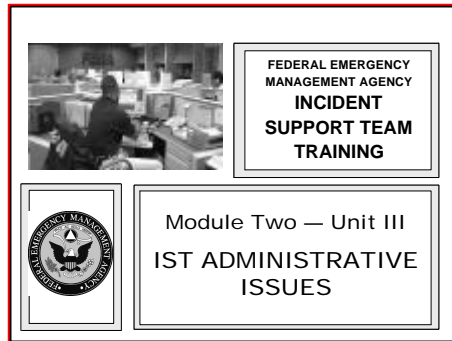


## **MODULE 2: UNIT III — IST ADMINISTRATIVE ISSUES**

### **A. IST ADMINISTRATIVE CRITERIA FOR IST PERSONNEL TO BE DEPLOYABLE**

There are a number of administrative requirements that must be completed and adhered to for an IST member to be deemed deployable by FEMA.



#### **Introduction**

##### **■ Objectives**

- Describe the administrative criteria for IST personnel to be deployable.
- Describe IST readiness policy and procedures.
- Describe IST travel and reimbursement policies.
- Describe IST liability coverages as they pertain to IST members.

## MODULE 2: UNIT III — IST ADMINISTRATIVE ISSUES

### Administrative Criteria

- **TF affiliation**
  - IST members from TFs
- **Employment forms**
  - OF-612
  - Employee Transmittal Sheet
  - SF-61

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### Administrative Criteria

- **Federal Oath**
  - Appointment Affidavit
  - TF members are Excepted Federal Volunteers
- **Medical Team**
  - Sworn in upon deployment
  - Documentation sent to PHS

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### Administrative Criteria

- **Badging**
  - IST members will be issued FEMA ID badges
  - Badges must be brought and worn on every deployment

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### A. IST ADMINISTRATIVE CRITERIA FOR IST PERSONNEL TO BE DEPLOYABLE (continued)

- **Task Force Affiliation** — All IST members must be a member of a task force that has a signed Memorandum of Agreement with FEMA.
- **Federal Employment Forms** — Every IST member is required to fill out and submit appropriate application forms for Federal Employment so they can be properly enrolled as “Excepted Temporary Federal Volunteers” before any member deploys with the IST. The required forms include the following:
  - OF-612 — Optional Application for Federal Employment.
  - Employee Transmittal Sheet
  - SF-61 — Appointment Affidavit (Oath of Office)
- **Federal Oath** — The submission of the completed “Appointment Affidavit” forms takes the place of the need to swear in Task Force members as Excepted Federal Volunteers upon deployment. Under Public Health Service rules, however, Medical Team members have to be sworn in before deployment and the documentation of the swearing in sent to the PHS upon departure. This swearing in can be done by a Notary Public or military officer.
- **Badges** — IST-A members will be issued FEMA identification badges. These badges should be brought and worn on every deployment.

## **MODULE 2: UNIT III — IST ADMINISTRATIVE ISSUES**

### **Administrative Criteria**

#### **■ Passport policy**

- FEMA US&R Response System not designed for foreign deployment
- No passport requirement for IST members

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### **Administrative Criteria**

#### **■ Medical Team members**

- Out-of-state medical practice
- NDMS certification documents
- FEMA must validate PHS certifications

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### **A. IST ADMINISTRATIVE CRITERIA FOR IST PERSONNEL TO BE DEPLOYABLE (continued)**

- **Passport Policy** — The National US&R Response System is NOT designed to respond to disasters in foreign countries. There is no requirement for IST members to have a passport.
- **Medical Team Members** — Members of the Medical component including the IST Medical Unit Leader are registered through the Public Health Service as a Specialized Disaster Medical Assistance Team (DMAT) to enable them to practice medicine and do their job in areas where they do not have a license or appropriate authority.
  - PHS requirements and documentation must be completed to allow out-of-state medical practice.
  - All physicians and paramedics must carry the NDMS certification documents at all times during deployment.
  - When activated, FEMA must validate PHS certifications.

