

INTERAGENCY INCIDENT BUSINESS MANAGEMENT HANDBOOK

CHAPTER 10 – PERSONNEL

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This chapter provides information and procedures regarding management of human resources, including recruitment, pay, injury compensation, travel, and commissary. Specific and complete regulations are available from federal or state Human Resource offices.

11 – RECRUITMENT. Recruiting plans, hiring instructions and operating procedures should be developed by agencies in advance of incidents and include: sources of personnel, age requirements, physical fitness, proper clothing, conditions of hire, wages, and any special procedures pertaining to recruitment and use of personnel. All personnel will be covered 1) under the Pay Plan for Emergency Workers as a casual; or 2) under a cooperative agreement; or 3) by a contract; or 4) as a regular government employee.

11.04 – Responsibilities.

1. Recruiting agency is responsible for:
 - A. Ensuring the development of recruiting plans.
 - B. Providing training and certification.
 - C. Completing the hiring paperwork.
2. Hiring unit or official for casual hires is responsible for:
 - A. Completing the hiring paperwork.
 - B. Applying the provisions of the Pay Plan for Emergency Workers.
 - C. Ensuring that incident qualifications are current.

11.1 – Organized Crews. Organized crews under agreements (e.g., crews from other agencies, Native American crews, agricultural workers, National Guard, and prison inmates) are managed in accordance with the terms of those agreements.

The agency that establishes the crew agreement is responsible to:

1. Identify incident behavior expectations.
2. Document consequences for inappropriate behavior in the crew agreement.
3. Ensure incident behavior expectations are provided to crew personnel.

4. Establish procedures to document acknowledgement of receipt of this information by crew personnel.

Agencies may choose to utilize the Incident Behavior Form (PMS 935) found in Section 13.6 Exhibit 13.)

Agreements for organized crews, who are hired as casuals, shall comply with the Pay Plan for Emergency Workers (See Section 13.6, Exhibit 01).

The hiring unit is responsible to screen organized crews before they are transported to an incident and ensure all crew personnel have proper clothing and meet position and physical fitness qualifications.

Crew representatives or crew bosses are responsible to provide a copy of the agreement, upon request to the Incident Management Team or incident agency, to ensure the terms of the agreement are met.

Crews provided under contract (known as Contract Crews) are governed by the terms of the contract and the provisions in this chapter do not apply.

11.2 – Casuals. Single resource casuals may be hired locally or through state employment offices. Hiring of casuals through a state employment office shall be in accordance with an agreement and understanding reached prior to the incident on hiring methods and procedures for casuals. Hiring units must adhere to the provisions in the Pay Plan for Emergency Workers when hiring casuals.

Individuals who are not United States citizens may be hired and paid as casuals for the duration of an incident (Comp. Gen. B-146142, 6/22/61). The Immigration Reform and Control Act of 1986 (Simpson-Rodino Act) requires completion of an Employment Eligibility Verification, I-9 (8 CFR 274a2). Non U.S. citizens must have an Individual Taxpayer Identification Number (ITIN). Individuals can obtain an ITIN by completing an application for IRS Individual Taxpayer Identification Number, W-7. The individual submits the W-7 to the local IRS office. It may take up to 30 days for the IRS to issue an ITIN.

Hiring officials will complete the Single Resource Casual Hire Information Form (PMS 934) at the time of hire and obtain the casual's signature. Attach the original form to the Emergency Firefighter Time Report, OF-288, retain a copy for the hiring unit and provide a copy to the casual. This form is not required when hiring crews. (See Section 13.6 Exhibit 14.)

If the requesting incident agency has identified on the resource order that electronic devices such as cell phones, etc. are required to accompany the ordered individual, the hiring official will assist the individual with obtaining government issued or acquired property prior to dispatch. If the hiring unit is unable to provide government

owned/acquired equipment, advise the individual to contact the incident assignment supervisor upon arrival.

Agencies, incident management teams or incident support units should not establish Emergency Equipment Rental Agreements (EERA) or other federal contracts for personal computers, laptops, cellular phones, personal data assistants (PDA), cameras, or global positioning systems (GPS) as the incident unit should provide these items.

Federal and state income taxes will be withheld from casual's earnings. Casuals must be provided the opportunity to complete appropriate federal (Employees Withholding Allowance Certificate, W-4, Earned Income Credit Advance Payment Certificate, W-5, and state income tax withholding forms at the time of hire. Casuals should complete appropriate federal and state tax-withholding forms to ensure the correct amount of federal and state tax is withheld.
(See Section 13.3-2.)

Casuals are required to adhere to established Incident Behavior responsibilities and may be released if inappropriate behavior occurs.

Hiring Units are responsible to provide the Incident Behavior form to single resource casuals, ensure the casual signs the form, retain the original form and provide the casual with a copy. An Incident Behavior form (PMS 935) is required at the time of hire for each incident. (See Section 13.6 Exhibit 15.)

The Area Commander, Type 1 and Type 2 Incident Commander and Deputy Incident Commander are key positions and may only be filled by current agency employees.

It is recommended that the following positions also be filled by current agency employees; Incident Business Advisor, Finance/Administration Section Chief, Procurement Unit Leader, Compensation/Claims Unit Leader, and Injury Compensation Specialist. If these or any other positions are filled through the use of the AD Pay Plan, the hiring official is responsible to ensure that the individual has maintained current qualifications and experience.

Casuals hired under the Pay Plan for Emergency Workers cannot supervise, hire, order or recommend payments that in any way affect a company or contractor that the casual has ownership or employment with, or perform any other financial responsibilities to, or for, the company or contractor on an incident. If such working conditions exist on an incident or other work place, the casual is to immediately disclose their relationship with the company, or contractor, to their immediate supervisor, the Agency Administrator, Incident Business Advisor or Finance/Administration Section Chief for immediate action.

Persons hired as casual firefighters must meet the following requirements:

1. Be at least 18 years old.

2. Minimum physical fitness standards as established by agency policy.
3. Minimum training requirements for the position before assignment.
4. Agency security requirements.
5. Have proper clothing and footgear.
6. All small unit leadership [(crew bosses and assistants, squad bosses and/or crew section leaders, engine supervisors (captains) and assistants (engineers)] must be proficient in the English language and the language used by members of their crew/units.

11.2-1 – Job Corps and Youth Conservation Corps (YCC) Enrollees. Job Corps and Youth Conservation Corps enrollees may be hired as casuals under the Pay Plan for Emergency Workers.

1. Enrollees age 16 and 17 may be assigned to nonhazardous or nonarduous (e.g., camp support) duties only.
2. Enrollees age 18 and over may be assigned to all other incident duties at the appropriate Administrative Determined (AD) pay rate.

11.2-2 – Hiring of 16 and 17 Year Olds. In accordance with applicable state and federal laws, 16 and 17 year old persons may be hired. Obtain incident agency policies (state or federal) for hiring regulations.

11.2-3 – Hiring of Federal Retirees. Federal retirees may be hired as casuals under the Pay Plan for Emergency Workers without any reduction of their annuity. They must meet the same hiring requirements as any other casual.

11.2-4 – Senior Community Service Employment Program (SCSEP) Enrollees. Enrollees may be hired as casuals and paid under the Pay Plan for Emergency Workers.

11.2-5 – Volunteers Under Formal Agreement. Volunteers may be hired as casuals for an incident. While in casual pay status, the provisions of the volunteer agreement do not apply.

11.2-6 – Using Regular Government Employees From Other Federal Agencies. It is permissible to hire and utilize regular government employees from any federal agency as a casual while they are in a nonpay status (e.g., leave without pay, furlough, and regularly scheduled days off). See agency specific directives or policy for guidance.

11.3 – Cooperators.

1. Military Personnel. Except for National Guard (see below), only organized military personnel groups obtained through official channels may be utilized. Timekeeping for organized military personnel will be accomplished by their own support group.

The Comptroller General has held that federal civilian employment and military pay statutes are not compatible. The most severe emergency does not justify hiring of members of the Armed Forces since they cannot be compensated (27 Comp. Gen. 510).

Active duty military personnel, including those on leave or furlough, cannot be compensated from incident funds and, therefore, cannot be hired as casuals.

2. National Guard. When the National Guard is formally mobilized and ordered out as a unit, payment shall be made according to the applicable agreement. When members of the National Guard are hired as individuals, they are hired and paid as specified in the applicable agreement (40 Comp. Gen. 440) or as a casual under the pay plan for Emergency Workers.

