

**Forest Service Manual  
National Headquarters (WO)  
Washington, DC**

**Forest Service Manual 1800 – Senior, Youth And Volunteer Programs**

**Chapter 1870 - Agriculture Conservation Experienced Services Program**

**Amendment:** 1800-2020-1

**Effective date:** December 23, 2020

**Duration:** This amendment is effective until superseded or removed.

**Superseded Directive:**

**Approved by:** Tina J. Terrell, Associate Deputy Chief, NFS

**Date approved:** December 07, 2020

**Responsible Staff:**

**Explanation of changes:** Following is an explanation of the changes throughout the directive by section.

**1870:** Establishes chapter and sets forth direction.

## Table of Contents

1870.1 - Authority.....	3
1870.2 - Objectives .....	3
1870.3 - Policy .....	3
1870.4 - Responsibility.....	4
1870.41 - Deputy Chief for National Forest System .....	4
1870.42 - Grants Management Specialists .....	4
1870.43 - Regional Foresters, Station Directors, Job Corps National Director and Forest Service Supervisors .....	5
1870.44 - ACES Coordinators .....	5
1870.45 - Forest Supervisors.....	6
1870.46 - ACES Monitors .....	7
1870.5 - Definitions.....	7
1870.6 - ACES Agreements .....	9
1870.61- ACES Agreement Attachments .....	9
1870.62 - Managing Agreements .....	10
1871 - Program Administration.....	11
1871.1 - National ACES Program Manager .....	11
1871.2 - Non-profit Organizations .....	12
1872 - ACES Administration Documents .....	13
1872.1 - Requesting an ACES Enrollee .....	13
1872.2 - ACES Position Specifications and Levels .....	14
1872.3 - Position Wages.....	15
1872.4 - Onboarding ACES Enrollees.....	16
1872.5 - Enrollee Separation .....	17
1873 - ACES Enrollee Activities Guidance .....	18
1873.1 - General Activities .....	18
1873.2 - Access to Personally Identifiable Information (PII) .....	19
1873.3 - Identification of ACES Enrollees .....	20
1873.4 - Enrollee Timesheets, Training and Travel .....	20
1873.5 - Use of Government Vehicle .....	22
1873.6 - Status of ACES Enrollees .....	22
1873.7 - Non-Eligibility for Forest Service Awards.....	23
1874 - Annual Accomplishment Reporting .....	23

The Forest Service is authorized to provide the opportunity for non-Federal experienced workers, age 55 and older, to assist with technical aspects of conservation-related programs executed on or directly impacting National Forest System lands under the Food Security Act of 1985 as amended by the Agricultural Act of 2014.

### **1870.1 - Authority**

1. Section 1252 of Subtitle F of title XII of the Food Security Act of 1985. This act as amended by the Food, Conservation, and Energy Act of 2008, Pub. L. 110-234, authorized the Agriculture Conservation Experienced Services Program.
2. Section 8302 of the Agricultural Act of 2014 (2014 Farm Bill). This act authorized the Agriculture Conservation Experienced Services Program for Forest Service usage to carry out conservation-related programs executed on National Forest System lands.
3. The Agriculture Improvement Act of 2018, Section 8622 (2018 Farm Bill). This act terminates the authority for the Forest Service's participation in the Agriculture Conservation Experienced Service Program effective October 1, 2023.

### **1870.2 - Objectives**

The Agriculture Conservation Experienced Services (ACES) Program provides a cost-effective recruitment opportunity to obtain the services of non-Federal, experienced workers age 55 and older. Through agreements with eligible non-profit organizations, the Forest Service will be able to recruit and utilize services of these workers on a project-specific basis while minimizing agency administrative costs, time, and resources.

ACES may be used to support employees to provide technical services throughout the Agency where conservation-related programs are executed on or directly impacting National Forest System land, including positions at the Washington Office, Regions, and Stations. In addition, ACES enrollees may provide mentoring to new career employees or employees obtaining professional certifications in conservation-related programs.

### **1870.3 - Policy**

ACES enrollees will have varying responsibilities depending on the position they occupy. Regardless of the position, there are tasks enrollees must not perform.

1. Since enrollees are not Federal employees, ACES enrollees cannot perform inherently governmental functions.
2. ACES enrollees cannot displace individuals, currently employed by the Department, including partial displacement through reduction of non-overtime hours, wages, or employment benefits, nor have a job function that could be completed by a Federal

employee in layoff status from the same or a substantially equivalent job or function within the Department of Agriculture.

3. ACES enrollees cannot affect existing contracts for services.

#### **1870.4 - Responsibility**

##### **1870.41 - Deputy Chief for National Forest System**

The Deputy Chief for National Forest System is responsible for:

1. Directing the activities of the ACES Program within the deputy area.
2. Collaborating for consistency regarding ACES enrollee and position management.
3. Encouraging the use of the ACES Program as a way to increase capacity to perform critical work.
4. Managing the National ACES Program Manager.

