United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

JAN 15 2015

PERSONNEL BULLETIN (AMENDED) NO: 10-01

SUBJECT: Part-Time Reemployment of Civilian Retirees under the National Defense Authorization Act (NDAA) for Fiscal Year 2010, as extended by NDAA for Fiscal Year 2015.

1. **Purpose.** This Personnel Bulletin establishes the Department's interim policy on the employment of civilian retirees on a limited basis in accordance with the NDAA. This policy establishes the conditions for employing reemployed annuitants on a part-time basis without reduction to their annuity, provides criteria for determining if bureau or equivalent office positions support the intent of the NDAA, and identifies documentation and reporting requirements. This policy may be revised if the Office of Personnel Management (OPM) issues additional guidance.

2. **Authority.** NDAA for Fiscal Year 2010 Public Law 111-84, signed on October 28, 2009; Office of Personnel Management memorandum dated, January 8, 2010, Subject: Reemployment of civilian retirees under the NDAA for Fiscal Year 2010 and ***NDAA for Fiscal Year 2015, Public Law 113-291, signed December 19, 2014.***

3. **Policy.** The Department hereby establishes policy for employing reemployed annuitants on a part-time basis under certain specified conditions. The conditions for its use are as follows:

- Bureaus and equivalent offices must report to the Department on an annual basis on their use of this authority;
- appointments are temporary and must comply with 5 CFR 316.401(c);
- hours worked by any annuitant reemployed under these provisions are limited to 520 hours during the first 6 months of the individual's annuity commencement with a maximum of 1040 hours during the first year after retirement, 1040 hours during any 12-month period, or 3,120 total hours worked under this authority per annuitant; bureaus and equivalent offices are responsible for ensuring that annuitants' hours do not exceed these amounts;
- Any hours of training or mentoring of employees by any annuitant shall not be included in the hours of service performed for the purposes above (unless that was the primary purpose of the appointment), but those hours of training or mentoring may not exceed 520 hours – thus, an annuitant could possibly work 1560 hours total during a 12-month

period, bureaus and equivalent offices using this flexibility must ensure that the documentation reflects which hours are spent training and mentoring;

- bureaus and equivalent offices will be informed by the Department at the beginning of the calendar year how many allocated slots they may fill under this authority;
- bureaus and equivalent offices may continue to fill positions under this allocation as long as their total number of allotted slots are not exceeded; and
- this authority expires on ***December 31, 2019***.

It should be noted that bureaus and equivalent offices must ensure that they comply with all applicable laws, rules, regulations and policies when administering this authority – such as compliance with public notice, temporary limited employment, CTAP and ICTAP requirements, veterans' preference, buyout repayments, etc.

a. **Approving Officials.** The heads of bureaus and equivalent offices are granted authority to approve appointments under the NDAA. This authority may be further delegated at the discretion of the head of the bureau to the Deputy Bureau Head or the national human resources office. This authority may not be redelegated further. Any person delegated with approval authority must be aware of the total number of appointments approved within the bureau or equivalent office to ensure allotted number of slots is not exceeded.

   The approving official for the Office of the Secretary is the Director, Office of Human Resources.

b. **Criteria.** This authority may be used by bureaus or equivalent offices when it is determined that use is necessary to:

   1. Fulfill functions critical to the mission of the bureau or equivalent office;
   2. assist in the implementation or oversight of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) or Troubled Asset Relief Program under Title I of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.);
   3. assist in the development, management, or oversight of agency procurement actions;
   4. assist the Inspector General for the agency in the performance of the mission of that Inspector General;
   5. promote appropriate training or mentoring program of employees;
   6. assist in the recruitment or retention of employees; or
   7. respond to an emergency involving a direct threat to life or property or other unusual circumstances.

c. **Documentation.** Bureaus and equivalent offices will establish case files on each annuitant for which an appointment is granted under this authority. These case files will be maintained separately from the Official Personnel Folder and contain:

1. A statement from the annuitants confirming that they are not currently employed by the Federal Government, either with the Department of the Interior or any other Federal agency;
2. The name of the annuitant posted on the outside of the cover of the case file and clearly visible inside the case file;
3. The appointing authority used to reemploy the annuitant;
4. A current resume from the annuitant;
5. Copies of the annuitants' Notification of Personnel Action, i.e., Standard Form - 50, for both the retirement action and the personnel action appointing the annuitant to the position for which the appointment is approved; and
6. The criteria as listed in 3b above used to justify the reemployment of the annuitant to include documentation of any training and mentoring, if it were a requirement of the appointment, and the documentation approving the appointment.

Case files will be maintained for three years after the annuitant has left the bureau or equivalent office. The information from the case files will be used to accomplish all reporting requirements for this authority.

d. **Program Oversight and Evaluation.** Bureaus and equivalent offices will conduct a review of this authority in their internal human resources evaluation programs. This review shall be accomplished at least annually and the results shall be documented.

Annual Reports on the use of this authority will be provided to the Department by January 10 of each year. At a minimum these reports will consist of: number of reemployed annuitants hired with this authority; name, series, grade level, appointing authority, position title, geographic location of each annuitant; status - i.e., part-time, full-time; and length and terms of employment and options to renew. Each bureau or equivalent office will be responsible for maintaining this information and reporting back to the Department.

Thomas Mulhern
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