

13. SPECIAL CONSIDERATIONS IN HIRING OR USING THE SERVICES OF CERTAIN INDIVIDUALS

a. RETIRED AGENCY EMPLOYEES, OTHER RETIRED U.S. GOVERNMENT CIVILIAN EMPLOYEES, AND RETIRED MILITARY OFFICERS

(1) POLICY

- (a) Retired Agency employees, other retired U.S. Government civilian employees, and retired military officers, whose retirement is based on service may be hired to meet only those requirements that cannot be filled either by the internal reassignment or training of on-duty personnel, or by the recruitment of new employees who are qualified and who may be expected to serve a considerable number of years with the Agency.
- (b) A retiree whose retirement is based on service and who is being employed in staff status will be given either a temporary or reserve appointment as defined [redacted]. The appointment, including any renewals or extensions, may not extend the duration of the retiree's employment beyond the month in which he attains age 60.
- (c) When a former civilian Government employee who retired for length of service is reemployed, his annuity normally continues but his salary is reduced by the amount of the annuity received. Employees who retired under the provision [redacted] and who at a later date are recalled to duty under the provision of [redacted] will be paid the full salary at the grade in which they are serving in lieu of their annuity. Should a civilian annuitant be hired under contract, such contract will be written for a term of not more than one year and will contain a 30-day termination clause. The following will apply in the negotiation and administration of the contractual relationship:
- (1) **Contract Employee.** The salary to be paid will be negotiated with due regard to the special qualifications of the individual and requirements of the assignment. However, in no case may the salary payments to the annuitant under contract plus his annuity exceed the pay rate of the step closest to 90 percent of the current salary of the individual's grade and step at the time of his retirement.
- (2) **Independent Contractor**
- (a) The contractual fee paid an annuitant under an independent contractor agreement will be determined by the nature and value of the services to be rendered except that total remuneration paid to an individual during a contract year may not exceed 90 percent of the current salary of the grade and step held by the annuitant at the time of his retirement. Total remuneration means the individual's annuity plus all amounts authorized to him resulting from the contractual relationship including any amounts authorized under subparagraph (b) below.
- (b) Unless there is a clear and overriding operational justification, no housing expense, cost-of-living expense, or other payments in the nature of the perquisites commonly accorded employees will be authorized.
- (c) Operational expenses must be specifically authorized in advance by the appropriate authority.