



www.eustis.army.mil/cpac

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670 Lee Blvd, Fort Eustis, VA 23604-5096

Fort Eustis

Civilian Personnel Advisory Center Bulletin



Army Civilian Attitude Survey

It's available at <http://cpol.army.mil/survey/dasurvey/>

By now, all employees should have received an e-mail with a link to the Army Civilian Attitude Survey which should be available through the end of January 2007. It asks for your attitudes and opinions on a variety of topics related to your government service. Your responses will assist Army in developing policies and programs that will improve the workplace for all civilian employees.

The survey can be completed at your office or worksite using government equipment during your regular duty hours. It can also be completed at home or elsewhere. It should take less than 30 minutes to complete.

While your participation is voluntary, your input is critical. Individual responses will be kept confidential. This is your opportunity to directly influence Army personnel policies. The results will be made available to all employees through various Army communications networks and websites at headquarters, command, region, and installation levels. You are encouraged to take the time to participate in this year's survey. NOTE: It does not apply to non-Army, military, National Guard Title 32 Technicians, or contract employees.

Merit Promotion Announcements on The CPAC Website

The Fort Eustis Civilian Personnel Advisory Center (CPAC) recently changed the portion of the CPAC website that provides vacancy announcement information in that we no longer list the appropriated fund vacancies for Fort Eustis and Fort Story. Users are now redirected to the Army's Vacancy Announcement Board where employees can search and self-nominate for all Army job announcements.

We know that employees of Eustis and Story liked being able to see a list of vacancies for just Forts Eustis and Story; however, because the Civilian Personnel Operations Center (CPOC) now posts the announcements on ACPOL Employment portal and the sort options do not include an "installation" option, the closest we can sort is to the state of Virginia. While it is labor intensive, we could manually review the state listing and pull out the announcements for Eustis/Story; however, there is no electronic way to have a separate listing of vacancy announcement for Fort Eustis and Fort Story with links to the announcement on our website so the applicant could self nominate for the vacancy. For now, redirecting users to the Army job announcements is the safest means of ensuring that applicants see all available announcements in the timeliest manner possible, but we are continuing to work on a solution to this problem and will keep you informed.

National Security Personnel System

NSPS 101 – Web-Based Training Course Has Been Updated

NSPS 101 now includes additional information on performance management; including a new section on pay pools and the pay pool process. It also includes an updated Conversion Tool & Estimated Within Grade Increase (WGI) Buy-in Calculator, which was modified based on 2007 NSPS pay tables. A complete list of updates and additions to the NSPS 101 training course is available on the NSPS website at <http://www.cpmc.osd.mil/nsps/training.html#update>.

Any employee can take the course. The course is available on the Fort Eustis CPAC Webpage under "Hot Items" at <http://www.eustis.army.mil/cpac>. Employees who have already completed NSPS 101 may find the updated information helpful.

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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.

MY BIZ–Are You Using It?

The June and November CPAC bulletins contained articles on My Biz. The purpose of this article is simply to remind you that you can now view information related to your civilian employment 24 hours a day, 7 days a week from your office computer. You can also update certain personal information such as your email address, phone number, foreign language proficiency, Race and National Origin (Ethnicity and Race Identification) designation, handicap codes, etc.

If you haven't used My Biz, try it. Make sure your personnel data is accurately reflected in the system. If you find any discrepancies while in My Biz, you can create a "Request Correction to your Personnel Record" helpdesk ticket. Visit My Biz through the Civilian Personnel On-Line Army Portal. Click on the Employee Tab, then click on "Open" next to "Access to My Biz". If you encounter problems accessing My Biz, contact your servicing CPAC representative for assistance.

Leaving Army Service? If So, Have You Completed The Army Exit Survey?

This exit survey is designed to study the reasons why people leave Army service voluntarily. Army uses the collective responses of departing employees to identify ways to become a more desirable employer; therefore, your reasons for leaving Army are very important to the study. If you are leaving your employment with the Army, we ask you to take the time to complete the questionnaire at <http://cpol.army.mil/library/survey/exitsurvey/> before you actually leave. It only takes a few minutes to complete the survey and all responses are confidential. Do not put your name on any part of the survey.



Training

E-Learning Courses Are Free For Civilian Employees

Did you know that there is free computer based training available to you as a Department of the Army civilian employee? You are authorized to access over 2,000 Information Technology, Business Skills, and Interpersonal Skills courses from any location, around the clock. All you have to do to use Army e-Learning is get an Army Knowledge Online (AKO) account and complete your [registration through ATRRS](https://www.atrrs.army.mil/channels/elearning/smartforce/sfApplication.asp) at <https://www.atrrs.army.mil/channels/elearning/smartforce/sfApplication.asp> (you do NOT need an ATRRS Logonid/Account to register). Take a minute to browse the [Army e-Learning Course Catalog](https://www.atrrs.army.mil/channels/elearning/smartforce/sfCatalog.pdf) at <https://www.atrrs.army.mil/channels/elearning/smartforce/sfCatalog.pdf> to see the courses available to you.

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.