3. State and Local Cooperators. State employees and local cooperators (e.g., tribal, rural and county fire departments) are hired and paid as specified in an applicable cooperative agreement and time is recorded as specified in the agreement. If the cooperative agreement specifies that personnel are hired under the Pay Plan for Emergency Workers, time is recorded on an Emergency Firefighter Time Report, OF-288.

4. Federal Cooperators. It is permissible to utilize regular government employees from federal agencies on incidents under interagency agreements or letters of understanding (e.g., GSA, National Weather Service). Agencies are reimbursed as specified in the applicable interagency agreement.

5. Permittees. Timber sale contracts and agency permits provide for varying levels of fire suppression assistance. The Finance/Administration Section Chief (FSC) ensures time records and payments are in accordance with applicable contracts or permits.

Time reports for permittees should be marked "Permittee" and reference to the document in which special fire assistance conditions are contained. Example: "Permittee - J.A. Jones, Timber Sale, 7/7/XX".

12 – PAY PROVISIONS. The following contains information concerning tours of duty, hours of work, and pay.

12.04 – Responsibilities.

1. Incident Management Team (IMT) is responsible to ensure all pay provisions and regulations are applied and adhered to during incident management operations.
2. Home Unit is responsible to apply agency-specific pay provisions and regulations to emergency incident pay documents.

12.05 – Definitions. Definitions used throughout this handbook are located in the Zero Code.

Incident Assignment. Personnel assigned to an incident (either human-caused or natural phenomena) that requires a length of commitment in accordance with work/rest guidelines (see Section 12.7-2).

12.1 – One-Day Assignments From 0001 to 2400 Hours. Usually no changes are made in an individual's regularly assigned tour of duty when the emergency incident assignment, including travel, is contained within one calendar day (0001 to 2400 hours). In unusual circumstances, the regularly assigned tour of duty may be changed to a first 8, 9, or 10 hour assignment. All compensable hours are covered under the provisions of Title 5 U.S.C. and the Fair Labor Standards Act (FLSA).

12.1-1 – Multiple-Day Assignments.

1. Guaranteed Hours on an Incident Assignment. Every day is considered a workday during an incident assignment until the assignment is over or the individual is officially released from the incident. (This includes personnel assigned to support an incident or multiple incidents from a location other than the incident camp, such as dispatchers, Buying Teams, Payment Teams, Incident Business Advisors, and Pilots). Therefore, Saturday, Sunday, or other scheduled days off are also considered workdays during the period of the incident as long as the individual is working on the incident assignment. All individuals are ensured pay for base hours of work, travel, or standby at the appropriate rate of pay for each workday. This is true for part-time and intermittent individuals as well. Exception: When personnel are required to take a mandatory day off which falls on their normal day off, there will be no pay compensation.

Record “Day Off” (to signify mandatory day off) in the hour’s column on the Crew Time Report, SF-261, and the Emergency Firefighter Time Report, OF-288.

Those individuals under a compressed 9-hour or 10-hour work schedule are ensured of at least 9 or 10 hours pay per day on days corresponding to their weekly tour of duty.

Individuals on first 40-hour tours or flexible work schedules are converted to a first 8-hour tour when assigned to an incident, and are compensated at overtime rates for all hours in excess of 8 hours in a workday.

The entitlement for the guarantee does not begin or end at any specific time during a day, but is calculated at the end of the calendar day to ensure the individual's compensation for work, compensable travel and ordered standby is at least equal to their base.

2. Spot Change Tour of Duty. After the first day on an incident, individuals are spot changed to a first 8, 9, or 10 hour daily tour of duty, depending upon their weekly tour of duty. The individual resumes their normal daily tour of duty on the day following return from the incident.

For a two-day incident, the unit may elect to not spot change the individual's daily tour of duty.

3. Differentials for Regular Federal Employees.

A. Night Work on the Incident. A regular government employee who has been spot changed to a first 8, 9, or 10 hour daily tour of duty is entitled to night differential pay for all non-overtime hours worked between 1800 and 0600 hours. (Comp. Gen. B-193068, 5/22/84.) When prevailing rate employees (WG) work nights, refer to normal shift requirements.

B. Retaining Regular Night Differential on the Incident. Prevailing rate employees whose daily tour of duty at the home unit includes a shift differential will continue to receive the differential while assigned to the incident even though the temporary assignment does not include night work. General schedule employees are not entitled to retain night differential pay on the incident.

C. Retaining Sunday Differential on the Incident. Temporary changes in the daily tour of duty do not change the days of an individual's weekly tour of duty. Individuals who are entitled to a Sunday differential during their weekly tour of duty at the home unit retain the Sunday differential while assigned to the incident.

Individuals whose weekly tour of duty does not include Sunday differential may not be paid Sunday differential on the incident.

D. Scheduled Overtime. Both prevailing rate (WG) and general schedule employees (GS), who are regularly compensated for scheduled overtime, lose this entitlement when spot changed to a first 8, 9, or 10 hour daily tour of duty.

12.1-2 – Last Day of the Incident. For pay purposes, the last day of the incident is the last day of actual work or compensable travel connected with the incident.

1. Return During Individual's Weekly Tour of Duty. If the last day of the incident is part of the individual's weekly tour of duty, and the emergency work or travel is completed before the daily tour of duty requirement is met, the individual is expected to return to his or her regular work assignment to complete the daily tour of duty.

The supervisor may release the individual for the remaining daily tour of duty for that workday if it is in the best interest of the unit or the individual's health and safety. This time will be recorded as base hours and charged to the appropriate incident accounting code unless the home unit requires the base hours to be charged to the home unit accounting code.

2. Return Outside Individual's Weekly Tour of Duty. If the last day of the incident is not part of the individual's weekly tour of duty, the individual is compensated only for those hours in actual work or compensable travel as defined in Section 12.3--7. Compensation will be under Title 5 U.S.C. or FLSA as appropriate.

3. Tour of Duty on the Last Day of the Incident. Any amount of recorded and compensable time on the incident requires the entire last day be completed on the nonstandard first 8, 9, or 10 hour daily tour of duty. This applies even though regular or non-emergency duties are resumed.

The individual returns to the regularly scheduled daily tour of duty on the next work day after emergency incident work or return travel. (See Spot Change, Section 12.1-1--2.)

12.1-3 – Detail Assignments. Agencies may enter into agreements to provide personnel for extended periods of time to meet staffing needs. This may be done through an interagency agreement or through the use of the Preparedness/Detail request (Mobilization Guide, Chapter 20). A detail assignment in this context does not require a formal personnel action. Personnel on a detail assignment are compensated under normal regulations including pay for travel, overtime, and per diem. Personnel are under their normal tour of duty, unless this has been changed between agreement of the requesting unit and home unit. Personnel are not considered to be on an incident assignment and are not compensated for normal days off if not performing work.

12.2 – On-Shift Time. On-shift time includes actual work, ordered standby, and compensable travel. On-shift time has a specific start and ending time and is recorded as

clock hours. Individuals are required to report to their designated work site as scheduled, ready and willing to perform work safely.

12.3 – Travel and Related Waiting Time. All travel to an emergency incident is compensable because it results from an event, which could not be scheduled nor controlled administratively by agency management (See 5 CFR 550.112. (g)(2)(iv)). Severity and Emergency Stabilization Rehabilitation (ESR) Team assignments are also included under this authorization.

Burned Area Emergency Rehabilitation (BAER) and Prevention Team assignments may or may not be administratively uncontrollable. If it is determined to be administratively controllable, travel time may be compensable under regular travel pay authorities.

Prescribed fires and detail assignments are considered administratively controllable; therefore, travel is not compensable under emergency authorities, but may be compensable under regular travel pay authorities.

When in non-duty status, an individual may be compensated for travel from home to the incident when that is a more direct route and only for the time that exceeds the normal time from home to work (See 5 CFR 550.112. (j)(2)).

Compensable time begins when the individual starts travel as outlined above or when they report to the point of departure. Time spent at individual's residence preparing for incident assignment is not compensable.

Following are emergency travel compensation rules. These rules apply to both regular government employees and casuals, except where noted.

1. Ordered Travel. All hours of actual travel are compensable. This includes traveling from a sleeping facility to the work site (e.g., incident base, fireline, dispatch office, buying team location). There is no limitation on hours, except for waiting time and meal breaks as provided in Number 2 and Number 3 below.
2. Travel Interruptions. Employees are in compensable travel status for only actual travel and for “usual waiting time” which interrupts travel. Usual waiting time is defined as time necessary to make connections in ordinary travel situations and travel interruptions as delays when waiting at the airport terminals due to hazardous weather, heavy holiday traffic, airline mechanical problems, etc.

