

Bureau of Land Management (BLM) Guidance for Deployment of All-Hazard Incidents under
Emergency Support Function Number 4 (ESF#4)

June 18, 2009

State Point of Contact (POC) – Each state has designated a state POC. The role of the state POC is to facilitate the collection and submission of proper documentation to the Fire and Aviation (FA), Budget and Evaluation Office (LLFA400000). Kris King is the national lead for billing the Federal Emergency Management Agency (FEMA). The roles and responsibilities of the state POC, specific guidance for processing requests, and a state POC listing are available on the BLM FA Budget website, <http://web.blm.gov/internal/fire/budget/index.html>.

Coding Base 8 and Overtime – FEMA policy states that FEMA will not reimburse agencies for base hours of employees who are normally working at the time of the incident. This includes all permanent full time employees and may include some career seasonal and temporary employees (depending on their normal period of funding).

Any BLM employee who is normally working at the time of the incident, and is assigned to, or in support of ESF#4, will code base hours to their home office and program. Any BLM career seasonal employee, who is extended beyond their normal period of funding in support of ESF#4, will code base hours to the appropriate reimbursable ESF#4 code (see your state POC for code).

Upon request, the state, district, field offices, and dispatch centers are required to provide names of the career seasonal employees and the normal period of funding to the state POC to substantiate base hours for reimbursement. Failure to do so will result in hours being charged back to the home office or program.

All employees will code overtime, premium pay, and travel expenses to the appropriate reimbursable ESF#4 codes identified on the resource order (i.e., LLFA340000 LF6910000.NY0000 LRRFR09XXX00). The overtime provisions of Public Law 106-558 (Wildland Fire Overtime) apply only to those assigned to emergency wildland fire activities whose overtime work is exempt from coverage under the Fair Labor Standards Act (FLSA). **This provision does not apply to employees dispatched in support of all-hazard incidents (hurricanes, floods, earthquakes, oil spills, and other non-fire emergencies). Do not use time and attendance (T and A) hours code 113 for any all-hazard incident.** Use regular overtime codes (110, 121, 120, etc.) when recording overtime in support of the ESF#4 incident.

In an emergency, the exemption status of an exempt employee is determined on a work week basis. An exempt employee shall be non-exempt for any weekly tour of duty in which the employee's primary duties for the period of emergency work are non-exempt (5 Code of Federal Regulations (CFR) 551.211 (f) (2) (ii)). For purposes of this CFR primary duty typically means the duty that constitutes the major part (over 50 percent) of an employee's work (5 CFR 551.104). Non-exempt employees retain their non-exempt status regardless of the emergency work performed or the incident position to which assigned.

Hazard Pay - Refer to the CFR, Title 5, Chapter 1, Part 550 to determine if hazard pay is applicable for general schedule employees. Refer to CFR, Title 5, Chapter 1, Part 532 for information on environmental differential for wage grade employees.

The reason for hazard pay/environmental differential should be indicated on Optional Form (OF)-288 to assist home units in applying pay regulations.

Bi-weekly Maximum Earnings Limitation - All employees working on or in support of all non-wildland fire incidents or activities are subject to the bi-weekly maximum earnings limitation. In certain circumstances, the Department of the Interior (DOI) may waive the limitation upon request from the BLM. The Assistant Director, Fire and Aviation has been authorized to: (a) determine emergency situations for the purpose of lifting the bi-weekly maximum earnings limitation; (b) determine emergency situations for FLSA purposes; and (c) coordinate the application of these new authorities with the Bureau of Indian Affairs (BIA), United States Fish and Wildlife Service (USFWS), the National Park Service (NPS), and the United States Department of Agriculture (USDA) Forest Service. When the bi-weekly limitation is waived, written direction will be issued from the Assistant Director. In such situations, the annual maximum earnings limitation remains in place.

The annual maximum earnings limitation rule limits an employee's basic and premium pay to the annual salary of the greater of the maximum step of a General Schedule (GS)-15 grade level, including locality and/or special salary rate pay or Level V of the Executive Schedule (5 CFR 550.106(c)(1)).

