

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

September 13, 2006

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

EMS Transmission 09/13/06  
Instruction Memorandum No. FA IM 2006-040  
Expires: 09/30/07

To: State Directors

From: Director, Office of Fire and Aviation

Subject: Emergency Incident Related Payroll Operations

**Program Area:** Fire Management

**Purpose:** This Instruction Memorandum (IM) provides direction for Bureau of Land Management employees regarding coding time and attendance (T&A) documents and processing commissary payroll deductions relating to work on or in support of emergency incidents.

**Policy/Action:** Employees, supervisors and administrative staff are responsible for following these procedures to ensure timely, accurate salary payments and payroll deduction of incident commissary purchases.

**Timeframe:** This IM is effective immediately.

**Budget Impact:** Substantial if guidance is not followed.

Please reference OF&A IM No. 2006-039, Department of Interior (DOI) Base 8 Funding Policy, for information on charge codes for regular time and overtime while assigned to wildfire suppression incidents.

State/Field Offices are responsible for establishing procedures to ensure:

- Adequate documentation of time worked in support of emergency incidents, including initial attack.
- Supervisor review/verification of employee time records for adherence to and documentation of the established work/rest policy.
- Proper application of overtime and special pay regulations (e.g., night differential, hazard, exempt employee working in a non-exempt position).

Employees on off-unit incident assignments are responsible to submit the original Emergency Firefighter Time Report, OF-288, to their home unit through their supervisor for processing of T&A and related payroll deductions. The supervisor approves travel time not posted at the incident. The home unit timekeeper, or employee if they are posting time into QuickTime, codes incident time per the Federal Personnel/Payroll System T&A Pay Codes Manual, National Business Center Client Interface Manual, the Interagency Incident Business Management Handbook (IIBMH), and this IM. The original OF-288 is retained in T&A files per records management requirements.

### **Commissary Payroll Deductions**

Incident management teams may establish either a contract or agency-provided commissary to provide personal items such as socks, boots, and tobacco products to incident personnel. Incident personnel may purchase items from a contract commissary with cash, personal credit card, or by payroll deduction. Items purchased from an agency-provided commissary are always payroll deducted. The incident finance/administration section posts commissary payroll deductions to block 22 of the individual's OF-288.

Payroll deductions for commissary items are processed using Form 1340-15, Timekeeper/Quarters, Meals, Commissary Adjustment Notice (Attachment 1). It is the responsibility of the employee to ensure the Form 1340-15 is completed and the original forwarded to the DOI National Business Center (DOI-NBC), D-2663. A copy should be retained in the employee's T&A file.

Casual hire (Administratively Determined/Emergency Fire Fighter) commissary deductions are processed using the Federal Personnel Payroll System (FPPS) Casual Pay Program. No additional forms are required.

### **T&A Coding for Paid Days Off and Management-Directed Days Off**

A regular government employee is compensated for base (guaranteed) hours (8, 9, or 10 hours per the normal weekly tour of duty) for all days assigned to the incident. Exception: ***When personnel are required to take a mandatory day off during an incident assignment which falls on their normal day off, there will be no pay compensation (this includes personnel assigned to support an incident camp, such as dispatchers, Buying Teams, Payment Teams, Incident Business Advisors, Pilots)***. Compensation on a paid day off or a management-directed day off cannot exceed the base hour requirement. The base hour requirement is met by any hours recorded in a calendar day, e.g., work, travel, administrative leave, etc.

After completion of a 14 day assignment and return to the home unit, two days off will be provided (2 after 14). In addition, personnel may be extended up to 14 additional days. Regardless of extension duration, two mandatory days off will be provided prior to the 22<sup>nd</sup> day of the assignment. Upon release from the assignment, regardless of extension duration, two mandatory days off will be provided immediately upon return to the home unit.

- a. Code a paid day off occurring on a regular workday to hours code 060 and charge it to subactivity 0999-77.
- b. Employee/supervisor/timekeeper enters “paid day off authorized for (month/day)” in QuickTime payroll comments.
- c. Employees are not compensated for a day off occurring at the home unit or on the incident that falls on a scheduled day off or on a holiday. No additional coding is necessary.

