



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE
WASHINGTON, DC

10 November 1999

MEMORANDUM FOR ALL MAJOR COMMANDS AND CIVILIAN PERSONNEL
FLIGHTS

FROM: HQ USAF/DPFM
1040 Air Force Pentagon
Washington, DC 20330-1040

SUBJECT: Guidance for Requesting Exemptions from Mandatory Retirement for Firefighters
and Law Enforcement Officers

References: (a) DoD FAS Reference Guide, Special Retirement Provisions for Law
Enforcement Officers and Firefighter, 12 Jan 99
(b) DoD 1400.25-M, Subchapter 830 and 840, Dec 96
(c) CSRS and FERS Handbook, Chapter 46, Apr 98

The purpose of this memorandum is to provide guidance on the documentation required when submitting requests for exemptions from mandatory retirement for firefighters and law enforcement officers. The attached guidelines will assist MAJCOMs and Civilian Personnel Flights (CPFs) in developing packages. Providing complete, well-documented requests will help to expedite the review process. If an exemption from mandatory retirement is to be pursued, at least six months lead-time is required to process the package through the Air Staff and, if required, through DoD to the Office of Personnel Management (OPM).

The Assistant Secretary for Manpower, Reserve Affairs, Installations and Environment (SAF/MI) approves exemptions from mandatory retirement for employees until age 60. OPM has advised that these exceptions are rare and agencies must review these requests carefully to maintain a young and vigorous workforce in the firefighter and law enforcement community. Under the Civil Service Retirement System (CSRS), OPM approves exemptions from mandatory retirement beyond an employee's 60th birthday. For Federal Employees Retirement System (FERS) employees, the President, by Executive Order, may exempt an employee from automatic separation if the President determines it is in the public interest to do so. Unlike CSRS, the President's authority to exempt a FERS employee from automatic separation has not been delegated to OPM.

Requests for exemption from mandatory retirement are submitted from the CPF through the servicing MAJCOM/DPC to HQ USAF/DPFM. This memorandum has been coordinated

with OPM and the DoD Field Advisory Services. Questions may be directed, through your MAJCOM, to Mrs. Lynda Lake, HQ USAF/DPFM, DSN 225-7425.

//signed//

DAVID W. MULGREW
Chief, Civilian Force Management Division
Directorate of Personnel Force Management

Attachment:
Criteria for Requesting Exemptions from
Mandatory Retirement

cc:
HQ AFPC/DPC
HQ AFCESA/CEO (Phil Gibson)

CRITERIA FOR REQUESTING EXEMPTIONS FROM MANDATORY RETIREMENT

1. To assist in developing justifiable packages, include the following information as applicable:
 - a. What is the mission impact when the firefighter/law enforcement officer retires? Has there been a recent conversion to a new weapons system and what are the changes that must occur because of this conversion? Provide a complete analysis and evidence of compelling need and the consequences of the employee's upcoming mandatory retirement.
 - b. What efforts have been accomplished by the CPF to fill behind the firefighter/law enforcement officer position? Is the CPF having difficulty finding qualified individuals? Have the efforts to fill the position been continuous for 6 months to a year prior to the employee's pending retirement? If positive recruiting efforts were made to seek out applicants for the position, provide the methods used. Provide a complete recruitment plan/timeline of what has been accomplished to date.
 - c. What efforts have been made by the organization to train other employees to assume the responsibilities in preparation for the firefighter's/law enforcement officer's retirement?
 - d. What other extenuating circumstances exist that make this in the best interest of the Air Force? For example, is there an impending base closure? Has the base recently had a natural disaster or other devastating loss? Is there an upcoming inspection that would impact the base?
2. In addition, if a MAJCOM wishes to secure an exemption from CSRS and FERS mandatory retirement beyond the employee's 60th birthday, the recommendation must contain the following:
 - a. A statement that the employee is willing to remain in service.
 - b. A statement of facts that tend to establish that his/her retention would be in the public interest.
 - c. The period (which may not exceed 1 year) for which the exemption is desired.
 - d. The reasons why the simpler method of retiring the employee and immediately rehiring him or her is not being used.
 - e. A medical certificate showing the physical fitness of the employee to perform his or her work must accompany this recommendation.

NOTE: For CSRS employees, OPM may approve an exemption only before the mandatory separation date application to the employee. For this reason, we must complete the Air Staff and DoD process and forward the recommendation to OPM at least 30 days before his or her separation date. For FERS employees, the recommendation must be forwarded to the President at least 30 days before his or her separation date.