



Federal Bureau of Prisons Staffing Overview

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United States Department of Justice
Federal Bureau of Prisons
Office of Public Affairs
Washington, DC 20534

Introduction

The Federal Bureau of Prisons (FBOP) is dedicated to maintaining a secure and efficient correctional system. This document provides an overview of our staffing levels, highlighting the number of authorized, funded, and filled positions, with a specific focus on correctional services and officers. Additionally, it outlines utilizing a new Automated Staffing Tool to determine the adequacy of staffing in various departments and explores the reasons behind employee departures and leaves.

Overview of Current Staffing Levels

As of May 4, 2024, the FBOP's staffing levels are as follows:

- Active Employees in Pay Status
 - Correctional Officers ("Line" Officers): 12,332
 - All Other Position: 22,152
- Active Employees in Non-Pay Status:
 - Correctional Officers ("Line" Officers): 191
 - All Other Position: 98
- Total Filled Positions: 35,753
- Authorized Full-Time Positions:
 - Correctional Officers ("Line" Officers): 14,900
 - All Other Position: 27,498
 - Total Positions: 42,398
- Vacant Positions: 3,827

Breakdown of Correctional Officer (GL-0007) Series Positions:

A significant portion of our workforce is dedicated to correctional services, particularly correctional officers. The (GL-0007) Series includes Correctional Officers ("Line" Officers), Lieutenants, Correctional Systems Officers (R&D), and Correctional Counselors.

- Authorized Correctional Officer Series (GL-0007) Positions: 20,446
- Filled Correctional Officer (GL-0007) Series Positions: 76% filled at 15,477
- Authorized Correctional Officers ("Line" Officers): 14,900
- Funded Correctional Officers ("Line" Officers): 100% funded at 14,900
- Filled Correctional Officers ("Line" Officers): 83% filled at 12,332

Despite the high funding level, the FBOP has identified a need for approximately 4,300 additional positions in the Correctional Services Department to ensure adequate staffing across all institutions. This estimate includes Correctional Officer series positions and related roles like Captains and Tool & Lock shop positions.

Employee Retention and Transfers

Over 60% of correctional officers who left their positions transferred or were promoted to positions outside of the correctional officer job series. This highlights a positive trend of career progression within the FBOP but also indicates a potential challenge in retaining correctional officers in their initial roles.

Automated Staffing Tool for Adequate Positioning

To better assess and project staffing needs, the FBOP has incrementally developed an Automated Staffing Tool (AST). This tool uses various data points to determine the optimal number of positions required in each institution. These data points include the physical layout of an institution, security type, the number of adults in custody, and institution mission. Throughout 2024, the FBOP will expand the use of this tool to cover all areas, including medical services, ensuring a comprehensive approach to workforce planning.

Employee Leave Data

Staffing dynamics are also influenced by employee leave. As of the latest data:

- **Paid Leave Pending Investigation for Serious Misconduct:** 256 employees.
- **Unpaid Leave:** 289 employees. This category includes employees on leave for military service and workers' compensation.

These figures highlight the importance of maintaining an effective and adaptable workforce management strategy to ensure that operational needs are met even when employees are on leave for various reasons.

Conclusion

The FBOP is committed to ensuring adequate staffing levels to meet its mission of maintaining secure correctional facilities. With 91% of funded positions filled, the bureau is well on its way, but challenges remain, particularly in correctional services. By leveraging innovative tools like the Automated Staffing Tool and focusing on employee retention, the FBOP aims to address these challenges and continue providing a safe and secure correctional environment.

