

Reclamation Manual

Directives and Standards

TEMPORARY RELEASE

(Expires 07/24/2025)

- Subject:** Hiring Civilian Retirees under the National Defense Authorization Act (NDAA)
- Purpose:** This Reclamation Manual (RM) Directive and Standard (D&S) establishes the request and approval procedures for hiring civilian retirees under the NDAA hiring authority and requirements for tracking the lifetime of the reemployed annuitant appointments.
- Authorities:** [5 United States Code 8344](#), *Annuities and pay on reemployment*; [5 CFR 316.401 Subpart D](#), *Temporary Limited Employment*; National Defense Authorization Act (NDAA), Fiscal Year (FY) 2010 [[Public Law \(PL\) 111-84](#)], signed [October 28, 2009](#); NDAA FY 2015 [[PL 113-291](#)], signed December 19, 2014; NDAA FY 2020 [[PL 116-333](#)], signed December 20, 2019; [Office of Personnel Management \(OPM\) Memorandum, dated January 8, 2010](#), *Reemployment of Civilian Retirees Under the National Defense Authorization Act for Fiscal Year 2010*; [OPM Memorandum, dated December 9, 2011](#), *Policy Guidance on the Reemployment of civilian retirees under the National Defense Authorization Act (NDAA) for Fiscal Year 2010*; [OPM Memorandum, dated July 10, 2015](#), *Reemployment of civilian retirees under the National Defense Authorization Act for Fiscal Year 2010, as Amended*; and [Department of the Interior \(DOI\) Personnel Bulletin \(PB\) 20-01](#), *Extension of Authority for Dual Compensation Waivers for Part-Time Reemployed Civilian Employees under the National Defense Authorization Act (NDAA), Fiscal Year 2010*.
- Approving Official:** Deputy Commissioner – Policy, Administration and Budget (PAB)
- Contact:** Human Resources Division, Human Resources Policy Office (84-12100)

1. **Introduction.** The dual compensation waivers for part-time reemployed civilian retirees (reemployed annuitants) under the NDAA is a temporary flexibility that may be used when hiring civilian retirees into temporary positions while they continue to receive their annuity. Once hired, reemployed annuitants will be subject to the restrictions under the NDAA and the positions encumbered will be subject to the limitations listed in regulation (5 CFR 316.401).
2. **Applicability.** This D&S applies to all Reclamation managers, supervisors, and hiring or selecting officials in hiring civilian retirees in accordance with the authorities listed in this D&S.

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3. Appointments.

A. **Time Limitations.** Specific time and hours limitations must be adhered to for these types of appointments. Deviations from the requirements in this D&S and policies listed in the Authorities section above will result in removal of permission to use this authority within the violating region. It is especially important that supervisors and regional Servicing Human Resources Offices (SHRO) understand the distinction between tracking positions and tracking reemployed annuitants. In addition to the information listed in [PB 20-10](#), Reclamation guidelines and clarifying information are listed below.

- (1) **Time Limitations for Temporary Appointments into *Positions*.** Supervisors and SHROs will ensure the positions filled under the NDAA authority are compliant with the NDAA authority criteria and the policy for Temporary Limited Employment, listed in [5 CFR 316.401](#).
 - (a) Note that [5 CFR 316.401](#) refers to the *position* only, and not the *incumbent*. This is different than the NDAA authority which refers to the incumbent when referring to hours limitations. This difference is critical when considering extensions beyond 24 months and the following must be considered:
 - (i) Hours limitations referred to for the first two 12-month periods *do not have* an exception of 520 training/mentoring hours. Total hours served in the position, a successor position, or a similar position will count towards the limit listed in this part.
 - (ii) If supervisor anticipates a need for the position beyond 12 months, and subsequently 24 months, they must refer to the additional restrictions placed on temporary appointments into positions that exceed 24 months and plan in advance in order for the appointment to be eligible for extension.
 - (iii) Supervisors will review time and hours limits based on the position encumbered and not only limitations with the reemployed annuitant's hours.
 - (b) To extend beyond 24 months, the position's work schedule must be intermittent.
- (2) **Time Limitations for Temporary Appointments of *Reemployed Annuitants*.** In addition to the hours and time limitations listed for positions, supervisors and SHROs must ensure appointments remain within compliance of the limitations identified by the NDAA for the reemployed annuitant in accordance with [PB 20-01](#).

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4. Succession Planning.

