

United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Office of Fire and Aviation
3833 S. Development Avenue
Boise, Idaho 83705-5354

June 23, 2005

In Reply Refer To:
1340 (FA-107) I

EMS Transmission 06/23/05
Instruction Memorandum FA IM-2005-029
Expiration Date: 09/30/06

To: All Field Offices
From: Director, Office of Fire and Aviation
Subject: Hurricane Response

Program Area: Non-Fire Emergency

Purpose: The purpose of this instruction memorandum (IM) is to provide administrative direction (Base 8, overtime, accountable property, charge card purchases and documentation) to Bureau of Land Management (BLM) employees assigned to or in support of a Hurricane incident.

Policy/Action: Coding Base 8 and Overtime – Hurricane support is not a fire suppression activity; thus, the overtime provisions of P.L. 106-558 (Wildland Fire Overtime) do not apply. **Do not use time and attendance (T&A) hours code 113 for any hurricane incident.** Use regular overtime codes (110, 121, 120, etc.) when recording overtime.

However, exempt employees assigned in support of a hurricane incident and assigned to a nonexempt position for more than 20 percent of their work hours in any weekly tour of duty are entitled to be paid under the Fair Labor Standards Act, 5 CFR 551.208 (d). Incident position titles shall be indicated on the Emergency Firefighter Time Report, OF-288, to assist home units in documenting nonexempt status for pay purposes. Reference the Interagency Incident Business Management Handbook (IIBMH), Chapter 10, Section 12.11a and the Office of Fire and Aviation (OF&A) IM No. 2004-022, Emergency Incident Related Payroll Operations. Nonexempt individuals retain their nonexempt status regardless of the emergency work performed.

Refer to the Code of Federal Regulations (CFR), Title 5, Chapter 1, Part 550 to determine if hazard pay is applicable for general schedule employees. Refer to CFR, Title 5, Chapter 1, Part 532 for information on environmental differential for wage grade employees.

The reason for hazard pay/environmental differential should be indicated on the OF-288 to assist home units in applying pay regulations.

All employees working on or in support of all non-wildland fire incidents or activities are subject to the biweekly maximum earnings limitation. In certain circumstances, the Department of the Interior (DOI) may waive the limitation upon request from the Bureau. The delegation authority granted to the Director, OF&A expired in 2004. A request for re-delegation of the authority has been initiated. However, the authority has not been re-delegated as of the date of this memo.

The annual maximum earnings limitation rule limits an employee's basic and premium pay to the annual salary of the greater of the maximum step of a GS-15 grade level, including locality and/or special salary rate pay or level V of the Executive Schedule (5 CFR 550.106(c)(1)).

The BLM is authorized to utilize, hire and pay emergency workers (casuals/AD's) in accordance with the Pay Plan for Emergency Workers (AD Pay Plan) to assist with this effort.

BLM personnel assigned in support of a hurricane incident will follow direction in the OF&A IM No. 2004-009, Work/Rest and Length of Assignment Requirements.

The Federal Emergency Management Agency (FEMA) policy will not reimburse agencies for base hours for employees who are normally working at this time; this includes all permanent, full time (PFT) employees and may include some career seasonal and temporary employees (depending on their normal period of funding).

- a. BLM employees who are normally working at this time and are assigned to or in support of a hurricane incident will code base hours to their home office and program.
- b. BLM career seasonal employees who are not normally funded at this time of year will code base hours to the appropriate reimbursable code. State offices, field offices and dispatch centers are required to provide names of these employees and the normal period of funding to Cindy Callahan, FA-107, to substantiate base hours for reimbursement as it occurs. Failure to do so will result in hours being charged back to the home office or program.
- c. All employees will code overtime, premium pay and travel expenses to the appropriate reimbursable code identified on the resource order (i.e. FA-340-2830-NY-xxxx).

Accountable Property – All accountable/durable property such as tents, sleeping bags, cots, chaps, Nomex, flight suits/ helmets, lighting kits, ridge poles, chainsaws, radios, radio kits, generators, pumps, etc. must be returned through the normal return process to the servicing incident support cache.

FEMA will not reimburse BLM for accountable property, therefore normal program dollars will be charged for items not returned.

Charge Card Purchases – FEMA will *consider* charge card reimbursement only if the necessary supporting documentation is provided. All charges must be supported by an incident order and request number (resource order number). The default code for charge cards should not be changed to the reimbursable charge code. It will be the responsibility of the field offices to ensure individuals who have made charges on their government charge card, in support of a hurricane incident, forward copies of their approved charge card statements with copies of supporting receipts/documentation **to FA107 within 5 days of receipt**. Statements should reflect the appropriate charge code, budget object class (BOC) and a description of charges. **Charge card adjustments for hurricane incident charges will be made at the National Office; other charges will be adjusted by the home unit.**

Documentation – FEMA requires all documentation to support a reimbursable billing be included in the billing. In order to provide the required documentation, it is the responsibility of each unit to forward copies of all obligating documents (i.e. resource orders, charge card statements, travel vouchers, OF-288, contractual documents, GBL's, etc.) to FA107 in an expedient manner. **FEMA will not reimburse BLM for charges that lack the proper supporting documentation. Therefore, normal program dollars will fund all costs not supported by proper documentation.**

Time Frame: This IM is effective immediately.

Budget Impact: The total budget impact is unknown, due to ongoing discussions with FEMA regarding reimbursement of costs.

Background: In prior years, the BLM has been asked to provide support to hurricane incidents. Should the need arise, in 2005, offices should make individuals available to support this emergency effort.

Directives Affected: No manuals or handbooks are affected by this IM.

Coordination: This IM is the result of coordination between the US Forest Service, FEMA and other DOI agencies.

Offices with a Union: All offices with a union are required to make notification of this action to the union.

Contact: Policy questions should be referred to Cindy Callaham, Budget Analyst, at 208-387-5355 or Hallie Locklear, Incident Business Management Specialist, at 208-387-5166.

Signed by:
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