FBOP SUMMARY OF HIRING AUTHORITIES AND TOOLS					
INCENTIVE	POSITIONS/LOCATIONS	DETAILS	POLICY CITATION	IMPLEMENTATION DATE/USAGE:	OPM APPROVALS - ADDITIONAL FUNDING NEEDS
Above the Minimum Rate (AMR)	<p>Any hard-to-fill position, typically medical.</p> <p>(Attorney positions are excluded and must be approved by the Director, Office of Attorney Recruitment and Management)</p> <p>Dental Officers, Medical Officers and Psychiatrists are excluded from this incentive.</p>	<ul style="list-style-type: none"> • Must be newly appointed or re-appointed after 90-day or more break in service; • Allows for the appointment of an employee at a salary rate above the minimum step of the qualifying grade for superior qualifications OR special need; • Superior Qualifications: Applicants with superior qualifications would forfeit income that would justify a salary above the base pay for the grade; • Special Need: Applicants with a unique combination of education and experience that meets a special need of the agency; • 20% higher than candidate's existing pay criteria: Applicant's qualification for the position in relation to other candidates, other specialized job requirements or special needs of the agency must carry equal weight; • Rate cannot exceed a candidate's existing pay by 20% <p>MUST be approved by the Bureau Personnel Director PRIOR to entry on duty date.</p>	<ul style="list-style-type: none"> • PS 3530.02, Part 1 • 5 CFR 531.211 • 5 CFR 531.212 • May be used simultaneously with Annual Leave Credit and Recruitment Incentive. 	On-going	N/A
Annual Leave Credit for Non-Federal Service (ALC)	Any location for hard-to-fill positions, typically medical.	<ul style="list-style-type: none"> • Must be newly appointed or re-appointed after 90-day or more break in service; • Service (experience) must be directly related to the duties of the position AND detailed in resume; • Applicant receives service credit for prior non-Federal work experience; 	<ul style="list-style-type: none"> • Public Law 108-411 • 5 CFR 630.205 • May be used simultaneously with AMR and Recruitment Incentive. <p>Approval authority cannot be re-delegated below Bureau Personnel Director</p>	Annual Leave Credit for Non-Federal Service usage continues throughout the FBOP.	N/A

		<ul style="list-style-type: none"> The amount of service credited to an applicant may not exceed the actual amount of service during which he/she performed duties directly related to the position to which appointed; MUST be approved by the Bureau Personnel Director PRIOR to entry on duty date. 			
Recruitment Incentive	<p>Applies to any location and any position, as needed.</p> <p>(Attorney positions must be approved by the Bureau General Counsel)</p> <p>Dental Officers, Medical Officers and Psychiatrists are excluded from this incentive.</p>	<ul style="list-style-type: none"> May be paid when the employee's position is likely to be difficult to fill in the absence of an incentive; Must be newly appointed or re-appointed after 90-day or more break in service; May be paid to an individual or group of employees; Requires a written service agreement of 24 months of employment; Institution group incentives require a 12 month service agreement; Service agreements can be shorter, at the Director's discretion, but may not be less than 6 months; May pay up to 25% of employee's annual rate of basic pay. Medical positions (with the exception of Nurses) require the approval of the AD, HSD and Personnel Director; MUST be approved by the Bureau Personnel Director PRIOR to entry on duty date. 	<ul style="list-style-type: none"> PS 3530.02, Part 2, 2A 5 CFR 575 Subpart A DOJ Order 1200.1, Part 2 Compensation May be used simultaneously with an AMR and ALC. <p>Approval authority for selectee cannot be re-delegated below Bureau Personnel Director.</p>	<p>Recruitment incentive usage continues throughout the FBOP,</p> <p>3/11/2019: A 10% Retention Incentive was authorized by former Acting Director Hugh Hurwitz to utilize at various locations where the Correctional Officer filled staffing levels were at 85% or below. This usage of this incentive was re-evaluated periodically and was utilized up through 3/25/2023.</p> <p>3/26/2023: Director Peters increased and modified the recruitment incentive for Correctional Officer new hires to 25% or \$10,000, whichever is greater, for eligible Correctional Officer new hires at all FBOP locations.</p> <p>Other group Recruitment approvals exist at the following locations for all eligible new hires:</p> <p>ATW/HER/MEN 17% DUB/VCX 15% BRO/YAZ 25%</p>	<p>If the FBOP received additional funding, larger recruitment incentive requests exceeding 25%, but no more than 50%, could be submitted to OPM for approval for specific hard-to-fill and critical shortage positions.</p>
Relocation Incentive	<p>Applies to any hard-to-fill location and/or any hard-to-fill position as approved by the Director.</p> <p>Dental Officers, Medical Officers, and Psychiatrists may be eligible for relocation incentives only in extenuating circumstances.</p>	<ul style="list-style-type: none"> Current employee who accepts a hard-to-fill position at a hard-to-fill location. Offered to current FBOP employees; Employee must relocate and establish a new residence in the new commuting area; 	<ul style="list-style-type: none"> PS 3000.03, Chapter 3 Applies to any hard-to-fill location and/or any hard-to-fill position as approved by the Director. 5 USC 5753 DOJ Order 1200.01, Part 2 5 CFR 575 Subpart B 	<p>On-going usage continues at hard-to-fill locations where approval was obtained by the Director for hard-to-fill positions.</p> <p>2/10/2019: A 10% Relocation Incentive was authorized by former Acting Director Hugh Hurwitz to utilize at various locations where the filled overall institution staffing levels</p>	N/A

