



Department of Energy

Washington, DC 20585

August 27, 2010

MEMORANDUM FOR HUMAN RESOURCE DIRECTORS

FROM:


SARAH J. BONILLA, DIRECTOR
OFFICE OF HUMAN CAPITAL MANAGEMENT

SUBJECT:

POLICY MEMORANDUM # 11: APPROVAL PROCESS
FOR DUAL COMPENSATION WAIVERS FOR
REEMPLOYED ANNUITANTS

Section 1122 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84 (Pub. L 111-84) allows the head of an agency to grant dual compensation (salary-offset) waivers to reemployed annuitants who work on a limited basis without reduction to their retirement annuity. This provision in the law expires October 27, 2014. Secretary Chu has delegated the authority to approve all dual compensation waiver requests to the Department's Chief Human Capital Officer (CHCO). This authority can be used to:

- a) Fulfill functions critical to the mission of the agency (or any subcomponent of the agency);
- b) Assist in the implementation or oversight of the American Recovery and Reinvestment Act of 2009;
- c) Assist in the development, management, or oversight of agency procurement actions;
- d) Promote appropriate training and mentoring programs of employees;
- e) Assist in the recruitment or retention of employees; or
- f) Respond to an emergency involving a direct threat to life or property or other unusual circumstances.

Under this authority, the following restrictions apply to individuals appointed as reemployed annuitants:

- a) Appointments are limited to one year or less; and
- b) Hours worked by any annuitant reemployed under these provisions are limited to 520 during the first six months of retirement; 1,040 hours during any 12-month period, and a total of 3,120 hours during any period of reemployment.

Servicing Human Resources Offices (SHRO) must submit requests for waivers based on a determination that the waiver is necessary to meet a specific organizational need under one or more of the criteria authorized above. Each request should only address



the criteria most applicable for the organization's specific need and include the following:

- a) The name of the individual for whom the waiver is being requested;
- b) The appointing authority that will be used;
- c) The occupational title, series, grade and step of the annuitant; and
- d) The expected length of reemployment.

Request for approval to use this authority should be addressed to the Chief Human Capital Officer (HC-1) through the Human Capital Policy Division (HC-11). HC-11 will review each request for compliance with applicable laws and regulations and transmit them to the CHCO for approval.

If you have any questions, please contact Vivian Clark at 202-586-2167 or by e-mail at vivian.clark@hq.doe.gov or Michelle Tyson at 202-586-8512 or by e-mail at michelle.tyson@hq.doe.gov.