## **MODULE 2: UNIT III — IST ADMINISTRATIVE ISSUES**

### **B. IST READINESS POLICY AND PROCEDURES**

There are several ways that FEMA can use to communicate with IST members. IST members should carry their pagers as this will be the primary means of contact and must know their responsibilities under notification conditions. Additionally, FEMA uses the following types of notifications to inform IST members of ongoing situations:

- An Advisory is issued to inform you about an emerging or ongoing situation that may involve Federal US&R resources. IST members should monitor the situation and be prepared to take further response action if requested. Expenditure of Federal funds or deployment of personnel is not authorized.
- An Alert Order is issued to notify you that the current situation warrants a heightened level of readiness. IST members should be ready to mobilize within two hours of activation. Expenditure of Federal funds is usually not authorized for IST members in Alert status.
- An Activation Order is issued to instruct IST members to mobilize within two hours for a mission according to specific instruction. An Activation Order contains information on the nature and location of the incident, when and how to mobilize, including travel procedures, who to contact en route, where to report when deployed, and what expenditures are authorized.

#### **IST Readiness Policy**

- **Advisory**
  - Informs about situation
- **Alert**
  - Heightened readiness level
- **Activation**
  - Instructs IST member to mobilize within 2 hours
  - Includes travel information

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## **MODULE 2: UNIT III — IST ADMINISTRATIVE ISSUES**

### **Travel / Reimbursement**

- **ESF-9 travel**
  - DOD
  - Commercial air
  - Emergency vehicles
  - Private vehicles
- **Travel authorizations**

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### **Travel / Reimbursement**

- **IST members pay up front**
- **FEMA provides reimbursement**
  - Transportation
  - Subsistence
  - Form SF-1012
  - GSA per diem rates
  - Submitted within 14 days

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### **C. TRAVEL AND FINANCIAL REIMBURSEMENT POLICIES**

- FEMA may elect to use various methods of travel for ESF-9 personnel, including Department of Defense (DoD), commercial air, emergency response vehicles, or private vehicles as available. In some cases, ground transportation may be the most appropriate method of transportation. Current practice usually provides invitational travel authorizations for IST members.
- Under authority of FEMA invitational travel requests, IST members are expected to pay for up front personnel expenses such as food and lodging, ground transportation, and other miscellaneous expenses.
  - FEMA will provide reimbursement for allowable costs incurred for transportation and subsistence while under the activation order, consistent with Federal travel regulations and any applicable Memorandum of Agreement (MOA) through the US&R Program Office.
  - Upon submission and approval of a SF-1012 — Federal Reimbursement Form, food and lodging usually will be reimbursed on per diem rates established by the General Services Administration (GSA). These rates are available on the Internet at <http://policyworks.gov/perdiem>. Members need to ensure to include receipts for the following items on their reimbursement: transportation (airplane, bus, rail, etc), zero-balance lodging receipt, rental car, gasoline, parking, and all other expenses over \$25.
  - Requests for reimbursement must be submitted within 14 days after return from the mission.

## **MODULE 2: UNIT III — IST ADMINISTRATIVE ISSUES**

### **C. TRAVEL AND FINANCIAL REIMBURSEMENT POLICIES (continued)**

#### **IST Compensation Procedures**

##### **Travel / Reimbursement**

###### **■ Salary reimbursement**

- FEMA reimburses sponsoring agency
- Salary / benefits
- Standard pay policy
- Special duty pay policy

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##### **Travel / Reimbursement**

###### **■ IST Time Sheet**

- Members must maintain while deployed
- Serves as basis for compensation
- Maintained by IST Time Unit Leader

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- FEMA shall reimburse the IST member's sponsoring Agency for the salary, including benefits, of each member in accordance with the Standard Pay Policy and/or disaster or special duty pay policies of the Sponsoring Agency or any organization with which the Sponsoring Agency has executed inter-local agreements.

- A copy of such disaster or special duty pay policies, with the date they became effective, must be attached as Exhibit A to be recognized by FEMA.
- If no disaster or special duty pay policy is attached at the time of activation, then the Standard Pay Policy attached currently as Exhibit A shall be in effect.