Travel interruptions during a period of continuous travel are compensable up to 3 hours as overtime if the travel time occurs outside of the regular tour of duty, except as noted in 12.3--3, Meal Breaks. Travel interruptions exceeding 3 hours (per one-way trip, to or from the destination) where individuals are free to sleep, eat, or, to a limited degree, pursue personal activities including waiting at an airport or other transportation site, are not compensable, and must be shown on the Crew Time

Report, SF 261, as a travel interruption. In addition, the 3 hour maximum limitation applies even when the one-way trip spans two calendar days. (50 Comptroller General Decision (CG) 519, 1/26/1971)

If the interruption occurs during hours within the regular tour of duty, that time is compensable except for meal breaks.

3. Meal Breaks. Time spent eating during travel interruptions is noncompensable (e.g., eating while waiting in an airport or stopping at a restaurant), and must be shown as a break on the Crew Time Report, SF-261. Time spent eating while traveling in a plane, bus, or other vehicle is compensable.

4. Commuting Between Incident Work Site and Residence. When subsistence and lodging are available at the incident, transportation and travel time will not be paid for commuting between the duty location and the individual's residence.

5. Transportation from Official Duty Station to Individual's Residence. Individuals returning from an incident after the close of business may be furnished government transportation to their residence if there is no alternative means of transportation.

6. Per Diem Entitlements. When subsistence and lodging are provided at the incident, only incidental expenses are reimbursed. Refer to Section 13.6, Exhibit 01, Pay Plan for Emergency Workers, for casual per diem entitlements, and Section 17.1 for regular government employees.

7. Return Travel. Return travel for employees is compensable when the initial travel resulted from an event, which could not be scheduled or administratively controlled (emergency incident). The time is compensable as overtime when the individual has completed the daily tour of duty.

Individuals whose initial travel did not result from an administratively uncontrollable event will have their entitlement to return travel compensated according to pay regulations under the Fair Labor Standards Act (FLSA), (5 CFR 550.112(g) and 5 CFR 551.422(a)).

Coordination with home unit and incident agency for pre-authorization is required for an individual to deviate return travel upon demobilization from an incident. Compensation for return travel ends at the point and time the deviation occurs. Employees will be in a leave or non-pay status if the base hour requirement for that day has not been met. Once travel to the home unit resumes, it is considered administratively controllable and those pay provisions apply. (See Section 17.1.)

12.4 – Ordered Standby. An employee is on duty, and time spent on standby duty is hours of work if, for work-related reasons, the employee is restricted by official order to a designated post of duty and is assigned to be in a state of readiness to perform work

with limitations on the employee's activities so substantial that the employee cannot use the time effectively for his or her own purposes. A finding that an employee's activities are substantially limited may not be based on the fact that an employee is subject to restrictions necessary to ensure that the employee will be able to perform his or her duties and responsibilities, such as restrictions on alcohol consumption or use of certain medications. (5 CFR 551.431(a)(1) January 2003 edition)

Incident agencies or IMTs that utilize ordered standby must document the decision and clock hours in writing. The clock hours must be recorded on the Emergency Firefighter Time Report, OF-288, for all compensable hours under ordered standby. Ordered standby demands careful attention to ensure that compensation is paid where warranted and not paid when inappropriate. (See 5 CFR 551.431.)

The following guidelines are provided for uniformity:

1. Compensable standby shall be limited to those times when an individual is held, by direction or orders, in a specific location, fully outfitted and ready for assignment (15 FLRA No. 91, August 9, 1984; 52 Comp. Gen. 794; and Hyde v. United States, 209 Ct. Cl. 7456, 1976).
2. Individuals are not entitled to standby compensation for time spent eating when actual work is not being performed. This applies even though the individuals may be required to remain at the temporary work site.
3. Time spent in a mobilization or demobilization center, or other general area, including incident base, where the individual can rest, eat, or, to a limited degree, pursue activities of a personal nature is not compensable as ordered standby.

Such time is compensable only to the extent needed to complete the guaranteed hours (8, 9, or 10) for that calendar day. No pay authority exists to guarantee individuals more than their base hours. Incident Commanders or Agency Administrators do not have the authority to guarantee more than base hours.

12.4(a) – On-Call. An employee will be considered off duty and time spent in an on-call status shall not be considered hours of work if: (1) The employee is allowed to leave a telephone number or to carry an electronic device for the purpose of being contacted, even though the employee is required to remain within a reasonable call-back radius; or (2) The employee is allowed to make arrangements such that any work which may arise during the on-call period will be performed by another person. (5 CFR 551.431(b) January 2003 edition)

Specific state pay guidelines for non-pay status shall apply for state employees.

12.5 – Off-Shift Time. The degree of control to be maintained over regular government employees and casuals during off-shift hours is dependent upon location, the individual's work function, and the urgency of the emergency situation.

1. At the Incident Commander's (IC) discretion, regular government employees and casuals may be released during off-shift periods from the incident base or camp.
2. At the IC's discretion, regular government employees and casuals may be restricted to an incident base and all other camps during off-shift periods. This is usually referred to as a "closed camp". (45 Fair Labor Relations Authority (FLRA) No. 120, 0-NG-1958, Decision and Order on a Negotiability Issue, September 18, 1992; Office of the General Counsel, Authority to Close Fire Camps Opinion, March 28, 1990)
3. Time spent restricted to the camp where personnel can rest, eat, or, to a limited degree, pursue activities of a personal nature is not compensable. Such time is compensable only to the extent needed to complete the guaranteed base hours. Time spent in ordered standby is compensable (See Section 12.4).
4. The same policy applies to mobilization and demobilization facilities.
5. Regular government employees assigned to an incident at their home unit should be given their regular scheduled days off when the situation permits. Regular scheduled days off at the home unit are considered off-shift time and are noncompensable.
6. Casuals assigned to an incident are not entitled to compensation for days off at their point of hire. This is considered off-shift time and is noncompensable.

12.6 – Meal Periods. Compensable meal periods are the exception, not the rule. [See 5 CFR 551.411 (c) and 29 CFR 785.19 (a)]

Personnel on the fireline may be compensated for their meal period if all of the following conditions are met:

1. The fire is not controlled, and
2. The Operations Section Chief makes a decision that it is critical to the effort of controlling the fire that personnel remain at their post of duty and continue to work as they eat, and
3. The compensable meal break is approved by the supervisor at the next level of the crew boss and it is documented on the Crew Time Report, SF-261.

In those situations where incident support personnel cannot be relieved from performing work and must remain at a post of duty, a meal period may be recorded as time worked for which compensation shall be allowed and documented on the Crew Time Report, SF-261.

Compensable meal breaks include time spent eating while traveling in a plane, bus, or other vehicle.

For personnel in support positions, and fireline personnel after control of the fire, a meal period of at least 30 minutes must be ordered and taken for each six hours on duty (e.g., a minimum 30-minute break in an 8 to 12 hour shift, a minimum 60-minute or two 30-minute breaks in a 12 to 16 hour shift).

12.7 – Work/Rest, Length of Assignment, and Days Off.

To maintain safe and productive incident activities, incident management personnel must appropriately manage work and rest periods, assignment duration and shift length for personnel, including casuals (AD), contracted crews, and EERA resources.

To assist in mitigating fatigue, days off are allowed during and after assignments. If necessary to reduce fatigue, the Type 1/2 incident commander (IC) or agency administrator (AA) (incident host or home unit) may provide time off supplementary to mandatory days off requirements. For Type 3-5 incidents, paid days off should be rare exceptions. However, if necessary, the Agency Administrator (incident host or home unit) may authorize day(s) off with pay.

The IC or AA authority to grant a day off with pay lies within 5 U.S.C. 6104, 5 CFR 610.301-306, and 56 CG Decision 393 (1977).

12.7-1 – Work/Rest Guidelines. Work/rest guidelines should be met on all incidents. Plan for and ensure that all personnel are provided a minimum 2:1 work to rest ratio (for every 2 hours of work or travel, provide 1 hour of sleep and/or rest).

Work shifts that exceed 16 hours and/or consecutive days that do not meet the 2:1 work/rest ratio should be the exception, and no work shift should exceed 24 hours. However, in situations where this does occur (for example, initial attack), incident management personnel will resume 2:1 work/rest ratio as quickly as possible.

The Incident Commander or Agency Administrator must justify work shifts that exceed 16 hours and those that do not meet 2:1 work to rest ratio. Justification will be documented in the daily incident records. Documentation shall include mitigation measures used to reduce fatigue. The Excess Hours Log found in the Appendix Tool Kit of this handbook is an acceptable method of documentation.

