

## **Process for the Temporary Reemployment of Civilian Retirees under the National Defense Authorization Act (NDAA)**

Departmental guidance on the part-time reemployment of civilian retirees under the NDAA for fiscal year 2010 as extended by NDAA for fiscal year 2015 may be found in [Personnel Bulletin \(Amended\) No: 10-01](#).

Rehired annuitants employed under the NDAA receive their full retirement annuity in addition to a full salary for the position to which they are reappointed. This is the most significant difference from a rehired annuitant hired outside of the provisions of the NDAA whose salary is reduced by the amount of their retirement annuity.

### **Appointment Limitations**

Rehired annuitants may work full-time, part-time or intermittent work schedules. Typically these temporary NDAA appointments are made for up to 1-year and may be extended for one additional year; however, under the NDAA provisions the following hour limitations also apply:

- First six months under NDAA: No more than 520 hours;
- First year under NDAA (from appointment effective date): No more than 1040 hours;
- No more than 1040 hours in any 12 month period under NDAA;
- No more than 3,120 total hours worked under the NDAA authority;
- Exception for training or mentoring - Any hours of training or mentoring of employees by the rehired annuitant will not be included in the hours of service performed for the purposes of the limitations described above (unless that was the primary purpose of the appointment), but those hours of training or mentoring may not exceed 520 hours per year. The rehired annuitant could possibly work a total of 1,560 hours during a 12-month period; the employing office using this flexibility must ensure that the documentation reflects the hours are spent training and mentoring.

### **Initial Request and Approval**

- The current NDAA authority expires December 31, 2019.
- Each year DOI provides USGS with the number of allotted slots for NDAA and we are not permitted to have more than that number of NDAA hires on the roles at any given time during the year.
- All requests must be entered into the [Request to Exception for Hiring Controls Application using Hiring Exception Version 3](#). When submitting a request, the following documents will need to be uploaded for the potential NDAA hire: (1) A classified position description that has been reviewed and approved by the servicing [Staffing Specialist](#) (2) a copy of a current resume; and (3) a copy of the SF-50 Retirement action or if the individual is not already retired, a letter from the individual conveying their intent to retire including the effective date.
- The NDAA Reviewing Committee reviews all requests as they are received and makes recommendations to the Deputy Director for approval.

- Extensions: Requests must be submitted using the [Request to Exception for Hiring Controls Application using Hiring Exception Version 3](#), when requests are to extend both length of time and hours. For **extensions to hours only** for requests already approved please contact Amy Bradley, [abradley@usgs.gov](mailto:abradley@usgs.gov) or (703) 648-7457.

## **Next Steps**

Once the request is approved, the hiring manager will need to work with their servicing Staffing Specialist to bring the NDAA employee on board, i.e., ensure the PD is classified, determine work schedule; issue the offer letter, and advise the supervisor on the recruitment package, if applicable; initiate paperwork for the fingerprint check and background investigation when required; set the start date; and complete the necessary entrance on duty forms.

**Recruitment Package:** If the NDAA appointment is expected to last longer than 120 days, then a recruitment package is required in order to issue a vacancy announcement limited to surplus and displaced employees eligible under the Career Transition Assistance Plan (CTAP) or the Interagency Career Transition Assistance Plan (ICTAP) who have priority consideration for vacant positions. There is no need for the rehired annuitant to apply for the position as they can be noncompetitively appointed as long as no CTAP or ICTAP eligibles apply who meet the qualification and eligibility requirements.

If the NDAA appointment is expected to last 120 days or less, the employee can be appointed non-competitively and no vacancy announcement is necessary

**NOTE:** When a quick turnaround time is necessary and a vacancy announcement is required because the position is intended to last for more than 120 days, the rehired annuitant may be appointed immediately as long as the initial appointment not-to-exceed date is set for 120 days or less. After the vacancy announcement process has been completed and resulted in no CTAP/ICTAP eligibles, the appointment may be extended up to the duration approved in the initial request.

## **Break in Service:**

- The servicing HR Staffing Specialist works with the hiring manager and the rehired annuitant to coordinate the entrance on duty process. It is recommended that rehired annuitants are not reappointed within the same pay period in which they were separated to avoid having to refund any unexpired portion of the annual leave lump sum payment.
- **Lump Sum Annual Leave and Credit Hours Payment -- See Attached**

**Qualification Requirements:** The rehired annuitant must meet the established qualification requirements for the position to which he/she is appointed.