##### **1870.42 - Grants Management Specialists**

Grants Management Specialists are responsible for:

1. Reviewing and certifying all agreements for compliance with Federal regulations and Forest Service policies and procedures prior to execution.
2. Identifying the proper instrument type and provisions, ensuring the authority cited is appropriate for the project and, when feasible, collaborate in identifying the correct use of a staff's appropriated funds (through the shorthand code).
3. Ensuring that all instruments and award packages are properly constructed using the correct format and include all mandatory and applicable provisions; including A relevant provisions in FSH 1509.11 Ch 90.
4. Confirming an ACES Program Manager is designated for each Supplemental Project Agreement (SPA) prior to execution.
5. Working closely in an advisory capacity to the partner(s) and ACES Program Managers to clarify regulations, policies, and procedures that may be unclear and/or provide new information
6. Assigning a Federal Identifier Number to each instrument and enter and execute relevant instrument data in the database of record.

7. Ensuring the appropriate Master Participating Agreement number and monitoring period is entered in the database of record for program reporting purposes.
8. Conducting the official closeout of the instrument at the completion of the project.

#### **1870.43 - Regional Foresters, Station Directors, Job Corps National Director and Forest Service Supervisors**

Regional Foresters, Station Directors, Job Corps National Office Director, and Forest Service Supervisors shall have delegated authority to identify a project under the ACES Program and are responsible for:

1. Determining an ACES Program management structure. This should include identification of an ACES Coordinator for each Region, Station, or the Job Corps National Office.
2. Ensuring an ACES Program is managed in accordance with specified guidelines.
3. Certifying ACES positions do not displace Federal employees or impact service contracts.
4. Ensuring all required coordination with the Human Resources Management staff and adherence to labor-management agreements.

#### **1870.44 - ACES Coordinators**

ACES Coordinators are responsible for:

1. Serving as the primary point of contact for implementing ACES Program within their Region, Station, Deputy Area, or Job Corps National Office.
2. Developing SPAs under the national Master Participating Agreements to obtain ACES positions to perform the project work, including the required documentation.
3. Identifying funding source(s) for the project work and plan funding in the Agency's budget planning system, Work Plan, and Advanced Acquisition Project (AAP).
4. Reviewing planned ACES positions to ensure there is no displacement of Federal employees or impact to service contracts.
5. Reviewing labor management agreements prior to awarding an ACES SPA, when applicable.
6. Coordinating with the Grants Management Specialist to process SPAs that include all requirements as outlined in section 1870.6, ACES Agreements.

7. Interacting with non-profit partner organizations to facilitate ACES position requests and SPAs to secure enrollees.
8. Working with ACES Monitors and non-profit partner organizations to schedule applicant interviews and make selection recommendation(s) to the non-profit partner.
9. Reconciling reports and verifying payment requests from the non-profit partner organization and reports from the Region, Station, Deputy Area, or Job Corps National Office.
10. Certifying advanced payments to the partner, if requested, in the Natural Resource Manager (NRM).
11. Monitoring SPA reports provided by the non-profit partner organizations. Work with Grants Management Specialists and non-profit partner organization if modifications to the agreement are needed.
12. Assisting ACES Monitors with any unresolved enrollee problems/issues through the non-profit partner organization.
13. Forecasting future position needs by skills, tasks, and locations based upon workload requirements and projected budget.
14. Working with the National ACES Program Manager to address any questions or issues.
15. Submitting annual accomplishment reports in the Volunteers and Partnerships Database (VS Reports), section 1874, on each SPA that is managed. One report must be submitted for each ACES supplemental project agreement.

#### **1870.45 - Forest Supervisors**

Forest Supervisors shall have delegated authority to identify a project under the ACES Program and are responsible for:

1. Ensuring ACES Program is managed in accordance with specified guidelines.
2. Certifying ACES positions do not displace Federal employees or impact service contracts.
3. Ensuring all required coordination with the Human Resources Management staff and adherence to labor-management agreements.

## **1870.46 - ACES Monitors**

ACES Monitors are responsible for:

1. Collaborating with the ACES Coordinator in the development of task statements/statements of work.
2. Referring prospective candidates to the non-profit partner organization's web site.
3. Interviewing candidates and making selection recommendations.
4. Ensuring enrollee has appropriate access to Forest Service systems, applications, and transportation necessary to complete duties in the position description. This includes working with the Chief Information Officer and the Human Resources Management staff for access to the Forest Service server(s), Person Model, and obtaining an electronic identification card.
5. Following the Non-Forest Service Employee Onboarding/Offboarding checklist which is located on the Human Resources Management website.
6. Certifying time and attendance, ensuring no overtime or compensatory time is charged.
7. Authorizing enrollee travel and approve travel voucher upon completion of travel to be submitted to the non-profit partner organization.
8. Overseeing and reviewing the enrollee's daily tasks and assignments.
9. Ensuring ACES enrollees requiring computer access take the Information and Security Awareness training each fiscal year. Training can be accessed here: <http://deliver.courseavenue.com/Login/usda>.
10. Referring enrollee to the non-profit partner organization for pay and benefit issues.
11. Working directly with the non-profit partner organization as needed.
12. Ensuring the non-profit partner organization has current contact information for the Forest Service ACES Monitor and alternate ACES Monitor.

## **1870.5 - Definitions**

ACES Coordinators. Positions that manage ACES position development and task agreements and are designated as the ACES Agreement Program Manager for a Region, Station, Deputy Area, or Job Corps National Director.