		<ul style="list-style-type: none"> • Requires a written service agreement of 24 months of employment; • Service agreement can be shorter, at the Director's discretion. • Requests for hard-to-fill locations and positions are submitted to SERS for the Director's approval <u>before</u> position is announced. • Requests for employees selected are submitted to SERS for the Director's approval before the vacancy is posted; • Open-continuous position requests require approval once a year; • Requests for employees selected for identified position MUST be submitted to SERS and approved by the AD, HRMD PRIOR to entry on duty date at new location; • May pay up to 25% of the employee's basic rate of pay in a lump sum payment. 	<ul style="list-style-type: none"> • May not be used simultaneously with Retention Incentives. • PS 3530.002, Part 2, 2C • 5 CFR 575 Subpart C • 5 USC 5754 • DOJ Order 1200.1, Part 2. Compensation • May not be used simultaneously with Relocation Incentives. 	<p>were at 85% or below. The usage of this incentive was re-evaluated periodically. Certificates at select locations were approved to use this incentive for selections that were made on or before December 29, 2023.</p> <p>Other group Relocation approvals exist at the following locations for eligible employees: ATW/BRO/DUB/HER/MEN/VCX/YAZ</p>	
<p>Retention Incentives</p>	<p>Applies to any position at any location, as needed. Dental Officers, Medical Officers and Psychiatrists are ineligible for this incentive.</p>	<ul style="list-style-type: none"> • Paid to retain current employees who would be likely to <u>leave the Federal service</u> in the absence of an incentive. • Used for unusually high or unique qualifications or special need. • May be offered to employees regardless of their length of service previously completed with the Bureau; • Medical positions (with the exception of Nurses) require the approval of the AD, HSD and Personnel Director. • Must be submitted for review and approval annually. • May request up to 25% of an employee's rate of basic pay. 	<ul style="list-style-type: none"> •PS 3530.002, Part 2, 2C •5 CFR 575 Subpart C •5 USC 5754 •DOJ Order 1200.1, Part 2. Compensation •May not be used simultaneously with Relocation Incentives. <p>Approval authority cannot be re-delegated below Bureau Personnel Director .</p>	<p>1/2020: 5% Group Retention Incentive for 2019 retirement eligible employees</p> <p>3/2023: 5% Group Retention Incentive for 2019 retirement eligible employees was expanded to include retirement eligible employees for 2020, 2021, and 2022. The incentive amount offered increased between 5% to 8%. (If the FBOP received additional funding, the retention incentive amount along with expanding the eligibility group to include 2023 retirement eligible employees could be considered)</p> <p>7/28/2023 10% Group Retention Incentive for all Lieutenants</p> <p>Since 2019, 58 10% group retention incentives that have been approved for all eligible employees and/or Correctional Services employees and /or specific occupations. The</p>	<p>Current OPM group approvals:</p> <p>2/1/2024: BRO - 35% Group Retention Incentive for all eligible employees</p> <p>9/27/2023: ENG/POL/WAS - 25% Group Retention Incentive for all Correctional Officers, GL-0007-5/6/7/8 and Lieutenants</p> <p>9/27/2023: OXF - 25% Group Retention Incentive for all Correctional Services Employees</p> <p>9/21/2023: ATW/DUB/HER/FLX/LOS/SET/SHE - 25% Group Retention Incentive for all eligible employees</p> <p>9/20/2023: SDC - 25% Group Retention Incentive for all eligible employees</p> <p>5/22/2023: BER - 25% Group Retention Incentive for all eligible employees</p>