**Position/Grade Level:** The rehired annuitant may be appointed to any position for which he/she qualifies but typically come back into a position in the same occupational series as the last position held. With regard to grade level, the rehired annuitant may be appointed to any grade level up to the highest

grade and step previously held; however, grade level is dependent upon the classification of the position being filled.

**Benefits:** When an employee retires, their health and life insurance benefits (if eligible) are transferred to the Office of Personnel Management (OPM) and premiums are deducted from the individual's annuity. This will continue even after reemployment under an NDAA appointment. As NDAA appointees are also retirees, they continue to be eligible for dental, vision, and long term care insurance. They may pay the premiums directly or have them deducted from their annuity once finalized.

**Annual Leave and Sick Leave Accrual:** If the re-employed annuitant is hired on a full-time or part-time schedule, the employee will accrue [annual](#) and [sick](#) leave. Part-time leave accrual will be prorated according to the scheduled work hours. Employees on an intermittent work schedule are not eligible to accrue leave.

**Service Credit:** Service performed under an NDAA appointment is not eligible for credit to increase their retirement annuity. In addition, regardless of prior retirement coverage, CSRS or FERS, all NDAA appointees are required to pay into Social Security and are ineligible to pay into their former retirement system.

**Termination:** Rehired annuitants serve at the will of the appointing officer. This means that the temporary NDAA appointment may be terminated at any time.

## **Clearance Process and ID Cards**

### **Employee (returning within 14 days)**

An Employee Clearance Form [9-090](#) must be submitted immediately upon an employee's intent to separate from the USGS. If the employee intends to return to the USGS within 14 days of the separation date, the returning employee section of the 9-090 must be completed.

**To ensure the employee's active directory account is not de-activated, the employee or supervisor should contact the IT service desk to explain the situation and request that their active directory account remain active.**

**ID Badge:** If the individual is expected to return to work soon after retiring, the supervisor should retain the ID Badge until the employee returns to work.

To ensure the employee's email is not deleted, an IT service desk ticket should be opened by the local IT support person explaining that the person will be a NDAA Reemployed Annuitant as of the effective date of the NDAA appointment. The active directory team will confirm that they are set to ACTIVE in DOIAccess and will move their network account back to the DOIAccess/Active OU so the local IT support/Certified Organizational Unit Administrator (COUA) can provision the email and active

directory account. Please note that the email and active directory account will be disabled from their retirement effective date on the 9-090 until this reactivation process happens.

### **Additional Information**

The Human Capital website contains information about [NDAA employment](#). Specifically, the “Comparison of Reemployed Annuitant, NDAA, Phased Retirement Program Chart” provides a quick glance of the program requirements and benefits information for employees who are reemployed on an NDAA appointment.

## Attachment 1

### Lump Sum Annual Leave and Credit Hours Payment

The release of the SF 50, Notification of Personnel Action, controls the system-generated lump sum leave payment. Lump sum leave payments are automatically generated the second pay period following the pay period of completed separation.

In calculating a lump-sum payment, an agency projects forward an employee's annual leave for all the workdays the employee would have worked if he or she had remained in Federal service. If an employee is reemployed in the Federal service prior to the expiration of the period of annual leave (i.e., the lump-sum leave period), he or she must refund the portion of the lump-sum payment that represents the period between the date of reemployment and the expiration of the lump-sum period. (This is considered dual compensation.) An agency recredits to the employee's leave account the amount of annual leave equal to the days or hours of work remaining between the date of reemployment and the expiration of the lump-sum leave period.

Social Security taxes will be withheld if the individual was covered under Social Security when the lump sum payment is processed.

<b>If separate and return</b>	<b>and work schedule is</b>	<b>then</b>
Next day	Full or part time	Lump sum will be delayed until final separation
Next day	Intermittent	Lump sum pays in 2-3 pay periods
Within lump-sum leave period	Full or part-time	Lump sum should delay until final separation. <b>Lump sum will pay out and a bill will be issued for the dual compensation. Leave will be re-credited once the bill is paid.</b>
Within lump sum leave period	Intermittent	Lump sum pays in 2-3 pay periods
After lump sum leave period	Full or Part-time or Intermittent	Lump sum payment was made and no refund is required.

References:

[Fact Sheet: Lump-Sum Payment for Annual Leave](#)

[IBC: Client Interface Guide](#) Chapter 25