

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Office of Fire and Aviation
3833 South Development Avenue
Boise, Idaho 83705

September 18, 2003

In Reply Refer To:
1340 (FA-610) I

EMS Transmission 09/18/03
Instruction Memorandum No. OF&A 2003-047, Change 1
Expiration Date: 09/30/04

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

Program Area: Non-Fire Emergency

Purpose: The purpose of this Instruction Memorandum (IM) is to provide administrative direction to Bureau of Land Management (BLM) employees assigned to or in support of the Hurricane Isabel incident.

Background: The BLM has been asked to provide support to the Hurricane Isabel Incident. Offices should make individuals available to support this emergency effort.

Policy/Action: **This 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 the Hurricane Isabel Incident. The correct Hours Code is 110.**

However, exempt employees assigned to the Hurricane Isabel 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 12.11 and OF&A IM No. 2003-036, Emergency Incident Related Payroll Operations, for T&A coding direction). 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 Emergency Firefighter Time report, OF-288, to assist home units in applying pay regulations.

The Director, Office of Fire and Aviation has been delegated the authority (WO-IM-2003-270, September 12, 2003) to make the determination of waiving the bi-weekly maximum earnings limitation for emergency situations. Discussions were held with the Wildland Fire Management Agencies (BIA, BLM, FWS, NPS, FS) and everyone agreed that it was appropriate to waive the bi-weekly maximum earnings limitation for the Hurricane Isabel incident. As such, the bi-weekly maximum earnings limitation is hereby waived for BLM employees working in support of the Hurricane Isabel incident. The annual maximum earnings limitation remains in place (5 CFR 550.106).

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 to the Hurricane Isabel Incident will follow direction in the OF&A Instruction Memorandum No. 2003-027, Work/Rest and Length of Assignment Requirements.

The Federal Emergency Management Agency (FEMA) policy is that they do 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 that are normally working at this time who are assigned to or in support of the Hurricane Isabel Incident will code base hours to their home office and program.**
- b. BLM career seasonal or temporary employees who are not normally funded at this time of year will code base hours to the appropriate reimbursable code. Field Offices are responsible to provide names of these employees and the normal period of funding to Shari Stewart (FA-107) and Cindy Callaham (FA-107) for documentation purposes.**
- c. All employees will code overtime, premium pay and travel expenses to the appropriate reimbursable code identified on the resource order (i.e., FA-221-2830-HT-xxxx).**

Time Frame: This IM is effective immediately.

Budget Impact: The total budget impact is unknown, due to ongoing discussions with the Federal Emergency Management Agency (FEMA) regarding reimbursement of costs.

Manual/Handbook Section Affected: There is no manual or handbook affected by this IM.

Coordination: This instruction is the result of coordination between the Forest Service, FEMA and other Department of the Interior agencies.

Policy questions should be referred to Andy Smith at (208) 387-5161, Shari Stewart (208) 387-5357 or Cindy Callaham (208) 387-5355.

Signed by:

Larry E. Hamilton

Director

Office of Fire and Aviation

Authenticated by:

Pat Lewis

Supervisory Mgmt. Asst.

Office Services

Distribution:

Acting Fire Program Advisor, FA-101, WO

BLM ADs

BC Library

OF&A Management Team

SFMO's