ACES Enrollees. Individuals, at least 55 years of age, recruited by partner non-profit organizations to provide technical assistance and work in support of Forest Service conservation programs. Enrollees are not Federal employees; however, they are covered for liability purposes under Federal tort protections offered in the legislative authorization for the program (28 U.S.C. 171).

ACES Monitors. Forest Service employees who oversee and review the daily tasks or assignments of ACES enrollees. A Monitor can also serve in an ACES Coordinator role.

Inherently Governmental Functions. Those responsibilities that are so intimately related to the public interest as to mandate performance by a Government employee. Definition in statement from the Office of Federal Procurement Policy (57 Fed. Reg. 190, Sept. 30, 1992).

Master Participating Agreement. The National umbrella agreement documenting the cooperation between the Forest Service and partnering non-profit organization to implement the ACES Program.

National ACES Program Manager. The official responsible for the overall administration of the Forest Service ACES Program.

Non-profit Organization (Partner). A private, non-profit organization, eligible to receive grants under the Community Service Senior Opportunities Act (42 U.S.C. 3056 et seq.), that has entered into an agreement with the Forest Service to utilize the talents of older Americans in providing technical assistance to achieve Forest Service conservation objectives.

Supplemental Project Agreement (SPA). A Region, Station, Deputy Area, or Job Corps National Office agreement with a partnering non-profit organization to secure ACES enrollees. Funds to support these positions are provided by the Region, Station, Deputy Area, or Job Corps National Office. This agreement is tied to the Master Participating Agreement.

Position Description. A position that is described and documented to provide technical assistance and work in support of Forest Service conservation programs. This work and assistance can support a conservation program such as financial planning, business administration, or budget management.

Technical Assistance. Technical expertise, information, and tools necessary for the conservation of natural resources on land active in agricultural, forestry, or related uses. The term includes the following: Technical services may include conservation planning assistance, technical consultation and assistance with design and implementation of conservation practices.



## **1870.6 - ACES Agreements**

The Forest Service developed National Master Participating Agreements to establish partnerships with non-profit organizations including, but not limited to, the National Older Workers Career Center (NOWCC) and Center for Workforce Inclusion (CWI), Incorporated. All qualified partner organizations are equally able to service ACES position needs for the Forest Service, and units may contact either or both partners to start the ACES process.

Designated ACES Coordinators will develop Supplemental Project Agreements tiered to the National Master Participating Agreements to obtain ACES positions using conservation-related funding to complete the project work described in the agreement.

SPAs are written and executed by Regions, Stations, Deputy Areas, or the Job Corps National Office, with one of the non-profit organizations, creating a formal obligation of funds for ACES positions. SPAs may be developed provided that the Master Participating Agreement is in force and must be certified by a Grants Management Specialist and given an approved agreement number.

Collectively, the SPA identifies the amount of funding, equipment and training needs, position location, wage, duration, number of positions required, position qualifications, specific items or tasks to be completed, and estimated measure of items to be completed. No partner match is required for ACES agreements.

The SPA must reference the Master Participating Agreement number for the non-profit organization that the Forest Service office works with; however, each SPA must have its own unique agreement number for tracking through the Agency financial systems.

Regions, Stations, Deputy Areas, or the Job Corps National Office may work with more than one non-profit organization on subsequent SPAs.

### **1870.61- ACES Agreement Attachments**

All ACES agreement forms, templates, and attachments are located on the ACES SharePoint site. The SharePoint can be accessed here: <https://usdagcc.sharepoint.com/sites/fs-aqm-aces/>. The SPA must include specific information as supported by the following attachments:

Statement of work. The statement of work summarizes the work to be performed by the positions in enough detail that it is clear what the position(s) are performing, but not so much to restrict related work from being able to be accomplished by the enrollees within the scope. For each position, the statement of work must identify the scope of work, how work will be assigned, and how work will be monitored.

Budget or cost analysis worksheet. The ACES cost analysis worksheet is used to estimate the position costs. Units should ensure they include an estimated overhead amounting to 30-40% of anticipated labor costs in the initial cost estimate. The actual costs may be more or less than the initial cost estimate and for that reason, the Forest Service ACES Coordinators need to work with the non-profit partner organization to finalize the cost estimate. This is accomplished by:

1. The Forest Service forwarding to the non-profit organization an advance copy of the initial cost analysis worksheet for review.
2. The non-profit organization using the cost analysis worksheet to develop the actual budget and provide the Forest Service with a FS-1500-17B, Financial Plan Short Form, which will become a part of the SPA.

ACES Position Description. Each ACES position will have its own position description. The position description for an ACES position defines the position requirements, qualifications, position level, training, safety, and travel associated with the position. The ACES position description format/template is unique to the Forest Service ACES Program and is not classified as a standard Government position description would be classified, since the position is not that of a Government employee.

ACES Compliance Certification Form. The ACES Compliance Certification is an internal check to make sure the Forest Service follows the language of the ACES authority for each SPA. To demonstrate the Agency's efforts to satisfy the requirements outlined in Section 1252, Subtitle F of Title XII of The Food Security Act of 1985, as amended, each new ACES agreement and each new position added to an existing ACES agreement must include a certification statement signed by the Deputy Chief who commits funds for ACES positions.

