



Department of the Army  
U.S. Army Corps of Engineers  
Washington, DC

\*Engineer Regulation 11-2-293

Effective 26 June 2023

CECO-C

Directorate of Contingency Operations  
Reemployed Annuitant Program

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FOR THE COMMANDER:

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Chief of Staff

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**Purpose.** This regulation prescribes guidance and policy for reemploying and deploying annuitants for various national disaster responses and short-term staffing requirements within United States Army Corps of Engineers and other agencies where specific experience is required.

**Applicability.** This regulation applies to all Headquarters United States Army Corps of Engineers staff elements and United States Army Corps of Engineers Divisions, Districts, Centers, and Field Operating Activities.

**Distribution Statement.** Approved for public release; distribution is unlimited.

**Proponent and Exception Authority.** The proponent of this regulation is the Reemployed Annuitant Program Office. The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations. Only the proponent of a publication or form may modify it by officially revising or rescinding it.

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\*This regulation supersedes ER 11-2-293, 31 Jul 2013.

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**UNCLASSIFIED**

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**Summary of Change**

## **1. Purpose.**

This regulation prescribes guidance and policy for reemploying and deploying annuitants for various national disaster responses and short-term staffing requirements within United States Army Corps of Engineers and other agencies where specific experience is required.

## **2. Applicability.**

This regulation applies to all Headquarters United States Army Corps of Engineers staff elements and United States Army Corps of Engineers Divisions, Districts, Centers, and Field Operating Activities.

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This regulation is approved for public release; distribution is unlimited.

## **4. References.**

References are at Appendix A.

## **5. Records Management (Recordkeeping) Requirements.**

The records management requirement for all record numbers, associated forms, and reports required by this regulation are addressed in the Army Records Retention Schedule-Army (RRS-A). Detailed information for all related record numbers is located in ARIMS/RRS-A at <https://www.arims.army.mil/arims/default.aspx>. If any record numbers, forms, and reports are not current, addressed, and/or published correctly in ARIMS/RRS-A, see Department of the Army (DA) Pamphlet 25-403, Army Guide to Recordkeeping.

## **6. Background.**

Nearly two decades ago, the United States Army Corps of Engineers (USACE) needed to supplement its regular workforce to accomplish in an acceptable and timely manner the varied and often highly technical missions assigned to it.

a. The major reasons for this development were: a declining workforce with the increasingly vital role that USACE plays in national disaster planning, preparedness, and response; the need to back-fill the active workforce deployed to support Expeditionary Civilian Deployments overseas; short-term surge requirements; the need for backfill while recruiting to fill permanent positions; project planning and execution provided to other agencies and organizations; and the accelerating exit of highly trained and knowledgeable personnel due to the increasing number of retirements brought about by USACE's aging workforce, and the need for mentors for newer employees.

b. Reemployed annuitant employment was identified as an effective way to meet many of these needs. Time and experience proved the Reemployed Annuitant Program (RAP) to be effective and it remains a viable and necessary method to support supplemental workforce requirements for USACE. The RAP is not intended to replace hiring of permanent employees. Solutions for supplemental workforce needs provided by the RAP include:

(1) Finding qualified people in a timely manner for difficult to fill positions (as evidenced by historically high turnover, a severe shortage of candidates, or other

recruiting difficulties).

(2) The recurring need for employees with unique or specialized skills or unusual qualifications (such as unique historical and/or technical knowledge of particular equipment, systems, or projects).

(3) The need, on an increasingly frequent basis, for qualified personnel to supplement the regular Corps workforce to accomplish established missions (such as disaster preparedness and response, and temporary backfill for employees who deploy in support of Expeditionary Civilian Deployments overseas, or to complete specific projects or initiatives).

(4) The recognition that situations occur where it would be particularly valuable to have an experienced person available to mentor less experienced employees or to provide continuity during critical organizational transitions.

## **7. Effect of Pay on Annuity.**

Public Law 108-136 provides that reemployed annuitants must receive the appropriate pay rate for the position without a reduction in pay or annuity. As a result, the salary of the annuitant is not offset by the amount of the annuity received for the period of employment. There may be an impact on the Federal Employees Retirement System (FERS) Social Security supplement paid by the Office of Personnel Management until age 62, or a reemployed annuitant's (RA) Social Security Insurance payment. Employees may find information about the impact of earnings at the Social Security website <https://www.ssa.gov/>.

