



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

**JAN 13 2020**

## **PERSONNEL BULLETIN: 20-01**

**SUBJECT:** Extension of Authority for Dual Compensation Waivers for Part-Time Reemployed Civilian Employees under the National Defense Authorization Act (NDAA), Fiscal Year 2010

1. **Purpose.** This Personnel Bulletin provides continuity in the Department of the Interior (DOI) policy on granting dual compensation (salary-offset) waivers on under certain specified circumstances for reemployed civilian retirees (annuitants) on a part-time, temporary basis, as extended by NDAA FY2020, Sec. 1117. This policy supersedes Personnel Bulletin (Amended) NO: 10-01, dated January 15, 2015.
2. **Authority.** 5 United States Code 8344(l); National Defense Authorization Act (NDAA), Fiscal Year (FY) 2010 [Public Law (PL) 111-84, signed October 28, 2009; NDAA FY2015 [PL 113-291, signed December 19, 2014; NDAA FY2020 [PL 116-333], signed December 20, 2019; and Office of Personnel Memorandums, dated January 8, 2010 and December 9, 2011, Subject: Policy Guidance on the Reemployment of civilian retirees under the National Defense Authorization Act (NDAA) for Fiscal Year 2010.
3. **Policy.** DOI hereby continues its policy allowing bureaus to grant dual compensation (salary-offset) waivers for certain reemployed civilian retirees (annuitants) on a part-time temporary basis under the conditions identified in 5 USC 8344(l) and below:
  - Bureaus and equivalent offices must report to the DOI, Office of Human Capital, on an annual basis their use of this authority, as described in paragraph 5;
  - Annuitant is appointed under a temporary appointment limited to 1 year or less;
  - The annuitant is performing work as described in subparagraph 3b of this policy and 5 USC 8344(l)(2)(A-G);
  - The annuitant has not exceeded the number of hours described in subparagraph 3c of this policy and 5 USC 8344(l)(3)(A-C);
  - Bureaus and equivalent offices **will not** approve any waivers that cause the total number of annuitants with waivers to exceed 1 percent of the total number of full-time employees of that bureau or equivalent office; and
  - No waivers may be approved on or after **December 31, 2024**.
- a. **Approving Officials.** The heads of bureaus and equivalent offices are granted authority to approve dual compensation (salary-offset) waivers under this authority. The approval authority may be further delegated at the discretion of the head of the bureau to the Deputy Bureau Head or the Bureau Human Capital Officer. This authority may not be redelegated further. All approval authorities must be aware of the total number of waivers that may be authorized without exceeded 1 percent of the total number of full-time employees prior to approval of any waiver. The approving official for all Office of the Secretary offices and directorates is the Director, Office of Human Capital.

**b. Approving officials must determine that the employment of the annuitant is necessary to:**

- Fulfill functions critical to the mission of the bureau or equivalent office;
- Assist in the implementation or oversight of the American Recovery and Reinvestment Act of 2009 (PL 111-5) or Troubled Asset Relief Program under Title I of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5211 et seq.);
- Assist in the development, management or oversight of agency procurement actions;
- Assist the Inspector General for the agency in the performance of the mission of that Inspector General;
- Promote appropriate training or mentoring program of employees;
- Assist in the recruitment or retention of employees; or
- Respond to an emergency involving a direct threat to life or property or other unusual circumstances.

**c. Approving officials may not waive dual compensation (salary-offset) under this authority with respect to an annuitant:**

- For more than 520 hours of service performed by that annuitant during the period ending 6 months following the individual's annuity commencing date;
- For more than 1040 hours of service performed by that annuitant during any 12-month period; or
- For more than a total of 3120 hours of service performed by that annuitant.

**Note:** Any hours of training or mentoring of employees by any annuitant receiving a waiver under this authority, shall not be included in the hours of service performed for purposes of paragraph 3c, above, but those hours of training or mentoring may not exceed 520 hours. When this applies, it's possible for an annuitant to work 1560 hours total during a 12-month period. However, bureaus and equivalent offices using this flexibility must ensure that the documentation accurate reflects the hours spent training and mentoring. **Additionally**, if the primary service performed by any annuitant employed under this authority is training and mentoring of employees, the hours of that service shall be included in the hours of service performed for the purposes of paragraph 3c, above.

**4. Documentation Requirements.** Bureaus and equivalent offices (Bureau-level HR Offices) will establish case files on each annuitant for which a waiver is granted under this authority. The case files will be maintained separately from the Official Personnel Folder and contain:

- A statement from the annuitant confirming that they are not currently employed by the Federal Government, either with DOI or any other Federal Agency;
- The appointing authority used to reemploy the annuitant;
- A current resume from the annuitant;
- Copies of the annuitant's Notification of Personnel Action, e.g. SF-50, for both the retirement action and the appointing action as a reemployed annuitant; and

- A memorandum signed by the appropriate approval authority identifying the basis for the waiver, based on the criteria identified in paragraph 3b, above including documentation of any training and mentoring hours.
- Case files will be maintained for three years after the annuitant has left the bureau or equivalent office.

5. **Program Oversight and Evaluation.** Bureaus and equivalent offices will conduct routine reviews and include utilization of this authority in internal human resource evaluation programs. Bureaus will ensure appropriate utilization, documentation and that annuitants with dual compensation (salary-offset) waivers under this authority at no time exceeds 1 percent of the total number of full-time employees.

Bureaus and equivalent offices will provide an annual report to the DOI Office of Human Capital no later than January 10<sup>th</sup> of each year. Servicing Human Resource Offices are responsible for reporting utilization on behalf of supported offices/directorates. The report will include the below information:

- Annuitant Name
- Pay Plan, Series, and Grade
- Appointing authority
- Date of appointment
- Annuity indicator
- Length and terms of employment (including not to exceed date and any extensions granted)
- Position title
- Geographic location
- Work schedule, e.g. part-time, full-time
- Number of hours salary-offset was waived during previous calendar year
- Number of total service hours salary offset was waived for annuitant under this authority



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