## **1870.62 - Managing Agreements**

See FSH 1509.11, Grants, Cooperative Agreements, and Other Agreements Handbook, for direction on managing grants and agreements.

The parties to the agreement shall monitor the performance of the ACES work to ensure that performance goals are being achieved.

Government Monitoring. ACES Monitors shall regularly monitor enrollee work for achievement of the objectives set forth in the SPA, assign work tasks to the enrollee, and approve work products as needed. The ACES Monitor shall sign off on enrollee timesheets and travel vouchers to verify hours worked and travel completed. The travel voucher should be submitted to the non-profit partner organization and not through the Forest Service travel system.

Agreement Performance Monitoring. The non-profit partners are required to submit performance reports for each SPA on a schedule dictated by the Master Participating Agreements. These reports are submitted to the ACES Coordinator who is responsible for documenting performance in the database of record which is Natural Resource Manager G&A Module award system. The report must provide enough information about the status of funds for the positions. The non-profit partner organization will provide information consisting of the total expenditures to date from start of the agreement, along with expenditures for the most recent quarter, and a list of submitted payment requests associated with the agreements. Reports must include a list by enrollee by site that identifies their current status (active or cancelled) date enrolled, date cancelled, hourly rate of pay, and work hours per pay period. The report will also include a summary of funding increments added to the agreement, site, and date since inception of the agreement. The non-profit organizations will apprise the appropriate ACES Coordinator if positions need action due to shortage or excess of funds.

## **1871 - Program Administration**

### **1871.1 - National ACES Program Manager**

The National ACES Program Manager is responsible for:

1. Coordinating with the Deputy Chief for National Forest System and staff areas to address new legislation, update agency policy directives and program documentation as needed.
2. Serving as the Agency liaison with USDA and other external agencies regarding ACES.
3. Coordinating with the leadership of the Office of Grants and Agreements to ensure master and task agreements are administered consistent with policies and procedures.
4. Working with non-profit partner organizations, Federal employees or service contracts, ACES Coordinators, and ACES Monitors to develop and implement consistent procedures and task agreements for ACES positions.
5. Verifying ACES enrollees do not impact or displace federal employees or service contracts.
6. Providing National training to introduce the ACES Program to agency employees, especially those new to the ACES Coordinator or ACES Monitor role.
7. Monitoring the overall progress by issuing yearly reports on trends, expenses, and other pertinent information for the program.
8. Engage in and follow labor management agreements.

## **1871.2 - Non-profit Organizations**

Through a series of engagement meetings, non-profit organizations, eligible to receive grants under the Community Service Senior Opportunities Act (42 U.S.C. 3056 et seq.), were selected from the three partners that implemented ACES at the USDA, Natural Resource Conservation Service. The final selection of non-profits was made based on the ability of the non-profit partner organization to enter into a mutual interest, mutual benefit partnership agreement. The partners entered into participating agreements with the Forest Service to recruit, select, and pay enrollees in the ACES Program, matching their skills to available temporary assignments defined by the Forest Service.

The non-profit organizations are responsible for:

1. Supplying qualified candidates 55 and older to the Forest Service to assist the Agency in reaching its conservation goals.
2. Recruiting, screening, enrolling, and interviewing candidates based upon the approved position description by the Forest Service; providing viable candidates to the Forest Service; and enrolling the candidate selected by the Forest Service.
3. Using funds provided by the Forest Service for costs of recruiting, screening, enrolling, and administering payroll and benefits earned by the Forest Service-selected candidate as well as for administrative costs, direct program costs, and indirect costs.
4. Providing administrative functions, including payroll, time record maintenance, record keeping, processing training and travel reimbursements for all required and/or approved travel and training, and administrative support to candidates.
5. Providing orientation to the new enrollee to the administration of payroll, benefits, and other procedures and protocol of the ACES Program. Addressing all questions and providing guidance pertaining to these matters. Ensuring enrollees receive a copy of the position description and reporting dates from the Forest Service.
6. Ensuring that the provisions concerning the use and disclosure of business information supplied by the Forest Service are enforceable by the Forest Service and any affected business having an interest in information concerning the business.
7. Ensuring that all selected candidates adhere to the following regarding confidential business information:
  - a. Use of the information only for carrying out the work is required by this Agreement.
  - b. Do not disclose the information to anyone other than the Forest Service without prior written approval of the Forest Service.

- c. Return to the Forest Service all copies of such information (any abstracts or extracts there from) upon request by the Forest Service.
  - d. Sign an agreement to honor the terms in this clause before access to confidential business information is granted.
- 8. Carrying out the necessary program activities to implement the Forest Service ACES Program, including but not limited to, customization of its website to provide a unique interface for Forest Service program applicants and monitors, setting up bank accounts for Forest Service funds, modifying the accounting and payroll systems, and printing of informational materials.
  - 9. Providing an FS-1500-17B, Short Form Agreements Financial Plan for each SPA. The template can be found here: **FS-1500-17B, Short form Agreements Financial Plan**.
  - 10. Providing advice and assistance to ACES enrollees in connection with performance, conduct, time, leave, and other related matters.
  - 11. Working directly with the ACES Coordinator and ACES Monitor when disciplinary action is needed for an ACES enrollee and taking appropriate action.
  - 12. Providing fringe benefits, including FICA (Social Security and Medicare), state unemployment insurance (SUI), local and city taxes, workers compensation, sick leave, and other Federal Agency approved benefits.

