

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Office of Fire and Aviation
3833 South Development Ave.
Boise, Idaho 83705-5354

May 30, 2001

In Reply Refer To:

1400-300 (FC-202)P

EMS Transmission 05/31/01

Instruction Memorandum No. OF&A 2001-019

Expires: 09/30/02

To: State and Center Directors
National Human Resources Management Center, HR-200

From: Director, Office of Fire and Aviation
Bureau of Land Management

Subject: Policy on Waiver of Dual Compensation Limits for Fire Emergency Employment of Annuitants

Program Area: Employment

Policy Action: On March 30, 2001, the Department of the Interior, Office of the Secretary, delegated authority to me to waive the salary reduction, known as dual compensation limits, for reemployed annuitants employed for fire emergencies. This authority takes effect immediately through December 31, 2004. The waiver authority does **not** include waivers for repayment of a Voluntary Separation Incentive Payment (VSIP), otherwise known as a Buy Out payment.

This waiver authority will allow annuitants employed in direct support of a fire emergency situation to retain their annuity and receive regular pay. It applies throughout the Department in the following situations:

- Where annuitants are reemployed to fight fires or immediately support fire-fighting operations during a period of Preparedness Level 4 or 5 (Fire Emergency). If needed, up to 80 hours of training time is allowed prior to Preparedness Level 4 or 5.
- Where annuitants are reemployed to lead special crews that include members of the armed forces or National Guard during periods of Preparedness Level 5 (Fire Emergency).

- Where annuitants are reemployed at any time to train other employees in these firefighting efforts. A waiver for training purposes is limited to 500 hours per year.
- Where annuitants in any occupation are reemployed to fill in for a current employee in a mission critical position who is pulled for more than two weeks during a period of Preparedness Level 4 or 5 (Fire Emergency). If this type of situation is foreseen, the annuitant may be offered a waiver to return and receive up to 80 hours of refresher training.

This authority may **not** be used for administrative support or other positions that do not directly and immediately support mission critical wildland fire suppression activities, such as work involving land rehabilitation. Waiver requests for positions that are not covered by this delegated authority may be directed through channels to the DOI Office of Personnel Policy. The Office of Personnel Management is prepared to expedite individual requests that meet the criteria in 5 CFR 553.201(c), (d) and/or (e).

To facilitate and expedite the process for reemploying annuitants, all requests to hire an annuitant under this authority should follow the following procedures:

SERVICING PERSONNEL OFFICE RESPONSIBILITIES

- Establish a point of contact to receive the requests from retirees interested in employment.
- Provide counseling to the annuitant on the advantages/disadvantages of being hired as an AD-Casual or reemployed annuitant.
- Obtain a copy of the retiree's retirement SF-50(s), Notification of Personnel Action.
- Complete the appropriate waiver form.
- Fax the waiver form and a copy of the separation SF-50 to the Human Resources Management Office (HRM) in Boise (208) 387-5723.
- Provide your fax number to the HRM Office at NIFC (Jim Knox) for receipt of signed approval.
- Maintain copies of all forms and approvals with the annuitant's personnel records for review and reporting purposes.
- Process personnel action.

For further consistency in the process, the following is to be completed by the SPO:

- **Drug Testing:** In the event of a Preparedness Level 4 or 5, annuitants may be reemployed without prior drug testing if prior testing would unreasonably delay the appointment, but drug testing should be completed as soon as possible. The Drug Program Coordinator may be called at (202) 208-5638 to receive expedited forms by FEDEX.
- **Physicals:** If the annuitant's skills and abilities are urgently needed, they may be immediately employed in a non arduous capacity until such time as the physical assessment process is completed. Selection for an arduous position requires completion of the PAR/Q Questionnaire (for BLM employees completion of the Health Screen Questionnaire should be completed per IM No. OF&A 2001-011 dated March 15, 2001). If an annuitant answers "yes" to one of the health questions on the PAR/Q (or Health Screen Questionnaire), a determination of that individual's health problem must be made by a physician.
- **Pay Issues:** Reemployed annuitants are to be paid at the same grade and step they held before retirement.
- **Position Descriptions:** Reemployed annuitants are to be placed under the same position description they held before retirement. SPO's may need to establish additional/identical positions for this purpose.
- **Duty Station:** The duty station will be where the annuitant lives at the time of reemployment.
- **Direct Deposit:** Reemployed annuitants will be required to complete forms for direct deposit of salary/travel payments.
- **Length of Employment:** This authority will be used only for those positions which are likely to be filled for at least two (2) pay periods.
- **Termination of Employment:** Termination of the reemployed annuitant will be a joint decision between the Agency Director and the Director, Office of Fire and Aviation, either when the fire fighting emergency has subsided nationally or the need for the critical skill is no longer needed.

Time Frame: Effective immediately through December 31, 2004.

Budget Impact: None

Manual/Handbook Sections Affected: None

Coordination: Department of the Interior and the Office of Fire and Aviation Management Policy.

Contact: If you have any questions, please contact either Frank Frymire at (202) 501-2677 or Jim Knox at (208) 387-5514.

Signed by:
Lee F. Englesby
Acting Director, Office of Fire and Aviation

Authenticated by:
Pat Lewis
Supervisory Mgmt. Asst.

1 Attachment

Waiver Form for Reemployed Annuitant (2 p)

Distribution:

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United States Department of the Interior

Dual Compensation Reduction Waiver Form For Reemployed Annuitant

The Department of the Interior has the authority to waive the salary reduction, known as dual compensation limits, required when reemploying Federal civilian annuitants (5 U.S.C. 8344 and 8468 and 5 CFR part 553), through December 31, 2004. This authority only extends to temporary, mission critical employment in positions that directly fight fires or immediately support fire fighting operations for no longer than the emergency exists. This authority is limited to the conditions outlined in the attached delegation of authority from the Office of Personnel Management (OPM), dated March 22, 2001. The Bureau will maintain this form for three years from the undersigned date to be made available in an annual report to OPM.

Please Complete and Maintain With the Annuitants Personnel Records:

Last Name	First Name	MI	Civil Service Retirement Number
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Position Title/Series/Grade From Which Retired	Date Retired
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Summary of fire experience being called into play in this temporary reemployment:

Summary of how current duties directly support the critical fire fighting operations

Summary of exhaustive recruitment efforts, all reasonable staffing options tried, and staffing flexibilities publicized or offered.

Describe situation under which this waiver is authorized, e.g., Preparedness Level 4 or 5 (Fire Emergency), training duties, etc._____

Start of Temporary Reemployment

Appointment NTE Date

Reemployment Duty Location

Title/Series/Grade of Reemployment Position

The undersigned annuitant is temporarily reemployed to support the fire fighting effort with the understanding that an offer to be reemployed without the waiver was first made and that the non-acceptance of that offer is herewith acknowledged.

Annuitant's Signature/Date

Certification: This position is critical to the mission of fire containment, no other qualified individual is available to fill this position, and the annuitant has declined an offer to take the position without a waiver. I further certify that this waiver is approved under the conditions cited in the Delegation of authority letter dated March 22, 2001.

Approving Authority signature/Date

