



Fort Eustis Civilian Personnel Advisory Center Bulletin

www.eustis.army.mil/cpac

JANUARY 2008

670 Lee Blvd, Fort Eustis, VA 23604-5096



2007 Tax Statements (W-2 and 1099) will be available on myPay as follows:

- Retiree 1099R - Now Available
- Annuitant 1099R - Now Available
- Air Force, Army and Navy Reserve W2 – Now Available
- Civilian W2 – Now Available
- Marine Corps Active and Reserves W2 – Now Available
- Savings Deposit 1099INT - 1/18/2008
- Air Force, Army and Navy Active W2 - 1/22/2008
- NAF Civilian W2 - 1/11/2008

To access the forms, click on the following link:

<https://mypay.dfas.mil/mypay.aspx?flps=W2S~DCPS>

Annual Appraisals – Reminder

The rating period for non-NSPS employees occupying GS/WS1-8 & all WG/WL positions serviced by the Fort Eustis CPAC will end as follows:

All Fort Eustis/Story Employees (except ATSC) - 31 December

ATSC Employees - 31 January

All supervisors should remember the following tips when completing DA Forms 7223 and 7223-1:

- ✓ Ensure that the employee information is accurate.
- ✓ Check assigned rating chain to make sure it is accurately reflected for each employee.
- ✓ Ensure that all counseling sessions are properly documented (i.e. initialed and dated). Key points made during the sessions should be annotated and initialed.
- ✓ When using Part III of DA Form 7223 to document a performance award, make sure the approving signature is included. Note: A Request for Personnel Action (RPA) must be created to affect an award. Appraisal ratings must be received and entered into the DCPDS database, prior to submission of the award RPA for processing by the CPOC.
- ✓ Make sure a rating for each responsibility has been completed to include responsibilities 5 & 6 for positions with supervisory duties.
- ✓ Last, but not least, ensure that the overall success level is reflective of the responsibility ratings assigned. Supervisors are reminded to ensure that percentage calculation is correct and warrants the rating assigned. For example, if there are 4 objectives with three annotated as “exceeds” and one annotated as “met”, then the employee has exceeded 75% of the performance objectives and the summary rating equates to a level one rating (Excellence/75% or more objectives).

If there are any questions, contact the HR Specialist assigned to your organization. For additional information check out the CPAC website at: <http://www.eustis.army.mil/cpac/tapes.htm>.

My Biz/My Workplace Will Soon Require Use of Civilian Common Access Card (CAC)

On 6 February 2008, My Biz and My Workplace/DCPDS will be CAC enabled. To adhere to DoD IT security policies, the Defense Civilian Personnel Data System (including My Biz and My Workplace) will be Common Access Card (CAC) enabled. This means you will need your CAC card and personal identification number (PIN) to access My Biz/My Workplace.

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Annual Weingarten Notice (Representation Rights)

Under Title 5, United States Code, section 7114(a)(2)(B), an employee being examined in an investigation (an investigatory examination or interview) is entitled to union representation if the examination is conducted by a representative of the agency, the employee reasonably believes that the examination may result in disciplinary action, and the employee asks for representation.

Specifically, Section 7114(a) of Title 5, United States Code states:

“(2) An exclusive representative of an appropriate unit in an agency shall be given the opportunity to be represented at---

(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if---

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee; **and**

(ii) the employee requests representation.”

This right is commonly referred to as the “Weingarten” right, based on the U.S. Supreme Court’s private sector labor decision in *NLRB v. J. Weingarten, Inc.*, 420 U.S. 251 (1975). In addition to affording employees these “Weingarten” rights, the Statute, at 5 USC section 7114(a)(3), requires each agency to “annually inform its employees of their rights under paragraph (2)(B) of this subsection.” The Fort Eustis CPAC accomplishes the notifications through email annually and also makes it available continuously on our website at <http://www.eustis.army.mil/cpac/labor.htm>.

The employee’s right to request representation as a condition of participation in an examination is limited to situations where the employee reasonably believes the investigation may result in disciplinary action. The right does not extend to “run-of-the-mill” shop floor conversations, for example, work instructions, training, corrections of work techniques, or counseling sessions. In such cases, there normally will not be any reasonable basis for an employee to fear that any adverse impact may result from the interview. Therefore, no reasonable basis for the employee to seek the assistance of a representative exists.

The Federal Labor Relations Authority has held that the right of the union to be represented includes the right to effectively represent the employee. The union representative must be allowed as much latitude as is consistent to maintain an orderly investigative process. On the other hand, the union representative should not be permitted to substitute his/her answers to questions for those of the employee or to prevent the employee from answering questions.