## **1872 - ACES Administration Documents**

The ACES SharePoint site is a repository for ACES guidance for Forest Service employees. The site contains information about the ACES Program, including guidance for establishing positions, archived position descriptions, copies of the Master Participating Agreements, and other resource materials for Forest Service offices. SPA templates and all required attachments are maintained on this site. The site also contains contact information for Forest Service ACES partners. Forest Service staff may pull information from the ACES SharePoint site to share with ACES enrollees, as appropriate. The current URL is: <https://usdagcc.sharepoint.com/sites/fs-agm-aces>.

### **1872.1 - Requesting an ACES Enrollee**

The process for requesting an ACES enrollee is depicted graphically in the ACES process map located on the ACES SharePoint site. The ACES process map also includes links to various forms, templates, and resources for executing agreements and onboarding enrollees.

The process for requesting an ACES enrollee is as follows:

1. The ACES Coordinator or ACES Monitor contacts an approved non-profit partner organization to request ACES enrollees and to determine the non-profit partner organization's availability to facilitate the request. The Forest Service shall provide the non-profit partner organization with a cost summary worksheet and the draft position description which the non-profit will review to provide its projected cost. If the non-profit partner organization wishes to provide the service at the proposed cost, it and the ACES Coordinator will complete a FS-1500-17B, Financial Plan for submission with the SPA package. Templates on the ACES SharePoint site should be used to develop the required documents.
2. The ACES Coordinator or ACES Monitor will then submit the complete ACES package to the local Grants Management Specialist to obtain final review and necessary signatures on the SPA to obligate funds and move the process forward.
3. The ACES Coordinator and/or ACES Monitor and the Grants Management Specialist will manage the ACES documentation, including the fully executed SPA and compliance certification form, final versions of all SPA attachments, correspondence between the Government and the partner, and appropriate agreement monitoring documentation. Electronic records management is recommended.
4. Upon receipt of the ACES SPA execution, the non-profit partner organization will post the position(s) on their website and begin recruiting qualified candidates. The partner provides eligible applicants to the ACES Coordinator and/or ACES Monitor.
5. The ACES Coordinator and/or ACES Monitor reviews applicant packages, conducts interviews, and provides a selection recommendation to the non-profit partner organization.
6. Based on the recommendation and verification of the references, the non-profit partner organization will make an offer to the candidate provided that the candidate has a signed application on file with the non-profit partner organization. Once a job offer is accepted, the candidate is now called an ACES enrollee.

## **1872.2 - ACES Position Specifications and Levels**

ACES positions are designed to support a Forest Service function. ACES Position titles generally should not be the same as Forest Service positions. ACES positions are divided into four levels which are associated with a specific wage scale. When developing position descriptions, use the examples provided below to guide what level is needed to fulfill the work requirements.

The four position levels are described as:

Level I: Includes a mix of programmatic and technical duties. Both technical and programmatic duties require creative, analytical, evaluative, and interpretative work. Programmatic work requires the understanding of a particular Government program and the ability to perform higher-level functions that require the use of independent judgment and decision-making initiative. Assignments require a range and depth of knowledge and judgment that can be acquired only through familiarity with the principles, methods, and techniques of an occupational field. These skills are typically acquired through a specialized field of study, at least five years of on-the-job training and experience, or a combination of the two.

Level II: Includes assignments that involve full-performance, creative, analytical, evaluative, and interpretive work. Assignments require a range and depth of knowledge and judgment. This assignment category is for qualified professionals trained in a specific academic discipline, or individuals with specific technical skills and certification in their field, possessing a minimum of 10 years of related on-the-job experience.

Level III: Assignments require a range and depth of knowledge and judgment that can be acquired only through familiarity with a professional field including but not limited to comprehensive experience as a professional in the field, or specific technical skills, knowledge, and experience not widely available. This individual embodies institutional memory and be capable of providing expert advice. The assignment requires the use of independent professional judgment while possessing a minimum of 15 years of related on-the-job experience.

Level IV: Involves highly creative or specialized, analytical, evaluative, and interpretive work with a high degree of independent initiative and judgment in assigned areas of responsibility. This assignment category is for professionals with a minimum of 20 years of related on-the-job experience. An “expert” requires experience at the highest level and documented professional peer recognition as an expert in the field or discipline. This individual embodies a significant portion of institutional memory or be capable of providing expert advice or recommendations regarding policy or practice with the highest level of professional expertise at a National level. The assignment requires extraordinary use of independent professional judgment and initiative limited by the appropriate policy constraints.

### **1872.3 - Position Wages**

ACES enrollees will receive hourly wages based on the position level and other related benefits as required by law or as otherwise established by the non-profit partner organizations.

Position level reflects the four categories in the ACES Program. The hourly wage should be selected based on the type of work and general qualifications for the position. This wage schedule will be reviewed and may be adjusted as needed.