## **8. Requirements and Definitions.**

a. Common Access Card (CAC). The Department of Defense (DoD) CAC is the official federal identification credential that is used for logical and physical access to federally controlled facilities and information systems once access privileges are granted. As Army civilian employees, all Reemployed Annuitant Cadre (RAC) members are required to obtain a civilian employee CAC. The civilian employee CAC will be issued and/or renewed in accordance with DoD and/or Army instructions.

b. Eligible Annuitant. For the RAP, an eligible annuitant is defined as a former civilian federal employee who has retired from the competitive or excepted service and is receiving an annuity from the Civil Service Retirement and Disability Fund (CSRS or FERS) or a retired Non-appropriated Funds employee who elected to remain in CSRS or FERS and is receiving an annuity from the Civil Service Retirement and Disability Fund. This includes annuitants who have filed a temporary waiver of their annuities with the Office of Personnel Management (OPM). The RAP is not limited to Army civilian annuitants.

c. Ineligible Annuitants. Annuitants are ineligible for the program if any of the following apply:

(1) An annuitant who previously separated pursuant to the authority of the Voluntary Separation Incentive Pay Program may not be reemployed in the Department of Defense:

(a) Within 12 months after separation unless the Secretary of Defense or designee has approved a waiver of this requirement.

(b) Within 5 years following separation unless the separation incentive is repaid or

the Secretary of Defense or designee has approved a waiver of this requirement based upon a finding that the individual involved is the only qualified applicant available for the position.”

(2) The applicant has an appointment with a federal agency, including DoD, that conflicts with 5 U.S.C. 2103, The Excepted Service.

(3) The applicant does not have appropriate civil service eligibility for non-competitive appointment, although in very rare cases, for shortage category occupations, annuitants may be appointed through competitive DEU announcements.

(4) The applicant is currently employed as a contractor or as a member of the Federal Emergency Management Agency’s (FEMA) ‘Cadre On-Call Response Employees’ program, unless the applicant can demonstrate that there is no possibility of conflict of interest or availability with the work of the RAP. To request such consideration, the annuitant must provide the RAP Program Manager (PM) with full information regarding the contract or FEMA work. Each case will be decided on an individual basis by the RAP PM.

(5) The applicant had previously been terminated from federal service for unacceptable performance or for misconduct or has otherwise been found unsuitable for employment based on the loss of a security clearance or unfavorable background investigation.

*d. Hiring and Promotion.* In rare cases, for critical shortage category occupations or specific needs within the Reemployed Annuitant Program Office (RAPO), the RAPO may also elect to advertise and consider applications through competitive Merit Promotion procedures, or other management actions. All requests for downgrades, promotions, or telework are approved by the PM. Competitive and excepted service are defined in 5 U.S.C. 3301 and 2103.

*e. Intermittent Work Schedule.* The work schedule for all members of the RAC is intermittent. Unlike full-time and part-time employees, there is no “regularly scheduled tour of duty.” When deployed, the RAs’ hours of work are determined by the on-site supervisor.

*f. Non-Tasker Assignments.* Any assignment in accordance with DoDI 1400.25 Volume 300, that is not disaster related. Non-tasker requests are normally submitted to the RAP PM by email rather than through ENGLink Pro.

*g. Reemployed Annuitant (RA).* A civil service annuitant who has accepted a new civil service appointment to return to work as a member of the Corps of Engineers in accordance with DoDI Number 1400.25, Volume 300.

*h. Reemployed Annuitant Cadre (RAC).* A core group of reemployed annuitants assigned to CECO-C who are available for deployment or to provide support to USACE and other DoD organizations for any of the reasons outlined in paragraph 4.b.(1)-(4) of the Guidance and Procedures section of DoDI Number 1400.25, Volume 300.

(1) An annuitant becomes a member of the RAC and is available for deployment when all human resource functions, security, and medical clearance requirements are completed.

