



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
NATIONAL INTERAGENCY FIRE CENTER
3833 South Development Avenue
Boise, Idaho 83705-5354



May 17, 2011

Expiration Date: Release Date of Interior 2012 AD Pay Plan

To: All Regional Directors, All Regions
Attention: Regional Fire Management Officers
Agency Fire Management Officers
Regional Points of Contact, Casual Pay
Agency Points of Contact, Casual Pay

From: Director, Branch of Wildland Fire Management

Subject: Department of the Interior 2011 Administratively Determined Pay Plan for
Emergency Workers

Program Area: Incident Business Management

Purpose: The purpose of this instruction memorandum (IM) is to authorize and provide direction focusing on the attached Department of the Interior (DOI) 2011 Administratively Determined (AD) Pay Plan for Emergency Workers (Casuals). The DOI 2011 AD Pay Plan is located at the following website location: http://www.nifc.gov/programs/cpc_ADpayplans.html

Timeframe: The attached AD Pay Plan became effective May 12, 2011 for immediate implementation and is valid until a new AD Pay Plan is released.

Budget Impact: The impact on the budget is dependent on the severity of the upcoming fire season, the number of other emergency incidents and the frequency of use of the AD Pay Plan to hire and pay emergency workers.

Policy/Action: The attached pay plan applies wherever and whenever it becomes necessary to hire persons under the following conditions:

- To cope with a sudden and unexpected emergency caused by a fire, or extreme fire potential, flood, storm, or any other all hazard emergency that threatens damage to federally protected property unless brought under immediate control.
- To provide emergency assistance to States under formalized agreements.
- To meet mission assignments issued by the Federal Emergency Management Agency (FEMA).
- To supplement regular personnel assigned to prescribed fire projects (*this authority does not include Mechanical or Chemical Hazardous Fuels Reduction Projects*).

Local Agency Administrators are authorized to hire casuals, but must ensure that hiring and management of casuals is in accordance with all provisions of the AD Pay Plan. Casuals hired outside the AD Pay Plan authority will not be paid through the DOI Casual Payment Center and timesheets will be returned to the hiring unit. If the pay plan was not the proper mechanism for hire, other means of employment, such as an emergency temporary hire, will need to be explored through Human Resources.

The AD Pay Plan is complete within itself; therefore, for any hiring under this plan, the provisions herein take precedence over any other policies or regulations that may be prescribed elsewhere.

This pay plan may not be used to circumvent other hiring authorities such as temporary 1039 or career seasonal appointments nor be used to fill vacant government positions such as Fire Management Officer, Assistant Fire Management Officer, Dispatch Center Manager, or Staff Assistant. The authority can never be used to extend a time-limited appointment.

Units may hire only those individuals within their 'local area of responsibility' who are qualified for the position and certified to assist in fire suppression operations and/or other emergencies that threaten damage to federally protected property.

Changes

The 2011 AD Pay Plan includes the following changes from the plan previously in effect for 2010:

- Incorporates a 10.56% increase in the cost-of-living adjustment for Alaska and a 16.07% increase for Hawaii based on the 2009 AD hourly pay rates (per the Non-Foreign Area Retirement Equity Assurance Act of 2009). Per Executive Order 13561, 2011 pay rates will remain at 2010 levels; therefore, there are no pay rate adjustments for AD positions in the 48 contiguous states (Section B.1).
- Clarifies all-hazard emergencies to include the potential to cause loss of life, serious injury, a public health risk, or damage to natural or cultural resources (Sections A.1 & D.8).
- Deleted language regarding suppression operations and suppression for resource benefit (Section A, Paragraph 2).
- Clarifies the pre-positioning or placement of resources on standby for potential dispatch (Section D.4).
- Allows hiring of resources to provide public awareness for an emerging or projected incident, event, or situation (Section D.12).
- Clarifies that casuals can be hired for prescribed fire projects for the purpose of reducing hazardous fuels, and deletes the language regarding Congressional funding within the Wildland Fire Operations account (Section D.13).
- Updates made to the position matrix:
 - **Added:**
All hazard position section to matrix (27 classified positions).
 - **Corrected:**

Emergency Medical Technician-Intermediate (EMTI) classification from AD-G to AD-H.

