

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Office of Fire and Aviation
3833 South Development Avenue
Boise, ID 83705-5354

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To: State Directors

From: Director, Office of Fire and Aviation

Subject: Maximum Entry Age for Firefighters and Airplane Pilots in Firefighter Positions

Based on authority delegated to me by the Director of the Bureau of Land Management, I am issuing the following guidance on Maximum Entry Age (MEA). When filling positions which have "primary/rigorous" coverage under the Firefighter Retirement program, personnel and selecting officials must apply the MEA requirements. This is to provide a reminder of current MEA requirements and establish a standing exception for **certain** Airplane Pilot positions.

Maximum Entry Age

A. The last day of the month prior to an individual's 35 birthday is the last date for original appointment to a **primary/rigorous** position as a Firefighter as defined in 5 U.S.C. 8336(c) or 8412(d). Candidates will be considered eligible if they have not reached age 35 at the time of actual entry on duty.

B. For Airplane Pilot positions which meet the 5 U.S.C. definition of "primary/rigorous firefighter", BLM has set a standing exception to the maximum entry age. Those positions in the 2181 series which are approved for primary/rigorous coverage under firefighter retirement may be filled by applicants who have not reached age 40. This is because there is a history of an identified shortage of qualified applicants under age 35 in this career field. This also mirrors industry standards that mandates commercial airline pilots retirement by age 60.

Individuals over the MEA who are currently covered by the special retirement provisions are determined to meet the MEA. Note that MEA does NOT apply when making temporary appointments which are not subject to a retirement system.

Original Appointment - is the first entry (regardless of the type of appointment action) by an individual into a position covered for early and liberalized retirement benefits, and by a maximum entry age limitation.

Re-entry into Covered Positions - Applicants who have passed the designated entry age limit, but previously served in a covered position, may in some cases re-enter a primary/rigorous position, if the individual:

- Meets the applicable qualification requirements for the position; and
- Will be able to complete a total of 20 years of covered and creditable law enforcement or firefighter service by the time he/she reaches the mandatory retirement age of 55 (or age 60 for firefighter pilot).

Prior service in covered positions AND creditable towards retirement may be subtracted from the applicant's age to determine if he/she meets the MEA.

Covered Positions - are those positions that meet the definition of firefighter in 5 U.S.C. 8336(c) and 5 U.S.C. 8412(d) as determined by OPM or USDI Secretary's Designee.

Creditable Retirement Service - is defined in the appropriate retirement handbook and is different for applicants under CSRS than it is for applicants under FERS. For example, under FERS, service after January 1, 1989 in positions not subject to retirement deductions, such as temporary appointments, is NOT CREDITABLE toward retirement. Such service cannot be used when computing MEA. (Questions on creditable retirement service should be referred to your personnel office retirement specialist.)

Proof of Meeting the MEA

Applicants over the MEA bear the burden of proof and, at time of application, must provide documentation of prior covered, creditable Federal service with their application. Documentation should include copies of SF-50's (Notification of Personnel Actions) showing beginning and ending dates of covered and creditable service. Or, if the applicant received approval of an individual claim, they must submit a copy of the approval letter.

MEA and Recruitment for Covered Positions

When recruiting for a primary/rigorous position, in an appointment subject to the CSRS or FERS retirement system, special information must be included with the recruitment action. Firefighter positions should have a coverage determination made prior to the issuance of a vacancy announcement or the submission of a request for an Office of Personnel Management/ Delegated Examining Unit (OPM/DEU) List of Eligibles. All vacancy announcements for firefighter positions covered as primary/rigorous, and subject to the retirement system, MUST include the MEA statement. The following may be modified to meet the specific situation:

Condition of Employment: This is a primary/rigorous position under the special retirement program, with a maximum entry age of 35. Applicants NOT currently in a

special retirement position, must NOT have reached their 35 birthday upon appointment to this position. Applicants over this age AND who have enough prior Federal service under the special retirement system to permit retirement on or before age 55 may meet this age requirement. The applicant is responsible for submitting sufficient documentation to the personnel office to make an eligibility determination.

In addition, the following should be included under "Forms Required":

All applicants over the MEA with prior covered/creditable Federal service must provide copies of SF-50's showing beginning and ending dates of covered and creditable Federal law enforcement and/or firefighter service. Applicants over the MEA who do not include this documentation will not be considered eligible for the position.

The request for OPM/DEU list of eligibles must also include the "condition of employment" statement and information on how applicants can document prior covered Federal service.

If you have any questions about Maximum Entry Age for firefighters, please contact Marcia L. Scifres at (208)387-5345.

Signed by:
Lester K. Rosenkrance
Director, Office of Fire and Aviation

Authenticated by:
Pat Lewis
Supervisory Mgmt. Asst.

Distribution

Jay Thietten, 5627 MIB
Brian Eldredge, NARTC
Susan Goodman, RS-130
Fire Program Manager
Aviation Program Manager
NIFC Administrator
SFMO's
Servicing Personnel Officers