(2) The RAP does not provide assignments in support of Expeditionary Civilian Deployments overseas. Employment for assignments for Expeditionary Civilian Deployments overseas requires separation from the RAP when hired on the Transatlantic Division or Army Expeditionary Civilian Workforce (AECW) rolls.

(3) The RAP will support overseas temporary duty assignments that are non-contingency operations.

*i.* Tasker. An official request in the ENGLink Pro system. Taskers are initially generated by disaster Recovery Field Offices or supported District Emergency Operations Centers before being released to the RAPO for RA nomination. Each tasker is a request for one person (whether it is for initial assignment or for extension of duty).

*j.* Temporary Return to Home of Record (HOR) During Extended Temporary Duty (TDY).

(1) Employees assigned to tasker-initiated duty and who are deployed for a period of 60 or more days may be authorized to temporarily return to their home of record after 30 consecutive days of duty (TDY) and no more than once in any 60-day period of TDY status. Employees who travel to locations other than their HOR may not be reimbursed for travel expenses under this provision. Temporary return to HOR travel may only be authorized over periods of non-workdays and an employee must conduct all travel (both travel to the employee's HOR and return travel to the TDY location) outside the employee's duty hours.

(2) The standard period for temporary return to HOR is four days (two days for travel and two days off), but it can be extended for up to ten days with supervisory approval. In rare and unusual circumstances, the RAP PM may make exceptions to this provision. Regardless of length, the entire return to HOR period, including travel days, must consist of non-workdays. Scheduling and approval for return to the HOR must be coordinated with the on-site supervisor.

(3) For employees assigned to non-tasker-initiated duty, paid travel for temporary trips home is at the discretion of the office to which the employee is assigned and must be conducted in accordance with applicable law.

## **9. Policy.**

It is the policy of USACE to utilize reemployed annuitants to supplement Corps staff, as needed, in accordance with the provisions of DoDI 1400.25 Volume 300. The RAP is not intended to take the place of hiring permanent employees.

## **10. Policy Implementation Procedures.**

The procedures for implementing the policies contained in this regulation are spelled out in Standard Operating Procedure (SOP) No. CECO-C-1, RAP.

## **11. Organizations and Duties.**

The RAP is managed and directed by a PM and support staff organizationally within Headquarters' USACE, CECO-C. It was established to provide support to the U.S. Army Corps of Engineers on an as-needed basis in accordance with the guidelines established by DoDI 1400.25, Volume 300. The RAP PM, support staff, and other USACE organizations perform the following duties to fulfill the mission of the program.

*a.* RAP PM. Manages and directs the program by overseeing recruitment; reviewing applications; determining eligibility for the program; making RA selections; matching taskers with qualified RAC members; contacting qualified personnel to determine availability; nominating personnel in ENGLink Pro to fill taskers (selection is done by the office originating the tasker); matching non-tasker-initiated requests with RAC members;

determining RA retention in the program; ensuring that adequate funding has been made available by the requesting office; and providing miscellaneous support to deployed and non-deployed RAC members.

b. RAP Support Staff. Provides administrative support to the PM and RAC members. This includes, but is not limited to recruiting; deployment; timekeeping; coordinating all deployment travel; preparing travel orders; processing travel vouchers and claims; maintaining travel and timekeeping files; budget planning, analysis, and execution; database management; coordination with internal and external funding sources; management of the Medical Surveillance Program including coordination with the Contract Health Physician; coordination with Humphreys Engineer Center Support Activity Security (CEHEC-SC), Resource Management (CEHEC-RM), Civilian Personnel Advisory Center (CHRA-NCR-D), HQUSACE Safety and Occupational Health Office (CESO), and Mobile District Readiness Support Center (CESAM-RSC).

c. CEHEC-SC. Initiates the appropriate background investigations, Standard Form (SF) 85 (Questionnaire for Non-Sensitive Positions)/86 (Questionnaire for National Security Positions) through the Personnel Security Investigation-Center of Excellence (PSI-COE) for subsequent submission to OPM (if required) and provides civilian suitability and security support and serves as a resource on CAC-related issues and processing.

d. CEHEC-RM. Provides resource management support to the program, including funding and funding transfer, payroll Customer Service Representative (CSR) services, Government Travel Credit Card services, and technical advisory services.

e. CHRA-NCR-D. Performs all human resource functions and coordinates with Humphreys Engineer Center Support Activity (HECSA) Security on civilian suitability issues and processing.

f. HQUSACE CESO. Plans, develops, and provides technical consultation to ensure proper implementation of the command's safety program.

g. CESAM-RSC. Provides training and tools to support the RAC workforce responding to emergency operational requirements. Provides ENGLink support to track deployed RAC personnel and mission readiness.

