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CIV EMPLOYEES SOP

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CIV EMPLOYEES SOP

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Authority *NAV 883078*

BASIC: Ltr fr DA, Office of TAG, RAC, St. Louis 20, Mo., AGRS-GE 201  
(8 Aug 50), subj: "Policies Governing Civilian Employee Determinations," 8 Aug 50.

AGRD-JV

1st Ind

DAW/RE/ats

HEADQUARTERS, 8133D SERVICE UNIT, ADJUTANT GENERAL RECORDS DEPOSITORY,  
APC 928, 12 Sep 1950

TO: Chief, Civilian Personnel Records Branch  
Records Administration Center, AGO  
Bldg., 104, St. Louis 20, Missouri  
(ATTN: Casualty Unit)

1. In compliance with request contained in par 1 of basic, various command interpretations and policies are inclosed. These policies and interpretations have devolved from problems and circumstances that have arisen from time to time. All of them are not intended to be considered "hard and fast" rules, but are intended more as a guide, in order that a fair and equitable decision can be rendered on cases covered by the Missing Persons Act. Various circumstances or known facts which may not be shown or apparent in the case, are taken into consideration and this office attempts to judge each case on its individual merits under general policies and interpretations of the Missing Persons Act and the plan for Casualty Administration upon Reoccupation of the Philippines.

2. Further inquiry on policy matters may be directed to this headquarters.

FOR THE COMMANDING OFFICER:

1 Incl:  
Set of policies govern-  
ing Civ employee determin-  
ations, in dup.

BURL A. WOOD  
WOJG USA  
Adjutant

DEPARTMENT OF THE ARMY  
OFFICE OF THE ADJUTANT GENERAL  
RECORDS ADMINISTRATION CENTER  
ST LOUIS 20, MISSOURI

8 August 1950

AGRS-CE 201  
(8 Aug 50)

SUBJECT: Policies Governing Civilian Employee Determinations

TO : Commanding Officer  
Adjutant General Records Depository  
Philippines Command (Air Force) & 13th Air Force  
APO 928, c/o P. M.  
San Francisco, California

1. At a recent conference held in Washington, D. C., representatives of your office indicated that certain current policies used by your office in making determinations of status under the Missing Persons Act of former civilian employees would be made available for use in connection with current activities at the Records Administration Center.
2. Information is furnished that during March 1950 the Civilian Personnel Records Branch, this Center, assumed custody of all civilian employee project "J" files, and on 19 May 1950 the current functions and files of the Determination Unit, Casualty Section, Personnel Actions Branch, AGO, as pertains to civilian employees, were transferred to the Civilian Personnel Records Branch. Authority was also delegated by the Secretary of the Army on 9 March 1950 to Albert A. Lindquist, Colonel, AGO, Chief, Civilian Personnel Records Branch and to Merrill C. Billbe, Captain, AGO, Executive Officer to make such determinations as may be necessary under the provisions of Public Law 490-77th Congress, as amended.
3. In order that the Civilian Personnel Records Branch may have complete information available when processing a "civilian case," it is requested that the policies and procedures referred to in Paragraph 1 be furnished at your earliest convenience. It is further requested that the list of affiants whose statements are not usually considered reliable be furnished.

FOR THE ADJUTANT GENERAL:

s/ M. C. BILLEE  
Adjutant General

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Authority *AWD 883078*

CIVILIAN EMPLOYEES DETERMINATIONS  
UNDER THE MISSING PERSONS ACT

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HEADQUARTERS  
8133D SERVICE UNIT  
ADJUTANT GENERAL RECORDS DEPOSITORY  
APO 928

SECTION I

HOW IDENTIFIED AND DETERMINED AS CIVILIAN  
EMPLOYEES OF THE WAR DEPARTMENT

A. Procedure in Civilian Adjudication Section

1. Once a claim is received by the adjudicator the case is reviewed to determine the following information, its availability and whether payroll data is available to establish or partially establish employment:

- a. WD employment and position
- b. Date of beginning of employment
- c. Date of cessation of employment and reason
- d. Rate of pay
- e. Date last paid
- f. Continuity of employment
- g. Guerrilla activities
- h. Employment by Japanese agency

2. In practically all cases War Department employment is verified by office payroll records or documents in possession of this headquarters. Occasionally verification is obtained from supervisors or other superiors who have personal knowledge of employment and who are solicited to make affidavits as to beginning, duration, nature of employment and rates of pay.

