

# FAQ: FY 2024 BUDGET & PERMANENT PAY SOLUTION

This set of frequently asked questions (FAQs) was created to provide answers about President Biden's FY 2024 budget as it relates to crucial reforms to invest in and support our federal wildland firefighters.

The cornerstone of the workforce reforms proposed in the FY 2024 budget request is a permanent pay increase for our federal and tribal firefighters. Additionally, the president's FY 2024 budget request invests more in wildland firefighter mental and physical health and wellbeing, improves their housing options, and increases capacity by expanding the number of permanent firefighters. These reforms and investments are urgently needed and build on the temporary pay increase provided by the Bipartisan Infrastructure Law (BIL). Collectively, they will reduce the strain on our current and future workforce and impacts on their physical and mental health. Notably, the temporary pay increase provided by BIL will expire at the end of September 2023. The permanent pay reforms require authorizing legislation. The Department of Agriculture, Department of the Interior and the Office of Personnel Management developed [a comprehensive legislative proposal for Congressional consideration](#). We remain committed to working with congressional leaders on this crucial proposal.

All figures referenced in these FAQs are based on this initial legislative proposal which the Office of Management and Budget (OMB) submitted to Congress on March 30, 2023, on behalf of USDA, DOI and OPM, and are subject to change.

## NEW SALARY TABLE

### 1. What does the salary table look like and how it was determined?

The proposed salary table was calculated to increase the total annual compensation to a level commensurate with state/private sector wildland firefighters and be similar to the amounts provided in the BIL pay supplement for GS-9 and below when combined with incident compensation. The total annual compensation includes a special base rate, overtime, hazardous duty pay and standby pay premiums. The proposed special base rates are derived by increasing the General Schedule base rate by the percentage for the grade shown below and rounding the result to the nearest whole dollar:

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GS Level	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
% Increase	42	39	36	33	30	27	24	21	18	15	12	9	6	3	1.5

- 2. To whom does the special base rate table apply? Does the permanent pay fix apply to dispatch and other militia or fire adjacent positions? What about pilots, training officers, fire planners, dispatchers? Are all 6c employees covered by the new rate? Are 1039 employees covered?**

The proposed special base rate table applies to primary and second wildland firefighters, as defined by [5 U.S.C. section 8331\(21\)](#) and [5 U.S.C section 8401\(14\)](#).

This also includes temporary employees who occupy primary firefighter positions but are not paying into the retirement system because they are under a temporary appointment or intermittent work schedule.

- 3. If my position is not included in the new wildland firefighter series (0456), will I still be eligible to receive the special base rate?**

Firefighter positions that are not in the new series still may be eligible to receive the proposed special base rate.

- 4. Will wage grade employees be included? Will they receive their own special base rate?**

In the proposed legislation, the Secretary of Agriculture would have the authority to determine the appropriate wage increases for wage grade employees who qualify as wildland firefighters. These wage increases would be generally consistent with the percentage increases given to firefighters covered under the proposed special base rate.

- 5. What is the difference between the special salary table and the Bipartisan Infrastructure Law supplement we currently get? Does the salary table raise our annual salary the same amount as the Bipartisan Infrastructure Law? Will the pay raise start at \$20,000 or 50% of base pay (whichever is less) like in the Bipartisan Infrastructure Law?**

The salary table is only part of the compensation picture. The Bipartisan Infrastructure Law was intended to be a short-term fix to make federal wildland firefighters' annual compensation competitive with state and local equivalents. The industry standard is based on compensation packages that include overtime and premium pay incentives. The special base rate salary table was calculated so that it would bring total annual compensation into alignment with most state and local wildland firefighters when combined with overtime and incident standby premium pay.

**6. How does the salary table impact my retirement? Will new pay rate count in "high three?"**

The proposed special base rates would increase retirement benefits by increasing retirement-creditable basic pay.