The 2020 wages are set as follows:

Level I:	\$15.00 to \$24.99/ hour
Level II:	\$25.00 to \$34.99/ hour
Level III:	\$35.00 to \$49.99/ hour
Level IV:	\$50.00 to \$80.00/ hour

Wages can be adjusted upward from the base rate within the level if enough justification is provided in the position description narrative. Since the non-profit partner organization may have to defend the wage adjustments, they may contact the ACES Coordinator and ACES Monitor to discuss rationale for adjustments made.

Adjustments may be based on high cost area and other factors, such as difficulty to fill as noted in the justification statement in the position description. The offered wage may start at the lowest (base) end of the range up to the top range of a given position level.

Federal annuities for retirees are not impacted by payment through ACES since enrollees are not Federal employees. As with any employment after retirement, the amount earned could impact a retiree's retirement account in the Federal Employee Retirement System (FERS), Civil Service Retirement System (CSRS), or their Social Security benefits. All retirement systems are earnings tested each year which effectively defers benefits for people whose earnings are above a given threshold. A retiree's FERS annuity is never reduced, regardless of earned income after retirement. ACES enrollees are responsible for reviewing and understanding effects on retirement benefits as an ACES enrollee. If potential enrollees have questions about possible impacts to Social Security benefits, they should contact the Social Security Administration directly at 800-772-1213 or <https://www.ssa.gov/planners/retire/whileworking.html>.

#### **1872.4 - Onboarding ACES Enrollees**

The non-profit partner organization initiates contact with the enrollee to begin their onboarding process which could take up to two weeks.

1. The non-profit partner organization will engage with the enrollee and provide a basic orientation of the position location, pay, benefits, and related information about working with the ACES program.
2. The non-profit partner organization will determine if the enrollee is eligible and wants to participate in their health insurance program (only applies if the enrollee is working an average of 60 hours or more per pay period).



3. The non-profit partner organization will work with the ACES Monitor to arrange a start date.

Once a start date has been agreed upon, the ACES Coordinator and/or ACES Monitor shall follow the steps outlined in the Human Resources Management non-Forest Service Onboarding Checklist to initiate a background check, issue a LincPass, and initiate computer access procedures if the position requires a computer. The non-Forest Service Onboarding Checklist can be found here:

<http://fsweb.wo.fs.fed.us/hrm/employee-life-cycle/onboarding-4-Non-FS-Employees-checklist.php>

4. Homeland Security Presidential Directive 12 (HSPD-12) requires non-employees needing unescorted access to federal information technology and/or mission-critical facilities to obtain a security credential (LincPass). For ACES enrollees that require access to Forest Service information technology systems and facilities, a determination will be made as to the length of time the applicant will be associated with the Forest Service and have access to information technology on Forest Service network systems. See "Background Investigation FAQ" on [https://usdagcc.sharepoint.com/sites/fs-rhvr-vsp/Documents/508%20Compliant%20BackgroundInvestigations FAQ 10-27-2015.pdf](https://usdagcc.sharepoint.com/sites/fs-rhvr-vsp/Documents/508%20Compliant%20BackgroundInvestigations%20FAQ%2010-27-2015.pdf) or contact your Region/Station Volunteer Program Coordinator or the Albuquerque Service Center, Human Resources Management for information on HSPD-12.

a. If an ACES enrollee is a retired Forest Service employee and has been separated from the Agency less than two years, their background investigation may still be valid and on file and may simply require their LincPass credentials to be re-enrolled in Person Model as an "affiliate" and their status linked to the SPA agreement number.

b. Enrollees found to have an unsatisfactory background check will be separated, and the ACES Coordinator and/or ACES Monitor will be given the opportunity to select a new enrollee from the list of referred candidates from the non-profit partner organization. The ACES Coordinator shall also advise the National ACES Program Manager if any enrollees are separated due to an unsuccessful background check.

### **1872.5 - Enrollee Separation**

The ACES Monitor, in cooperation with the ACES Coordinator, will ensure that the enrollee is properly separated, including being terminated in Person Model and returning all Forest Service property. The offboarding checklist can be found here:

<http://fsweb.wo.fs.fed.us/hrm/employee-life-cycle/offboarding-checklist.php>.

Enrollees will be expected to fulfill the commitments as outlined in the specific SPA and ACES position description to which they were assigned. Enrollees will be released from the ACES

Program upon completion of the work outlined in the SPA, or sooner if the enrollee is unable to complete the work.

1. Resignation. Enrollees may resign at any point during their enrollment agreement period. The non-profit partner organization will encourage enrollees to give at least two weeks' notice to their ACES Monitor.
2. End of Task. The non-profit partner organization will communicate the end of the task/funding with the enrollee. The ACES Monitor shall notify the ACES Coordinator of the completion of the task by the enrollee and provide any documentation needed for closeout of the task.
3. Poor Performance. Enrollees determined to lack the needed skills or demonstrated performance history to complete required tasks will be removed and replaced in coordination with the non-profit partner organization. The ACES Monitor will work with the ACES Coordinator and non-profit partner organization to ensure performance concerns are communicated and reasonable efforts are made to resolve concerns. However, it will not be the responsibility of the Forest Service to extensively train or counsel an enrollee for improved performance.
4. Inappropriate Behavior. An enrollee's services under a SPA will end immediately in instances involving documented threatening behavior toward co-workers or other misconduct.