12.7-1a – Incident Operations Driving.

These standards address driving by personnel actively engaged in wildland fire or all-risk response activities, including driving while assigned to a specific incident or during initial attack fire response (includes time required to control the fire and travel to a rest location). In the absence of more restrictive agency policy, these guidelines will be

followed during mobilization and demobilization as well. Individual agency driving policies shall be consulted for all other non-incident driving.

1. Agency resources assigned to an incident or engaged in initial attack fire response will adhere to the current agency work/rest policy for determining length of duty day.
2. No driver will drive more than 10 hours (behind the wheel) within any duty-day.
3. Multiple drivers in a single vehicle may drive up to the duty-day limitation provided no driver exceeds the individual driving (behind the wheel) time limitation of 10 hours.
4. A driver shall drive only if they have had at least 8 consecutive hours off duty before beginning a shift.

Exception: Exception to the minimum off-duty hour requirement is allowed when **essential** to:

- a) accomplish **immediate** and **critical** suppression objectives, or
 - b) address **immediate** and **critical** firefighter or public safety issues.
5. As stated in the current agency work/rest policy, documentation of mitigation measures used to reduce fatigue is required for drivers who exceed 16 hour work shifts. This is required regardless of whether the driver was still compliant with the 10 hour individual (behind the wheel) driving time limitations.

The Time Officer's/Unit Leader's approval of the Emergency Firefighter Time Report (OF-288), or other agency pay document, certifies that the required documentation is on file and no further documentation is required for pay purposes.

The work/rest guidelines do not apply to aircraft pilots assigned to an incident. Pilots must abide by applicable Federal Aviation Administration (FAA) guidelines, or agency policy if more restrictive.

12.7-2 - Length of Assignment.

1. Assignment Definition

An assignment is defined as the time period (days) between the first full operational period at the first incident or reporting location on the original resource order and commencement of return travel to the home unit.

2. Length of Assignment

Standard assignment length is 14 days, exclusive of travel from and to home unit, with possible extensions identified below.

Time spent in staging and preposition status counts toward the 14-day limit, regardless of pay status, for all personnel, including incident management teams.

3. Days Off

After completion of a 14 day assignment and return to the home unit, two mandatory days off will be provided (2 after 14) (State regulations may preclude authorizing this for State employees). Days off must occur on the calendar days immediately following the return travel in order to be charged to the incident. (See Section 12.1-2) (5 U.S.C. 6104, 5 CFR 610.301-306, and 56 Comp. Gen. Decision 393 (1977)). If the next day(s) upon return from an incident is/are a regular work day(s), a paid day(s) off will be authorized.

Pay entitlement, including administrative leave, for a paid day(s) off cannot be authorized on the individual's regular day(s) off at their home unit. Agencies will apply holiday pay regulations, as appropriate. A paid day off is recorded on home unit time records according to agency requirements.

Casuals (AD) are not entitled to paid day(s) off upon release from the incident or at their point of hire.

Contract resources are not entitled to paid day(s) off upon release from the incident or at their point of hire.

Home unit agency administrators may authorize additional day(s) off with compensation to further mitigate fatigue. If authorized, home unit program funds will be used.

All length of assignment rules apply to aviation resources, including aircraft pilots, notwithstanding the FAA and Agency day off regulations. (Refer to contracts for guidelines applicable to contracted pilots and aircraft.)

4. Assignment Extension

Prior to assigning incident personnel to back-to-back assignments, their health, readiness, and capability must be considered. The health and safety of incident personnel and resources will not be compromised under any circumstance.

Assignments may be extended when:

- life and property are imminently threatened,
- suppression objectives are close to being met,
- a military battalion is assigned, or
- replacement resources are unavailable, or have not yet arrived.

Upon completion of the standard 14 day assignment, an extension of up to an additional 14 days may be allowed (for a total of up to 30 days, inclusive of mandatory days off, and exclusive of travel). Regardless of extension duration, two mandatory days off will be provided prior to the 22nd day of the assignment. When personnel are required to take a mandatory day off, which falls on their normal day off, there will be no pay compensation.

Contracts and Emergency Equipment Rental Agreements (EERA) should be reviewed for appropriate pay requirements and length of assignment. If the contract or EERA do not address, the incident Finance/Administration Section Chief or the procurement official should be consulted as to whether compensation for a day off is appropriate.

Single Resource/Kind Extensions:

The Section Chief or Incident Commander will identify the need for assignment extension and will obtain the affected resource's concurrence. The Section Chief and affected resource will acquire and document the home unit supervisor's approval.

The Incident Commander approves the extension. IF a convened geographic or national multi-agency coordinating group (GMAC/NMAC) directs, the incident commander approves only after GMAC/NMAC concurrence.

If the potential exists for reassignment to another incident during the extension, the home unit supervisor and affected resource will be advised and must concur prior to reassignment.

Incident Management Team Extensions:

Incident management team extensions are to be negotiated between the incident Agency Administrator, the Incident Commander, and the GMAC/NMAC (if directed).

The Assignment Extension form can be found in the Appendix Tool Kit section of this handbook. A copy of the documentation should be attached to timesheets.

Upon release from the assignment, regardless of extension duration, two mandatory days off will be provided immediately following the return to the home unit and are chargeable to the incident. (See above for compensation and days off guidelines.)

12.7-3 – Management Directed Days Off at Home Unit.

Supervisors must manage work schedules for initial attack, dispatch and incident support personnel during extended incident situations. During periods of non-routine or extended

activity, these employees will have a minimum of 1 day off in any 21-day period. State policies apply to state personnel.

This “minimum requirement” should rarely be needed since scheduled days off are normally given much more frequently during periods of routine activity.

Indicators of the need for a day off include long shifts, but equally important, the actual observation of the physical and mental condition of the employee. This is a critical responsibility of every manager and supervisor.

Required days off for employees assigned to an incident at their home unit are non-compensable when they occur on the employee's scheduled day(s) off. Management directed day(s) off on an employee's scheduled workday(s) are considered excused absences and are compensable. Agency policy determines approval authority level and documentation requirements for a management directed day off. Home unit timekeeper record management directed days off per agency requirements. A management directed day off may only be given when the employee is at the home unit and is charged to home unit funds (cannot be charged to incident funds).

12.8 – Other Pay Provisions.

1. Supervisory Personnel. Time spent in planning and technical sessions, arranging for tools and transportation, refurbishing equipment and performing supervisory duties such as posting crew time reports, giving assignments, etc., is compensable as work time.
2. Holiday Pay. Regular government employees who are spot changed to a first 8, 9, or 10 hour tour of duty are compensated for holiday pay if the individual would have been entitled in their regular position. Additional hours are treated as overtime and paid at applicable rates.
3. Inadequate Food and Lodging. Inadequate food and lodging situations should be the exception. When nonexempt regular government employees and casuals do not receive adequate food or lodging, they shall be in pay status the entire time they are working, sleeping, or eating (Comp. Gen. B-230414, 1/10/89). (See Section 12.11 for explanation of nonexempt.)

Adequate food is defined as: meals ready to eat (MRE's), sack lunches, military-type rations, hot can, or similar meals.

Adequate lodging is described as: a sleeping bag (paper or cloth) or a blanket or equivalent covering to provide protection from the elements for sleeping.

Regular government employees must be in nonexempt status to qualify for compensation. There is no authority for anybody to grant compensation for these

conditions to exempt employees. Exempt employees can only be compensated for on-shift time.

IC's are responsible for determining when an inadequate food or lodging situation exists. This must be documented on the Crew Time Report, SF-261, in the remarks section. Hours recorded for an inadequate food or lodging situation count as hours of work for computation of the 2:1 Work/Rest ratio.

4. Callback Provisions. The 2-hour call back provision in law does not apply when assigned to an incident.

5. Sickness. A regular government employee who has been determined by their incident supervisor to be unable to perform work due to illness is entitled to guaranteed hours on the first day of illness. Beginning the second day, the individual is placed on sick leave if the day is within the individual's weekly tour of duty at the home unit. If outside the individual's weekly tour of duty, the individual is not entitled to compensation.

Casuals are not entitled to sick leave. They are guaranteed 8 hours for each day held by the incident. Management has the option to pay the guarantee or return them to their point of hire.

See Section 15 for direction on compensation for injury/illness.

6. Medical Treatment. When a regular government employee or casual is provided medical treatment by the incident, pay entitlement will not exceed actual hours worked or guarantee whichever is greater for that calendar day. (Refer to 5 CFR 551.425.) Time spent traveling to or from a medical facility is considered compensable travel time. Time spent receiving medical attention is not compensable. Refer to Section 15.3-4 for continuation of pay (COP) guidelines.