- A. A justification will be required on the *NDAA Reemployed Annuitant – Supervisor Input* (“*Supervisor Input*” form) for the active request.
- B. Succession planning must be provided to explain how the organization is making permanent succession plans and not continuously using temporary actions for an ongoing need.

5. Request Process. Any type of request under this authority must be submitted to the Human Resources Policy Office (HRPO) for review no later than two pay periods prior to the proposed effective date of the action. HRPO *Statement of Understanding*, *Hours Tracking Spreadsheet* and *Tracking Information* templates, snapshots of which are provided in the appendices of this D&S, will be used for all requests.

- A. **Create the Data Tracking System (DTS) Record Request.** [DTS](#) will be used as the routing location for supporting documentation for request, review, and final approval to hire by the Reclamation Human Capital Officer (HCO) (see RM [Delegations of Authority](#), Section 4.I.(1)(c)). The local administrative point of contact (POC) will be responsible for the following:

- (1) A new DTS record will be created before the [NDAA Reemployed Annuitant – Request Information form](#) (*Request Information* form) is submitted.
- (2) DTS Subject will be titled using the following naming convention:
[Calendar Year], NDAA [New/Extension/Additional] Request, [Region],
[Annuitant’s Last Name]
Example: 2023, NDAA Extension Request, DO-WO, Smith
- (3) Attach the following required request supporting documents to the DTS record, as applicable:
 - (a) Certified Position Description (PD).
 - (i) New Requests and Additional Requests.
 - (ii) There is no need to establish a distinctly separate PD for positions encumbered by an NDAA reemployed annuitant. SHROs will follow PD numbering guidelines as directed by the Implementing Instructions for the HC-08. For NDAA positions on a DOI standard position description, the last two characters of the PD number must be “ND.”
 - (b) Resume.
 - (i) New Requests and Additional Requests.
 - (ii) Redacted and Password protected, as needed.

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- (c) Statement of Understanding.
 - (i) All Requests.
 - (ii) Must be current for the appointment being requested.
- (d) Organization Chart.
 - (i) New Requests and Additional Requests.
 - (ii) The NDAA position must be clearly identified.
- (e) Hours Tracking Spreadsheet.
 - (i) Extension Requests and Additional Requests.
 - (ii) Must match Time and Attendance Report.
 - (iii) Must track in 12-month increments, beginning from the first temporary appointment date.
- (4) Documents containing personally identifiable information (PII) must be redacted and password protected (e.g., social security numbers, dates of birth, email and physical addresses, etc.). See RM D&S, Privacy and Safeguarding Personally Identifiable Information (PII), ([RCD 01-02](#)), for additional examples and information. Passwords will be shared using the automated process, separate email notifications for passwords are not required.
- (5) DTS routing will be as such:
 - (a) Local administrative POC – *Initial Routing*
 - (b) SHRO POC - *Surname*
 - (c) HRPO Staffing Policy Analyst - *Surname*
 - (d) HCO - *Signature*
 - (e) SHRO POC – *Mail/Distribute*
 - (f) SHRO POC – *Appropriate Action*
 - (g) HRPO Staffing Policy Analyst – *Close Out DTS Record*
- (6) Completion of assigned action in DTS certifies that the assignee has reviewed and completed their task and it is ready for the next assignment. If an assignment is made and the next assignee determines that it is not correct or complete, they will re-assign the task to the previous person for action. New DTS records record history of an action and therefore will not be created to overwrite DTS records with errors unless they cause a critical system issue that prevents the request from being closed out within that record.

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B. **Submit the Automated Request.** After the DTS record is prepared, an official request for review will be submitted via Microsoft forms. The automated request submission process will guide the requestor to submit and auto-generate the required forms in the order identified below. Forms submitted out of order will result in the requirement to submit a new request in the appropriate order identified in this D&S. All the information requested in the forms is required at the time of submission.

(1) [Request Information form.](#)

- (a) This form will be completed by the local administrative POC, identified by the requesting supervisor, that is tasked to gather the annuitant's information and documents to initiate these types of requests. If there is a need and the SHRO HR Officer agrees it makes business sense, a SHRO POC can take ownership of this step. Access to this form is available via the link provided above, BOR Intranet, or by request from a SHRO POC. It is recommended to bookmark the form page for consistent ease of access.
- (b) Information provided in this form is also used to identify appropriate POC's for the request (supervisor and SHRO POC) to enable the automated process. Submitters must pay close attention when entering information, especially email addresses, when submitting these forms to ensure no typos occur. Incorrect information may require a new form submission.
- (c) Extensions and additional requests will require a full and detailed history of the reemployed annuitant's service hours before being approved to ensure that the appointment(s) are compliant with policy.
- (d) After this form is submitted, an automated email will be sent to the supervisor with information regarding the request and next steps.
- (e) Local administrative POC's will be carbon copied (cc'd) on every automated email to keep track of the status of the requests they've submitted. If it is noticed that a certain email has not been received, this POC will work with the SHRO, and HRPO if needed, to determine if any errors were entered into any of the Microsoft Forms. Questions regarding these appointments will be directed to their SHRO POC.

