



The Extra 1/2 %

FIREFIGHTER & LAW ENFORCEMENT OFFICER SPECIAL RETIREMENT IN THE DEPARTMENT OF THE INTERIOR

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The Role of the Firefighter and Law Enforcement Retirement Team (FLERT)

FLERT was established by the Department of the Interior (DOI) in 1997, to review and make recommendations concerning the eligibility of individual claims and position descriptions for special Firefighter and Law Enforcement Officer (FF/LEO) retirement coverage. FLERT provides these services in the area of special retirement for Bureau of Land Management, National Park Service, Fish and Wildlife Service, Bureau of Indian Affairs, Bureau of Reclamation, the Inspector General's Office, Office of Aircraft Services, and Office of the Secretary. Organizationally, the FLERT falls under the DOI Office of Human Resources, and is physically located in Boise, Idaho. Members from each serviced Bureau/Office comprise the FLERT Advisory Board, which makes decisions on organizational and operational issues.

Initially, the FLERT was staffed with five individuals responsible for reviewing all claims for FF/LEO coverage and reviewing position descriptions for coverage determinations. The FLERT staff has grown to meet increased workload demands, with eleven members currently on board. Since January 1, 1998, Team members have reviewed over 2400 individual claims and at least that many, if not more, position descriptions. Over the past year, a number of new procedures and processes have been implemented by the Team. The result has been an overall increase in their productivity, and corresponding decrease in the backlog of pending claims.

The primary purpose of FLERT is to assist Firefighters, Law Enforcement Officers and Human Resource Personnel with properly preparing and processing claims for special retirement benefits, and to assist Human Resource Personnel in developing

standardized position descriptions for positions that are covered by special FF/LEO retirement rules. In reviewing claims for special retirement coverage and making recommended decisions on coverage, the Team members must apply governing laws, rules and regulations as well as Merit Systems Protection Board (MSPB) case law. They work closely with personnel from the Bureau human resource offices. Members of the FLERT staff are also involved in working with the Solicitors in preparing and presenting cases before the MSPB when employees appeal the Department's decision on their claim for special retirement benefits. Visit our website at <http://www.doi.gov/training/flert/> for general information, training, and guidance.

The FLERT website is designed to help you quickly find information about the special retirement program's procedures, requirements and benefits. This site also provides information about a Department of the Interior online [training course](#) that is available free of charge to all Interior employees. It is designed primarily for use by:

- Firefighters and law enforcement employees with questions about the special retirement program.
- Personnel offices that process special retirements.

Some of the information available covers purpose of special provisions, determination of coverage, maximum entry age, mandatory retirement, extra retirement deduction, and public laws and regulations.

Age 60 Mandatory Separation – Clarification

Since the November edition of the *Extra 1/2% Newsletter*, we have received additional information from the Office of Personnel Management (OPM) on the issue of mandatory separation at age 60 for those eligible for retirement under the provisions of 5 U.S.C. § 8412(d). According to OPM, if an employee has not completed the required 20 years of covered/creditable service by the age of 57 then the employee may continue working in a covered/creditable position until the last day of the month he/she completes the 20 years of service,





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regardless of age at the time. In other words, the covered employee must meet the age and service requirements for special retirement, and must be allowed to remain in a covered position until those requirements are met. Once the covered employee meets all criteria for retirement (57 with 20 years service), the agency can enforce the mandatory separation. If it is determined to be in the public interest to do so, the Agency head may exempt from mandatory separation a covered employee who has 20 years of service under the special provisions and is at least age 57, until age 60. Furthermore, the President, by Executive Order, may exempt the covered employee who is eligible for retirement from mandatory separation beyond age 60. No such exemption is required **IF** the covered employee needs to work past 60 in order to reach 20 years of service.

In general, because of the maximum entry age restrictions, we should have very few situations where an employee in a covered Firefighter or Law Enforcement Officer position reaches the mandatory separation age while still lacking the requisite 20 years of covered service. However, when those situations arise, the employee must be allowed to remain in a covered position until reaching the 20 years of service, even if that means the employee will be over 60 when eligible to retire.

We hope this clarifies the issue of mandatory separation, and we apologize for any erroneous information that we may have disseminated in the past.

Upcoming FF/LEO Retirement Training Sessions

FLERT is continuing to host FF/LEO retirement training sessions. The training is designed specifically for human resources offices and fire and law enforcement managers. The purpose of the training sessions is to familiarize or re-familiarize HR Specialists, Supervisors, and Managers of the rules under the Federal Employees Retirement System (FERS) as they pertain to firefighters and law enforcement officers. The individual claim review process will be complete in about two years. It will then be incumbent upon the bureaus to perform certain functions that are now carried out by FLERT.

Upcoming training sessions are planned as follows:

- Sacramento – January 18, 2006
- Albuquerque – February 22-23, 2006
- Washington, D.C. – April 12-13, 2006
- Atlanta – April 20, 2006
- Boston – May 17, 2006
- Yellowstone – June 21, 2006
- Anchorage – July 12, 2006

For information on a training session, or if you would like to enroll, please email Debra Knox: debra_knox@ios.doi.gov. More specific information for each training session will be available closer to the actual training dates.

Online information is also available at <http://www.doi.gov/training/flert> and <http://flert.nifc.gov>.

Update on Individual Claims Backlog

As of the end of December, 2005, FLERT has completed review on approximately 2,700 claims. There are approximately 400 claims pending review. Eventually, there should be very few, if any, individual claims filed at all, and these will primarily be by new employees. It is very important for all bureaus to remember to use the existing standard covered positions so that employees who warrant coverage are properly covered.

HAPPY NEW YEAR!

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