Emergency Workers (Casuals/Administratively Determined (AD)) – To assist with ESF#4 support, the BLM is authorized to utilize, hire and pay emergency workers (casuals) in accordance with the AD Pay Plan for Emergency Workers. All casual time and travel will be charged to the reimbursable Work Breakdown Structure (WBS) code assigned to the mission assignment on the resource order. Please reference the most current FA Instruction Memorandum (IM) in regards to hiring and payment procedures for casuals.

Work/Rest, Length of Assignment, and Days Off – Any BLM personnel assigned in support of ESF#4 will follow directions in the Interagency Incident Business Management Handbook, Chapter 10, Section 12.7 for Work/Rest, Length of Assignment, and Days off Requirements.

Cache Items – All accountable/durable property such as tents, sleeping bags, cots, chaps, Nomex, flight suits/helmets, lighting kits, ridge poles, chainsaws, radios, radio kits, generators, pumps, etc. must be returned through the normal return process to the servicing incident support cache. **The FEMA will not reimburse the BLM for accountable property, therefore the home unit will be charged for items not returned.**

Purchase of Accountable/Sensitive Property – Accountable and/or sensitive property purchases must be done by a contracting officer operating within their warranted authority. These items would include: office equipment, digital cameras, computer software, etc.

Charge Card Purchases (Micro-Purchasing) – Every effort should be made to utilize a buying team or contracting officer for all hazard incidents purchases. Any consumable needs (miscellaneous office supplies or incidentals for personal use) may be purchased by individuals who hold micro-purchasing authority. All charges must be supported by an incident order, request number (resource order number), and valid legible receipt copy. The FEMA will consider charge card reimbursement only if the necessary supporting documentation is provided. The charge card adjustments for all-hazard incident charges will be made by the home organization (state, district, or field office).

The field offices must ensure that individuals who have made charges on their government charge card in support of an all-hazard incident should forward copies of their signed/approved credit card statements along with copies of supporting receipts/documentation to the assigned state POC within five days of card adjustment (reference BLM Charge Card Manual, Release 1512). When adjusting the default charge code on the credit card, please ensure the associated airfare agent fee is also adjusted.

The default code for charge cards must not be changed to the reimbursable charge code.

Documentation - In order for the BLM to receive reimbursement, FEMA requires all documentation charged to the incident be included in each billing. A checklist designed to assist the employee in providing the required documentation needed for billing purposes, is available on the BLM FA budget website, <http://web.blm.gov/internal/fire/budget/index.html>.

The following documentation must be forwarded to your state POC as applicable:

- Resource order.
- All receipts (100 percent) to include those not required in the Federal Travel Regulations.
- List of names of employees who are not on a resource order but were deployed in support of ESF#4.
- List of names and normal period of funding of career seasonal employees extended in support of ESF#4. Failure to do so will result in hours being charged back to the home office or program.
- Copies of credit card statements. Statements must be signed and dated by the individual and their supervisor. Statements must reflect the appropriate charge code, budget object class, a brief description of charges, and legible copies of all receipts associated with the incident.
- Contractual documents (contracts, purchase orders, blanket purchase agreements, etc.).
- Government Bill of Lading.

The state POC will submit the requested documentation to the FA National Lead (LLFA400000) as requested in the POC Guide. All documentation requested must be organized in the format outlined in this guide. If documentation is received in a format other than what is outlined in this guide, the State Fire Management Officer (FMO) will be contacted to determine if a correction to the documentation will be made by the state POC, or a charge code for the requested transactions provided to the FA National Lead to charge back the items to the home office unit.

The FEMA may require additional clarification on documents previously submitted. The FA National Office will work with each state POC as needed.

Unless requested by the FA National Lead, please do not forward:

- Copies of travel vouchers (travel documents will be provided by the National Operations Center Travel Desk).
- Copies of OF-288's (Emergency Firefighter Time Report).