



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

Thursday, April 24, 2003
CPM 2003-05

MEMORANDUM FOR: Human Resources Directors

FROM: Ron Sanders,
Associate Director for Strategic Human Resources Policy

Subject: Collection of Information Regarding Employees With Law Enforcement Duties

The Office of Personnel Management (OPM) is collecting certain information regarding Federal employees with law enforcement duties in response to a joint request by the following committees in the House of Representatives: the Committee on the Judiciary, the Committee on Government Reform, and the Subcommittee on Crime, Terrorism and Homeland Security. We need your help in responding to this information request. We request that each department or agency with employees who have law enforcement duties provide the information described in the attachment to this memorandum. Other agencies do not need to respond in any way to this request. Please provide your response no later than **May 28, 2003**.

We request that each department or agency headquarters consolidate any data collected from subcomponents (including Inspector General offices) and submit a single package of information to OPM on behalf of the department or agency.

If members of your staff have any questions about this information collection, they should call OPM's Pay and Leave Administration Group at (202) 606-2858 or send an email to pay-performance-policy@opm.gov. They should identify the inquiry as being related to the "law enforcement employee information collection project."

Please present the information using Microsoft Word and/or Microsoft Excel and transmit the files to OPM as an email attachment. Send the email to the address provided in the previous paragraph. Please include an abbreviation of your agency name in the email subject heading followed by "LEO information submission." Also, please include a telephone number and email address for at least two designated agency points of contact.

Attachment

Law Enforcement Employee Information Collection

1. **Law Enforcement Officers.** Identify department or agency employees who are covered by the special retirement provisions for law enforcement officers (LEOs) in the Civil Service Retirement System (CSRS) or the Federal Employees Retirement System (FERS) and provide the information described below. (LEOs are those CSRS or FERS employees who meet the definitions in 5 U.S.C. 8331(20) or 5 U.S.C. 8401(17), as applicable.) **All number counts should be as of a date as close as possible to the end of March 2003.** Count **full-time** employees only (excluding full-time seasonal employees). When providing data by pay plan, group the GM pay plan with the GS pay plan.
 - a. Provide the number of LEOs employed by your agency by pay plan and occupational series. In most cases, your agency databases should have data elements that correspond to data elements used in OPM's Central Personnel Data File (CPDF). The following combination of data elements identify potential LEOs:
Retirement Plan equal 6, M, E or T; and Occupation NOT equal 0081 or 0084. Certain employees who are firefighters under the CSRS and FERS provisions, but are classified under an occupational series other than GS-0081, may be captured by the above codes. You must adjust your counts to exclude any such firefighters. Please also provide the number of firefighters so excluded (by pay plan and occupational series) since this information will be helpful to OPM in future analyses.
Note: The retirement codes used above do not cover employees who hold LEO positions for pay purposes but lack LEO retirement coverage because certain transfer requirements were not met. (See 5 U.S.C. 5541(3)(B)-(C).) If you have readily available data showing the number of employees in this category, please provide the number (by pay plan and occupational series, if possible).
 - b. Provide the number of LEOs whose LEO status is based on having frequent and direct contact with suspected or convicted criminals, but who are not correctional officers or correctional administrators in the direct chain of command (e.g., support staff at correctional institutions). Provide subcounts by pay plan and occupational series.
Place all LEOs identified in this paragraph together in a single category and provide the information requested in subparagraphs (2)-(5) of paragraph c below. (We presume that all such LEOs have common law enforcement authority and requirements. If this is not the case, please address differences within the category in your response.)
 - c. For LEOs other than those identified in paragraph b, identify discrete categories of LEOs with similar duties and responsibilities. The category may correspond to an occupational series, if appropriate. However, if there are significant differences in duties and responsibilities among subgroups within an occupational series, the subgroups should be separately identified. Provide a description (maximum of 2-3 pages) of each discrete category of LEOs that includes the following information:

1. a brief description of primary duties of the job (i.e., basic purpose of job);
 2. a listing of the job's critical law enforcement duties and skill requirements (i.e., duties and skills related to criminal investigation, apprehension, and detention or to protection of U.S. officials)
 3. a description of the scope of arrest authority (i.e., do these LEOs have full arrest authority or are there limitations on that authority?);
 4. a description of required firearms training and of the use of firearms on the job (e.g., to what extent do these LEOs regularly carry firearms on the job?); and
 5. the medical and physical requirements associated with primary/rigorous positions.
 Note any significant differences among LEOs in primary/rigorous positions and LEOs in secondary (i.e., supervisory or administrative) positions within the same category. (You may place secondary positions in a separate category if they are significantly distinct from related primary/rigorous positions.)
 For each discrete category described in this paragraph, provide the number of LEOs. If the category includes LEOs in secondary positions, provide the number of such employees as a subcount.
- d. If any of the LEOs identified above are covered by a **nonstandard** basic pay system, please provide relevant statutory and regulatory citations and a copy of the current basic pay schedules. (The "standard" basic pay systems are the Governmentwide systems established under title 5, including the General Schedule, the SL/ST system, the Senior Executive Service (SES) system, and the Federal Wage System.)
 - e. If any of the LEOs identified above are covered by **nonstandard** premium pay provisions, please provide a summary description of those provisions with relevant statutory and regulatory citations. (The "standard" premium pay provisions are found in 5 U.S.C. 5541-5547, including FLSA overtime pay as required by 5 U.S.C. 5542(c) or 5544(a).)
2. **Other Employees with Law Enforcement Duties.** Identify department or agency employees who have authority to make arrests under Federal law (or an equivalent authority to detain persons under military law) but who are not LEOs as described in section 1. (These employees will hereafter be referred to as "non-LEOs.") Provide the information described below. **All number counts should be as of a date as close as possible to the end of March 2003.** Count **full-time** employees only (excluding full-time seasonal employees). When providing data by pay plan, group the GM pay plan with the GS pay plan.

- a. Provide number counts of non-LEOs by pay plan and occupational series. If possible, estimate the number holding "primary" positions (i.e., non-LEO nonsupervisory positions or first-line supervisory positions) versus related "administrative" positions with arrest authority (e.g., managerial or executive). If possible, estimate the number of other administrative positions that lack arrest authority but require experience in the given primary non-LEO position as a mandatory prerequisite.
- b. Identify discrete categories of non-LEOs with similar duties and responsibilities. The category may correspond to an occupational series, if appropriate. However, if there are significant differences in duties and responsibilities among subgroups within an occupational series, the subgroups should be separately identified. Provide a description (maximum of 2-3 pages) of each discrete category of non-LEOs that includes the following information:
 1. a brief description of primary duties of the job (i.e., basic purpose of job);
 2. a listing of the job's critical law enforcement duties and skill requirements (i.e., duties and skills related to criminal investigation, apprehension, and detention or to protection of U.S. officials)
 3. a description of the scope of arrest authority (i.e., do these non-LEOs have full arrest authority or are there limitations on that authority?);
 4. a description of required firearms training and of the use of firearms on the job (e.g., to what extent do these non-LEOs regularly carry firearms on the job?); and
 5. the medical and physical requirements associated with primary positions. For each discrete category described in this paragraph, provide the number of non-LEOs. If possible, for each category, provide estimates of the subcounts of non-LEOs in primary-type positions (including first-line supervisors) versus any administrative positions.
- c. If any of the non-LEOs identified above are covered by a **nonstandard** basic pay system, please provide relevant statutory and regulatory citations and a copy of the current basic pay schedules. (The "standard" basic pay systems are the Governmentwide systems established under title 5, including the General Schedule, the SL/ST system, the Senior Executive Service (SES) system, and the Federal Wage System.)
- d. If any of the non-LEOs identified above are covered by **nonstandard** premium pay provisions, please provide a summary description of those provisions with relevant statutory and regulatory citations. (The "standard" premium pay provisions are found in 5 U.S.C. 5541-5547, including FLSA overtime pay as required by 5 U.S.C. 5542(c) or 5544(a).)

- e. If any of the non-LEOs identified above are covered by **nonstandard** retirement provisions, please provide a summary description of those provisions with relevant statutory and regulatory citations. (The "standard" retirement provisions are the regular provisions of the Civil Service Retirement System (CSRS) or the Federal Employees Retirement System (FERS) that apply to most covered employees. Thus, nonstandard retirement provisions would encompass any enhanced retirement benefits under CSRS or FERS or any retirement benefits under some other retirement system.)