7. Maximum Earning Limitation for Work in Connection with a Fire Assignment. Regular federal government employees who have been determined to be performing work in connection with a fire shall be paid premium pay not to exceed the maximum annual salary that can be earned by a GS-15, Step 10. (Refer to 5 CFR 550.106.) This includes overtime and compensatory time, as well as Sunday and night differential, but excludes hazard pay differential (5 CFR 550.907).

12.9 – Hazard Pay for General Schedule Employees. Office of Personnel Management (OPM) regulations provide for payment of a differential to GS employees who are exposed to unusual physical hardship or hazardous duty.

This authorization is based upon the inability to mitigate the hazard. ICs and Agency Administrators should not unduly expose any person to hazardous situations and will

document, in writing, the incident records if personnel are unduly exposed to hazardous situations. (Refer to 5 CFR 550.901 through 550.907.)

Incident agencies and Incident Management Teams (IMTs) do not have the authority to approve hazard pay for conditions that do not meet the parameters stated in the Code of Federal Regulations (CFR).

12.9-1 - Definitions.

1. Fireline. For purposes of pay administration for hazardous duty, a fireline is defined as the area within or adjacent to the perimeter of an uncontrolled wildfire of any size in which action is being taken to control fire. Such action includes operations, which directly support control of fire (e.g. activities to extinguish the fire, ground scouting, spot fire patrolling, search and rescue operations, and backfiring).
2. Control of Fire. The IC or Agency Administrator will determine when the fire is controlled. Fire may be controlled even if confinement strategy is being applied.
3. Limited Control Flights. Flights undertaken under unusual and adverse conditions (e.g., extreme weather, maximum load or overload, limited visibility, extreme turbulence, or low level flights involving fixed or tactical patterns), which threaten or severely limit control of the aircraft.

12.9-2 – Positions Not Entitled to Hazard Pay Differential for Irregular and Intermittent Hazardous Duties. Certain positions are not entitled to specific hazard pay differentials because the hazard has been considered in the classification of the position. The following positions are not entitled to hazard pay for the hazards shown:

<u>Position</u>	<u>Hazardous Duties</u>
Pilot, GS-2181	Operating aircraft in flight.
Forestry Technician (Smokejumper), GS-462	Parachute jumps.

GS employees in these positions are entitled to hazard pay differentials for performing other authorized duty as described below.

12.9-3 – Criteria for Entitlement to Hazardous Pay Differential for Irregular and Intermittent Hazardous Duties. (5 CFR 550.904.) Full-time, part-time, and intermittent GS employees are eligible for hazard pay differential computed at 25 percent of the base rate when performing duties specified below:

Any member of the incident fire suppression organization is eligible for hazard pay while carrying out assigned duties, if hazard pay criteria, as described in 1- 4 below, is met. Incident supervisors must manage for the appropriate application of the authority

1. Firefighting. Participating as a member of a firefighting crew in fighting forest and range fires on the fireline before the fire is controlled. No personnel assigned to firefighting duties are entitled to hazard pay after the declaration of an official control time and date.

This does not include personnel engaged in logistical support, service, and non-suppression activities (e.g., media tours to the fireline, incident personnel driving to the fire to observe activities, drivers delivering tools or personnel). See Hazard/Environmental Pay Matrix in Tool Kit Section.

2. Flying. Individuals, except pilots, who are participating in limited control flights.

3. Groundwork Beneath Hovering Helicopter. Participating in ground operations to attach an external load to a helicopter hovering just overhead.

4. Work in rough and remote terrain. Working on cliffs, narrow ledges, or near vertical mountainous slopes where a loss of footing would result in serious injury or death, or when working in areas where there is danger of rock falls or avalanches.

Burned area rehabilitation (BAER Team) or other rehabilitation work does not meet the definition of firefighting for hazard pay eligibility; however, hazard pay under 2, 3, or 4 from above may apply.

Prescribed fire does not meet fireline hazard definition for hazard pay; however, hazard pay under 2, 3, or 4 above may apply.

12.9-4 – Regulations Governing Payment of Hazard Differential for General Schedule Employees.

1. All hazard pay differential for GS employees is based on a 24-hour day from 0001 to 2400 hours. An individual who performs duties for which hazard pay differential is authorized shall be paid the hazard differential for all hours in pay status during the calendar day in which the hazardous duty is performed.

A. The automatic cut off time is 2400 hours. An individual working through 2400 hours into the next day is entitled to hazard pay differential for 2 days only if exposed to the hazard before and after 2400 hours.

B. No minimum time requirements for exposure shall be established to earn entitlement to differential pay for hazardous duty. Any amount of actual exposure during a calendar day qualifies the individual for the pay differential for all compensable hours performed that day.

2. Hazard pay shall be computed on the basis of hours in pay status. If in an 8-hour workday the individual performs hazardous duty for 1 hour and is in paid leave for 7 hours, the hazard pay differential shall be computed on the full 8 hours.

If the individual were in non-pay status (leave without pay) for 7 hours, the hazard pay would be computed on the basis of the 1 hour in pay status.

3. Hazard pay shall be computed on the basis of an individual's basic compensation and shall be paid in addition to any other compensation the individual earns under other statutory authority.

4. Hazard pay differential is in addition to any other premium pay or allowances payable under other provisions of this chapter. It is not subject to the biweekly maximum limitation provisions, which the law places on the amount that may be received for overtime work (5 CFR 550.106 and 550.907) but is subject to the annual aggregate compensation limit (5 CFR 530.202(4)).

When recording hazard pay, show the category of hazardous exposure period (e.g., firefighting, rough terrain, hover hookup) on a Crew Time Report, SF-261. The Emergency Firefighter Time Report, OF-288, should show an "H" for the on-shift.

12.10 – Environmental Differential for Prevailing Rate Employees (5 CFR 532.511).

OPM regulations provide for payment of environmental differential for exposure to various degrees of hazards, physical hardships, or working conditions likely to be encountered in an emergency situation. (See Section 12.9-1 for definitions of hazardous work situations.)

An employee shall be paid an environmental differential when exposed to a working condition or hazard that falls within one of the categories approved below by the Office Of Personnel Management (See 5 CFR 532.511, Appendix A):

1. Firefighting. Participating or assisting in firefighting operations on the immediate fire scene and in direct exposure to the hazards inherent in containing or extinguishing fires.
2. Flying. Individuals, except pilots, who are participating in limited control flights.
3. High Work. Working on any structure of at least 30 meters (100 feet) above the ground, deck, floor or roof, or from the bottom of a tank or pit. Working at a lesser height if the footing is unsure or the structure is unstable.
4. Exposure to hazardous weather or terrain. Working on cliffs, narrow ledges, or steep mountainous slopes, where a loss of footing would result in serious injury or death, or when working in areas where there is danger of rock falls or avalanches.

5. Groundwork Beneath Hovering Helicopter. Participating in operation to attach or detach external load to a helicopter hovering just overhead.

12.10-1 – Criteria for Entitlement to Environmental Differential for Prevailing Rate Employees. Full-time, part-time, and intermittent prevailing rate employees are eligible for an environmental differential at the rate specified for each category.

The amount of the environmental differential is determined by multiplying the percentage rate authorized for the described exposure by the second step for WG-10. Exposures to hazards, physical hardships, or working conditions listed in this section have not been taken into consideration in the job-grading process. (See 5 CFR 532.511 for all differential rates (percents) and for other categories.)

1. Compensation Based on All Hours in Pay Status.

<u>Differential</u>	<u>Category</u>
25 Percent	Fighting wildfires or range on the fireline.

2. Compensation Based on Actual Exposure.

<u>Differential</u>	<u>Category</u>
100 Percent	Participating in low level flights in small aircraft, including helicopters.
4 Percent	Performing work, which subjects the individual to soil his/her clothing:

A. Beyond that normally to be expected in the duties of the classification.

B. Where the condition is not adequately alleviated by the mechanical equipment or protective devices being used or which are readily available; or when such devices are not feasible for use due to health considerations (such as excessive temperature or asthmatic conditions).

15 Percent	Participating in operations to attach (See 12.9-3--3) external load to or from helicopter hovering just overhead.
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Regulations Governing Payment of Environmental Differential.

1. Shift Basis. When a prevailing rate employee is exposed to a hazard for which an environmental differential is authorized on a shift basis, the individual is paid the

differential for all hours in pay status on the calendar day on which exposed to the hazard. (See Section 12.9-4 for explanation of all hours.)