3. In the absence of official information to the contrary, as a rule, claimant's statement is accepted as to date of beginning of employment. Occasionally payroll records assist.

4. To determine date of cessation of employment, as a rule, claimant's statement is accepted. Affidavits, or the findings of a field investigation may be used to determine date of cessation of employment and whether employee worked until enemy action precluded continuance. When any

Section I - How Identified and Determined as Civilian Employees of  
the War Department (Cont'd).

doubt exists on any matter considered factual in rendering a determination, affidavits of superiors are considered fairly conclusive.

5. Payroll records may be helpful in determining dates of cessation of employment. However, they are usually incomplete and rarely show the last period worked before cessation of duty.

B. Civilian Adjudication Check List

1. The following check list is used on civilian cases:
  - a. Position title: Use the position or job for which the employee was last paid prior to coming under MPA. Do not use local terminology or dialects.
  - b. Place, location, department: Use the place, location or department of employment where employee was assigned when last paid. All civilian determinations will clearly show the subjects place of employment. Instead of Corregidor, Ft. Mills, Corregidor will be used; instead of Manila, Ft. Wm McKinley, Nichols Field, Fort Area, etc., will be used.
  - c. Grade: Use grade held when last paid for CAF or other graded employees. Use "ungraded" for Filipino personnel.
  - d. Salary: Use rate when last paid. Make arithmetic check in all cases of other than fixed rate. Be sure to include or exclude quarters and rations as appropriate. Check payroll copies to insure correctness.
  - e. Period of entitlement: Begin date after last payment in full. Terminate on date work ceased, date released from POW status or last date of proven illness or absence. Do not allow more than two (2) months for illness without proof.
  - f. Date last paid: Use date shown on payroll or date stated in affidavit, whichever is later date. Always check payroll. In deceased cases determine whether or not check payments were made before or after death and show date last paid accordingly.
  - g. Partial payments: Check payroll and be sure to indicate all partial payments.



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- h. Overtime: Allow only when evidence is specific as to entitlement and then compute and enter actual amount due.
- i. Date of death: Check all evidence in case carefully and evaluate so as to reconcile discrepancies. Be able to conclusively substantiate.
- j. Consultation: Whenever doubt exists whatsoever relative the correct entry to be made, consult and obtain a decision from Section Chief.

C. Active Service and Local or Intermittent Labor

1. Determination of status of "active service" in cases of residents of the Philippines.

- a. The term "active service" contemplates an indefinite and continuing employment which would extend beyond the accomplishment of a single task such as building a warehouse, guarding a stock of supplies which are being moved, or demolition of certain bridges. In other words, it contemplates that the employee has become a part of the normal and continuing civilian personnel complement of the installation. (Letter WDDB 1 May 45). Such service, \* \* \* is a question of fact and not of citizenship, residence or domicile prior to or during employment, or of prior employment in the United States or being sent therefrom. (Policy Memo WDDB 27 Jan 45).
- b. Residents of the Philippines who, prior to the outbreak of the war or during hostilities, were hired for analogous purposes, without contemplation of continuance as employees beyond the accomplishment of the task which warranted their employment, are not in general, by reason of such employment, regarded as having become civilian employees of the War Department within the meaning of the Missing Persons Act. Their status is that of native (local) labor casually hired. (Letter WDDB 1 May 45).

2. With the approval of the WD Dependency Board, this office has adopted the following practical test of indefiniteness and continuity of employment to bring it within the Missing Persons Act:

- a. Employees hired for an "indefinite" period prior to 7 December 1941 and who remained on duty until enemy action precluded the continuance of their duties, will be continued in service under the Missing Persons Act.

Sec I - How Identified and Determined as Civ Emp. of the WD (Cont'd)

- b. Employees hired after 7 December 1941 will not be continued in service under the Missing Persons Act unless:
  - (1) They remained on such employment for a period of at least thirty (30) days, and
  - (2) They continued on such employment after the expiration of the thirty (30) day period until enemy action terminated their employment.
  
