



Fort Eustis Civilian Personnel Advisory Center Bulletin

www.eustis.army.mil/cpac

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670 Lee Blvd, Fort Eustis, VA 23604-5096



ANNUAL LEAVE – USE IT – DON'T LOSE IT

Summer is the season when a lot of employees plan leave for vacations. Your representatives in the CPAC thought it a good time to remind employees about scheduling leave wisely so that, to the extent possible, it is not forfeited. Be sure to plan your leave throughout the year to include summer and don't 'bank' it all for later at the end of the year. Changes in your personal status, workload, new missions and other situations may prevent you from using the leave as you might like to. Planning leave throughout the entire year enables you to utilize your projected use or lose leave as well as enables your supervisor to better manage the workload of the organization.

Civilian employees normally forfeit unused annual leave in excess of 240 hours at the end of the leave year. A leave year begins on the first day of the first full biweekly pay period in a calendar year. A leave year ends on the day immediately before the first day of the first full biweekly pay period in the following calendar year. The beginning and ending dates of the current leave year are: 3 Jan 2010 – 1 Jan 2011. The last date to have scheduled leave is 20 Nov 2010.

Employees may only have forfeited leave restored to them if leave was scheduled in advance with the employee subsequently being denied the opportunity to take that scheduled leave due to the exigencies of public business, a lengthy period of illness, or an administrative error. In cases of the leave being denied due to an exigency of public business, the leave must have been scheduled/rescheduled in writing, prior to the beginning of the 3rd bi-weekly pay period before the end of the leave year (i.e., 20 Nov 2010). An Office of Personnel Management (OPM) Form 71, Application for Leave, may be used for this purpose.

As an alternative to having your "use or lose" annual leave restored, or worrying about it being forfeited, please consider donating the excess to the employees enrolled in the Voluntary Transfer of Annual Leave Program. A list of all employees enrolled in the program is sent to your admin POC/ HR liaison within your organization. Someone will appreciate the gesture and the leave will not be wasted.

Questions concerning the donation or restoration of forfeited leave should be addressed to the CPAC Human Resources Specialist assigned to your organization.

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CPAC JOB FAIRS/CAREER EXPO

Greetings! If you all haven't noticed yet, our Job Fair display table just got revamped! We have included photos of our Fort Eustis civilian employees showing their work towards achieving our mission. As part of the recruitment efforts of our CPAC Human Resources team, we are able to put a face on the daily work life of Federal civilian employees drawing in more customers than ever before. We have teamed up with internal and surrounding local agencies including Fort Eustis ACS, Virginia Employment Commission, Peninsula Worklink, Wounded Warrior Program, Veterans Administration, Job Zone, and VA Workforce Development, just to name a few. Our CPAC office has been invited to participate in events and share our current Job Announcements with the public in various locations.



***Job Fair Events – Summer/Fall 2010**

ACS, Job Zone Event

**Fort Belvoir Community Center Aug 27th - 10 a.m. - 2 p.m.*
Fort Monroe ACS (VA Workforce) - Sep 14th – 9 a.m. - noon

VEC, Virginia Workforce

Career Fair & Education Expo
Wednesday, Jul 21st
10 a.m. – 2 p.m.
Chesapeake Square Mall

CAREER EXPO (www.civilianjobs.com)

“Where America’s Military Connects with Civilian Careers”

Date: Thursday, 22 Jul10 - 10:00 a.m. to 2:00 p.m.

Location: Ft. Eustis Club, 2123 Pershing Ave., Fort Eustis, VA

All military and prior military* may pre-register online at www.CivilianJobs.com and be matched with companies based on your career and geographical preferences.

LIGHT DUTY

Is there such a thing as **permanent** light duty if an injured or sick employee cannot perform one or more “essential functions” of his/her job? The answer is a resounding, **“NO!”** Does it matter if the employee’s injury and/or medical condition(s) are a result of an on-the-job injury or an off-the-job injury? The answer is still a resounding, **“NO!”** This is one area that is so often misunderstood by managers/supervisors and even employees. It is also an area that can get an agency into a lot of trouble if they set such a precedent in doing for one and not for all. Some employees may think, “Oh, if I just bring in a note that says I can’t do this or that, my supervisor has to relieve me from my duties until my doctor says I can perform them.” Wrong answer! That is not always the case. That type of thinking could cause the employee to become “unemployed” or the agency may have to consider placing the employee on “enforced leave” pending an inquiry into his/her ability to perform.