- In order for the Sponsoring Agency to be reimbursed, it is mandatory that all IST personnel maintain a personal Time Sheet while deployed. This serves as the basis for compensation and is required in addition to any applicable Task Force MOA compensation policies. Time Sheets should be maintained by the Time Unit Leader. However, it is the ultimate responsibility of the IST Leader to ensure these are maintained.

## **MODULE 2: UNIT III — IST ADMINISTRATIVE ISSUES**

### **Travel / Reimbursement**

#### ■ **Backfill policy**

- FEMA pays cost of backfilling IST member for minimum staffing positions
- Overtime only / not basic salary
- Sponsoring agency may use whatever reimbursement method

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### **Liability / Claims**

#### ■ **Liability — P.L. 93-288**

"In carrying out the purposes of this Act, any Federal agency is authorized to accept and utilize the services or facilities of any State or local government, or of any agency, office, or employee thereof, with the consent of such government."

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### **Liability / Claims**

#### ■ **Activation**

- Disaster Assistance Employee
- Excepted Temporary Federal Volunteer
- Appointment does not interfere with seniority / pension

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## **C. TRAVEL AND FINANCIAL REIMBURSEMENT POLICIES (continued)**

### **Back Fill Policy**

- FEMA will pay the cost of backfilling IST members filling a minimum staffing position while activated.
  - This shall consist of expenses generated by the replacement of an IST member in the position that the member should have been working, meaning overtime, but not the basic salary for the replacement person.
  - The Sponsoring Agency may use whatever method it chooses to reclaim expenses provided the basic salary of the replacement worker is not included in the request for reimbursement.

### **Liability, Workers Compensation and Injury Claims**

- The signature of a representative of the sponsoring agency and of the State shall constitute the consent of such governmental organizations for the purposes of P.L. 93-288, as amended, Sec. 306(a), which states: "In carrying out the purposes of this Act, any Federal agency is authorized to accept and utilize the services or facilities of any State or local government, or of any agency, office, or employee thereof, with the consent of such government."
- Upon Activation, each IST member not activated as a Disaster Assistance Employee shall be appointed as an "Excepted Temporary Federal Volunteer", under the authority of P.L. 93-288, Sec. 306(b)(1). This appointment shall not interfere with the member's seniority or pension rights, and should not be interpreted as an interruption of their continuous service.

## MODULE 2: UNIT III — IST ADMINISTRATIVE ISSUES

### C. TRAVEL AND FINANCIAL REIMBURSEMENT POLICIES

#### Liability, Workers Compensation and Injury Claims (continued)

##### Liability / Claims

###### ■ Excepted Temporary Federal Volunteer

- IST members considered as employees
- Federal Tort Claims Act, 28 U.S.C. Sec. 2671 et seq.
- Non-Liability Clause

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##### Liability / Claims

###### ■ Excepted Temporary Federal Volunteer

- Coverage for training / exercises

###### ■ Compensation claims

- Filed with the FEMA Office of Human Resources Management

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■ As "Excepted Temporary Federal Volunteers," System members shall be considered employees for the purposes of the Federal Tort Claims Act (FTCA), 28 U.S.C. Sec. 2671 et seq.

■ Upon Activation, among other provisions of Federal law, the Non-Liability clause as stated in P.L. 93-288, as amended, Sec. 305, will be in effect: "The Federal Government shall not be liable for any claim based upon the exercise or performance of or the failure to exercise or perform a discretionary function or duty on the part of a Federal agency or an employee of the Federal government in carrying out the provisions of this Act."

■ At activation, as "Excepted Temporary Federal Volunteers," and when participating in FEMA-Sponsored Functional Training or FEMA sanctioned training and exercises, IST members shall be eligible for coverage under the Federal Employees' Compensation Act.

■ All Federal workers' compensation claims shall be filed with the FEMA Office of Human Resources Management within the statute of limitations delineated in the Federal Employees' Compensation Act.