(2) ***Supervisor – Input*** form.

- (a) This form will be provided, as a link to a Microsoft Form, in the automated email received based on the submission of the *Request Information* form and will be completed by the supervisor.
- (b) Supervisors are responsible for reviewing the details received in their automated email as well as the documents in DTS prior to submitting the form to ensure all information provided is current and accurate. Submission of this form is considered an approval of the requested action.

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- (c) If supervisors identify incorrect information or documents, they will work with the local administrative POC to fix the issues. Questions regarding requirements for these types of appointments will be directed to the SHRO POC.
 - (d) After this form is submitted, an automated email will be sent to the SHRO POC with information regarding the request and next steps.
- (3) **SHRO – Input** form.
- (a) This form will be provided, as a link to a Microsoft Form, in the automated email received based on the submission of the *Supervisor – Input* form and will be completed by the SHRO POC.
 - (i) After this email is received, the local administrative POC (cc'd on this email) will enter the Task Completed Date for assigned *Initial Routing* in DTS and it will be sent to the SHRO POC for review.
 - (b) SHRO's are responsible for reviewing the details received in their automated email as well as the documents in DTS prior to submitting the form to ensure all information provided is accurate and complete.
 - (c) After this form is submitted, a final automated email will be sent to the SHRO POC with information regarding the request and next steps to finalize the package for review.
 - (i) Auto-filled documents (*NDAA Approval Memo* and *NDAA Reemployed Annuitant Request – Notes to Reviewer*) will be attached to the automated email.
 - (aa) SHRO's will complete their portion of the *NDAA Reemployed Annuitant Request – Notes to Reviewer* form and upload it and the *NDAA Approval Memo* to DTS.
 - (bb) If the request is for a new or additional appointment, SHRO's will upload the redacted and password protected retirement SF-50.
 - (d) After all required documentation is attached to the DTS record and review is complete, the SHRO POC may enter the Task Completed Date for assigned *Surname* in DTS and forward to HRPO for review.
- C. **Final Review and Approval.** After the DTS action is assigned to the HRPO Staffing Policy Analyst, the package will be reviewed in its entirety to ensure compliance before sending to the HCO for determination.

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- (1) Concurrence by HRPO will result in the HRPO Staffing Policy Analyst finalizing the *Notes to Reviewer* and *Approval Memo*, entering the Task Completed Date for assigned *Surname* in DTS, and forwarding to the HCO for review.
- (2) Non-concurrence by HRPO will result in one of the following:
 - (a) Notification to the SHRO that the package cannot be supported and additional or clarifying information is required. Subsequent resolution will determine whether the process continues as a concurrence or a non-concurrence notification to the HCO for their review and final determination.
 - (b) Finalization of the *Notes to Reviewer* and *Approval Memo*, entering the Task Completed Date for assigned *Surname* in DTS, and forwarding to the HCO for review and final determination.
- (3) After the DTS action is assigned to the HCO, a complete review will be conducted and a determination for approval or disapproval will be made.
 - (a) If approved, the HCO will sign the memo indicating approved and enter the Task Completed Date for assigned *Signature* in DTS, which will forward the action to the SHRO.
 - (b) If disapproved, the HCO will notify the SHRO POC and HRO, cc'ing the HRPO Staffing Policy Analyst, of the determination and enter the Task Completed Date for assigned *Signature* in DTS, which will forward the action to the SHRO.
- (4) Upon assignment in DTS, the SHRO POC will review the determination and notify the supervisor requesting the appointment or extension of the result. Once the supervisor has been notified, the SHRO POC will enter the Task Completed Date for assigned *Mail/Distribute* in DTS, which will forward the action for final steps.
- (5) The SHRO POC will complete *Appropriate Action* steps to close out the request.
 - (a) Approved requests – the SHRO will follow up with HRPO once the SF-50 is processed and upload the appointment or extension SF-50 and all other required record keeping documentation into the USA Staffing case file, as identified in 6C below. Once completed, the SHRO POC will enter the Task Completed Date for assigned *Appropriate Action* in DTS, which will forward the action to the HRPO Staffing Policy Analyst who will close out the DTS record.
 - (b) Disapproved Requests – close out any local files as necessary. Advise the supervisor on the way forward to fill the staffing need.
- (6) When the HRPO Staffing Policy Analyst closes out the DTS record, the process is complete.