2. Actual Exposure Basis. When an environmental differential is paid on an actual exposure basis, a prevailing rate employee is paid a minimum of 1 hour's differential for the exposure. Intermittent exposures during a 1-hour period do not qualify an individual for more than 1 hour's differential pay for that hour. For exposure beyond 1 hour, the individual is paid in increments of one-quarter hour for each 15 minutes and portion thereof in excess of 15 minutes.

When an individual is exposed at intermittent times during a day, each exposure is considered separately. The amount of time the individual is exposed is not added together before payment is made for exposure beyond 1 hour's duration, except that pay for the differential may not exceed the number of hours of active duty by the individual on the day of exposure.

3. Multiple Exposures. When a prevailing rate employee is entitled to an environmental differential, which is payable on a shift basis on the same day, the individual is entitled to a differential which is payable on an actual exposure basis at a higher rate. The individual is paid the differential on the basis of actual exposure for that exposure and the differential on the shift basis for the remaining hours in pay status for that day.

When an individual is subjected to more than one hazard at the same time for which a differential is authorized, the individual is paid for the exposure, which results in the higher differential, but may not be paid for more than one differential for the same hours (e.g., a prevailing rate employee may be paid at 100 percent for 1 hour of low-level flight and the balance of the on shift time at 25 percent for firefighting).

4. Two-Day Exposure. The automatic cut off time is 2400 hours for an environmental differential. A prevailing rate employee working through 2400 hours into the next day earns entitlement to environmental differential for 2 days only if exposed to the hazard before and after 2400 hours.

5. Base Pay. Environmental differential is included as part of a prevailing rate employee's basic rate of pay and is used to compute premium pay for overtime and holiday work.

6. Recording. When recording environmental differential for actual exposure, show the actual hours of exposure and the category on a Crew Time Report, SF-261.

The Emergency Firefighter Time Report, OF-288, should show the percentage and the appropriate category in the remarks block and an "E" for actual hours of exposure.

12.11 – Public Law 106-558 and Public Law 107-20. Public Law 106-558 provides for employees of the Forest Service and the Department of the Interior, who have their overtime hourly rate capped at GS-10, Step 1, to now be paid at an overtime rate equal to one and one-half times their hourly rate of basic pay when engaged in emergency wildland fire suppression activities. The annual earnings limitation still exists.

The new overtime provisions will apply only under the following circumstances:

1. Those assigned to emergency wildland fire activities (including wildland fire use) whose overtime work is exempt from coverage under the FLSA.
2. Those involved in the preparation and approval of a Burned Area Emergency Stabilization and Rehabilitation Plan (ESR) whose overtime hours worked are exempt from coverage under the FLSA. The new overtime provisions will apply only until the initial ESR plan is submitted for approval.
3. Those required to augment planned preparedness staffing levels to enhance short term suppression response capability, severity activities, accident or after accident reviews related to wildland fires or emergency wildland fire funded prevention activities, whose overtime hours worked are exempt from coverage under the FLSA.
4. In order to qualify for the pay provision, an employee's overtime work must be charged to a wildland fire, ESR, severity, or wildland fire suppression funds tied to the support of suppression operations and that overtime must be recorded on a timesheet approved by an appropriate supervisor.

The new overtime pay provision does not apply to personnel involved in prescribed fire, other fuels management activities, implementation of fire rehabilitation plans, or to overtime incurred in conjunction with any other activity not specified above (e.g., hurricanes, floods, non-fire FEMA incidents.)

12.11a – Fair Labor Standards Act (FLSA) Exemption Modifications for Emergency Assignments. Regular government employees, regardless of grade, may be assigned to perform emergency duties (5 CFR 551.208(d)).

Regular government employees are classified as either exempt from FLSA or nonexempt from FLSA. General schedule employees who are classified exempt, are compensated under Title 5, and in essence, do not receive full compensation for overtime hours worked. Their overtime rate is fixed at a designated level (GS-10, Step 1) or an employee's basic rate of pay, whichever is greater (2004 Defense Authorization Act). General schedule employees who are classified as nonexempt are compensated under both FLSA and Title 5, and in essence, are compensated at 1.5 times the base pay rate for all overtime hours worked. All wage grade and wage leader employees are classified as nonexempt. Wage supervisors are classified as exempt.

In an emergency, the exemption status of an exempt employee is determined on a weekly or bi-weekly basis. An exempt employee shall be nonexempt for any weekly tour of duty in which the individual performs more than 20 percent nonexempt work. Nonexempt employees retain their nonexempt status regardless of the emergency work performed or the incident position to which assigned.

Enter the NWCG approved position code found in the glossary on the Emergency Firefighter Time Report, OF-288, to assist home units in documenting nonexempt status for pay purposes.

1. Positions on Type 1 and Type 2 incidents are identified as exempt or nonexempt as follows:

EXEMPT

General Staff

Incident Commander
Liaison Officer
Information Officer

Safety Officer
Agency Representative

Operations Function

Operations Section Chief
Operations Branch Director
Task Force/Strike Team Leader
Dozer Boss (Crew Boss)
Crew Representative
Air Support Group Supervisor
Fixed Wing Base Manager
Helicopter Coordinator
Felling Boss (Crew Boss)

Staging Area Manager
Division/Group Supervisor
Firing Boss (Crew Boss)
Engine Boss (Crew Boss)
Hand Crew Boss
Helibase Manager
Air Attack Group Supervisor
Air Tanker Coordinator
Helicopter Manager (Crew Boss)

Finance Function

Finance/Administration Section Chief
Procurement Unit Leader
Compensation/Claims Unit Leader

Time Unit Leader
Cost Unit Leader
Commissary Manager

Planning Function

Planning Section Chief
Situation Unit Leader
Fire Behavior Analyst
Demobilization Unit Leader
Training Specialist

Resource Unit Leader
Infrared Interpreter
Incident Meteorologist
Interagency Resource Representative
Human Resource Specialist

Logistics Function

Logistics Section Chief	Service Branch Director
Communication Unit Leader	Support Branch Director
Supply Unit Leader	Facilities Unit Leader
Ground Support Unit Leader	Medical Unit Leader
Food Unit Leader	Ordering Manager
Receiving/Distribution Manager	Security Manager
Incident Head Dispatcher	Equipment Manager

Support Functions

Buying Team Leader	Administrative Payment Team (APT) Leader
Supervisory Dispatcher	BAER Team Leader and Members
Incident Business Advisor	Cost Team Leader
Expanded Dispatch Coordinator	Prevention Team Leader
Cost Team Leader and Members	

NONEXEMPT

Operations Function

Squad Boss	Firefighter
Helispot Manager	Mix Master
Take Off/Landing Controller	Aircraft Base Radio Operator
Aircraft Timekeeper	Deck Coordinator
Loadmaster	Parking Tender
Dozer/Tractor Plow Operator	

Planning Function

Status/Check-in Recorder	Field Observer
Weather Observer	Documentation Recorder
Demobilization Recorder	Documentation Unit Leader

Logistics Function

Cook	Cook's Helper
Recorder	Tool and Equipment Specialist
Tool and Equipment Helper	Security Personnel
Driver/Operator	Communication Technician
Facilities Maintenance Specialist	
Dispatcher	
Messenger	Mechanic

Finance Function

Personnel Time Recorder
Claims Specialist

Equipment Time Recorder
Compensation for Injury Specialist

Support Function

Buying Team Member
Probe-eye Operator
Dispatch Recorder
Display Processor

ADO Team Member
APT Member
Support Dispatcher
Cost Team Member

2. When a position is identified as an assistant, deputy or trainee they will have the same exempt or nonexempt status as the position by the same title, i.e., Assistant Safety Officer - exempt, Deputy Finance/Administration Section Chief - exempt or Dispatcher Trainee - nonexempt.
3. Positions on Type 1 and 2 incidents that are not identified above and positions on Type 3 incidents will be determined as exempt or nonexempt on a case-by-case basis by the home unit human resource management office upon submission of a claim by the individual.
4. All positions on Type 4 incidents are considered nonexempt during initial attack.
5. An individual may be assigned to an incident as a "Technical Specialist". Specialized training may not be required for these positions. Specialists will perform similar duties during an incident that he/she normally performs. Some examples are resource advisor, archeologist, hydrologist, or mechanic. The individual's normal FLSA determination is used to compute pay.

13 – PERSONNEL TIMEKEEPING/RECORDING.

