewhere.

B. RATES OF PAY - Calendar Year 2000.

1. Rates for AD-1 through AD-4.

<u>Classification</u>	<u>Western Area (Per Hr.)</u>	<u>Southeast Area (Per Hr.)</u>	<u>Northeast Area (Per Hr.)</u>	<u>Alaska Area (Per Hr.)</u>	<u>Hawaii Area (Per Hr.)</u>
AD-1	9.12	8.12	9.12	13.28	10.84
AD-2	10.68	9.72	10.56	15.16	13.56
AD-3	11.72	11.00	11.48	16.64	14.88
AD-4	13.32	12.72	13.08	18.68	17.72

2. Rates for AD-5. Whenever the scope of a current emergency warrants obtaining the services of individuals whose experience qualifies them to supervise or direct an operation, or to render a special service that exceeds the scope of the AD-4 definition, such as leader of a group of AD-4's, the Incident Commander or comparable official is authorized to hire at a rate deemed appropriate, but not exceeding \$30 per hour in the Western Area, Southeast Area, and Northeast Area, and \$35 per hour in Alaska and Hawaii. The rate appropriate for a specific skill shall be

established at the point of hire and documented in the Remarks block of Form OF-288 (Emergency Firefighter Time Report). Rates shall be changed if the individual is sent to an incident outside the area of hire and the new area has established, through a geographic area supplement, a higher AD-5 rate for that position. If the casual is assigned to a different job skill, adjust the pay rate to the appropriate rate for that skill in that area and document in the Remarks block of Form OF-288. Geographic Areas shall establish AD-5 rates for significant positions.

See the table in paragraph F7 for an illustration of AD-5 rates and their correlation with the Incident Command System command structure.

This authority to use higher pay rates at AD-5 may also be used to hire individuals with the type of skills defined in the classification for AD-4 where the local prevailing rate for the particular skill, or skills, so far exceeds the preceding rates in paragraph B1 as to make it impossible to recruit individuals for the AD-4 rates. This authority does not extend to recruitment for the type of skills in AD-1, AD-2, and AD-3 classifications.

3. Consideration of Hazardous Nature of Work. The hazardous nature of the work was considered in establishing the grade levels for these positions. Therefore, no additional pay is authorized for hazardous duty.

C. DESCRIPTION OF AREAS TO WHICH RATES ARE APPLICABLE

1. Western Area includes the following:

Arizona	Montana	Oregon
California	Nebraska	South Dakota
Colorado	Nevada	Washington
Idaho	New Mexico	Wyoming
Kansas	North Dakota	Utah
Marshall Islands	Samoa	Guam
Mariana Islands	Caroline Islands	Other Pacific Islands

2. Southeastern Area includes the following:

Alabama	Louisiana	Puerto Rico
Arkansas	Mississippi	South Carolina
Florida	Missouri	Tennessee
Georgia	North Carolina	Texas
Kentucky	Oklahoma	Virginia
Virgin Islands	Other Caribbean Islands	

3. Northeastern Area includes the following:

Connecticut	Massachusetts	Pennsylvania
Delaware	Michigan	Rhode Island
Illinois	Minnesota	Vermont
Indiana	New Hampshire	West Virginia
Iowa	New Jersey	Wisconsin
Maine	New York	
Maryland	Ohio	

4. Alaska (Statewide).

5. Hawaii (Statewide).

D. REQUIRED SITUATIONS FOR HIRE. Hiring of emergency personnel may be made according to the provisions of this pay plan when any of the following situations exists:

1. To fight a going fire.

2. To hire personnel during unusually dry periods or when fire danger is very high to extreme (Class 4 or 5), or when fuel or weather conditions are such that fires can readily ignite, spread rapidly, and do substantial damage, and when risks of fire occurrence are high (for example, severity authority, prevention team activation). Examples of high risks occur when the preceding conditions exist and when:

a. Unusual lightning activity is present or is predicted;

b. Incendiary outbreaks occur; or

c. An unusually large number of people are in the area (opening day of hunting season, fishing season, 4th of July, or Labor Day weekend, for example).