Questions concerning the above can be addressed to your CPAC Human Resources Specialist. In all cases, managers/supervisors should contact the CPAC for guidance before denying the rights to representation to any non-supervisory employee.

Notice of Family And Medical Leave Act Benefit

Under the **Family and Medical Leave Act (FMLA)** most federal employees are entitled to a total of up to 12 workweeks of **unpaid leave** (leave without pay) during any 12-month period for the following purposes:

- (1) Birth of employee’s child and the care of such child;
- (2) Adoption or foster care placement of a child;
- (3) Care of a spouse, son, daughter, or parent who has a serious health condition;
- (4) A serious health condition of the employee that makes the employee unable to perform essential functions of their position.

Employees may elect to substitute annual leave and/or sick leave, consistent with current laws and OPM’s regulations for using such leave, for any unpaid leave under the FMLA. For sick leave purposes, family member is defined as:

- (1) Spouse, and parents thereof;
- (2) Children, including adopted children and spouses thereof;
- (3) Parents;
- (4) Brothers and sisters, and spouses thereof; and
- (5) Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.



FMLA (continued)

Currently, sick leave regulations allow most employees to use:

- (1) 13 days (104 hours) of paid sick leave each leave year to care for a family member, or to make arrangements for or to attend the funeral of a family member;
- (2) Up to 12 weeks (480 hours) of paid sick leave in a leave year to care for a family member with a "serious health condition".



The entitlement to use sick leave for family care purposes is limited to a maximum of 12 weeks of sick leave each leave year. If an employee has previously used 13 days of sick leave in a leave year for family care purposes, the 13 days must be subtracted from the 12-week entitlement. Likewise, if an employee has previously used 12 weeks of sick leave in a leave year to care for a family member with a serious health condition, he or she would not be entitled to an additional 13 days of sick leave for family care or bereavement purposes.

All leave is subject to supervisory approval. Contact your CPAC Human Resources Specialist if you have questions or to obtain additional information concerning the proper use of leave.

Software Change for DCPDS/MyBiz/MyWorkplace and CSU

A JInitiator upgrade from version 1.3.1.26 to version 1.3.1.29 will be required for both the DCPDS Human Resources (HR) and the Customer Support Unit (CSU) applications. The change will go into effect Sunday, January 27, 2008.

Recommend the new version be installed at anytime, but **not later than January 27, 2008**. Once the DCPDS Patch has been installed on the database and application servers, the new JInitiator will automatically be used when users access the application. Installing the new JInitiator early will not impact users accessing the application at the current DCPDS patch level.

Notification of Personnel Action (NPA)

Did you know that as a Department of Army Civilian Employee, you can now electronically access and print your Notification of Personnel Actions (NPAs)? Well, you can and it's easy. All you have to do is log on to the Army's Civilian Personnel On-line website at <http://acpol.army.mil>; log in under the Employee Portal using your AKO login; click on the employee tab; click on the "Open" tab to the right of "My SF50 Information"; once you see the list of NPAs/SF50s, simply click on the Adobe PDF icon on the left to open and view and/or print your NPA/SF50.

Employee Information: SF50s dated before 23 Sep 07 will appear when you click on SF50 from Employee tab. SF50s dated on or after 23 Sep 07 can only be accessed through MyBiz application.

When Is My Benefits Change Effective?

<u>BENEFIT</u>	<u>EFFECTIVE DATE</u>	<u>WILL BE ON LES</u>
FEHB	January 6, 2008	January 31, 2008
FEDVIP	January 1, 2008	January 31, 2008
FSAFEDS	January 1, 2008	January 31, 2008

2008 Pay Adjustments and Effective Date

The President signed an Executive order to implement the January 2008 pay adjustments for General Schedule (GS) employees. The increase will be effective the first day of the first applicable pay period on or after January 1, 2008 (January 6, 2008). All of the pay tables including special salary scales can be found at <http://www.opm.gov/oca/08tables/>

The Department of Defense has also issued the new 2008 NSPS pay schedules, effective January 6, 2008. The new schedules reflect a 1.5% increase to the pay band minimums and a 2.5% increase to pay band maximums, as well as updated Standard Local Market Supplement percentages, which are based on the 2008 General Schedule locality pay percentages. The NSPS pay schedules can be found at http://www.cpms.osd.mil/wage/wage_sched_suppl.aspx

Feedback

This bulletin is designed to inform employees and supervisors of new civilian human resources issues and refresh their knowledge of existing policies and procedures.

We welcome your [feedback](#); contact your servicing Human Resources Specialist.

The bulletin is available on our web page, <http://www.eustis.army.mil/cpac> Request you print and post on Bulletin Boards throughout your organization for those employees who do not have access to our web page.