**7. Is the table commensurate with state and local firefighters?**

The special base rate salary table, when combined with overtime and incident standby premium pay, was calculated to bring total annual compensation into alignment with most state and local wildland firefighters. In fact, in some locations, federal wildland firefighter total annual compensation will exceed the state and local equivalent. Beyond paychecks, we are exploring ways to make federal wildland firefighting a more attractive career choice. We are also working to improve work life balance, mental health support, and housing options to support our workforce.

**8. Will locality pay make my annual compensation equal to the state and local wildland firefighters in the state where I work?**

Locality pay is calculated to bring federal pay rates up to nonfederal pay rates in areas where there's a disparity. Generally speaking, it should make federal pay more in alignment with state and local pay.

**9. When do the special base rate tables take effect?**

For the special base rate salary table to take effect, both chambers of Congress must pass the legislative proposal and send it to the president for signature. If the proposed legislation is enacted, the proposed rates would take effect on the first day of the first applicable pay period, beginning on or after October 1, 2023.

**10. Do the special base rates include locality pay?**

No. As is the case with all federal wages, locality pay will continue to be calculated on top of the new special base rate once it is implemented.

**11. What happens if there is leftover BIL money on Oct. 1, 2023?**

If legislation for a permanent pay solution is not enacted prior to Oct. 1, 2023, any remaining BIL supplemental funds will continue to be paid to firefighters until the funds are exhausted. The BIL pay provision also allows those funds to be used to support firefighter mental health programs.

**12. What happens if Congress doesn't pass permanent firefighter pay legislation before the BIL supplemental funds run out?**

USDA and DOI firefighters received a supplemental increase of \$20,000 per year, or 50% of base salary (whichever is less), funds which are set to run out by the end of September 2023. For many firefighters, the temporary supplements have simply provided a living wage and they rely on premium pay from fire assignments to get ahead. It is possible that the current Bipartisan Infrastructure Law funding could run out before Congress advances legislation for a long-lasting pay solution. This may result in firefighter pay returning to pre-supplement levels. We will ensure our workforce and Congress are informed about this imminent deadline, and, as soon as Congress enacts a permanent pay solution, we will work to get those monies into pockets as quickly as possible.

## **INCIDENT COMPENSATION**

**1. What is incident compensation?**

Incident compensation refers to pay employees receive for the duties they perform while assigned to qualifying incidents, such as wildland fire suppression, prescribed fire and severity incidents.

**2. Who gets incident compensation?**

Wildland firefighters and fire-qualified personnel who are assigned fire-related duties will get incident compensation. Different forms of compensation will apply to other personnel based on the duties they perform while serving on the incident. In the legislation, covered employees "means an employee of the

Forest Service or the Department of the Interior who qualifies as a wildland firefighter based on the definitions of 'firefighter' and 'wildland firefighter' in section 5332a(a)" (see the answer to Question 1 under NEW SALARY TABLE above) or "(B) is certified by the applicable agency to perform wildland fire incident related duties during the period such employee is assigned to a qualifying incident."

**3. Will incident compensation count toward my retirement? Will the legislation include a fix to ensure emergency work counts towards retirement? Will overtime pay count in "high three"?**

Base pay will count toward an employee's retirement, but other premium pay will not, such as incident pay or portal to portal. The proposed legislation does not seek to change how premium pays are considered for the purposes of calculating retirement. Overtime compensation is considered premium pay, which is not calculated as part of an employee's "high-three."

**4. When does incident compensation apply?**

Wildfires, prescribed fires and severity incidents will be considered "qualifying incidents" for applying incident compensation. All hazard incidents such as hurricanes, flooding, and earthquakes, are not eligible for incident standby premium pay. Other forms of compensation, such as base pay and overtime, would apply based on actual hours worked.