3. To place additional firefighters on standby for expected dispatch somewhere in the area.

4. To temporarily replace members of fire suppression crews or fire management personnel who are currently on fires.

5. To allow personnel to attend basic fire suppression training:

a. Not to exceed a total of 80 hours per year for an individual in preparation for emergency fire situations

b. Not to exceed a total of 120 hours per year for an individual in preparation for fire emergencies when licensing and/or certification requirements exist. (for example, pilots)

6. To cope with floods, storms, or any other emergency.
7. To carry out emergency fire rehabilitation work where there is an immediate danger of loss of life or property or when prompt remedial action is essential before potentially damaging climatic events occur.
8. During a transition period following a natural emergency to develop plans and manage an emergency rehabilitation effort until regular employees can handle the situation.
9. To hire personnel for fire use hazardous fuel reduction projects authorized by congressional funding within the Wildland Fire Operations account.
10. This pay plan is to be used to provide temporary support due to the unpredictable nature of fire use hazardous fuel reduction activities, and may not be used to circumvent normal hiring and contracting procedures.

E. CONDITIONS OF HIRE.

1. This pay plan applies only to those casual hires who are recruited for the sole purpose of dealing with an immediate fire emergency, extreme fire potential, fire use hazardous fuel reduction project or other emergency.
2. This plan may be used to supplement regular personnel assigned to fire use hazardous fuel reduction projects. The term of hire is restricted to no greater than the period beginning 24 hours prior to planned ignition and extending through 24 hours after the perimeter is secured.
3. The host agency is responsible for hiring and paying under this pay plan for fire use hazardous fuel reduction.
4. Under no conditions may active members of the Armed Forces be hired.
5. Federal retirees may be hired under this plan without a reduction in pay (Comp. Gen. B-139682, June 19, 1959).
6. Personnel hired under this plan must meet minimum physical fitness standards and training requirements as established by agency policy.
7. Casuals in positions that require special certification or license (emergency medical technicians, law enforcement, drivers, and so forth) must meet the requirements of the State where the incident is located.
8. The Immigration Reform and Control Act of 1986 (8 U.S.C. 1324A) requires employers to hire only individuals who are eligible to work in the United States. This law also requires that INS Form I-9 be completed within 3 business days of the appointment. Those units who establish and train organized crews should complete INS Form I-9 as soon as crews are organized to eliminate the need for verification at ongoing incidents. During ongoing incidents, Finance Officers are responsible for verifying eligibility of any casuals hired on site.

9. The Agency Representative has the final authority to accept or reject any person hired under this plan.

10. To work under this plan requires social security numbers for casual hires. Assign a temporary number to individuals without a permanent social security number. Furnish casuals a notice of mandatory social security number disclosure at the time of hire.

11. The salary rate shown for each classification is the rate per hour to be paid for all the service required of the casual hire. Premium compensation shall not be paid for service in excess of 8 hours per day or 40 hours per week or for night, Sunday, or holiday work (43 U.S.C. 1469 or 7 U.S.C. 2226).

12. Direction in this paragraph applies to AD-1 to AD-4 hires only. Casuals recruited under this plan who are sent to another area for which different rates of pay have been established shall be paid the rate for the area from which they are recruited, or the rate of the area to which they are sent, whichever is higher. When hired in a lower rate area, the casual must actually work in the higher rate area in order to qualify for that rate. That higher earned rate applies to travel time to the higher rate area.

13. The hiring period begins at the point and the time an individual is available for hire at the request of an Agency Official. It ends at the time the casual hire is returned to the point of hire or is no longer available. At the discretion of the Agency Representative, casual hires may be paid at the demobilization site prior to travel back to point of hire. In these instances, return travel shall be estimated and included in the payment.

All hours worked under this pay plan must be recorded as either on-shift or off-shift. All on-shift time is compensable; all off-shift time is noncompensable.

On-shift includes time spent in travel from and to the point of hire and related waiting time; other travel necessary for the performance of work, such as from fire camp to fireline or between fire camps; ordered standby; and actual work. Off-shift includes:

a. Time allowed for sleeping and eating when personnel are free from assigned duty and

b. Other periods when personnel are free from duty and are not in an ordered standby status. Ordered standby occurs when, at the direction of the Agency Representative, a casual hire is held in a specific location fully outfitted and ready for immediate assignment.

Casual hires must be given enough on-shift time (travel, ordered standby, and actual work) to total 8 compensable hours for that calendar day. Do not use this 8-hour guarantee on the first and last day of work.

Casuals assigned to an incident at their point of hire are not entitled to guaranteed hours on days off. This is considered off-shift time and is noncompensable

The minimum compensable time allowance for each work period is 2 hours. Thereafter, compute time in multiples of 15 minutes.

