

Process for the Temporary Reemployment of Civilian Retirees under the National Defense Authorization Act (NDAA)

Department of the Interior, [Personnel Bulletin \(PB\) 20-01](#)

Subject: Extension of Authority for Dual Compensation Waivers for Part-Time Reemployed Civilian Employees under the National Defense Authorization Act (NDAA), Fiscal Year 2010

The NDAA is a pay authority that allows for dual compensation. Rehired annuitants employed under the NDAA receive their full retirement annuity in addition to a full salary for the position to which they are reappointed. This is the most significant difference from a rehired annuitant hired outside of the provisions of the NDAA whose salary is reduced by the amount of their retirement annuity.

Appointment Limitations under NDAA

Rehired annuitants may work part-time or intermittent work schedules. Under the NDAA provisions, the following hour limitations apply:

- During the first 6 months under NDAA: limited to no more than 520 hours.
- During the first year under NDAA (from appointment effective date): limited to no more than 1040 hours.
- Limited to no more than 1040 hours in any 12-month period under NDAA.
- Limited to no more than 3,120 total hours under the NDAA authority.

Exception for Training or Mentoring - Any hours of training or mentoring of employees by the rehired annuitant will not be included in the hours of service performed for the purposes of the limitations described above (unless that was the primary purpose of the appointment), but those hours of training or mentoring may not exceed 520 hours per year. Under this exception it is possible that the rehired annuitant can work a total of 1,560 hours during a 12-month period; the employing office using this flexibility must ensure that documentation reflects the hours are spent training and mentoring. NOTE: The maximum limit per annuitant remains at 3120 hours.

Temporary Appointments and Hours limits (separate from NDAA hours limits)

NDAAAs are hired on competitive service Temporary appointments that are usually made for up to one year and may be extended for up to one additional year. Generally, after two years, the temporary appointment will end.

Exception to Temporary limit to possibly extend beyond 2 years: Exception to the Temporary general time limit is when employment is LESS than 1,040 hours (i.e. 1039 hours or less) in all service years. An annuitant's appointment may be extended beyond the 2-year limit only when employment totals LESS than 1,040 hours for all individual service years, excluding overtime. Should employment total 1,040 hours or more in any service year, then the appointment will end on the NTE date and cannot be extended.

NOTE: The difference between the two limits is that all hours count toward the Temporary appointment. The 1040 (non-mentoring) hours plus the 520 mentoring hours are under the

NDAAs limits, not Temporary appointments. The hour limitations under the NDAAs authority and those for the temporary appointment are two distinct limits and must be tracked separately. Specifically, hours spent training or mentoring are not counted toward the NDAAs limitations; however, they do count toward the limits under the temporary appointment.

Initial Request and Approval

- The current NDAAs authority expires December 31, 2024.
- Each year DOI provides USGS with the number of allotted slots for NDAAs and we are not permitted to have more than that number of NDAAs hires on the roles at any given time during the year.
- Hiring waiver requests are required for **new appointments** and must be submitted using the Form 9-3175, [Request to Exception for Hiring Controls Application Version 3](#). When submitting a request, the following documents need to be uploaded for the potential new hire: (1) a classified position description that has been reviewed and approved by the servicing HR [Staffing/Classification Specialist](#); (2) copy of current resume; and (3) a copy of the SF-50 Retirement action or if the individual is not already retired, a letter from the individual conveying their intent to retire including the effective date.
- **Extension requests** must be submitted using the Form 9-3175, [Request to Exception for Hiring Controls Application Version 3](#), when requesting to extend **both** length of time and hours. When **extending hours only** for requests that have already been approved, please contact Audrey Tsujita in the Office of Human Resources at atsujita@usgs.gov or 916-278-9395.
- The NDAAs Reviewing Committee reviews all requests, including extensions, as they are received and makes recommendations to the Deputy Director, Administration and Policy, for approval.

Next Steps

Once the request is approved, the hiring manager will need to work with their servicing HR Staffing/Classification Specialist to bring the NDAAs employee on board, i.e., determine work schedule; issue the offer letter, and advise the supervisor on the recruitment package, if applicable; initiate paperwork for the fingerprint check and background investigation when required; set the start date; and complete the necessary entrance on duty forms.