## **1873 - ACES Enrollee Activities Guidance**

### **1873.1 - General Activities**

1. Work Schedule: Authorized established work hours (hourly position wages listed in sub-section 1872.3) are the standard number of hours the enrollee is scheduled to work in a two-week pay period. ACES work schedules are very flexible to fit the needs of the Region, Station, Deputy Area, or Job Corps National Office, and the enrollee may be full-time, part-time, or as needed. The non-profit partner organization will track authorized hours for the impact on health insurance eligibility. In any given pay period, an enrollee may work fewer or more than the authorized hours with an ACES Monitor's prior approval; however, the enrollee may not work more than 40 hours per week or 80 hours per pay period. If the authorized hours need to be changed permanently, or for an on-going time span, the ACES Monitor should work with their ACES Coordinator who will notify the non-profit partner organization in writing of the change in authorized hours. The ACES Monitor shall consult with the ACES Coordinator before a change is made to an enrollee's authorized hours since this could have budget implications.

2. An enrollee who regularly works 60 hours or more per pay period becomes eligible for health insurance which is offered by the non-profit partner organization but is not mandatory enrollment.
3. Overtime. Overtime should not be planned for ACES positions. Overtime should be approved, in advance, by the ACES Monitor and non-profit partner organization. If an enrollee does work overtime during a given pay period, the non-profit partner organizations are mandated to follow the Federal and State laws regarding overtime wages.
4. Sick Leave. Non-profit partner organizations determine sick leave accrual based on the organization's policies.
5. Inclement Weather. Enrollees will follow the Region, Station, Deputy Area, or Job Corps National Office inclement weather policy for opening delays and early dismissal. ACES Monitors should provide this information to the enrollee regarding office closings, early dismissals, or late openings and other unusual circumstances.
6. Emergencies. If the enrollee undergoes a medical emergency at work, the ACES enrollee should ensure their immediate medical needs are met and notify their non-profit organization as soon as possible. If the enrollee is not able to contact the non-profit partner, the ACES Monitor may notify the non-profit partner. The non-profit partner organization's representative will call the enrollee's emergency contacts and will submit a claim to the non-profit partner organization's Workers' Compensation carrier, if appropriate.
7. Volunteering. ACES enrollees cannot serve as a volunteer in the Forest Service while participating in the ACES Program unless the enrollee is participating in a separate volunteer program unrelated to the work being provided through ACES.
8. Government Shutdown. The ACES National Coordinator will provide information to all ACES Coordinators and non-profit partner organizations with official direction in the event of a Government shutdown due to a lapse in appropriations funding.

## **1873.2 - Access to Personally Identifiable Information (PII)**

ACES enrollees may come across Forest Service employees' or customers' personally identifiable information (PII) as a part of routine business operations. Enrollees are expected to abide by laws and regulations governing United States Department of Agriculture (USDA) employees and contractors with regards to the privacy of personal information. The assigned ACES Monitor should be prepared to offer guidance in this area.

Subtitle E of Title XII of the Food Security Act of 1985 (16 U.S.C. 3841 et. seq.) was amended by the 2002 Farm Security and Rural Investment Act adding Section 1244. This section addresses the privacy of personal information and lists exceptions to section 552(b)(3) of title 5 U.S.C.

(Freedom of Information Act). Section 1244 states that information provided to USDA or a contractor of USDA by an owner, operator, or producer for receiving financial or technical assistance in any natural resource program administered by Forest Service, Natural Resources Conservation Service, or Farm Service Agency is not considered public information nor is information that is proprietary to the agricultural operation. This law has been further amended by Section 1619 of the Food, Conservation, and Energy Act of 2008 by Section 1619 to include geospatial information. This statement will be issued to the enrollee by the non-profit partner organization, signed by each enrollee, and retained in the non-profit partner organization's agreement file.

### **1873.3 - Identification of ACES Enrollees**

See FSH 6509.11k, Service-wide Finance and Accounting Handbook, section 48, Uniform Program, for direction on uniforms.

Forest Service employees and other personnel are authorized to wear the Forest Service uniform when they have significant, frequent, or recurring contact with the public, or when it is important to establish their authority and/or identification as agency representatives. The Region, Station, Deputy Area, or Job Corps National Office has the authority to determine what identification is appropriate for ACES enrollees. ACES enrollees may wear the Forest Service uniform but not the badge. When ACES enrollees are authorized to wear the Forest Service uniform on rare occasions, a Service Partner patch shall be attached to the right sleeve of the uniform in the corresponding location as the Forest Service patch on the left sleeve.

ACES enrollees may wear a Service Partner vest and/or Service Partner windbreaker when working during their work assignment. ACES enrollees are bound by the same appearance and conduct standards as employees while wearing a Forest Service uniform (FSH 6509.11k, sec. 48.03).

### **1873.4 - Enrollee Timesheets, Training and Travel**

The Forest Service will be responsible for reimbursement of costs as established in the SPA, typically including established hourly rates of pay, appropriate fringe benefits, and other direct costs like travel and training.

The approved costs in timesheets, travel, and training will be billed to the Government and approved by the ACES Coordinator according to the procedures identified in FSM 1871.2 (No. 5 on page 12).