## **12. Conditions of Employment.**

The following describe the conditions of the reemployed annuitant appointment and work schedule, as well as conditions of employment specific to the RAP:

a. Annuitants accepting positions in the USACE RAC will be hired as temporary employees with the initial appointment not to exceed 1 year. After the first year, the appointment can be converted to a 4-year term appointment which can be renewed as appropriate and necessary.

b. All RAC members are assigned to an intermittent work schedule for the duration of their appointments. The effects of working an intermittent work schedule are explained in SOP No. CECO-C-1.

c. All RAC members will be hired into General Schedule (GS) or Wage Grade (WG) positions. There are no Wage Supervisor (WS), Special Power Rate, or other wage positions in the RAC. The position and pay offered will be set in consideration of the individual's qualifications and experience, including recency, as they relate to the needs of the program and the Corps of Engineer's missions. There is no guarantee that the

pay level offered will equal the pay of the pre-retirement position. The RAP PM establishes the GS grade and step using applicable regulations and guidance. Wage Grade grades and pay are established in accordance with federal wage system regulations.

d. Generally, because the RAPO does not deploy individuals in support of Expeditionary Civilian Deployments overseas, any RAC member wishing to deploy in support of Expeditionary Civilian Deployment overseas must be separated from RAP rolls and picked up on either TAD's or AECW's rolls. Upon completion of the Expeditionary Civilian Deployment overseas, the individual may request to be returned to RAP rolls. Overseas temporary duty assignments (non-contingency operations) are supported by RAP.

e. All appointments to the RAP require a break in service of more than three days if the annuitant currently holds any type of federal civilian appointment, including temporary or term appointments in support of Expeditionary Civilian Deployments overseas. The effective date of appointment will not be finalized until all required in-processing paperwork is complete and has been received by Headquarters USACE Civilian Personnel Advisory Center (CPAC).

f. All RAP applicants and employees must comply with OPM, Army, DoD, and Federal Emergency Management Agency suitability and security requirements for civilians. This may require the applicant or RAC member to complete a new background investigation by submitting the appropriate background investigation paperwork, an SF-85 or SF-85P (Questionnaire for Public Trust Positions), or if a security clearance is required, an SF-86, to include fingerprints. Assignments involving secret or other clearances must be coordinated in advance with CPAC, the supervisor, and the appropriate security office.

g. RAC members must obtain a civilian employee CAC after their reemployment personnel action is processed, monitor the expiration date, and take timely action to obtain a new civilian employee CAC as needed. Individuals who fail to comply will be removed from the RAP rolls.

h. Medical clearance is required, both on a pre-employment and periodic review basis in accordance with USACE ER 385-1-40, Occupational Health Program.

(1) This is accomplished by submitting a medical questionnaire which is entered into ENGLink. If additional information is needed, the questionnaire is forwarded by the RAP to the contract physician for review. The physician will make final medical determinations for the RAP. Medical clearance is approved for either field and office or office-only deployments.

(2) Additional medical reviews may be required when an RA's physical or medical condition changes, and eligibility to deploy may be suspended (medical hold) while medical information is being evaluated. RAs are required to notify the RAP Medical Program Manager when changes occur in their physical or medical condition that could cause them to be unavailable for assignments, such as medical procedures or extended illness. The RA is placed in a "medical hold" status." The RA must provide a physician's release and an updated medical questionnaire for the physician's review in order to be returned to active status.

(3) Individuals who fail to maintain a current medical clearance through the annual medical review process will be removed from the RAP rolls.



*i.* RAs are subject to all standard requirements and conditions of federal employment such as suitability, public trust, security, safety, standards of conduct, ethics, employee accountability during emergencies, equal employment opportunity, Hatch Act provisions regarding permitted and prohibited political activity for federal employees, etc., and related training requirements, unless specifically excepted. Harassment of any kind, including sexual harassment, is prohibited.