13.02 – Objective. The primary objective is to keep time records for individuals under a system of control. Emergency Firefighter Time Reports, OF-288's, that have been certified as accurate by an authorized signature are considered to be accurate for pay purposes. Home unit timekeepers will not make changes to this official document, except to correct mathematical errors and/or to complete return travel entries. If home unit timekeepers have questions concerning the Emergency Firefighter Time Report, OF-288, they should contact the incident agency for clarification.

13.04 – Responsibilities.

1. Finance/Administration Section Chief is responsible for:

- A. Supervising the Time Unit Leader and ensuring all timekeeping and time recording requirements are implemented and met.
 - B. Advising section chiefs and IC when time submitted is not in compliance with policy.
2. Time Unit Leader is responsible for:
- A. Ensuring daily completion of personnel time recording documents.
 - B. Reviewing submitted documents for compliance with policy.
 - C. Advising supervisors and Finance/Administration Section Chief when time submitted is not in compliance with established policy.
3. Personnel Time Recorders are responsible for:
- A. Reviewing time as submitted on the Crew Time Report, SF-261 and notifying the Time Unit Leader of any discrepancies.
 - B. Recording time to the Emergency Firefighter Time Report, OF-288.
4. Incident Supervisors are responsible for documenting on-shift time, hazard pay/environmental differential, compensable meal breaks, etc., on the Crew Time Reports, SF-261, in accordance with policy and regulations.
5. Incident Personnel (regular government employees and casuals) are responsible for:
- A. Accurately reporting time to their incident supervisor.
 - B. Reviewing time records prior to demobilization.
 - C. Submitting time records to their home unit per agency direction.

13.05 – Definitions. Definitions used throughout this handbook are located in the Zero Code.

- 1. Timekeeping. Tracking on-shift time.
- 2. Time Recording. Recording all time presented by others.

13.1 – Timekeeping/Recording Procedures. Two forms are provided for recording time worked on an incident. The Crew Time Report (CTR), SF-261 (Section 13.6, Exhibits 04, 05, and 06), is the initial timekeeping document. Time from the CTR is transferred

by the Personnel Time Recorder to the Emergency Firefighter Time Report, OF-288 (Section 13.6, Exhibits 07, 08, 09, and 10).

The OF-288 is the official time reporting document that is certified as accurate by the Finance/Administration Section Chief or Time Unit Leader.

On an incident of limited duration on the home unit that involves only home unit personnel, the Agency Administrator may elect to record emergency incident time directly on the usual time reporting document.

Military time shall be used on all records pertaining to timekeeping and time recording (Section 13.6, Exhibit 02).

1. Filing Time Reports. The CTR and OF-288 are filed in a sequence that will facilitate accurate posting and timely review and retrieval. CTRs are filed by crew, with the crew identified by name or number.
2. Time Recording Control. The Time Unit Leader establishes time recording procedures include control to ensure on-shift time for each regular government employee and casual is recorded for each day assigned. The Time Unit Leader will develop a system to identify resources assigned. This may include reviewing the Incident Action Plan or referring to the Resource Status Cards in the Planning Section.
3. The Time Unit Leader ensures documentation of excess hours, work/rest (Section 12.7-1) and other record keeping requested by the Finance/Administration Section Chief. This may be accomplished through the use of logs, recording on a calendar, recording on the incident action plans, or other documentation methods. (See Appendix, Tool Kit for examples.)

13.2 – Crew Time Report, SF-261. The incident supervisor certifies time worked by signing the CTR. The CTR is the document on which time for all crews and overhead is initially recorded. The IC's time report is signed by the Agency Administrator or FSC. Detailed instructions and samples for the CTR are shown in Section 13.6, Exhibits 04-06. Individuals may not sign their own CTR.

Incident supervisors should be aware of the pay status of their subordinates (for example: WG, GS, casual, cooperator, etc.) as this affects recording requirements.

Incident supervisors will prepare CTRs for each operational period which contain the following information:

1. On-Shift Time. (Zero Code, Section 05-27, Chapter 10, Section 12.2).

2. Travel Time. Incident supervisors are responsible for recording travel time for personnel under their supervisory authority. The travel time shall be recorded on the CTR as follows:

A. Travel to an Incident. Report travel time to an emergency incident on a CTR and include:

1. Time of departure from point where travel began (for example, official duty station, staging area, residence if outside daily tour of duty).
2. Delays or layovers of over three hours at transfer points.
3. Meal breaks.
4. Time of arrival at incident.

Waiting time of more than three hours is noncompensable and should be noted in Block 11 of the CTR (See Section 12.3). Record all travel time using the time zone of departure.

B. Travel Time for Casuals. The crew representative or other responsible supervisory person records the time of casuals traveling from the point of hire to the incident and return to the point of hire.

3. Hazard/Environmental Differential.

A. GS Employees. The supervisor indicates hazardous duty by placing an "H" in the Remarks Column (6) and notes the hazard category in Block 11 of the CTR. It is not necessary to show clock hours of the hazardous duty. (See Section 12.9.)

B. WS/WL/WG Employees. The supervisor indicates an "E" and the percentage of entitlement in the CTR Remarks Column (6) and note the hazard category in Block 11 of the CTR. The supervisor must record clock hours when the differential is based on actual exposure. (See Section 12.10.)

4. Remarks. Supervisors are responsible to indicate changes in crew composition or incident position in the CTR Remarks Column. This includes:

A. Discharged or Quit. Note reason.

B. Transfer. If individuals are transferred to other crews, note losing and gaining crew name and number.

C. Position Change. Note effective date, time, new position title, and reason for change in the Remarks Section. This information is used to determine FLSA status and changes in AD pay rate.

D. Compensable meal breaks. (See Section 12.6 for criteria to be met.)

E. Day Off.

F. Special Pay Provisions (Section 12.8).

5. The original CTR is submitted to the Time Unit Leader after all entries have been made and the CTR has been signed by the appropriate approving official.

13.2-1 – Timekeeping Methods. It is essential that employees and supervisors accurately and clearly report time on the CTR in order to facilitate recording of time on the OF-288.

The primary consideration is to correctly compensate personnel on the incident for all hours in pay status.

There are two methods for timekeeping on the CTR:

1. When a crew is in a pay status and time is identical, the names, classifications and on-shift time are listed with specific remarks in Block 11. (See Section 13.6, Exhibit 06.)
2. When individuals have different on-shift times, make an entry for each individual. (See Section 13.6, Exhibit 05.)

13.3 – Emergency Firefighter Time Report, OF-288.

13.3-1 – Emergency Firefighter Time Report, OF-288, for Regular Government Employees. Detailed instructions for completing the OF-288 for regular government employees are found in Section 13.6, Exhibit 07, and correspond with sample OF-288 in Exhibit 08.

OF-288s are prepared for all regular government employees at time of arrival at the incident. All on-shift time is reported on the CTR and recorded on the OF-288.

Initial attack personnel who are assigned to an incident will submit their time on a CTR to their incident supervisor for approval. The CTR is submitted to the Time Unit for recording on the OF-288.

1. Travel to an Incident. Travel time is reported on a CTR (Section 13.2) and recorded on the OF-288 with a “T” entered on the right hand side of the hours column.

2. Return Travel. Travel time from an incident to the individual's official duty station must show:

- A. Time of departure from the incident base.
- B. Non-compensable meal breaks.
- C. Delays of over two hours.
- D. Time and date of arrival at official duty station.
- E. Any other information required to determine entitlement to return travel time.

The time of departure from the incident is posted by the Time Unit, and a "T" is entered on the right hand side of the hour's column. The individual completes return travel time and obtains home unit supervisor approval.

3. Recording Hazard or Environmental Differential.

A. When general schedule employees perform hazardous duty during any part of the calendar day, an "H" is entered on the right side of the hour's column. (Section 13.6, Ex. 08.)

B. When prevailing rate employees (WG, WL, WS) perform work for which environmental differential is payable, an "E" is entered on the right side of the hours column.

The differential percentage with corresponding hours is noted in the Remarks Section, Block 23. Refer to Section 12.9.

4. Position Change. Copy from the CTR the effective date, time, new job title, and reason for change in the Remarks Section and begin a new column on the OF-288 to indicate the new position title. This information is used to determine FLSA status.

5. Guaranteed Hours. The Time Unit enters the hours as recorded on the CTR. Any additional hours necessary to meet the base hour (8,9,10) guarantee are listed on a separate line of the OF-288 by the Personnel Time Recorder. Note after the date "Guaranteed Hours" and post the necessary additional hours to the appropriate "Hours" column.

6. Recording Day(s) Off. The Time Unit records an on-incident "day off" with 8, 9, or 10 in the hours column. Clock hours are not necessary. (See Section 12.7-2.)