- D. Negative and Non-Project "J" Cases.
  - 1. Negative Adjudication
    - a. When from a consideration of all the facts the adjudicator concludes that they are insufficient to entitle the person to the benefits of the Missing Persons Act, he enters a negative determination.
    - b. Negative determinations are made in cases where the facts allow the application of one or more of the following rules:
      - (1) Records indicate that employee was intermittent or local labor casually hired and not entitled to the benefits of the Missing Persons Act. Ordinarily an employee who has not worked continuously for thirty (30) days before termination of employment will be considered intermittent or local labor casually hired. For example, work on a project was terminated shows that man worked only 16 days in November. It may therefore be concluded that subject was an intermittent or casually hired employee, NOT under the Act.
      - (2) Records indicate that employee did not remain on duty status until enemy action precluded the continuance of such duties and is not entitled to benefits of the Missing Persons Act. Discharge of employees because of abandonment of a project due to change of tactical situation should not be considered as employment terminated due to enemy action. It must further appear that the employee remained on the duty until the job was halted by enemy action.
      - (3) Evidence available to this office is insufficient to identify subject as an employee of the War Department therefore it is impossible to certify subject for benefits under the Missing Persons Act and subject's claim has been unfavorably considered for this reason.

Sec I - How Identified and Determined as Civ Emp of the WD (Cont'd)

2. Non-Project "J"

a. As applied to this office, it refers to persons who are not WD civilian employees, with or without any connection with the War Department. Examples are:

- (1) Those employed by Post Exchanges
- (2) Those employed by various military units and paid from unit funds, such as kitchen workers, shoe shiners or employees of officers messes.
- (3) Employees of the Philippine Army.

3. Reason for Negative Determination

a. The following may be used as a reason for negative determination:

"Not in active employment at or subsequent to the outbreak of hostilities."

4. Active employment includes recognized leave, sick or annual, with or without pay. In the absence of CGSA information proving leave status, other acceptable proof must be produced. Claimants statement in itself is not sufficient.

SECTION II

STATUS UNDER THE MISSING PERSONS ACT

DETERMINING PERIODS OF ENTITLEMENT AND NON-  
ENTITLEMENT TO ARREARS IN PAY

A. Interpretation of Missing Persons Act, Staff Memo #14

1. Check sheet - from: D C and C/S To: Rec Pers Div

a. As a result of the conference held in my office, attended by the AG, the A C/S, G-3, representatives of the PA Section, G-3, the Recovered Personnel Division, AG, and Plans Division, the following policy is furnished for your information and guidance:

(1) Under the policy of this Headquarters, determination of casualty status and entitlement to pay under the Missing Persons Act will be as follows:

- (a) A person missing in action (whereabouts unknown) or captured and imprisoned or interned by the enemy until his recovery by United States forces, will be determined to be in a casualty status with entitlement to pay for such period.
- (b) A person who evaded capture, or fled to the hills, or actively joined guerrillas, or actively participated in the anti-Japanese movement, or remained in hiding to avoid capture, until his return to military control, will be determined to be in a casualty status with entitlement to pay for such period.
- (c) A person who evaded capture, but returned to his home and continued a normal mode of living, will be determined not to be in a casualty status and not entitled to pay from the date of his release until the date he actively joined guerrillas or actively participated in the anti-Japanese movement, or returned to military control.
- (d) A person who was captured and imprisoned or interned by the enemy, but was thereafter released will be determined not in a casualty status and not entitled to pay from

Section II (Cont'd)

the date of his release until the date he actively joined a guerrilla force, or actively participated in the anti-Japanese movement, or returned to military control.

(e) A person whose active service in or for the military forces of the United States was terminated as a result of the enemy occupation and who was permitted to return to his home and pursue a normal mode of living, will be determined not in a casualty status and not entitled to pay after the date of termination of such active service.