#### **1. Timesheets:**

- a. Each non-profit partner organization will provide instruction and training to ACES enrollees and ACES Monitors on how to use their timekeeping systems.

b. Timesheets must identify hours worked. Approval of these documents by the ACES Monitor constitutes approval of the associated work performed.

2. Training:

a. Forest Service staff may provide training directly relevant to the enrollee's work responsibilities through the performance period of the SPA. Generally, ACES enrollees are fully trained and experienced when enrolled and little or no training should be needed. However, technological changes, new equipment, new or revised program requirements, and so forth, may require that enrollees receive further training to assist the Forest Service in accomplishing its mission. Enrollees may be sent to training if it is related to their ACES position duties and included in the position description.

b. All training must be approved in advance by an ACES Monitor and ACES Coordinator. The non-profit partner organization will process the training request. All training and travel costs are charged to the SPA that covers the enrollee. If training has been authorized for the ACES position, then the enrollee shall coordinate the request with the non-profit partner organization for payment.

c. Costs for training should be estimated whenever possible at the time the position description and SPA are completed. The training costs should be denoted in the budget for the SPA in the "direct costs" category accordingly. Unplanned training or travel costs may require a modification to the SPA at the discretion of the Grants Management Specialist.

3. Travel:

Travel expenses may be paid for ACES Enrollees engaged in work benefiting the Forest Service (FSH 6509.33, Federal Travel Regulation).

a. ACES enrollees may be sent on travel for activities essential to their ACES Position duties. ACES enrollees shall adhere to travel arrangements and reimbursement procedures of the non-profit partner organization and the travel specifications in the enrollee position description. All travel advances and reimbursements are managed by the non-profit partner organization.

b. All travel must be approved in advance by an ACES Monitor or the ACES Coordinator in the position description.

(1) An ACES Monitor and/or ACES Coordinator shall approve travel advances or reimbursement requests in writing prior to the enrollee submitting it to the non-profit partner organization for processing.

(2) Travel costs are borne by the enrollee until submission of the expense form and original receipts to the non-profit partner organization headquarters for reimbursement. The enrollee should contact the non-profit partner organization Field Coordinator for specific instructions. If a travel advance is needed, the enrollee shall contact the non-profit partner organization for instructions.

(3) Local travel will usually be done in an official Government vehicle or rental car as appropriate.

(4) Considerations for non-local travel include the following:

(a) Travel Status. While in non-local travel status, enrollees should use the most economical means of transportation available. The enrollee must abide by the non-profit partner organization's travel policies for airline, lodging, car rental, advances, and reimbursements.

(b) Training Travel Costs. If travel costs are incurred with training, contact the non-profit partner organization Field Coordinator for instructions on the authorization and submission of travel expenses.

(c) Rental Cars. Enrollees may submit for reimbursement personal rental car costs used only in the context of an ACES Position assignment. The use of rental cars on a business trip must be approved in advance by the enrollee's ACES Monitor. Such approvals should be brought to the ACES Coordinator's attention immediately.

(d) Mileage and Per Diem Rates. The ACES Program follows the Federal General Services Administration per diem (lodging and meal and incidental expenses) rates.

### **1873.5 - Use of Government Vehicle**

Enrollees may drive the Government vehicle or ride as a passenger. Government driver's licenses may be issued to ACES enrollees according to FSH 7109.19, Fleet Equipment Management Handbook, section 63, Testing.

The Federal Tort Claims Act (FTCA) of 1946 places liability on the Government for claims arising from automotive accidents involving Government-owned or -leased vehicles being used on official Government business.

### **1873.6 - Status of ACES Enrollees**

The Agricultural Act of 2014 legislation provides enrollees with liability coverage as defined in Section 1252(d) which states, "An individual providing technical services under the ACES Program is deemed to be an employee of the United States Government for purposes of

chapter 171 of title 28, United States Code, if individual” is “providing technical services pursuant to an agreement entered into under subsection (b) or acting within the scope of the agreement.”

Any person legally eligible to work in the United States, who meets the requirements for the ACES Program, may be considered an applicant for enrollment. As a result of the Immigration Reform and Control Act signed on November 6, 1986, cooperators are subject to penalties if they knowingly hire illegal aliens or discriminate against current or prospective enrollees because of their citizenship status.

#### **1873.7 - Non-Eligibility for Forest Service Awards**

Since enrollees are not Forest Service employees, they are not eligible to receive Forest Service awards (FSH 6109.13, Performance, Training, and Awards Handbook, chapter 30, Incentive Awards). The Forest Service may, however, give letters of commendation or certificates of appreciation to ACES enrollees. ACES Monitors who wish to give such recognition should coordinate these with their ACES Coordinators and the non-profit partner organization.

#### **1874 - Annual Accomplishment Reporting**

By November 15 each year or as determined by each Region, Station, Deputy Area, or Job Corps National Office shall report participation in the ACES Program in the VS Reports, the Volunteers and Partnerships Database. Regions, Stations, Deputy Areas, and the Job Corps National Office shall report the number, gender, and ethnic background of service participants as well as accomplishments in terms of person-years and value of work performed for the previous fiscal year.

Each fiscal year, the Washington Office, National Forest System, Recreation, Heritage and Volunteer Services staff shall prepare a narrative report of significant actions/events and noteworthy accomplishments of the ACES Program during the year to the USDA.