13.3-2 – Emergency Firefighter Time Report, OF-288, for Casuals. Casuals are hired and compensated in accordance with the Pay Plan for Emergency Workers (Section 13.6, Exhibit 01). The Pay Plan for Emergency Workers includes pay rates, required situations for hire, conditions of hire, and position classifications.

1. Actions at Time of Hire for Single Resource Casual. The hiring unit prepares:

- A. The OF-288, to include position code and AD classification
- B. The Employment Eligibility Verification, I-9
- C. Single Resource Casual Hire Information Form (PMS 934)
- D. The Incident Behavior Form (PMS 935)

These forms are prepared at the time of hire, and the casual is provided the opportunity to complete federal, (Employees Withholding Allowance Certificate, W-4, Earned Income Credit Advance Payment Certificate, W-5) and state income tax withholding forms. Detailed instructions for completing the OF-288 for casuals are found in Section 13.6, Exhibits 09 and 10. The hiring unit retains the Employment Eligibility Verification, the Incident Behavior Form and a copy of the Single Resource Casual Hire Information Form.

The hiring official informs the casual of the position, the conditions of hire (Section 13.6, Exhibit 11), incident behavior expectations and responsibilities, pay rate, clothing requirements, and any other pertinent information, and reviews the section on Conditions of Hire for the Pay Plan for Emergency Workers. The hiring official advises casuals that they are not entitled to earn leave or receive life and health benefits. The hiring unit provides the casual with the Conditions of Hire page (last page of the OF-288), a copy of the completed Incident Behavior Form and a copy of the Single Resource Casual Hire Information form. The hiring unit attaches original Single Resource Casual Hire Information form to the OF-288, and instructs the casual to hand-carry to the incident Time Unit.

Situations may require that casuals be hired at the incident and in this situation the Employment Verification Form (I-9), Single Resource Casual Hire Form (PMS 934), and Incident Behavior Form (PMS 935) are attached to the OF-288. Sample forms are shown in Section 13.6, Exhibits 12, 14 and 15.

Federal (W-4, W-5) and state income tax withholding forms completed at the incident are attached to the OF-288. Obtain submission/processing guidelines for income tax withholding forms from the incident agency. For long duration incidents, discuss with incident agency submission of these forms prior to the release of the resource.

2. Actions at Time of Hire for Casual Crews. The home unit prepares:

- A. The OF-288, to include position code and AD classification
- B. The Employment Eligibility Verification, I-9

These forms are prepared at the time of hire, and the casuals are provided the opportunity to complete federal, (Employees Withholding Allowance Certificate, W-4, Earned Income Credit Advance Payment Certificate, W-5) and state income tax withholding forms. Detailed instructions for completing the OF-288 for casuals are

found in Section 13.6, Exhibits 09 and 10. The hiring unit retains the Employment Eligibility Verification. The hiring unit or crew representative informs the casuals of incident behavior expectations and responsibilities. Sponsored casual crew incident behavior responsibilities may be found in the crew agreement. If none are listed, utilize the Incident Behavior Form (PMS-935) found in Section 13.6 Exhibit 15.

The crew representative will hand-carry the OF-288s to the incident Time Unit.

3. Actions of Time Unit. The Time Unit collects and examines time reports for completeness and legibility. The Personnel Time Recorder records time from the CTR to the OF-288. (See Section 13.6, Exhibits 09 and 10 for completing forms.)

4. Pay Rate Changes. Pay rate/position changes are recorded on the CTR by the incident supervisor. The Personnel Time Recorder begins a new column on the OF-288 with the new rate of pay and indicates reason for change in the remarks block of the OF-288.

5. Guaranteed Hours. The Time Unit enters the hours as recorded on the CTR. Any additional hours necessary to meet the eight-hour guarantee are listed on a separate line of the OF-288 by the Personnel Time Recorder. Note after the date "Guaranteed Hours" and post the necessary additional hours to the "Hours" column.

6. Day Off at Incident. The Time Unit records an on-incident "day off" with 8 (guarantee hours) in the hours column. Clock hours are not necessary. (See Section 12.7-2.)

13.4 – Closing Out Emergency Firefighter Time Reports. The Time Unit Leader reviews the time reports, ensures all on-shift time and commissary issues have been posted, and signs Block 26. All casuals and regular government employees must sign Block 25 of the OF-288.

The OF-288 may be a computer-generated form or the official preprinted form, as long as the appropriate number of copies is made and an original signature in other than black ink is on the payment document. (See agency specific policy for electronic signature acceptance in lieu of original signature.)

When an individual or crew is transferred to another incident, the Time Unit closes out the OF-288 and gives it to the regular government employee or crew representative to take to their home unit. The Time Unit initiates a new OF-288, starts the travel time and gives it to the departing individual or crew to take to the new incident.

When an IMT is responsible for multiple incidents (e.g., a complex) and uses resources on different incidents within the complex, use a separate column to record time for each incident. Closing out the OF-288 per incident change is not required. The OF-288 is closed out only when the crew is demobilized from the complex.

Initial attack crews generally move from incident to incident and are managed by the incident agency. A new column is started for each new incident. It is not always necessary to close out the OF-288 and start a new one.

The original CTR and file copy of the OF-288 are retained in the incident records. (See Chapter 40, Section 45, Exhibit 01 for Time Unit Incident Finance Package guidelines.)

1. Regular Government Employees. The Time Unit gives the original and employee copy of the completed and signed OF-288 to the individual to take back to their home unit.

If the end of a pay period occurs during an incident, information may be transmitted via facsimile machines (fax) to the individual's home unit if:

- A. Incident Time Unit staffing is sufficient to provide this service.
- B. Home unit fax numbers are recorded on the OF-288.
- C. Fax machines are readily accessible.

The Time Unit Leader may facilitate the copying and faxing of timesheets through the incident agency.

If the OF-288 has not been received by the payroll reporting date, the individual's home unit timekeeper records 80 base hours, plus any premium pay earned before the incident assignment, and makes corrections or supplements when the incident time is received.

2. Casuals. The Time Unit gives the original and employee copy of the OF-288 to the incident agency or responsible person, e.g., crew representative or single resource, to be delivered to the appropriate office in accordance with hiring agency procedures. Return travel is posted on a CTR by an authorized supervisor and transferred to the OF-288 by the approving officer. A completed copy is given to each casual.

- A. Persons Who May Be Responsible for Suppression Costs. OF-288's should be prepared for persons responsible for fire suppression actions (permittees), including those who are suspected of having caused the fire. These OF-288's should be marked "Hold Payment Pending Approval".

This procedure shall apply to individuals or a company or corporation who may be liable, but shall not apply to personnel of the individual company or corporation who are personally hired on an OF-288.

B. Job Corps and YCC Enrollees. OF-288s are prepared and maintained for all Job Corps and YCC enrollees. The OF-288s are marked "Job Corps Enrollee" or "YCC Enrollee" in bold letters. Show the name of the corps member and the name of the Work Center or office to which they are assigned. The OF-288 shall be completed the same as for casuals.

All OF-288s for Job Corps and YCC enrollees are hand carried to the home unit by the assigned supervisor or leader.

C. If a casual is terminated for cause or quits, note the reason in the Remarks block of the CTR and the OF-288. Compensation for return travel is generally not made in these instances. Exceptions must be in accordance with agreements or authorized by the IC for individuals not covered under an agreement. Blocks 7, 8, and 9 on the OF-288 must be completed. (See Section 13.6, Exhibit 09 and 10.)

13.5 – Common Timekeeping Issues.

1. Local Residents on Site. Local residents frequently go to the site of an incident when an emergency occurs and are performing emergency work when the initial attack resources arrive. The statements of work and travel made by these citizens are normally accepted, but must be verified by a supervisory official on a CTR. These persons must be hired as casuals and report time through an incident supervisor to the Time Unit.
2. Individuals Moving from One Location to Another on the Same Incident. If the incident has more than one base camp, the FSC is responsible for providing time recording for all locations. This may require additional Time Units to assure efficient time recording.
3. Casual Payments. The Time Unit Leader coordinates delivery of payment documents to the incident agency if payment will be processed through other than normal agency procedures, e.g., Administrative Payment Team.
4. Recording Clock Hours When Travel Crosses Time Zones. When traveling from one time zone to another (both to and from an incident assignment), continue to record time in the clock hours of the first time zone until off-shift for the day. Indicate over the start and stop columns the time zone of the clock hours shown. The next work shift is recorded in the new time zone.

13.6 – Exhibits