*j.* RAs must notify the RAP PM when any situations develop that may be a potential conflict in availability, such as accepting employment with a contractor or other federal employment while a RAC member. Each case will be considered individually by the RAP PM to determine if there is a conflict. In no case may an appointment be made that is not authorized by 5 U.S.C. 5533, Dual Pay From More Than One Position; Limitations; Exceptions, which generally prohibits an employee from receiving basic pay for more than one position for more than an aggregate of 40 hours in one week.

*k.* Priority Placement. Positions filled within the RAP are subject to applicable Priority Placement Program requirements.

### **13. CAC Requirements for RAP.**

As Army civilian employees, all RAC members are required to obtain a civilian employee CAC upon appointment, monitor the expiration date, and obtain a new civilian employee CAC upon expiration to maintain a valid civilian employee CAC for as long as they remain in the RAP.

*a.* Normally, RAs will not be deployed until they have a civilian employee CAC unless the receiving installation-made arrangements to issue a CAC upon arrival. All CAC issuing sites will provide support by issuing civilian employee CACs to eligible RAs through the Defense Enrollment and Eligibility Reporting System and Real-Time Automated Personnel Identification System upon submission of proper documentation. Once issued, the civilian employee CAC is to remain in the possession of the RA until it expires or the RA leaves the RAP. The civilian employee CAC will not be surrendered at the end of a temporary deployment unless the card has expired (see 5 Code of Federal Regulations 530).

*b.* RAs must ensure the civilian employee CAC is kept safe and secure and is used only for official business. When RAs separate from the RAP, the RAP PM is responsible to ensure that civilian employee CACs are collected in accordance with established procedures. This will be handled as part of the normal personnel out-processing procedures, in coordination with HECSA security.

### **14. Awards.**

Exemplary service for the supported organization may be recognized through the appropriate awards program.

### **15. Pay.**

RAC members are subject to all civilian federal employment pay laws, regulations, and procedures based on the classification of their official position, Fair Labor Standards Act status, official duty station, and work schedule (intermittent). In accordance with Office of Personnel Management's, The Guide to Processing Personnel Actions, the official duty location for RAC members is Walla Walla, WA. The duty station for the RAP PM

and RAP Support Staff is determined in accordance with the guidance in Engineering Regulation (ER) 690-1-1215, USACE Telework Program. Pay administration for RAC members includes, but is not limited to the various maximum earning limitations:

a. Bi-Weekly Maximum Earnings Limitation. GS RAs are subject to the bi-weekly maximum earnings limitation on pay, which provides that premium pay, such as overtime, cannot cause the bi-weekly pay to exceed that equivalent to a GS-15 Step 10 (including any applicable locality-based comparability payment) or Executive Level V, whichever is greater. A waiver of the bi-weekly pay cap may be authorized by the head of the agency or designee in certain emergency or other critical situations. A bi-weekly waiver is not automatic and must be specifically authorized in writing for the specific event.

b. Annual Maximum Earnings Limitation. GS RAs are also subject to the annual maximum earnings limitation not to exceed that of a GS-15 Step 10 (including any applicable locality-based comparability payment) or Executive Level V, whichever is greater. More detailed information is available in SOP No. CECO-C-1.

c. Aggregate Limitation on Pay. An employee's aggregate compensation received in any given calendar year may not exceed the rate of pay for Level I of the Executive Schedule or the rate payable to the Vice President at the end of the calendar year, in accordance with 5 Code of Federal Regulations 530.

## **16. Training.**

RAs may be required to complete certain training to be eligible for deployment. This will be determined on an individual basis and may consist of either on-line or on-site training.

## **17. Funding.**

Funding for the RAP PM, RAPO support staff, HQ USACE CPAC support staff, HECSA Security Staff, and HECSA RM Customer Service Representative is from the overhead account for the RAP, Appropriations (96X4902), or other appropriations consistent with sound fiscal policy. Funding for all RAP staff deployed to field locations is the responsibility of the organization receiving support. Labor funding for the RAC staff deployed to the field must be by cross labor charge code. Travel funding, depending on type of funds, will be transferred via Repositioning of Funds or Military Interdepartmental Purchase Request (MIPR) from the supported organization's Resource Management office to the Headquarters SO database for CEHEC-RM processing prior to deployment.