14. All transportation required from point of hire until return to point of hire shall be at Government expense. When a casual is released for cause or quits without good reason before the emergency is over, pay shall be stopped at the time services are terminated; the Agency Official-in-Charge may allow the casual return transportation at Government expense to the point of hire.

15. Meal periods during which a casual is free of duty in connection with an assigned job are not considered compensable worktime. In situations where a casual cannot be relieved from work and must remain at the post of duty, count a meal period as time worked for which compensation shall be allowed. Compensable meal breaks shall be documented on Crew Time Reports (Form SF-261).

16. When casuals do not receive adequate food or lodging, they shall be in pay status the entire time they are working, sleeping, or eating. Adequate food is defined as: meals ready to eat, sack lunches, military type rations, and hot can or similar meals. Adequate lodging is described as: a sleeping bag (paper or cloth), or a blanket or equivalent covering to provide protection from the elements for sleeping.

17. Whenever deemed practical and necessary by the Agency Representative, furnish subsistence and lodging at Government expense for casuals under this plan. If the Government cannot provide subsistence for a casual, reimburse the out-of-pocket expenses for meals and lodging paid by a casual through the agency travel process as per diem, following current Federal Travel Regulations.

18. Casuals under this pay plan are not entitled to earn or to be granted annual or sick leave, or to be covered under the Federal Employees' Group Life Insurance Act (5 U.S.C. 87), Civil Service Retirement Act (5 U.S.C. 83), Federal Employees' Retirement System (5 U.S.C. 84), Federal Insurance Contributions Act (26 U.S.C. 3121(b)(6)(C)), or the Federal Employees' Health Benefits Act (5 U.S.C. 89). However, they are covered by the provisions of the Federal Employees' Compensation Act (5 U.S.C. 81).

Under the provisions of 5 U.S.C 8501, Federal agencies do not report wages earned to State offices for unemployment compensation purposes. The services performed by an individual on a temporary basis in case of fire, storm, earthquake, flood, or similar emergency are not considered as performing Federal service for the purpose of reporting wages for unemployment compensation benefits. Emergency workers may furnish statements of earnings to State Unemployment Offices on their own behalf.

19. Federal and State taxes shall be withheld from salary payments. Each emergency worker shall present IRS Form W-4 or W-5 at the time of hire. If the emergency worker fails to submit either form, taxes shall be withheld at the single with no exemption rate. IRS Form W-2 shall be issued to the emergency worker at the end of the year in which reported wages are earned. State taxes shall be withheld for the State in which the emergency worker is hired, unless the emergency worker requests withholding for another State and submits the appropriate State forms.

F. POSITION CLASSIFICATIONS.

1. The four classifications contain benchmark jobs, which are not all inclusive. Rates are determined according to the job performed. Length of service and/or additional qualifications are not used to determine pay rate. The AD rate shall be set at the point of hire based on the primary duties of the position. Occasional or infrequent duties at a higher level do not justify a change in the pay rate.

The Agency Official-in-Charge is authorized to equate positions not shown in the classifications with the jobs listed in the four levels and to hire individuals at the appropriate level. The Agency Official-in-Charge is also authorized to reduce by one grade level those positions or comparable positions listed in the classification to maintain grade alignment when the casual lacks experience or when the scope of the job is less than defined in the classification.

Do not raise the grade level for specific jobs above that shown in the classification for AD-1 through AD-3. For AD-4's refer to paragraph B2.

2. When casuals work as trainees, they shall be paid one level lower than the full performance level. For example: a fireline squad boss trainee would be paid at the AD-2 level.

3. When casuals are attending training to qualify for a higher-level position, they shall be paid one level lower than the full performance level.

4. When casuals are attending refresher training, they shall be paid at their current position classification rate.

5. AD-1. Work required in this classification involves training to become a member of a crew assigned to incidents; or performing kitchen or camp helper duties.

6. AD-2. Work required in this classification involves:

a. Working alone, or as a member of a crew, in the skilled use of hand tools and infrequent use of light power tools, such as trenchers, portable pumps, and chain saws (for cutting down logs, small trees, and so forth), or working as a swamper;

b. Performing work such as a warehouse worker, tool sharpener, light truck or car operator (up to 1 ton or 7000 GVW), or fueler;

c. Leading a small group (up to 15 people) of the next lower level;

d. Performing fire prevention duties when regular employees are not available; or

e. Performing clerical duties such as time recorder, supply clerk, or check-in recorder.