(f) A person falling within the provision of g, d, or e, above, who can prove that material restraint was imposed on him or that he suffered "serious deprivation," to an extent greater than the restrictions, inconveniences, and lowered standards of living generally suffered by other residents incident to the Japanese occupation, as a direct result of his former official status under the United States, will be determined in a casualty status with entitlement to pay for the period such condition existed. The burden of proof rests with the claimant.

(g) Attention is also directed to par IV 1 (e) of the War Department Plan for Casualty Administration Upon Reoccupation of the Philippines.

B. Allowances for Sickness

1. Following will be used as a policy to determine cases where sickness is claimed as a result of action in the field, or from recognized established internments or concentrations:

- a. The place sickness was contracted is an important factor in determining a claim of sickness. Civilian employees of the War Department who worked on Bataan and Corregidor or who were interned at Camp O'Donnell, will have a service connected claim. Persons who claim sickness, but were employed at a different location, such as Fort Area, Manila or Fort Stotsenburg, cannot be assumed to have a service connected sickness. In such cases supporting evidence of claim will be required.

Section II(Cont'd)

- b. In cases where subject claims sickness for any period during the occupation, he will be required to present acceptable evidence to support claim of sickness as follows:
  - (1) Doctor's certificate or affidavits from two (2) responsible persons (Parish priest, mayor of town, barrio leader, etc).
- c. In cases where subject has been imprisoned at Camp O'Donnell, Capas, Tarlac, and was released on account of sickness, or escaped, and claimed sickness but does not state how long sickness last, a period of sixty (60) days will be assumed to have been sufficient for purpose of recuperation.
- d. In cases where subject was interned in camps other than O'Donnell, the type of sickness must be ascertained before recuperation period can be determined.
- e. Six (6) months maximum allowance is authorized for recuperation from an alleged sickness incurred during War Department employment when claimant has submitted medical certificate or other satisfactory evidence, wherein exact period of sickness is not proven.

C. Guerrilla service.

1. All affidavits will be searched for statements regarding guerrilla activity. All claiming guerrilla activity should be checked against recognized guerrilla rosters to verify guerrilla status determination before being approved for payroll as War Department civilian employee. However, employee may be carried as a civilian up to date guerrilla status is recognized.

2. A War Department civilian employee actually in a casualty status, who joined a recognized guerrilla unit may be continued in a civilian employee casualty status during such active guerrilla service. However, a civilian employee who is not in a casualty status by reason of his having returned to his home and having suffered no hardship or serious deprivation due to his former status as a civilian employee, does not revive or establish a civilian employee casualty status by joining the guerrillas. His rights, if any, are to Philippine Army status and as such shall be processed by Adjudication Branch, Philippine Army Section and paid by Philippine Army. (Checknote #2 dated 4 Jan 46 from Director RFD).

Section II (Cont'd)

3. Uncredited guerrilla service by the PA Branch, RPD, is only favorably considered by Project "J" Branch as an extension of casualty period when there is no break in service from date of the individual's last day of work with the War Department or upon recovery from sickness incurred as a result of his former War Department official status.

D. Japanese Employment

1. The day a War Department employee enters employment with a Japanese agency his missing status is terminated. A Japanese agency is defined as the Japanese sponsored Bureau of Constabulary, Municipal Provincial or Republic Office, or any private concern, utility or agency whose employees are paid by the Puppet Government or from Japanese funds. The only exception to this is forced employment.

2. The fact that a claimant did or did not work for a firm listed by AFWESPAC (16 Dec 45) as being under Japanese control, is immaterial so far as adjudication is concerned, except to prove that the claimant is not entitled to pay. The CIC findings will be used to establish loyalty status.

E. Allowance to Return Home

1. If individual in processing papers states it took two (2) weeks to arrive home after escaping from Death March or release from prison camp, such period is authorized. If no indication of time is shown, individual will be considered to have arrived home same day escaped or released from prison camp.

F. Continuation of Employment up to time of Preclusion by Enemy Action.

1. Where employee worked in Bataan or Corregidor and OSSA pay data shows him employed there after 1 January 1942 carry him through if he was taken prisoner of war.