**5. When will this new incident compensation plan start?**

The proposed legislation says the new plan would be effective on the first day of the first applicable pay period beginning on or after October 1, 2023. However, it ultimately depends on when Congress enacts the legislation, and which start date is included in the final law. Additionally, a significant amount of work must be accomplished within the National Finance Center (NFC) pay system and with our Paycheck 8 timecard system to implement the proposed pay structure after enactment. The timeline depends on the required changes, associated workload and associated timeframes to make software upgrades and changes to our current systems.

**6. If I am responding to an incident on my home unit, what incident compensation am I eligible to receive?**

Employees would receive base pay plus applicable premium pay such as overtime and hazard pay. Incident standby premium pay may only apply if the incident lasts longer than 36 hours and if the employee is away from home.

**7. Will hazard pay still be paid on incidents?**

Yes.

**8. Will the Fair Labor Standards Act (FLSA) still apply?**

FLSA applies to premium pay for wildland fire duties including overtime, hazard pay, night differential and Sunday differential.

**9. Who will get premium pay on incidents?**

Premium pay would be available to wildland firefighters (as previously defined) and other supporting employees who are certified to participate in wildfire response but are not regular wildland firefighters. This provides equity for all responders. Additionally, the proposed legislation provides premium pay for wildfires and prescribed fires, providing consistent pay for work performed across different types of wildland fire incidents.

**10. Will these pay proposals apply to individuals hired under the Administratively Determined (AD) Pay Plan for Emergency Workers?**

These provisions in the proposed legislation rely on the definition of "employee" in [5 U.S.C. 2105](#). AD employees are not covered by the definition of "employee" in 5 U.S.C. 2105 and generally are not treated as Federal "employees" under title 5 and other laws outside of certain exceptions like coverage under Federal employee worker's compensation law in [5 U.S.C. chapter 81](#).

Any changes for ADs would have to follow the discretionary authority within [7 U.S.C. 2226](#), [16 U.S.C. 554e](#), and [43 U.S.C. 1469](#) to employ temporary personnel without providing civil service appointments; and then be executed in the [AD Pay Plan for Emergency Workers](#).

**11. How do I fill out my crew time report (CTR) and/or timesheet?**

CTRs will still reflect hours worked, meal breaks and rest periods.

**12. Will I be compensated for my incident qualifications?**

The proposed legislation does not include a new mechanism to pay people for qualifications beyond the ones required by their position descriptions. However, when assigned to an incident, qualified personnel will receive incident standby premium pay (see next section) in addition to base pay and overtime.

It is important to remember that additional qualifications give employees increased opportunities to participate on incidents that leads to higher annual pay. Sometimes it can also help them be more competitive when applying for higher grade jobs.

Employees can pursue courses and qualifications based on their interests and supervisor approval. They also can receive training at no cost.

## **INCIDENT COMPENSATION (incident standby premium pay)**

### **1. What is incident standby premium pay? People are confused by portal-to-portal. What rate are we being paid when bedded down?**

To recognize the sacrifices our wildland firefighters make when they mobilize to support incidents, the Biden-Harris Administration maintains that wildland firefighters should be paid for the hours they work and rest during a mobilization. Incident standby premium pay would provide 50% of the employee's hourly rate of basic pay for designated sleep and rest hours. This would compensate incident personnel for all hours engaged in longer duration mobilization. The compensation is necessary for variable scheduling, duration, conditions and often remoteness of response to wildland fire incidents. It also enhances safety by keeping employees in duty status throughout assignments.

To promote health and wellbeing, incident standby premium pay will ensure that our incident personnel take time to rest or sleep and are paid for doing so.

Under the proposed legislation, firefighters would be paid for 9 hours of sleep and rest for every 24-hour duty period associated with a qualifying incident, including any necessary travel time. If someone is assigned to an incident for less than 24 hours, the number of hours worked will be multiplied by 9 and divided by 24 to determine the number of hours for sleep or rest.

