

FDA STAFF MANUAL GUIDES, VOLUME III - GENERAL ADMINISTRATION

PERSONNEL

INSURANCE AND ANNUITIES

TRIAL RETIREMENT

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1. PURPOSE

This Guide supplements DHEW Personnel Instruction 831-5, "Trial Retirement Program," by stating FDA policy with regard to trial retirements, by identifying the organizational components within FDA within which guaranteed reemployment rights will be exercised, and by identifying the approving officials and procedures for trial retirements.

2. REFERENCES

- A. HEW Personnel Instruction 831-5, "Trial Retirement Program."
- B. Staff Manual Guide FDA 1031.6, "Authority to Effect Trial Retirements."

3. TRIAL RETIREMENT PROGRAM

This program permits employees who are eligible for optional retirement, and who otherwise qualify, (in accordance with paragraph 5) to try retirement with the option of returning to work as a reemployed annuitant at the end of a year of retirement. The position to which such an employee would be entitled upon return will be one for which he is qualified and which is at an equivalent grade and step rate as that held immediately prior to retirement. An exception to this is that an employee in a position GS-16, or equivalent, or higher will be placed in a position at GS-15 with the maximum salary retention possible.

4. POLICY

Requests for trial retirement will be approved except when the approving official finds that there is a reasonable doubt that the responsible organizational component would be able to honor a guarantee of reemployment. Once a trial retirement agreement (Exhibit 831-5-1) has been entered into, it must be honored. Additional funds and employment ceilings will not be automatically provided to cover reemployments. Commitments made therefore must be accommodated within protected manpower and budget ceilings and requirements.

5. ELIGIBILITY PROVISIONS

An employee is eligible to participate who:

- A. Is age 62 or older with 5 or more years of civilian service; age 60 or older with 20 or more years of service; or age 55 or older with 30 years or more of service; **and**
- B. Is serving under a career appointment, has more than two years of service remaining before qualifying for mandatory retirement, not a reemployed annuitant or eligible for disability or discontinued service retirement, and has been employed under the retirement system for at least one year within the 2-year period immediately preceding separation for retirement.

6. ORGANIZATIONAL COMPONENTS AND APPROVING OFFICIALS

An organizational component is that segment of the Agency within which reemployment rights guarantees shall be effected. For purposes of the Guide, the following FDA organizational areas of responsibility are designated as organizational components and the following officials identified as approving officials to execute Trial Retirement Agreements.

Organizational Component	Approving Official
Office of the Commissioner (Excluding ACA)	Assistant or Deputy Assistant Commissioner for Administration
Office of the Assistant Commissioner for Administration	Assistant or Deputy Assistant Commissioner for Administration
Bureau of Foods	Director, Bureau of Foods
Bureau of Drugs	Director, Bureau of Drugs
Bureau of Product Safety	Director, Bureau of Product Safety
Bureau of Veterinary Medicine	Director, Bureau of Veterinary Medicine
Bureau of Radiological Health	Director, Bureau of Radiological Health

Organizational Component	Approving Official
Office of the Executive Director of Regional Operations	Executive Director of Regional Operations
Office of the Executive Director of Regional Operations and all Field/District Offices 1/	Executive Director of Regional Operations
Each Field/District Office 2/	Respective Regional or Deputy Regional Food and Drug Director
Minneapolis Microbiology Facility	Director, Minneapolis Microbiology Facility
<p>1/ For Field/District Office employees at GS-13 level or above. The geographical location of reemployment within this component will be determined after an employee submits a request for reemployment.</p> <p>2/ For Field/District Office employees at GS-12 level or below.</p>	

7. OBTAINING COUNSEL AND INFORMATION

A. Employees. Eligible employees may seek counseling concerning retirement from their servicing personnel office. Additional information concerning the Trial Retirement Program and the procedures to follow when applying for such retirement may be obtained by referring to DHEW Personnel Instruction 831-5 which is on file in the following offices:

1. Parklawn Personnel Office.
2. FB-8 Unit, Parklawn Personnel Office.
3. Division of Personnel Management, ACA.
4. HEW Regional, and FDA Field and District Offices.
5. Executive Office, Northeastern Radiological Health Laboratory.
6. Administrative Office, Administrative Operations Staff, Bureau of Foods, Cincinnati, Ohio.
7. Administrative Office, National Center for Drug Analysis.

B. Approving Officials. Approving officials should consult with their servicing personnel office prior to completing a Trial Retirement Agreement with an employee. The Office of the Assistant Commissioner for Administration may also be contacted for advice and information about probable ceiling and budgeting requirements.