		<ul style="list-style-type: none"> • Service agreement of 24 months is required or for a shorter period of time at the Director's discretion. Requires current rating of record of successful or above. • Employee will be notified in writing or electronically that the incentive will terminate when vacating the position, changing locations, or when circumstances exist that would warrant management to discontinue the incentive. 		<p>threshold for a 10% group retention incentive is 85% for identified staffing levels. If the FBOP received additional funding, a blanket retention incentive could be extended to additional impacted locations that meet the threshold criteria.</p>	<p>5/25/2022: BMX/HER/FLX/MEN/YAZ – 25% Group Retention Incentive for all Correctional Officers, GL-0007-5/6/7/8</p>
Student Loan Repayment	<p>Occupations are determined by Bureau separation rates, annually.</p>	<ul style="list-style-type: none"> • For newly appointed or current employees. • Must occupy or be recruited for a position with positive education requirements as established by OPM; • Occupation must have a separation rate exceeding the national average separation rate for FBOP positions unless identified by AD, HRMD as an exception; • Exception may be granted to candidates or employees in occupations whose separation rates are not above the national separation rate but have extreme local recruitment or retention problems; • Exception may be granted to candidates or employees with no education requirements who possess unique experience, qualifications and expertise necessary for the FBOP; • Must demonstrate difficulty filling position locally 	<ul style="list-style-type: none"> • PS 3000.03, Chapter 3 • 5 CFR, Part 537 • DOJ Order 1200.1, Part 2. Compensation • May be used in conjunction with other recruitment and retention incentives. <p>Approval authority cannot be re-delegated below Bureau Personnel Director.</p> <ul style="list-style-type: none"> • Requests for exceptions for candidates with no education requirements and where there has been demonstrated difficulty filling the position locally may be forwarded and will be reviewed on a case-by-case basis. 	<p>2/26/2021: Waiver to permit payment to newly appointed employees who have completed six months of continuous employment and are awaiting completion of ICT II training requirements remains in effect.</p> <p>12/30/2021: Waiver extended through 12/31/2022.</p> <p>2/28/2023: Waiver extended through 12/31/2023 and modified to permit payment to newly appointed employees who are awaiting completion of ICT II training requirements.</p> <p>1/3/2024: Waiver extended through 12/28/2024.</p>	
Maximum Entry Age Waiver	<p>Applies to law enforcement applicants who have reached their 37th birthday prior to an Entrance on Duty date.</p> <p>DOJ has exempted the below positions from requiring a waiver:</p>	<ul style="list-style-type: none"> • A waiver of the maximum entry age requirements maybe requested for any law enforcement position; • A waiver may be granted that allows the 	<ul style="list-style-type: none"> • 5 U.S.C. 8331 • DOJ Order 1200.1, Part 1, Employment • Robert P. Isabella v. Department of State and OPM 	<p>10/1/2023: The Correctional Officer standing inventory, October 1, 2023 to September 30, 2024, permits non-veteran preference eligible qualified applicants who haven't reached their 40th birthday to be eligible for certification and employment</p>	

	<ul style="list-style-type: none"> •Medical Officers •Dental Officers •Catholic Chaplains •Islamic Chaplains •Jewish Rabbis •Nurses •Nurse Practitioners •Physician Assistants 	<p>appointment of an applicant up to the date immediately preceding his/her 40th birthday;</p> <ul style="list-style-type: none"> • The Director of the Bureau of Prisons is authorized by the Attorney General to approve a waiver of the maximum entry age for persons appointed to any law enforcement position preceding their 40th birthday; • Waivers for applicants over the age of 40 for other occupations require the approval of the Department of Justice. <p>MUST be approved by the Director PRIOR to entry on duty date.</p> <p>VETERANS:</p> <ul style="list-style-type: none"> • Qualified preference eligibles may apply and be considered for vacancies, regardless of whether they meet the maximum age requirements identified at 5 U.S.C. 3307. • In order to determine whether it must waive a maximum entry-age requirement, an agency must first analyze the affected position to determine whether age is essential to the performance of the position. • If the agency decides age is not essential to the position, then it must waive the maximum entry-age requirement for veterans' preference eligible applicants. 	<ul style="list-style-type: none"> • 5 CFR 338.601 <p>Approval authority cannot be re-delegated below the Director</p>	<p>consideration. Eligible applicants who meet this age requirement and who are selected for a Correctional Officer position must have an age waiver approved by the Director prior to entry on duty date. All selectees must enter on duty before September 30, 2024.</p>	
<p>Mandatory Retirement Age Waiver for LEOs</p>	<p>Applies to any position at any location when a skill shortage exists AND no qualified replacement is available to continue the incumbent's vital program.</p>	<ul style="list-style-type: none"> • Must demonstrate that continuation of the employee's services promotes the needs of the agency in fulfilling its mission and clearly serves the public interest; • The Director may grant a waiver up to the day 	<ul style="list-style-type: none"> • 5 USC 8335 • 5 USC 8425 • DOJ 1200.1, Part 1. Employment <p>Approval authority cannot be re-delegated below the Director.</p>	<p>On-going usage continues and individual requests are considered on a case-by-case basis.</p>	

