



United States Department of the Interior

OFFICE OF THE ASSISTANT SECRETARY
POLICY, MANAGEMENT AND BUDGET
Washington, DC 20240



FEB 12 2008

The Honorable Linda M. Springer
Director
Office of Personnel Management
1900 E Street, NW
Washington, DC 20415

Dear Ms. Springer:

The Department of the Interior requests the United States Office of Personnel Management's review of our plan for approving and administering dual compensation (salary offset) waivers for acquisition positions under the General Services Administration Modernization Act, Public Law (P.L.) 109-313. This Act requires Federal agencies to consult with the Office of Personnel Management prior to implementation of an agency's plan.

The Department plan describes our agency's process and criteria for reemploying annuitants to acquisition-related positions under P.L. 109-313. Our plan mirrors the criteria contained in the September 4, 2007 memorandum from the Office of Management and Budget Administrator Paul A. Denett. If you have questions concerning our plan, please contact Michael Ballew at 202-513-0755 or by via email at Michael_Ballew@ios.doi.gov

Sincerely,

Kathleen J.H. Wheeler
Deputy Chief Human Capital Officer

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240



FEB 12 2008

PERSONNEL BULLETIN NO. 08-02

SUBJECT: Department Policy on Hiring Reemployed Annuitants to Fill Acquisition Related Positions.

1 This bulletin establishes the Department of the Interior's policy on hiring reemployed annuitants to fill acquisition related positions. This personnel bulletin is based on the Memorandum from the Executive Office of the President, Office of Management and Budget (OMB); Subject: Plans for hiring reemployed annuitants to fill acquisition-related positions; dated: September 4, 2007; and signed by Paul A. Denett, Administrator.

2. **Authorities.** General Services Administration Modernization Act (P.L. 109-313); Office of Federal Procurement Policy Letter 05-01; 41 U. S. C. 433(4)(i)(3)(A, B & C).

3. **Policy.** The Department hereby establishes a policy enabling the bureaus and equivalent offices to reemploy annuitants into acquisition related positions under certain circumstances as stated below. This authority expires on December 31, 2011. Heads of bureaus and equivalent organizations will be responsible for administering this policy in accordance with this Personnel Bulletin, guidance from the Office of Federal Procurement Policy (OFPP) and regulations issued by OMB and the United States Office of Personnel Management (OPM).

a. **Approving Officials.** Organizations which make up the immediate Office of the Secretary, the heads of bureaus and equivalent offices or their designee are granted authority to identify and employ annuitants into acquisition related positions. This authority may be further delegated at the discretion of the Secretary, heads of the bureaus and equivalent offices to the level that best serves the interest of the organization.

b. **Covered Employees.** This Personnel Bulletin covers individuals who are not currently employed by the Federal Government, but are receiving an annuity based on prior Federal service. It also covers reemployed annuitants currently working for the Department and who are not covered by a waiver on dual compensation restrictions. These individuals can be reemployed or converted based on their status prior to retirement. The length of an individual's appointment under the reemployment provisions of P.L. 109-313 must be in accordance with the appointing authority used to rehire the individual, e.g., temporary, term, emergency, etc.

c. **Functional Use.** These positions must meet the definition of acquisition related positions as defined in the OFPP Letter 05-01. Reemployed annuitants can:

1. Act as mentors to entry and mid-level staff and provide on-the-job training and coaching;
2. Serve as additional staff for short-term projects or surges;
3. Provide a knowledge pool for best practices that could be leveraged across agencies;
4. Serve as a consulting resource to address specific agency acquisition issues; and
5. Provide support to program managers as acquisition experts to more effectively link contracting and program functions and improve the acquisition process.

d. **Criteria.** Potential reemployed annuitants must meet at least one of the criteria listed below before an offer of employment can be made. This justification must be in writing and maintained in the file related to this recruitment:

1. For waivers based on the unique or unusually high qualifications of an individual (41 U.S.C. 433(4)(i)(3)(A): a description of the knowledge, skills and abilities possessed by the candidate that are essential for the work to be performed; justification that these knowledge, skills and abilities could not be acquired by another appointee within a reasonable amount of time.
2. For waivers based on exceptional difficulty in recruiting a qualified employee (41 U.S.C. 433(4)(i)(3)(B): a description of the length, breadth and results of the bureau's or equivalent office's recruiting efforts; any other factors, e.g., unusual qualification requirements or working conditions, which demonstrate that a legitimate recruiting need cannot be met without the requested waiver.
3. For waivers based on exceptional difficulty in retaining a qualified employee (41 U.S.C. 433(4)(i)(3)(B): a statement from the requestor that the individual is still on the rolls of the bureau or equivalent office; a statement from the requestor that the individual will be working on a specific project, rather than continuing to perform the broader duties of the position the individual occupied prior to retirement; critical nature of the project (documentation must include: the importance of the project to the bureau's or equivalent office's mission, potential cost of the project's failure or delay, legislative or Presidential deadlines and any other factors demonstrating that the project is unusually critical.); candidate's unique qualifications (document in writing the knowledge, skills, and abilities possessed by the candidate that are essential for successful completion of the project and the justification that these knowledge, skills, and abilities could not be acquired by another appointee within a reasonable amount of time.); Also document in writing why the work could not be assigned to other employees involved with the same project.

4. For waivers based on a temporary emergency hiring need (41 U.S.C. 433(4)(i)(3)(C): you must provide in writing a description of the emergency; the date it occurred; the expected duration of the emergency hiring need and a description of how the individual is uniquely qualified to meet the emergency hiring need.

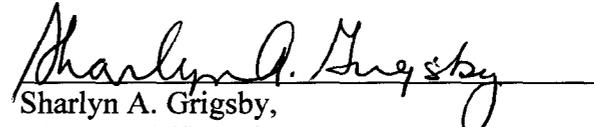
e. **Establishment and Maintenance of Case Files:** Bureaus and equivalent offices will establish case files on each annuitant for which a waiver is granted under this authority. These case files will be maintained separate of the Official Personnel Folder and will contain:

1. A statement confirming that the annuitant is not currently employed by the Federal Government, either with the Department of the Interior or any other Federal Agency;
2. A statement that the annuitant will not accept employment with the bureau or equivalent office without a waiver;
3. The name of the annuitant posted on the outside cover of the case file and clearly visible inside the case file;
4. The appointing authority used to reemploy the annuitant;
5. A resume from the annuitant;
6. Copies of the employees Notification of Personnel Action, i.e., Standard Form – 50, for both the retirement action and the personnel action appointing the employee to the position for which the waiver is required; and
7. The criteria used to justify the reemployment of the annuitant.

The information from the case file will be used to accomplish all reporting requirements for this authority.

f. **Program Oversight and Evaluation:** Bureaus and equivalent offices will include review of use of this provision in their internal personnel management evaluation programs. This review shall be accomplished at least annually and the results made available upon request. Annual reports on the use of the waiver will be provided to OPM and the OFPP by November 1 of each fiscal year beginning in November 2008. The report for the Department will be accomplished by the Office of the Assistant Secretary for Policy, Management and Budget, Office of Human Resources. At a minimum these reports will consist of: number of reemployed annuitants employed under this waiver; name, grade level, and geographic location of each employee; employment status, i.e., part-time or full-time; and length and terms of employment and options to renew. Each bureau and equivalent office will be responsible for maintaining this information and reporting back to the Department. A specific request will be sent out prior to the reporting date to OPM.

4. The Department point of contact on this policy is Michael Ballew, (202) 513-0755 or via email at Michael_Ballew@ios.doi.gov.


Sharlyn A. Grigsby,
Director, Office of Human Resources