The IIBMH, Chapter 10, addresses management-directed days off. **A management-directed day off occurs only on a regular government employee’s normal workday while at the home unit.**

- a. Required days off for all employees are non-compensable when they occur on the employees scheduled day(s) off or on a holiday.
- b. Code the management directed day off to hours code 060 and charge subactivity 0999-77.
- c. Employee/supervisor/timekeeper enters “paid day off authorized for (month/day)” in QuickTime payroll comments.

### **Overtime Pay**

Public Law 106-558 requires that employees of the Department of the Interior whose overtime pay is calculated under rules established in Title 5, United States Code, Section 5542(a), to be paid at a rate equal to one and one-half times their hourly rate of basic pay when they are engaged in emergency wildland fire suppression activities (reference the IIBMH, Chapter 10, Section 12.11.).

Use hours code 113 **to record overtime hours earned by exempt employees working in exempt positions.** In order to qualify for hours code 113, an exempt employee’s overtime work must be charged to wildland fire, severity, or wildland fire suppression funds tied to the support of suppression operations and recorded on a time sheet approved by an appropriate supervisor.

This also applies to employees involved in the preparation and approval of emergency stabilization plans. The overtime provisions apply only during the initial emergency assessment period, until the emergency stabilization plan is submitted for approval or 21 days after fire containment (whichever is less).

**Do not use hours code 113 for any other overtime earned** including prescribed fire, other fuels management activities, implementation of fire rehabilitation plans, monitoring, or for overtime incurred in conjunction with any non-fire incident, e.g., hurricanes, floods, non-fire presidential declarations.

Use regular overtime hours codes (110, 121, 120, etc.) to record wildland fire suppression activity overtime for all non-exempt employees and for exempt employees working in a non-exempt position. Reference the IIBMH, Chapter 10, for a listing of exempt and non-exempt incident positions.

**Exception: Hours code 113 and hours code 110 cannot be used in the same week for an exempt employee.** If an exempt employee works 20% of the workweek in a non-exempt position, code all overtime hours, regardless of activity, to hours code 110, and select the special pay code to indicate non-exempt for that week.

See Attachment 2, Overtime/Special Pay Coding for Wildfire and Non-Fire Incidents, for coding of overtime for exempt and non-exempt employees.

State/Field Offices are responsible to monitor use of hours code 113 in the Management Information System (MIS) and make necessary corrections.

### **Maximum Earnings Limitation**

The Code of Federal Regulations (CFR 550.105(a)) limits an employee's biweekly pay to the greater of the maximum step of a GS-15 or level V of the Executive Schedule.

The biweekly maximum earnings limitation is waived for employees working in support of emergency wildland fire suppression activities. Time and Attendance must be documented per Attachment 2 to affect this waiver. In order to qualify for the biweekly maximum earnings limitation, an employee's overtime work must be charged to wildland fire, Burned Area Emergency Stabilization and Rehabilitation (ESR), severity, or wildland fire suppression funds tied to the support of suppression operations and that overtime work must be recorded on a time sheet approved by an appropriate supervisor.

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 DOI may waive the limitation upon request from the Bureau. The Director, OF&A has been authorized to: determine emergency situations for the purpose of lifting the biweekly maximum earnings limitation; determine emergency situations for Fair Labor Standards Act (FLSA) purposes; and coordinate the application of these new authorities with the Bureau of Indian Affairs, U.S. Fish & Wildlife Service, the National Park Service and the U.S. Forest Service. When the biweekly limitation is waived, written direction will be issued from the Director, OF&A. In such situations, the annual maximum earnings limitation remains in place.

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)).

**Background:** Questions continue to be raised from field offices regarding correct coding of T&A documents and proper processing of commissary deductions.

**Manual/Handbook Sections Affected:** This IM supplements the Interagency Incident Business Management Handbook with BLM-specific policy.

**Coordination:** This IM has been coordinated with the BLM Finance and the DOI-NBC Payroll Operations Division.

**Contact:** Questions concerning this policy should be directed to Hallie Locklear, Incident Business Management Specialist, at (208) 387-5166 or Lynne Willoughby, Chief, Division of Budget and Evaluation, at (208) 387-5161.

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

Signed by:  
Randy Eardley  
Acting Director

Authenticated by:  
Pat Lewis  
Supervisory Mgmt. Asst.

#### 2 Attachments

- 1-Sample Timekeeper/Quarters, Meals Commissary Adjustment Notice, 1340-15 (1 p)
- 2-Overtime/Special Pay Coding for Wildfire and Non-Fire Incidents (1 p)

#### Distribution:

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