- For example, if a firefighter is assigned to an incident for a total of 12 hours, using the 9/24 formula, that means the firefighter will be paid for 4.5 hours of rest during an incident deployment:  $(12 \times 9) / 24 = 4.5$



**2. Doesn't incident standby premium pay incentivize people to take more assignments without real changes to work/rest?**

The main intent is to increase compensation for firefighters. It also will provide responders the ability to rest without significantly impacting their earning potential. Incident standby pay, combined with urgently needed investments in capacity will reduce the strain on our current and future workforce which has implications for their physical and mental health. In addition, offering incident standby pay would incentivize other agency employees to either obtain or keep fire qualifications.

**3. Will incident standby premium pay and hazard pay be paid when firefighters are conducting prescribed fires or wildfire suppression on their home unit?**

Hazardous duty pay regulations, which only apply to wildfires, would not change under this proposal. Incident standby premium pay is applicable for both wildfires and prescribed fires that escape and are declared a wildfire.

**4. Will incident standby premium pay apply to a combined prescribed fire/suppression assignment?**

A prescribed fire and a suppression fire would not coexist during the same incident. Prescribed fires are planned events and wildfires are unplanned. When a prescribed fire escapes, it is declared a wildfire. Both prescribed fires and wildfires qualify for standby pay.

**5. Will incident standby premium pay apply to severity assignments?**

Yes.

**6. I get paid for 16 hours now. Why is this schedule based on 15/9? Won't that mean I'm making less?**

The proposed 9/24 fixed pay schedule is designed to reduce the health and safety risks of cumulative fatigue. Under this system, people will be compensated at a set rate based on a 15-hour day during incidents.

Although personnel will receive one less hour of overtime, they will be compensated at half their base pay rate for eight hours. That means, overall,

everyone would make more per 24 hours than under the current system of 16-hour days, as well as get additional rest.

**7. How will the work/rest ratio apply to incident compensation?**

The proposed 9/24 fixed pay schedule is designed to reduce the health and safety risks of cumulative fatigue. Under this system, people will be compensated at a set rate based on a 15-hour day during incidents. As is currently the case, if the first 8 hours of work occur on a regularly scheduled workday, the hours will be calculated at the employee's regular hourly base rate. For regularly scheduled days off, those first 8 hours of work will be calculated as overtime.

**8. What happens to the 9/24 schedule when we are assigned to 24-hour shifts?**

The 9/24 fixed pay schedule refers to how incident compensation will be paid for every day assigned to an incident other than the first and last days. When working nonstandard shifts, wildland firefighters typically work a 24-hour or 28-hour day, then receive the appropriate down time to maintain a 2:1 work/rest ratio. During these shifts where rest periods are longer than the 9 hours outlined in the legislation, the same 9/24 pay system will be in place. In short, for hours of rest greater than 9, wildland firefighters will be paid the rate they would have received if they were working (base rate or overtime, depending on if it was a regularly scheduled workday or a regularly scheduled day off).

**9. Why don't I get paid true straight time or time and a half for sleeping?**

Incident standby premium pay is only one part of the compensation picture. The industry standard is based on compensation packages that include various premium pay incentives.

Incident standby premium pay was calculated to be combined with the special base rate, overtime and other premium pay incentives to bring the average annual compensation into alignment with most state and local wildland firefighters nationally.

## **REST AND RECUPERATION**

**1. What is in the proposed legislation for rest and recuperation?**

The proposed legislation supports wildland firefighter physical and mental well-being by codifying paid rest and recuperation (R&R) leave following an incident and creating a new category of administrative leave.

Wildland firefighters will continue to receive paid R&R time off as described in the Red Book but will charge R&R time to the new leave category rather than 01 time. The amount of leave is established by the Secretary of the Agriculture or Secretary of the Interior, as applicable. Forest Service employees will continue to receive 3 days off after a 14-day incident.

The proposed legislation includes R&R for employees with an intermittent work schedule.

## **PAY CAP**

### **1. What is the pay cap?**

A pay cap is the maximum compensation federal employee can receive during a calendar year for work performed.