2. If not taken prisoner of war OSSA must show him paid at least to 28 February 1942.

3. The most difficult problem to determine is the employee that states because of bombing he was unable to get transportation to work, or the employee on Corregidor who returned to Manila in December to see his family and states he could not get transportation back. Each of these cases will have to be decided on its merit. An old time employee will be given greater consideration than one who has worked a short time prior to the war. For the period up to 20 December 1941 the presumption is that the employee could get transportation back to place of employment. After that date, in case of old time employees, if reason given is plausible, the presumption will be in his favor. However, it must be remembered that there was considerable confusion



Section II (Cont'd)

and bombing after the outbreak of hostilities and that the majority of employees were given permission to evacuate their families and there actually was not always transportation back to place of employment. There should be a tendency toward a liberal attitude, especially when employee resides a considerable distance from place of employment.

4. Civilian employees, regardless of lengthy service (15, 20 or more years) will not be entitled to benefits for the full period under the Missing Persons Act if they were in any way gainfully employed during said period. The "restraint" policy will be applied in all such cases.

5. Continuity of employment will be determined by payroll records where possible. In the absence of these effort will be made to analyze the employment situation where employed to determine if employee was part of permanent or continuing personnel. The presumption is in claimants favor that employment was regular.



SECTION III

DEATH OF CIVILIAN EMPLOYEE

A. Establishment of Death

1. There are three means by which death is established for the purposes of the Act. They are:

- a. Report of death
- b. Determination of death
- c. Finding of death

B. Report of Death

1. Report of death consists of information "deemed to establish conclusively death of person" and is normally an official report rendered through military or international channels.

- a. Where death is established by a report of death, the benefits under the Act normally terminate on the date "such evidence \* \* \* is evaluated and found sufficient to establish the fact and time of death by the official having delegated authority to make such determination." (Par 7a (1) and 6a (2) Policy letter, WD Dep Bd, 27 Jan 45). However, in the case where next of kin were furnished notification of death by local officials, under the opinion of the JAG, the C-in-C may use "the date of receipt by next of kin from local officials of notification of death" if it is earlier than the date of receipt of the reports by C-in-C, as to the date on which benefits cease to accrue under the Act.

C. Determination of death

1. A determination of death is made upon a person absent in a casualty status when an official report of death is lacking but "when information and circumstances are deemed reasonably conclusive evidence of death and lead to no other logical conclusion." It may be made at any time when warranted by evidence.

- a. As in the case of report of death, the benefits under the Act ordinarily cease to accrue, where a determination of death is made on the date the official authorized to make the determination evaluates the evidence and makes his finding. However, where the next of kin had notice or knowledge of the death of the civilian employee under the circumstances outlined in the JAG opinion, the C-in-C may terminate the benefits under the Act as of the date that the next of kin acquired such knowledge.

Section III(Cont'd)

D. Finding of death

1. A finding of death is made at any time after the expiration of twelve (12) months absence in any case of a person missing or missing in action "when information is received or a lapse of time without information is deemed to establish a reasonable presumption that the person in the missing status is no longer alive." It is the means of establishing death by presumption when "the evidence does not warrant official report of the fact and date of death."

E. Termination of Pay by Death

1. The following is quoted from an opinion of The Judge Advocate General:

a. "It is the opinion of this office that the Commander-in-Chief, Army Forces, Pacific, may legally be authorized to determine that, in cases of death in the Philippine Islands of War Department civilian personnel, a casualty status within section 2 of the Missing Persons Act, shall not exist beyond:

(1) The date of receipt by the next of kin from local officials of notification of death or the date of receipt of such notification by General Headquarters, Army Forces, Pacific, whichever is earlier, or

(2) The date of actual death where the next of kin were present with such personnel at the time of death."

b. "It is further the opinion of this office that notice or knowledge of death, acquired by the next of kin under circumstances other than those described in paragraph a above, is not legally sufficient to justify a denial of a casualty status within section 2 of the Act, as amended, for any period prior to a determination of death or receipt of a report of death by the War Department or its authorized representatives."

2. In view of the above and WD Radio 49323 dated 15 Aug 45, approving such policy, payments to beneficiaries shall extend up to the dates determined under a(1) and (2) paragraph 1.