		<p>preceding an individual's 60th birthday;</p> <ul style="list-style-type: none"> • MUST be approved by the Director PRIOR to employee's mandatory retirement date. 			
<p>Title 38</p>	<p>A special pay authority used to recruit and retain employees in certain health care occupations. This hybrid pay system is applicable to the following positions: Dental Officer, Medical Officer and Psychiatrists.</p> <p>The pay system uses the GS base pay under Title 5 along with a market pay supplement under title 38. The pay provision is delegated to DOJ by OPM and offers a total compensation package which addresses the unique qualifications and skills of the individual. Additionally, the market pay supplement is intended to reflect the recruitment and retention needs for the specialty or assignment of a particular individual, and in paid in lieu of locality pay, special rate supplements, and the usual incentives offered by the agency</p>	<ul style="list-style-type: none"> • Plan that offers a total compensation package addressing unique qualifications and skills of potential Dental Officer, Medical Officer, and Psychiatrist. • This is a hybrid system that uses a GS base pay plan under title 5, along with a market pay supplement under title 38. • New Hires base pay must be set no higher than step one of the position grade. Above the minimum is not permitted. Pay will be considered based on the current salary data, including all allowances and incentives if any, resume/ curriculum vitae, credentials/certifications, and any other documentation to support the qualifications, experience, and accomplishments. • Retirement coverage and eligibility is not affected. • Employee will be eligible for general pay increases, within grade increases, quality step increases, promotions, and cash awards. • All market pay requests MUST be submitted to CCS, reviewed by HSD and approved by the Bureau Personnel Director PRIOR to entry on duty date. 	<ul style="list-style-type: none"> • PS 3530.02, Part 6 • 38 USC 7431, 7433 • 3 USC 102 • 5 USC Chapters 51,53,55, 59 and 63 • 5 CFR Parts 511,530,531,and 536 • Student Loan Repayment and Annual Leave Credit may be utilized with this pay system. • May not be used with AMR, Recruitment or Retention Incentives. • In rare situations, approval may be granted for a relocation incentive. 	<p>On-going usage continues for this special pay authority</p>	

<p>Direct Hire Authority (DHA)</p>	<p>A Direct-Hire Authority (DHA) is an appointing (hiring) authority that the Office of Personnel Management (OPM) can give to Federal agencies for filling vacancies when a critical hiring need or severe shortage of candidates exists.</p> <p>DHA enables an agency to hire, after public notice is given, any qualified applicant without regard to 5 U.S.C. 3309-3318, 5 CFR part 211, or 5 CFR part 337, subpart A</p>	<ul style="list-style-type: none"> • Identify the position or positions and locations for the request; • State the type of DHA requested: severe shortage of candidates or a critical hiring need • Indicate the duration requested and discuss why this period is needed; • Provide evidence in favor of the specified request category; • Once OPM approval is received, FBOP location is removed from the standing inventory; • CSU provides public notice for the approved position to identify where applications should be submitted; • The location (institution) receives the applications and follows the 4 point notification process for the evaluation and screening of the applicant's resume; • Category rating requirements are removed; • Veterans preference is not considered when reviewing/qualifying applicant resumes; • Applicant must meet all pre-employment screening and eligibility requirements; • Provides a more expeditious time period to hire an applicant 	<ul style="list-style-type: none"> • 5 CFR 337.204 or 5 CFR 337.205 • 5 USC 3304(a)(3) 	<p>FBOP requests are submitted on a case-by-case basis</p>	<p>2019: Nationwide request for DHA approval denied by OPM.</p> <p>2020: revised nationwide request for DHA for Correctional Officers only – denied in September,2020 by OPM who found we did not provide a sufficient shortage of candidates.</p> <p>Correctional Officer DHA Approvals: 8/2/2021: TOM approved to fill 65 Correctional Officer, GL-0007-5/6/7 positions. Expiration date: 8/1/2022</p> <p>9/13/2022: TOM approved to fill 71 Correctional Officer, GL-0007-5/6/7 positions. Expiration date: 9/12/2024</p> <p>5/24/2022: BER/BMX/FLX/HER/MEN/YAZ approved to fill Correctional Officer, GL-0007-5/6/7 positions. BER 20 BMX 64 FLX 62 HER 17 MEN 7 YAZ 143 Expiration date: 5/22/2024</p> <p>8/29/2023: Amendment approval received to fill additional Correctional Officer positions: BER 28 FLX 54 HER 39 MEN 15 Expiration date: 8/28/2025</p> <p>5/13/2024Received OPM approval for DHA to fill 2,501 Correctional Officer positions nationwide. Expires 12/31/2026.</p>
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GL-4 nurses	Request to OPM to re-establish the GL-4 nurse to attract nurses earlier in their career.				Denied by OPM in 2023.
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