## **18. Implementation.**

The provisions and policies contained in this ER will be implemented immediately on approval of this document. Authority for any policy or procedure revisions and the development of standard operating procedures is vested with and the responsibility of Reemployed Annuitant Program Office.

## **Appendix A References**

### **Section I**

#### **Required Publications**

Unless otherwise indicated, all U.S. Army Corps of Engineers publications are available on the USACE website at <https://publications.usace.army.mil>. Army publications are available on the Army Publishing Directorate website at <https://armypubs.army.mil>. DoD Publications are available on the ESD website at <https://www.esd.whs.mil>.

#### **DoDI 1400.25, Volume 300**

Employment of Federal Civilian Annuitants in the Department of Defense

#### **DoDI 1000.13**

Identification (ID) Cards for Members of the Uniformed Services, Their Dependents, and Other Eligible Individuals

#### **DA Pam 25-403**

Army Guide to Recordkeeping

#### **ER 690-1-1215**

USACE Telework Program

#### **ER 385-1-40**

Occupational Health Program

#### **Standard Operating Procedure (SOP) No. CECO-C-1, RAP**

USACE Reemployed Annuitant Program

#### **5 CFR 530**

Office of Personnel Management: Pay Rates and Systems (General) (Available at <https://www.govinfo.gov/app/details/CFR-2012-title5-vol1/CFR-2012-title5-vol1-part530>)

#### **The Guide to Processing Personnel Actions**

Office of Personnel Management (Available at <https://www.opm.gov/policy-data-oversight/data-analysis-documentation/personnel-documentation/processing-personnel-actions/toc.pdf>)

#### **5 USC 3301**

Examination, Selection, and Placement: Examination, Certification and Appointment (Available at <https://www.govinfo.gov/app/details/USCODE-2011-title5/USCODE-2011-title5-partIII-subpartB-chap33-subchapI-sec3301>)

### **5 USC 2103**

Definitions: The Excepted Service (Available at

<https://www.govinfo.gov/app/details/USCODE-2021-title5/USCODE-2021-title5-partIII-subpartA-chap21-sec2103>)

### **5 USC 5533**

Pay Administration: Dual Pay from More Than One Position; Limitations; Exceptions

(Available at <https://www.govinfo.gov/app/details/USCODE-2021-title5/USCODE-2021-title5-partIII-subpartD-chap55-subchapIV-sec5533>)

### **PL 108-136**

Section 1101 of the National Defense Authorization Act for Fiscal Year 2004 (Available at <https://www.govinfo.gov/content/pkg/PLAW-108publ136/pdf/PLAW-108publ136.pdf>)

## **Section II**

### **Prescribed Forms**

This section contains no entries.

# ***SUMMARY of CHANGE***

The revision of this Engineering Regulation makes the following changes:

- Revises throughout the document:
  - Formatting, paragraph numbers, and use of plain language and active voice.
  - The office symbol from CECO-O to CECO-C.
  - The organization name from Reemployed Annuitant Office to Reemployed Annuitant Program.
- Updates paragraph 4. to Appendix A References and provided current URLs for each.
- Adds paragraph 5. Records Management (Recordkeeping) Requirements.
- Revises the information in paragraph 6. Background.
- Revises information on hiring and promotion in paragraph 8. Requirements and Definitions, subparagraph *d.* Hiring and Promotion.
- Clarifies the role of the Reemployed Annuitant Program and the Reemployed Annuitant Cadre in support of overseas operations in:
  - Paragraph 8. Requirements and Definitions, subparagraph *h.* Reemployed Annuitant Cadre.
  - Paragraph 12. Conditions of Employment, subparagraphs *d.* and *e.*
- Revises processes on taskers in the ENGLink Pro system in paragraph 8. Requirements and Definitions, subparagraph *i.* Tasker.
- Revises and corrects information about official duty locations in paragraph 15. Pay.
- Clarifies Reemployed Annuitant Program funding processes in paragraph 17. Funding.