

EMPLOYEE BENEFITS

- 1. REASON FOR ISSUE:** To revise Department of Veterans Affairs (VA) procedures regarding special retirement provisions for law enforcement officer and firefighter positions.
- 2. SUMMARY OF CONTENTS/MAJOR CHANGES:** This handbook contains mandatory procedures on the provision of employee benefit program information. This revision clarifies the definition of law enforcement officer and firefighter by deleting the occupational series from the position definitions. This change will be incorporated into the electronic version of VA Handbook 5009 that is maintained on the [Office of Human Resources Management Web site](#).
- 3. RESPONSIBLE OFFICE:** Worklife and Benefits Service (058), Office of the Deputy Assistant Secretary for Human Resources Management.
- 4. RELATED DIRECTIVE:** VA Directive 5009, Employee Benefits.
- 5. RESCISSIONS:** None.

CERTIFIED BY:

/s/
Roger W. Baker
Assistant Secretary for
Information and Technology

**BY DIRECTION OF THE SECRETARY
OF VETERANS AFFAIRS:**

/s/
John U. Sepúlveda
Assistant Secretary for
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PART II. SPECIAL RETIREMENT PROVISIONS FOR LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS

1. PURPOSE. This part establishes Department of Veterans Affairs (VA) procedures for special retirement provisions for law enforcement officers (LEO) and firefighters (FF), who are subject to mandatory retirement separation at age 57, unless they have not yet completed 20 years of Federal civilian service or an exemption is granted.

2. RESPONSIBILITIES

a. The Assistant Secretary for Human Resources and Administration is responsible for issuing determinations approving special retirement coverage for LEO and FF.

b. Facility directors are responsible for issuing determinations denying special retirement coverage.

c. Veterans Health Administration (VHA), HR Officers are responsible for:

(1) Notifying the employee in writing of the date of mandatory separation 60 days prior to the LEO and FFs mandatory separation/retirement date.

(2) All correspondences to LEO and FFs and VHA Management regarding an exception to the mandatory separation/retirement date.

d. LEO and FFs are responsible for notifying their HR office in writing in response to memos received regarding their mandatory separation/retirement date.

3. REFERENCES

a. OPM Operating Manual, “CSRS and FERS Handbook for Personnel and Payroll Offices”;

b. OPM Benefits Administration Letters;

c. 5 CFR, parts 831, 835, 837, 838, 841, 842, 843, 844, 845, 846, and, 847; and

d. 5 U.S.C., Chapters 83 and 84.

4. DEFINITIONS

a. **Firefighters (FF).** Firefighters are employees in a position whose duties are primarily to perform work directly connected with the control and extinguishment of fires or the maintenance and use of firefighting apparatus and equipment. []

b. **Law Enforcement Officers (LEO).** Law enforcement officers are employees, the duties whose positions are primarily in the investigation, apprehension, prosecution or detention of individuals suspected of, or convicted of offenses against the criminal laws of the United States, including any law enforcement officer under section 8331(20) or 8401(17) of title 5, or under section 4823 of title 22, United States Code. []