- **Moved:**
 - Interagency Resource Representative (IARR) to Planning section.
 - Incident Business Advisor Type 1 (IBA1) to Finance section.
 - Incident Business Advisor Type 2 (IBA2) to Finance section.
 - Strategic Operational Planner (SOPL) to Planning section and clarified as a 310-1 position.
- **Replaced:**
 - Dozer Boss (DOZB) and Tractor/Plow Boss (TRPB) with Heavy Equipment Boss (HEQB) (Operations section).
 - Strike Team Leader Dozer (STDZ) and Strike Team Leader Tractor/Plow (STPL) with Strike Team Leader heavy Equipment (STEQ) (Operations section).
 - Combine Driver, over 1 Ton and up to 4 Tons, no CDL required (DRVS) and Driver, up to and including 1 Ton (DRVP) and replaced with Driver (DRIV) AD-D (Coordination & Support section).
- **Clarified:**
 - Tractor/Plow Operator (TPOP) position is not a 310-1 position; Aircraft dispatcher (ACDP) and Prevention/Education Team Member (PETM) are 310-1 positions.

Common Issues

A number of issues surface each year as a result of misinterpretation and incorrect use of the pay plan. General examples of issues include:

- Hiring casuals for non-NWCG positions or positions not identified in the incident position matrix, e.g., Prescribed Fire Crew Member – RXCM.
- Hiring casuals for work that is not appropriate under the plan. The AD Pay Plan applies when it is necessary to hire persons to cope with sudden and unexpected emergencies caused by fire, extreme fire potential, flood, storm or any other all hazard emergency that must be brought under immediate control.
- Using the AD Pay Plan to hire individuals for long term and, by doing so, circumventing proper hiring authorities.
- Exceeding 90 calendar days following the end of a natural emergency for post-incident administration and emergency stabilization work.
- Training hours exceeding 80 hours.
- Agencies paying ADs for time spent assisting during training. When agencies sponsor or put on training and utilize ADs to assist in training, they must be paid at the AD-H instructor rate. ADs are either attending training or instructing training under the AZA1 training code. ADs will only be paid for **actual time instructing**, when at the home unit.
- Instructor hours exceeding 120 hours.
- Hiring casuals as instructors when agency or contract personnel were available.
- Not paying casuals the minimum compensable time allowance, two hour rule for local hires and guaranteed eight hours when working away from their point of hire.
- Withholding federal and state taxes from salary payments. If a W-4 is not submitted, taxes will be withheld at the single/no-exemption rate. For states that impose income taxes, withholding taxes will be assessed based on the state in which the casual employee

is hired. The casual pay FPPS system also allows for a voluntary state tax record to be added when a casual needs to pay state taxes for the state they reside in as well as the "hired at" state. **Please encourage casuals to consult with a tax expert for guidance or questions on federal and state taxes.**

Incident Position Matrix

Memorandum dated June 27, 2007 from the Director; Branch of Wildland Fire Management, states the position of Engine Operator (ENOP) has been deactivated in IQCS and is no longer a valid Bureau/Tribal qualification and will not be hired under the AD Pay Plan.

Levy/Garnishments

The Payroll Operations Division (POD) will process commercial garnishments for casual hires that are hired by the Bureau of Indian Affairs. POD will also process salary and salary related debts.

Hiring Unit Responsibilities

It is the responsibility of the hiring unit to:

- Hire and manage casual employees in accordance with all provisions of the AD Pay Plan.
- Maintain casual hiring documents in accordance with 5 U.S.C. 552a, the Privacy Act.
- Coordinate with Human Resources for application of HSPD-12 as it applies to hiring casuals.
- Ensure training and qualification standards are met and coordinate with Human Resources for retention of required medical documentation.
- Process Workers Compensation claims. Casuals are covered under the Federal Employee's Compensation Act (5 U.S.C. 81) which authorizes medical care and compensation for periods of disability for casuals who sustain traumatic injuries and occupational diseases in the performance of duty.
- Process personal property loss/property damage claims.
- Issue authorization to travel and process claims for travel expense reimbursement.
- Review and audit Emergency Incident Time Report (OF-288) and approve for payment.
- Ensure cost accounting code shown on the time report (OF-288) is correct.

Seasonal employees, who are not in pay status, may be hired as casuals whenever it becomes necessary to hire individuals as outlined in the AD Pay Plan. However, hiring as a casual cannot be used to extend a time limited appointment (e.g., a 1039 appointment).

Hiring Forms

Hiring units are required to complete the required forms when hiring a casual. The following forms are to be completed and maintained at the hiring unit in accordance with 5 U.S.C. 552a, the Privacy Act:

- Single Resource Casual Hire Information Form (SRCHIF)
- Incident Behavior Form
- Form I-9 Employment Eligibility Verification
- Required Medical Exam Documents or Health Screening Questionnaire

Blank forms, along with an example of the Form I-9, can be found at the following website:

http://www.nifc.gov/programs/programs_PaymentCenter.html

Hiring Casuals to Attend Emergency Incident Training

Units may hire casuals to attend training in preparation for emergency incidents (e.g., Incident Command System (ICS) courses and refresher training) according to the Wildland Fire and Aviation Program Management and Operations Guide (Blue Book). In most cases, training hours, to include travel to and from training, will not exceed a total of 80 hours per **calendar year**, regardless of hiring agency. It is the casual's and hiring unit's responsibility to monitor training hours.

