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BUREAU OF INDIAN AFFAIRS
NATIONAL INTERAGENCY FIRE CENTER
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Instructional Memorandum BIA-NIFC-60

May 3, 2006

To: Regional Directors, All Regions
Attention: Regional Fire Management Officers

From: Acting Chief, Branch of Wildland Fire Management

Subject: Career Seasonal Employees in Non-Pay Status and Use of the
Administratively Determined (AD) Pay Plan

The purpose of this memorandum is to provide clarification to fire program managers regarding employees who have career seasonal appointments, are in non-pay/non-duty status, and are being considered for employment under the AD hiring authority. Conflicting guidance has been issued regarding the use of this authority in the past.

By definition, a career-seasonal position includes all benefits (retirement, health insurance, life insurance, annual and sick leave) of permanent employment, but does not provide for employment on a full-time year-round basis. In this position, the employee will work at least 26 weeks, but not more than 48 weeks, in a service year. The employee will work 40 hours per week when in this pay and duty status. When services are not required, employee will be placed in a non-work non-pay status.

It is during this non-pay status that managers have wanted to employ these individuals as casual hires, utilizing the AD hiring authority (Administratively Determined Pay Plan for Emergency Workers). This is an acceptable practice and does not conflict with 5 CFR 2635.6 provided the following are observed:

1. The employee is hired to fill a resource order for an emergency as defined in Section A. of the Pay Plan for Emergency Workers (Casuals).
2. The AD hiring authority will not be used to extend seasons of career seasonal employees.
3. Employment is of short duration, typically not lasting more than 14 days (30 days for some all-hazard assignments).

Example 1 (Acceptable Practice): A career seasonal employee who works on a BIA Interagency Hotshot crew is placed in non-pay/non-duty status on October 14, 2005. On December 28, 2005, the Zone Dispatch Office inquires as to the availability of qualified engine bosses for assignment to fires in Oklahoma. The hotshot who is in non-pay/non-

duty status is available for this assignment. The dispatch office issues an official incident resource order for this individual to respond to the incident. The assignment lasts until January 10, when the casual hire returns to their place of hire and their employment is terminated.

Example 2 (Unacceptable Practice): A career seasonal forestry technician assigned to a Bureau engine module is placed in non-pay/non-duty status on Friday, September 30, 2005. On Monday, October 3, 2005 the Fire Management Officer hires the employee under the AD Pay Plan to refurbish engines, complete paperwork in the office, inventory the warehouse, and work on a fuels crew. The casual is finally released on December 24, 2005.

If you have any questions please contact Ms. Rosie Morin, BIA-NIFC Administrative Officer at 208-387-5696.