### **2. What will the new pay cap be?**

The legislation proposes establishing a pay cap that includes all premium pay, to include hazard pay. Incident standby premium pay would not be considered in applying the pay caps.

The Office of Management and Budget is recommending capping pay at Executive Schedule (ES) Level II, which is \$212,100 in calendar year 2023. The secretaries of agriculture and interior would have the discretion to waive the pay cap under specific criteria, such as extreme fire years.

### **3. Who does the pay cap apply to?**

The pay cap in the proposed legislation applies to Forest Service or Department of the Interior wildland firefighters and fire-qualified employees assigned to a qualifying incident. A qualifying incident primarily involves emergency wildfire suppression activities, including initial-response or a severity incident, but excludes activities associated with a prescribed fire incident unless a controlled prescribed fire escapes and is declared a wildfire.

**4. The current pay cap doesn't include hazard pay. Why does the proposed legislation include hazard pay in the pay cap?**

The inclusion of hazard pay as part of the pay cap provides a defensible position for years in which the pay cap must be raised by more directly tying pay cap relief to the severity of the fire season.

**5. When will the new pay cap take effect?**

In the proposed legislation, the new pay cap would take effect on the first day of the first pay period that has a payment date in January 2024. However, it ultimately depends on when Congress enacts the legislation, and which start date is included in the final law.

**6. When will the secretary waive the pay cap?**

Under the proposed legislation, the pay cap may be waived at the sole and exclusive discretion of the secretary of the interior or the secretary of agriculture, as applicable. Before authorizing such a waiver, the secretaries are to each prescribe criteria, after consultation with each other, to be applied in making a determination to grant such a waiver.

During exceptional years, such as those with high international support and extreme national response, employees may continue to be compensated for incident support. Secretary consultation ensures equity in application across agencies. This allows greater efficiency through secretary discretion rather than annual congressional request.

**7. Why can't the agency eliminate the pay cap altogether?**

The pay cap provides fiscal accountability and a control mechanism. Neither the Office of Personnel Management nor other federal agencies have general authority to waive the biweekly or annual premium pay caps without an exception provided in specific legislation.

**8. How can I be compensated for work I do after I hit the pay cap?**

It is vital that all employees monitor their pay to ensure they don't reach the pay cap before the end of the calendar year.

Per of the [Office of Personnel Management](#), when the biweekly (or annual, if applicable) cap on premium pay is reached, employees may still be ordered to perform overtime work without receiving further compensation.

See Comptroller General Opinions: [B-178117, May 1, 1973](#); [B-229089, December 28, 1988](#); and [B-240200, December 20, 1990](#).

## HOUSING

### 1. **What type of assistance are we getting to address housing needs?**

We recognize that our wildland firefighters face historically high rental and home ownership costs, a reality that presents significant challenges for recruiting, hiring and retaining employees. The president's workforce reform proposal increases funding for USDA (\$50 million) and DOI (\$22 million) to house firefighters and support personnel.

Congress must pass appropriations legislation before work can begin.

### 2. **Does the housing money only apply to deferred maintenance, or can it be used toward new construction?**

The president's budget proposal increases Forest Service funding for facilities improvement and maintenance by \$50 million. These increases will go to repair and renovate housing for wildland fire personnel as they continue to encounter limited or unaffordable housing options in some locations.

### 3. **Will the housing money only go toward housing occupied by fire employees, or will it be extended to the CCCs, other field positions?**

The housing investment must be focused on government facilities operated by the Forest Service where firefighters are housed. However, it is not exclusive to housing only occupied by firefighters.

### 4. **Which forests are going to get funds to improve facilities? How is the agency going to determine which regions, forests, and districts receive additional funding for facilities?**

The agency will prioritize funding for Forest Service duty stations in areas with historically high rental and home ownership costs where there are significant challenges in recruiting, hiring and retaining employees.