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- D. **Process Integrity.** The automated process intends to streamline requests, however, each point of contact in this process has responsibility over assigned steps. Care will be taken to ensure accurate and complete information is provided at each step. Requests will not be routed forward to the next POC if information or documentation is unclear or incomplete. SHROs will serve as technical advisors for ensuring requests are compliant and will train and assist the requesting organization in submitting these requests. HRPO will not accept or concur with requests that have anything more than minor errors (two issues or less) or from offices with repeated submission issues (three occurrences or more of anything more than minor errors).
- E. **Processing Actions.** SHRO POC's will process appointment or extensions to effect approved requests.
- (1) The Nature of Action code will be determined using the Guide to Processing Personnel Actions.
 - (2) The proper legal authority code (LAC) will be based on how the reemployed annuitant is being hired, in addition to including a LAC that cites this specific NDAA authority (Public Law number). Please note a primary LAC is required. The NDAA authority is a salary offset waiver authority, not an appointing authority.
 - (3) Not to exceed dates will be based on the need of the organization and will not be truncated to fit within fiscal year timing, unless necessary to operations and budget.
 - (4) Work schedules will be designated as either Part-Time or Intermittent.
 - (5) Annuitant Indicators will be one of the following, as appropriate:
 - (a) 0 - Reemployed Civil Service Retirement System (CSRS) annuitant not subject to salary reduction in an appointment under the NDAA.
 - (b) K - Reemployed Federal Employees Retirement System (FERS) annuitant not subject to salary reduction in an appointment under the NDAA.
6. **Tracking Requirements.** The reemployed annuitant's supervisor, with the support of the SHROs, are responsible for tracking active NDAA appointments. Decisions may be made locally regarding how efficient tracking of information occurs. The following items must be tracked and made available to HRPO upon request.
- A. **Service Hours Worked.**
- (1) Reemployed annuitant hours will be tracked based on the type of service (regular work hours or training/mentoring hours) using the *Hours Tracking Spreadsheet*.

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- (2) Time and attendance system reports will be pulled for review by HRPO, as needed, to ensure the *Hours Tracking Spreadsheet* received from the SHRO's are accurate.
 - (3) Hours will be tracked on a 12-month basis, regardless of the initial appointment extension length, therefore 12-month increments will begin upon the date of the first appointment.
 - (4) As stated previously, positions filled by this authority also have limitations and must be tracked to ensure compliance with both 5 CFR 316.401 and the NDAA authority.
- B. **Allocation Limitations.** [PB 20-01](#) specifies information regarding limitation on number of appointments. The Human Resources Policy Office (HRPO) will track allocations, active appointments, and will notify regions if slots are available.
- C. **Documentation.** The SHRO will create and maintain an electronic case file in USA Staffing, in accordance with RM D&S, *Hiring Process – Merit Promotion* ([HRM 04-08](#)), Section 11.
- (1) New Appointment Requests will require the establishment of a new hire record (Request Type: Onboard New Hire).
 - (2) Additional Requests and Extension Requests will use the same case file for the new hire record that was established upon their first appointment under the NDAA.
 - (3) The new hire record case file in USA Staffing will include:
 - (a) Original and all subsequent NDAA Approval Memos (signed).
 - (b) Retirement SF-50 (one-time upload during establishment of record).
 - (c) Original Appointment SF-50 and all subsequent additional or extension SF-50's.
 - (d) Original and all subsequent Statement of Understandings.
 - (e) Resume (one-time upload during establishment of record).
 - (f) Original and all subsequent (if applicable) Position Descriptions.
 - (4) Not to exceed dates will be tracked by the supervisor, the reemployed annuitant, and the SHRO to ensure appointments do not continue beyond established dates and that requests for extensions or additional requests are submitted timely.
 - (5) Tracking and records will be kept in such a way that any audit would result in the ability to review the entire record of a reemployed annuitant's time served under this authority.

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- (6) Appointment (New or Additional) and Extension SF-50's will be uploaded to the appropriate new hire record case file, as identified above, by the end of the pay period in which it was processed.