Suppression operation funds are to be used for operational costs directly associated with the preparation, delivery or support of emergency incident related training for emergency firefighter crews and support personnel (single-resource casual).

Hiring units will charge training costs to their own six digit organization code, two digit FY, program code **92310**, and project code **AZA1**.

Hiring Casuals to Instruct Emergency Incident Training

Units may hire casuals to instruct emergency incident training **only** when all other methods of hiring and contracting instructors have been exhausted; length of employment will not exceed a total of 120 hours including travel per **calendar year**, regardless of hiring agency. It is the casual's and hiring unit's responsibility to monitor instructor hours to ensure this limitation is not exceeded. The training course number should be noted on the OF-288 when submitted to the CPC for processing. Salary, travel and per diem is charged to AZA1 when a casual is hired to conduct emergency incident training.

Hiring Casuals to Carry Out Emergency Stabilization (ES) Work

In reference to using the AD Pay Plan for emergency stabilization, the "emergency" phase occurs during the incident, and for a period of time directly after. Casuals may be hired using the pay plan, not to exceed 90 calendar days, directly following a natural emergency to develop plans and manage an emergency stabilization effort only until regular employees can handle the situation or other employment methods can be initiated. However, if there is a break in activities (e.g., the fire was contained in August and additional stabilization is needed in December) units **may not** utilize the AD Pay Plan authority as efforts should be made to contract or detail regular government employees to accomplish the work.

Hiring Casuals for Prescribed Fire Projects

The AD Pay Plan may be used to provide temporary support to prescribed fire activities. **This does not include mechanical or chemical hazardous fuels reduction projects.** The term of hire may not begin until 24 hours before planned ignition and must be completed 24 hours after the perimeter is secured. Work on prescribed fires is limited to **300 hours per calendar year** per person, regardless of agency. It is the casual's and hiring unit's responsibility to monitor prescribed fire hours. **Timesheets submitted for prescribed fire activities shall include the name of the project and the National Fire Plan Operating System (NFPORS) identification number.** This authority may not be used to circumvent normal hiring and contracting procedures.

Hiring Casuals for Support

Units may hire casuals to provide support to an ongoing incident including dispatch, warehouse/cache workers, payment team members, and administrative support. Directly following an incident, the local unit may hire casuals to provide support for post-incident administration not to exceed 90 calendar days.

Hiring Casuals for Non-Fire Emergencies

The AD Pay Plan covers both fire and all hazard emergency support needs and can be used to hire individuals to assist units with emergency operations including fire, flood, tornado, hurricane, or "any other all-hazard emergency that threatens damage to federally protected property unless brought under immediate control." **AD costs may only be charged to fire suppression accounts (92310) if there is a presidential emergency declaration and there is an applicable FEMA tasking**, but casuals hired under this plan may be paid from source accounts other than fire accounts. Agency/Tribe operating accounts may also be used provided there is funding available. Casual salary and travel may be charged to non-suppression accounts, a Regional Point of Contact must request this through the National Fire Management Branch (BIA-NIFC) prior to hiring so that the appropriate arrangements can be made with the Casual Payment Center.

Exception Positions

If none of the positions listed in the Incident Positions Matrix fit the scope of duties needed, an exception position may be established to meet a local need (for use within the local/geographic area). The AD Pay Plan provides classification guidelines for determining what level an exception position may be established. A brief description of duties, signed by a Regional Point of Contact, must accompany the Emergency Firefighter Time Report, Form OF-288, for audit purposes. **BIA-NIFC must review and approve (by email or phone) any exception positions established**; submit to Gini Broyles, Administrative Officer, National Incident Business Lead, BIA-NIFC. Once approved, BIA-NIFC will submit to the Casual Payment Center (CPC) for payment.

Payment Procedures for Casuals Hired under the AD Pay Plan

The processing of emergency firefighter payroll for casuals hired by the BIA will be done by the Casual Payment Center located at 1249 S. Vinnell Way, Suite 108, Boise, Idaho 83709. Payment procedures and forms can be found at the following website: http://www.nifc.gov/programs/programs_PaymentCenter.html

Coordination: The 2011 AD Pay Plan was coordinated with the other DOI Wildland Fire Management Bureaus and the USDA Forest Service.

Contact: Questions should be addressed to Gini Broyles, Administrative Officer, National Incident Business Lead, BIA-NIFC, at Esther.Broyles@bia.gov or 208-387-5696.

Attachments:

Personnel Bulletin NO. 11-09, 2011 Administratively Determined Pay Plan for Emergency Workers dated May 12, 2011