**5. When will districts be able to do needed maintenance on facilities?**

Congress needs to pass legislation to appropriate these funds before work can begin.

**6. Why can't we receive a housing stipend to help with the cost of home affordability?**

The Chief of the Forest Service established a national executive team to look at housing issues holistically, including existing facilities, new facilities, rental costs, and availability/affordability. The agency is exploring numerous options to address housing, including looking at existing discretion and authorities to reduce housing costs for employees.

**7. Are there plans to ask for more money for housing?**

Currently we are supporting the president's budget proposal of \$50 million for FY2024. In addition, among the 2024 National Parks and Public Lands Restoration Fund Proposed Projects, \$24,547,600 will be used to address deferred maintenance at employee housing facilities throughout the nation.

**8. How will the Forest Service prioritize housing investments given that they are for maintenance and not for new construction? How will the agency get creative with other tools (i.e., incentives)?**

The Forest Service is developing a housing strategy that will prioritize agency housing maintenance and new construction, and we will be looking to the FY 2025 budget for future opportunities to support investments in this crucial area, including public and private partnerships.

## **MENTAL HEALTH**

**1. What investments are being made to improve firefighter mental health?**

The president's FY 2024 budget proposes increases of \$10 million for both the Department of Agriculture and the Department of the Interior (\$20 million in total) to enhance support for firefighters' mental and physical health and wellbeing.

The Joint Wildland Firefighter Behavioral Health Program will establish year-round prevention and mental health support training, provide post-traumatic

stress care, enhance capacity for acute response, and create a system of trauma support services with an emphasis on early intervention. The departments also co-hosted a Firefighter Mental Health and Wellbeing Summit in April to further the program's development.

**2. Will the new Joint Wildland Firefighter Behavioral Health Program only cover treatment? Or will it cover prevention too?**

The Joint Wildland Firefighter Behavioral Health Program will establish a year-round holistic mental health program that will include training and education, and programs focused on prevention and early intervention; post-traumatic stress care, enhanced capacity for acute response, and a system of trauma support services; and, post trauma care and treatment.

**3. What role key stakeholders will have in the development and implementation of the interagency mental health investments?**

On April 11, 2023, the U.S. Department of Agriculture's Forest Service and the Department of the Interior are convening leadership, stakeholder groups and subject matter experts for a strategic planning summit focused on developing a comprehensive mental health and wellbeing program for wildland firefighters.

The Forest Service knows wildland firefighting takes a toll on the mental health and wellbeing of employees and their families. New authorities and funding provided in the Bipartisan Infrastructure Law are helping the Forest Service and the Department of the Interior work together to create programs that address the full scope of mental health needs of firefighters, including post-traumatic stress care.

The joint Federal Wildland Firefighter Health and Wellbeing Program is part of a larger commitment to make historic improvements to the federal wildland firefighting workforce and combat the wildfire crisis.

## **HIRING**

**1. Will any funding go specifically toward supporting hiring?**

To meet the demands of the wildfire crisis, promote work-life balance and offer more permanent positions to our temporary workforce, the president's FY24 budget requests significant investments in additional firefighter and support personnel capacity. The request of \$259 million would allow the Forest Service

to hire approximately 970 additional firefighters in FY24 while continuing to convert temporary firefighters to permanent.

On the business operations front and based on the current interpretation, the FY24 proposal does not include additional funds to support Human Resources adding additional capacity for classification, hiring or management of pay.

**2. Will all new positions be bargaining unit positions?**

Classification review needs to be completed before we will know the answer to this question.

Consistent with the [Executive Order on Worker Organizing and Empowerment](#), the Forest Service is committed to facilitating union access to our wildland firefighter workforce. New employee orientations provide a platform for unions and our employees to be aware that they have the right and option to be represented by a union.

Please see the regularly updated [wildland firefighter pay and classification section of Inside the Forest Service](#) for more information.