Recruitment Package: If the NDAAs appointment is expected to last longer than 120 days, then a recruitment package is required in order to issue a vacancy announcement limited to surplus and displaced employees eligible under the Career Transition Assistance Plan (CTAP) or the Interagency Career Transition Assistance Plan (ICTAP) who have priority consideration for vacant positions. There is no need for the rehired annuitant to apply for the position as they can be noncompetitively appointed as long as no CTAP or ICTAP eligibles apply who meet the qualification and eligibility requirements.

If the NDAAs appointment is expected to last 120 days or less, the employee can be appointed non-competitively and no vacancy announcement is required.

NOTE: When a quick turnaround time is necessary and a vacancy announcement is required because the position is intended to last for more than 120 days, the rehired annuitant may be appointed immediately as long as the initial appointment not-to-exceed date is set for 120 days or less. After the vacancy announcement process has been completed and resulted in no CTAP/ICTAP eligibles, the appointment may be extended up to the duration approved in the initial request.

Break in Service:

- The servicing HR Staffing/Classification Specialist works with the hiring manager and the rehired annuitant to coordinate the entrance on duty process. It is recommended that rehired annuitants are not reappointed within the same pay period in which they were separated to avoid having to refund any unexpired portion of the annual leave lump sum payment.
- **Lump Sum Annual Leave and Credit Hours Payment** –See Attached

Qualification Requirements: The rehired annuitant must meet the established qualification requirements for the position to which he/she is appointed.

Position/Grade Level: The rehired annuitant may be appointed to any position for which he/she qualifies but typically come back into a position in the same occupational series as the last position held. With regard to grade level, the rehired annuitant may be appointed to any grade level up to the highest grade and step previously held; however, grade level is dependent upon the classification of the position being filled.

Benefits: When an employee retires, their health and life insurance benefits (if eligible) are transferred to the Office of Personnel Management (OPM) and premiums are deducted from the individual's annuity. This will continue even after reemployment under an NDAA appointment. As NDAA appointees are also retirees, they continue to be eligible for dental, vision, and long term care insurance. They may pay the premiums directly or have them deducted from their annuity once finalized.

Annual Leave and Sick Leave Accrual: If the re-employed annuitant is hired on a part-time schedule, the employee will accrue [annual](#) and [sick](#) leave. Part-time leave accrual will be prorated according to the scheduled work hours. Employees on an intermittent work schedule are not eligible to accrue leave.

Service Credit: Service performed under an NDAA appointment is not eligible for credit to increase their retirement annuity. In addition, regardless of prior retirement coverage, CSRS or FERS, all NDAA appointees are required to pay into Social Security and are ineligible to pay into their former retirement system.

Termination: Rehired annuitants serve at the will of the appointing officer. This means that the temporary NDAA appointment may be terminated at any time.

Clearance Process and ID Cards

Employee (returning within 14 days)

An Employee Clearance Form [9-090](#) must be submitted immediately upon an employee's intent to separate from the USGS. If the employee intends to return to the USGS within 14 days of the separation date, the returning employee section of the 9-090 must be completed.

To ensure the employee's active directory account is not de-activated, the employee or supervisor should contact the IT service desk to explain the situation and request that their active directory account remain active.

ID Badge: If the individual is expected to return to work soon after retiring, the supervisor should retain the ID Badge until the employee returns to work.

To ensure the employee's email is not deleted, an IT service desk ticket should be opened by the local IT support person explaining that the person will be a NDAA Reemployed Annuitant as of the effective date of the NDAA appointment. The active directory team will confirm that they are set to ACTIVE in DOIAccess and will move their network account back to the DOIAccess/Active OU so the local IT support/Certified Organizational Unit Administrator (COUA) can provision the email and active directory account. Please note that the email and active directory account will be disabled from their retirement effective date on the 9-090 until this reactivation process happens.

Additional Information

The Human Capital website contains information about [NDAA employment](#). Specifically, the "Comparison of Reemployed Annuitant, NDAA, Phased Retirement Program Chart" provides a quick glance of the program requirements and benefits information for employees who are reemployed on an NDAA appointment.