5. AD-3. Work required in this classification involves performing work such as or comparable to:

a. Radio operator, vehicle dispatcher, truck driver (1 to 4 tons, 7000 to 22000 GVW), or pump operator;

b. Sawyer (operating chainsaw full-time for cutting small trees up to 12 inches dbh);

c. Leader of a small group (up to 15 people) of the next lower level (such as squad boss of AD-2's) or a large group (over 15 people) of the next two lower levels (such as a crew boss of a camp crew).

6. AD-4. Work required in this classification involves performance of specialized work or supervision of lower level workers. This includes work comparable to:

a. Packer, tree faller (operating chainsaw full-time for cutting trees up to 24 inches dbh), automotive and/or heavy equipment mechanic, head camp cook (approximately 40 people), truck driver (more than 22000 GVW or requiring a commercial driver's license) or tractor trailer type truck driver, heavy equipment operator, field observer; or

b. Supervisor of a small group (up to 15 people) of the next lower level or a large group (over 15 people) of the next two lower levels (such as a crew boss over fire suppression crew).

7. AD-1 through AD-5. See the following summary chart, which illustrates the correlation between the AD class and the Incident Command System structure.

CASUAL
INCIDENT COMMAND SYSTEM POSITIONS

AD CLASS	COMMAND	OPERATIONS	LOGISTICS	FINANCE	PLANS
AD-1		Crew Member in Training			
AD-2		Crew Member Aircraft Time Recorder		Time Recorder (Personnel/Equipment)	Status/Check-In Recorder
AD-3		Squad Boss Aircraft Radio Operator	Ordering Mgr Receiving & Dist Mgr	Commissary Mgr	
AD-4		Crew/Eng/Dozer Boss Deck Coordinator Dozer/Tractor/Plow Op Helispot Mgr Loadmaster Parking Tender Staging Area Mgr	Incident Head Dispatcher Security Mgr Base/Camp Mgr Equipment Mgr		Field Observer Doc Unit Ldr
AD-5	Incident Cdr Safety Officer Fire Information Officer	Ops Section Chief Div/Group Supervisor Task Force/Strike Team Ldr Firing Boss Crew Rep Air Ops Branch Dir Air Support Grp Supervisor Helibase Mgr Mixmaster Take Off/Landing Controller Fixed Wing Base Mgr	Logistics Section Chief Service Branch Director Support Branch Director Comm Unit Ldr Food Unit Ldr Facilities Unit Ldr Ground Support Unit Ldr	Fin Section Chief Time Unit Ldr Cost Unit Ldr Comp/Claims Unit Ldr	Plans Sec Chief Incident Mtrlogist Situation Unit Ldr Fire Behavior Analyst Resource Unit Ldr Demobe Unit Ldr

RATES AND APPLICABLE AREAS - 2000 1/1/00

Western Area (includes the following states):

Arizona	Montana	Oregon	Rates :	
California	Nebraska	South Dakota	AD -1	\$9.12
Colorado	Nevada	Washington	AD -2	\$10.68
Idaho	New Mexico	Wyoming	AD -3	\$11.72
Kansas	North Dakota	Utah	AD -4	\$13.32
Marshall Islands	Samoa	Guam	AD -5	\$30.00 NTE
Mariana Islands	Caroline Islands	Other Pacific Islands		

Southeastern Area (includes the following states):

Alabama	Louisiana	Puerto Rico	Rates :	
Arkansas	Mississippi	South Carolina	AD -1	\$8.12
Florida	Missouri	Tennessee	AD -2	\$9.72
Georgia	North Carolina	Texas	AD -3	\$11.00
Kentucky	Oklahoma	Virginia	AD -4	\$12.72
Virgin Islands	Other Caribbean Islands		AD-5	\$30.00 NTE

Northeastern Area (includes the following states):

Connecticut	Massachusetts	Pennsylvania	Rates :	
Delaware	Michigan	Rhode Island	AD -1	\$9.12
Illinois	Minnesota	Vermont	AD -2	\$10.56
Indiana	New Hampshire	West Virginia	AD -3	\$11.48
Iowa	New Jersey	Wisconsin	AD -4	\$13.08
Maine	New York		AD -5	\$30.00 NTE
Maryland	Ohio			

Alaska (Statewide)

Rates :	
AD -1	\$13.28
AD -2	\$15.16
AD -3	\$16.64
AD -4	\$18.68
AD -5	\$35.00 NTE

Hawaii (Statewide)

Rates :	
AD -1	\$10.84
AD -2	\$13.56
AD -3	\$14.88
AD -4	\$17.72
AD -5	\$35.00 NTE