7. Reporting Requirements.

- A. HRPO may request current reemployed annuitant information and supporting documentation at any time, but will request it at least annually.
- (1) Annual reports, as required by [PB 20-01](#), will be due to HRPO by December 27 of each year for reemployed annuitants that served any hours in that calendar year.
- (a) HRPO will send an annual reminder to the Human Resources Officers, cc'ing the Reclamation Leadership team, that include instructions for providing the required information.
- (i) SHRO's will consolidate annuitant information from their service organizations into the *Tracking Information* spreadsheet and send to HRPO Staffing Policy Analyst by the due date.
- (b) Hours for the remainder of that year, through December 31, must be identified and adhered to ensure accurate reporting.
- (2) Discrepancies or additional information requests must be resolved within two business days of being requested by HRPO.
- B. SHROs must report to HRPO that a reemployed annuitant's appointment or extension action has been processed and is uploaded to USA Staffing within one pay period of the effective date.
- (1) SHRO POCs may receive automated recurring emails to remind them of this final step for record keeping until they confirm the SF-50 has been processed and uploaded to USA Staffing.
- C. Failure to submit requests, reports or responses to HRPO inquiries timely *or* submitting reports with errors, repeatedly, may result in suspension of a region's authorization to use these types of appointments.

8. Definitions.

- A. **Additional Request.** Request for a reemployed annuitant previously employed under this authority that has had a break in service OR an extension request where the position to which the reemployed annuitant is assigned is changing OR a request for a reemployed annuitant that has not been under this authority before, but the position has previously been filled under a temporary appointment within the preceding 2 years.

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- B. **Annuitant.** Individual receiving regular payments from the federal government after retiring from civil service under CSRS or FERS. Also referred to as “civilian retiree.”
- C. **Appropriate Action.** Task type in DTS that is assigned to the SHRO POC to take action based on the final determination made by the HCO.
- D. **Close Out DTS Record.** Task type in DTS that is assigned to the HRPO Staffing Analyst to ensure proper finalization of all NDAA requests. Actions include locally filing the approval memo, verifying receipt of the appointment/extension SF-50 (if applicable) from the SHRO, completing local tracking information, etc.
- E. **Extension Request.** A continuation of a current appointment with no break in service for the same reemployed annuitant in the same position.
- F. **Initial Routing.** Task type in DTS that is assigned to the local administrative POC that initiates the beginning of a request. Actions include uploading the documentation and completing the [Request Information form](#).
- G. **Intermittent.** Intermittent work is defined as employment that does not have a regularly scheduled tour of duty and is only appropriate when work is unpredictable. If work is able to be scheduled in advance on a regular basis, the work schedule must be part-time when serving under the authority of this D&S.
- H. **Local Administrative POC.** The person that the region/submitting office designates to gather & organize reemployed annuitant information, submit requests, and track the reemployed annuitant’s appointment information and documentation. This POC, with support of the reemployed annuitant’s supervisor, must be well equipped with knowledge of the request to answer questions that may arise from the various reviewers and approving authorities.
- I. **Mail/Distribute.** Task type in DTS that is assigned to the SHRO POC that requires action to notify the supervisor of the result of the HCO determination.
- J. **NDAA.** Authority that authorizes appointment of retirees to work hours with a salary-offset waiver.
- K. **New Appointment Request.** Request for a brand-new appointment of a reemployed annuitant that has never served under this type of appointment before and the position to which they are being appointed has not been filled by this type of appointment before.
- L. **Part-Time.** Regularly scheduled tour of duty that is less than full-time.

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- M. **Reemployed Annuitant.** An annuitant rehired under the NDAA authority.
- N. **Regular Hours.** Work hours that are performed to conduct regular duties of the position and do not include training/mentoring employees.
- O. **SHRO POC.** The HR Specialist that is responsible for recruitment actions for the organization in which the reemployed annuitant will be assigned.
- P. **Signature.** Task type in DTS that is assigned to the HCO that requires a determination be made for the request and the memo be signed to officially document the decision.
- Q. **Supervisor.** The supervisor of the prospective or current reemployed annuitant.
- R. **Surname.** Task type in DTS that is assigned to the SHRO POC and HRPO Staffing Analyst. This type of task is critical and requires that the assigned POC conduct a careful review of the package to ensure completeness and compliance, verifying the package is ready for final approval.
- S. **Training/Mentoring Hours.** Hours served that are only performed to train/mentor employees.
- T. **Total Hours.** Regular work hours and training/mentoring hours together.