## MODULE 2: UNIT III — IST ADMINISTRATIVE ISSUES

### C. TRAVEL AND FINANCIAL REIMBURSEMENT POLICIES

#### Liability, Workers Compensation and Injury Claims (continued)

##### Liability / Claims

###### ■ State Workers' Comp

- May be responsible for claim payment
- Offset by Federal Workers' Comp award
- Federal gov't will not reimburse any local/State payments

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##### Liability / Claims

###### ■ DOL Federal Employees' Compensation Act

- Benefits levels
- Schedule of awards

###### ■ Member death

- Line of duty death
- Considered member of Federal Rescue Squad under Public Safety Officers Benefit Act

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- As employees of the Sponsoring Agency or an Agency with which the Sponsoring Agency has executed an inter-local agreement, IST members may also file a claim with the State workers' compensation board.

- Depending upon applicable State law, the state workers' compensation board may be responsible for payment of the claim under existing agreements, which may be offset by the Federal workers' compensation award.
- The Federal government will not reimburse the State or Sponsoring Agency for any payments made by a local or State workers' compensation board.

- The benefit levels and schedule of awards for Federal workers' compensation are those delineated in the Federal Employees' Compensation Act, as administered by the Department of Labor.

- In the event of the death of a System member in the line of duty, the IST member shall be considered a member of a Federal Rescue Squad for the purposes of the Public Safety Officers Benefits Act, 42 U.S.C. Sec. 3796 et seq.

## **MODULE 2: UNIT III — IST ADMINISTRATIVE ISSUES**

### **C. TRAVEL AND FINANCIAL REIMBURSEMENT POLICIES (continued)**

#### **Federal Employee Status**

- For the purposes of Federal employment, IST members are considered as Federal employees under the "Excepted Temporary Federal Volunteers System".

#### **Mission Records**

- All information pertaining to and/or generated during a Federal activation, including interim and final reports, data analyses, special methodology, findings, and their related documents and work products, including reports, work sheets, survey instruments, computer tapes, photographic and videographic documentation, and other physical materials and products produced by the IST in its Federal capacity shall be Official Products of Work, owned by FEMA.
  - It should also be recognized by deploying IST personnel that personal photographs, videotapes and other documentation taken on an incident have on occasion been requested by other government agencies as part of their follow up procedures.

#### **Travel / Reimbursement**

- **Federal Employee Status**
  - IST members considered as Federal employees under the Excepted Temporary Federal Volunteer System

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#### **Mission Records**

- **All information generated during a Federal activation**
  - Interim / final reports
  - Data analyses
  - Findings / reports
  - Worksheets
- **Personal photographs**

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## **MODULE 2: UNIT III — IST ADMINISTRATIVE ISSUES**

### **C. TRAVEL AND FINANCIAL REIMBURSEMENT POLICIES**

#### **Mission Records (continued)**

##### **Mission Records**

- Sponsoring agency must catalog all related materials
  - Submit a full index to FEMA HQ within 30 days
  - Retention
  - Not released without FEMA Office of General Counsel consent

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- As custodians of such Federal materials, the Sponsoring Agency must catalog all such materials, and submit a full index to FEMA Headquarters within 30 days after the Demobilization.
  - Such Official Products of Work shall be retained according to the provisions of the Cooperative Agreement, General Provisions, Section 4.
  - Except for internal training of System members, this information shall not be used or released without the express, written consent of the FEMA Office of General Counsel.

#### **Personal Property Reimbursement**

##### **Property Reimbursement**

- IST members encouraged not to deploy with personal equipment
- Personal property lost
  - Reimbursement request submitted
  - Documentation
  - Allowed costs
  - Deadlines
  - Appeal

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- IST members are encouraged not to deploy with personal equipment outside of that required. If on a deployment, the personal property of an activated IST member is damaged or lost, a request for reimbursement may be submitted.
  - Documentation Requirements
  - Allowable Costs
  - Deadlines
  - Appeal