3. Where it is necessary to make a finding of death in the case of War Department civilian employees, such death will be presumed to have occurred one year and one day after the person became missing in action. In this case, payments to beneficiaries will be approved up to and including the date of death was presumed to have occurred.

Section III (Cont'd)

4. The term "were present with such personnel at the time of death" as above used, is considered to embrace not on the situation where the next of kin were present at the actual death but also the situation where the kin saw the body, attended the funeral, or otherwise had direct knowledge of the fact that the individual died.

5. When a finding of death is made the date upon which death actually occurred is not attempted to be determined. The effect of the finding is that henceforth the person is presumed to be dead. Corollary to such presumption there must be an arbitrary date for termination of pay status and settlements of accounts. Such date is technically known as the "presumed date of death." If review and finding of death is upon expiration of twelve months in a missing status the "presumed date of death" is required by law to be fixed as the date following such expiration; if finding of death results from a subsequent review the "presumed date of death" shall be determined by the official making the finding and shall in the absence of special circumstances be the date such finding is made. In no case shall presumed date of death be subsequent to the date the finding is made or earlier than the day following expiration of twelve months absence. (Par 8, Policy letter WDDB 30 Jan 45).

6. When the casualty status is terminated by a finding of death, the "presumed date of death" terminates the accrual of benefits under the Act. This presumed date may not be earlier than the expiration of twelve months absence or subsequent to the date the finding is made. The case of Filipino civilian employees disposed of by findings of death with "presumed date of death" as of this time will result in payments of benefits for over three years. Filipino civilian employees were in general not collected or prevented from returning to their homes and normal mode of life by the Japanese. Those who were confined or interned were released under the policy of amnesty by about August 1942. Where such an individual had not returned to his home or communicated his whereabouts within a year, his family would reasonably believe that he had died. However, these facts were not available to the War Department until the reoccupation of the Philippines. It is believed that these constitute "special circumstances" which would authorize the C-in-C determining "the presumed date of death" in case of Filipino civilian employees absent, more than a year in a status of missing or missing in action, at a date earlier than the date such finding is made, but not earlier than one year after the beginning of the absence.

F. Notification of Death

1. The following forms will be used, as appropriate in affecting notification of death.

a. Where death is established by report of death:

- (1) If next of kin received notification of death from local officials:

Section III (Cont'd)

- (a) "That the attached report of death is deemed sufficient to establish conclusively the death of the said employee at \_\_\_\_\_ on \_\_\_\_\_. The next of kin received such report of death from local officials on \_\_\_\_\_, and the casualty status of the said employee within section 2 of the Missing Persons Act, as amended, terminated on that date." (Auth: WD Itr WDGAP 704 (7 Feb 45) 11 Aug 45, subj: Casualty Administration in the Philippines)
- (2) If notification of death not furnished by local officials prior to receipt at this headquarters:
- (a) "That the attached report of death is deemed sufficient to establish conclusively the death of the said employee at \_\_\_\_\_ on \_\_\_\_\_. The report of death was received \_\_\_\_\_". (date of determination)
- b. Where death is established by a determination of death:
- (1) Where next of kin had "notice or knowledge of death" under circumstances covered by The JAG's opinion:
- (a) "That it may be reasonably concluded and determined that the said employee died at \_\_\_\_\_ on \_\_\_\_\_; or official notice thereof on \_\_\_\_\_; and that the casualty status of the said employee under Section 2 of the Missing Persons Act, as amended, terminated on this last mentioned date."
- (2) In other cases:
- (a) "That it may be reasonably concluded and determined that the said employee died at \_\_\_\_\_ on \_\_\_\_\_; evidence of death was received \_\_\_\_\_". (Date of the determination)
- c. Where death is established by a finding of death:
- (1) "That the said employee, having been in a missing status for more than twelve months and there being no evidence to indicate that he may be alive, a finding of death is warranted with \_\_\_\_\_ as the presumed date of death for purpose of termination of pay status and settlement of accounts." (The presumed date of death will be the date of the determination).

