



DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
(MANPOWER AND RESERVE AFFAIRS)
1000 NAVY PENTAGON
WASHINGTON, D. C. 20350-1000

SEP 19 2001

MEMORANDUM FOR DISTRIBUTION

Subj: PERSONNEL ISSUES RELATED TO ATTACKS ON THE WORLD TRADE CENTER AND THE PENTAGON--APPOINTMENT AUTHORITY AND POLICY WAIVERS

Encl: (1) Conditions and Reporting Requirements for Use of Temporary Excepted Service Appointing Authority and Waivers
(2) UNDERSECDEF memo of 17 Sep 01

The Office of Personnel Management (OPM) and the Department of Defense (DoD) have provided the following flexibilities to assist DoD activities in filling vacancies in support of security, rescue, investigation, and directly related functions, associated with the attacks on the World Trade Center and the Pentagon:

- OPM has authorized the use of temporary excepted service appointing authority for up to one year
- OPM has waived the voluntary separation incentive pay (VSIP) repayment requirement for former Federal employees hired under this authority
- OPM has granted DoD the authority to waive retirement dual compensation limits for former Federal employees who accept these temporary positions

This means that former Federal employees hired under this temporary appointing authority will, under most circumstances, not have to repay any VSIP payment they received. Federal retirees hired under this authority will, if a waiver is granted, be able to receive their full annuity and appropriate pay for their positions. Conditions and reporting requirements for use of these authorities are addressed in enclosure (1). These delegations and waivers expire on September 30, 2002. Activities are reminded to meet their labor relations obligations in implementing these authorities.

Enclosure (2) delegated the authority to approve waivers of

Guidance on the use of delegations and waivers for Senior Executive Service positions will be issued separately.

Department of the Navy Echelon I and II commands will be responsible for submitting any reports necessary and establishing reporting requirements for subordinate organizations. The DON point of contact is Sharon Stewart, who may be reached at (202) 764-0730.



BETTY S. WELCH
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Conditions and Reporting Requirements for Use of
Temporary Excepted Service Appointing
Authority and Waivers

- Temporary excepted service (Schedule A) appointments not to exceed one year may be used for filling vacancies in support of security, rescue, investigation and directly related functions associated with the attacks on the World Trade Center and the Pentagon.
 - While OPM did not establish qualification standards for the temporary positions, the Department of the Navy will use OPM qualification standards unless the activity/command establishes and documents a different qualification standard.
- Waiver of VSIP repayment
 - Certain non-Defense agency buyout laws did not provide for a waiver of the VSIP repayment. If the individual considered for employment received VSIP under one of the non-Defense authorities check for eligibility for waiver. Individuals who received VSIP from a DoD activity are eligible for the waiver.
 - Activity documentation required:
 - Name, grade, title and classification series of each employee
 - The period the employee worked under the waiver
 - The reason(s) the employee was essential to the effort
 - The agency name and location of activity which paid the VSIP
 - The statute under which the VSIP was paid
 - Reports on use of the waiver due through the chain of command within 60 days of the expiration of the waiver (September 30, 2002)
- Waiver of Dual Compensation Reductions
 - Annuitant must have declined an offer to take the temporary position without a waiver.
 - Activity documentation required:
 - Approval in writing
 - Annuitant's name and civil service retirement number
 - Annuitant's statement declining employment without the waiver
 - Position title, series, payplan, grade and duty