SECTION IV

RATES OF PAY

A. Establishment of Rates of Pay

1. Rate of pay should be confirmed by official payroll records or documents. In rare instances rate of pay may be proven by affidavits of persons having personal knowledge of salary, usually a personnel clerk, timekeeper or payroll clerk. There will be an investigation of reliability and identity of individual making the affidavit. In all cases of this nature knowledge of the adjudicator as to established rate of pay for certain jobs will assist in arriving at rate of pay.

2. In many cases when payroll records go up to 30 November or 15 December 1941 the employee will claim wages in excess of that shown by payroll records. If the difference claimed is small, for example: if the claimant claims \$.85 per day and official records show \$.75, use the official records. However, when there is considerable difference in amounts, interview and require claimant to prove his claim. In these cases affidavits will be accepted as to salary increased only from superior of individual whose integrity is known and who has personal knowledge of the payrolls.

3. Actually in late December 1941, many promotions and salary increases were made; however, proof must be unquestionable to establish individual promotions.

4. The date of last payment contained in affidavit is usually accepted unless there is official records to the contrary. In most cases claimant shows a later date than that shown by payroll records.

B. Graded and Ungraded Employees

1. Mr. C. C. Moulder, Director, Civilian Personnel Office of the Assistant Chief of Staff, G-1, was contacted by phone this date relative to a question pertinent to graded and ungraded employees. To brief the case, one Mr. Roy T. Tuggle was hired as an Associate Engineer. No record is on file to indicate that he was graded. However, there are cases on file in this Branch which indicate that Associate Engineer, being a professional job, was graded as P-3.

2. The question was directed to Mr. Moulder as to whether Mr. Tuggle should be carried as an Associate Engineer, P-3 and paid the different of pay as a graded employee. Mr. Moulder advised that he should not be paid as a P-3 but be paid at the rate of which he was hired prior to his absence and stated further that unless a grade is on record no authority exists to arbitrarily grade any individual without a job analysis by Civilian Personnel. (Memo for record, 25 June 1948).

C. Unpaid accrued leave

1. No claim for unpaid leave accrued prior to outbreak of

Section IV (Cont'd)

war is favorably considered unless sufficient proof is furnished to indicate validity of claim.

D. Pay of Army Transport Service Employees

1. With reference to the employment of this type of personnel, the crews of vessels of the Harbor Boat Service received a 50% increase over pre-war salary rates effective 1 February 1942, under a radio authorization of The Quartermaster General. For crews on transports or the larger ocean going vessels, a 100 % increase in their cash salary rates was granted. The shore establishment personnel (such as cook hands, maintenance and repair gang and office employees) were not included in this authorization which applied only to personnel on floating equipment.

2. No employee is entitled to receive any additional figures when it is shown on official pay records that such 50% or 100% pay increase was given and included in the February or March pay.

3. Payrolls will disclose the subsistence and quarters allowances were deducted when crew members were aboard ship and while ashore the per annum or cash rate specified applied. However, in most cases the crews of the various vessels were usually aboard ship.

4. Employees of commandeered, requisitioned, cooperating and confiscated organizations will be considered to be Contractors' employees, and, as such, not entitled to the benefits of the Missing Persons Act. Such employees will be given a negative determination, "Non-Project 'J', Contractor's Employee" and their claims will be referred to Claims Service or the Federal Security Agency, Bureau of Employees Compensation, as the circumstances of the case may require.

SECTION V

VALIDITY OF AFFIDAVITS

A. General Policies

1. No affidavit is acceptable unless the affiant can be identified as being in a position to have first hand information. In the absence of OCSA information, a driver on Bataan must obtain affidavits from co-workers on Bataan who this headquarters can identify as having been on Bataan.

2. The validity of all affidavits will be determined at the time they are submitted so that if not acceptable the claimant can be told at once what is required of him.

3. Project "J" Section does not maintain a list of individuals whose statements are not considered reliable. Such a list might serve a useful purpose in other sections of this headquarters as official records of actual induction into military service are generally not complete, therefore, affiants are needed to establish induction and service. To be accorded War Department civilian employee status, however, official records on individuals must exist before entitlement under the Missing Persons Act is given. Affiants are selected from payroll records for verification purposes. Affidavits submitted are used to the best interests of the United States Government.