Of course there are going to be times in an employee’s career that one is faced with an illness and/or injury in which light duty is needed and requested. Light duty is a form of an accommodation, but it should never continue if there is no end in sight to the employee’s condition or if the employee’s medical provider indicates the employee’s condition is “permanent.” In those cases, the questions that have to be addressed and a determination made are: (1) Is the employee an individual with a disability? (2) Is the employee a **“qualified”** individual with a disability” (under the Rehabilitation Act/Americans with Disability Act (ADA) and the ADA Amendments Act of 2008), which would require an agency to explore reasonable accommodation(s)? If the answer to (1) above is “Yes” but the answer to (2) is “No,” then the agency is not legally required to explore reasonable accommodation and action can be initiated to remove the employee from his/her position and the federal government if they are medically unable to perform and/or unable to maintain a regular work schedule. However, if the answer to both (1) and (2) above is “Yes,” then the remaining question to be determined is: Can the employee perform the essential functions of his/her job either with or without an accommodation? If the answer to that is “Yes” and the accommodation would not create an undue hardship, the agency is required by law to provide reasonable accommodation. What happens though when the answers to (1) and (2) are “Yes,” but the employee cannot perform the essential functions of his/her position either with or without an accommodation? In such a case, the agency would have to explore “reassignment.” Keep in mind that “Reassignment” is the **last resort** in the reasonable accommodation process short of proposing the employee’s removal for inability to perform. One accommodation that no agency is expected to make is to allow an employee to come to work whenever his/her medical condition permits or to remove essential functions of an employee’s job.

To get through all these steps requires an interactive dialogue between management and the employee. It may also be necessary to request additional, specific, medical documentation. **It is imperative that managers/supervisors “don’t play doctor” and that managers/supervisors and the employee involved seek guidance from the Employee Relations/Labor Relations Office in CPAC so that all options can be explored and to ensure the employee is advised of his/her rights to things such as the Family and Medical Leave Act (FMLA) or the Voluntary Leave Transfer Program, requesting advanced leave, disability retirement, etc.**



NEW SELF NOMINATION PROCESS FOR RESUMIX

Effective 10 Jun 2010, HQDA implemented a change to the current self-nomination process for applicants who self-nominate for Army vacancy announcements.

Currently, an applicant self-nominates by clicking on the "Self Nominate" link at the bottom of each Army vacancy announcement. Upon clicking the "Self Nominate" link, the Self Nomination Form appears and applicants must enter their name, telephone numbers, e-mail address and social security number. Effective 10 Jun, in order to self nominate for Army jobs, all applicants must have an established Army Resume Builder account and will be required to enter their Army Resume Builder password, social security number and e-mail address on the self-nomination form. An applicant will no longer have to enter his/her name or phone number, since this information already exists in the applicant's Army Resume Builder account. The reason for this change is to add another level of security to protect applicants from having their personal job record history shared with others who have obtained the applicant's social security number.



We do not anticipate this to be a significant issue since the majority of applicants self-nominating for Army positions already have an Army Resume Builder and ANSWER account. For applicants who do not, they must establish a new account in the Army Resume Builder and ANSWER tool under the "New Users" link. The applicant does not have to use the tool to create and submit his/her resume, but must at least complete the new user's registration page. After the new process is implemented on 10 June, we expect that some applicants with an established Army Resume Builder & ANSWER account may have forgotten their password. If forgotten, an applicant can click on the "Forgot your Password?" link, enter his/her name and social security number, and receive their password by e-mail. The password is sent to the e-mail address that was entered when the applicant completed their initial registration and is received in a matter of seconds. If the applicant does not have an e-mail address, he/she can retrieve their password by contacting the CRPC helpdesk.

SIGNIFICANT CHANGES COMING IN 2011

Federal Employees Health Benefits (FEHB)

On 23 Mar 2010, President Obama signed into law the "Patient Protection and Affordable Care Act (PPACA)," Public Law 111-148. While some aspects of this law will not take effect until 2014, there are several major provisions that become effective before that time. Among those is the coverage of a dependent until age 26. The effective date of this provision is the first day of the plan year that is six months following enactment of the law. For the FEHB program, that means 1 Jan 2011. The Office of Personnel Management (OPM) will take the necessary actions to comply with the new law by this effective date. OPM will provide additional information on its website in the near future about the changes to FEHB plans for the 2011 plan year occurring as a result of passage of the PPACA so that employees and retirees have the information in time for the Open Season, which begins in November. Army and DCMA civilians should refer to the Army Benefits Center – Civilian website, <https://www.abc.army.mil>, for updates as they become available.



Thrift Savings Plan (TSP)

Coming Soon – New Employee Automatic Enrollment in the TSP

This change will apply to all FERS and CSRS employees who are newly hired or rehired after the first full pay period in Aug 2010. Newly hired or rehired employees who do not make their own TSP contribution election will be enrolled in TSP at a contribution rate of three percent of basic pay each pay period. These employees will have an opportunity to immediately terminate automatic enrollment or elect to contribute more than the three percent.

Employees on agency rolls prior to implementation of automatic enrollment and who are not contributing to the TSP will not be automatically enrolled. Employees who will be automatically enrolled in TSP must be informed of the benefits of participating in TSP and notified that they can change the amount or percentage of their contributions or terminate their contributions at any time.

More details regarding implementation, specific actions required by the servicing personnel office and DFAS, as well as marketing materials, will be provided as they become available. TSP Bulletin TSP 10-3, *Implementation of Automatic Enrollment in the Thrift Savings Plan*, provides more detailed information and is available at <http://www.tsp.gov>.

SIGNIFICANT CHANGES COMING IN 2011 (CONT.)

Federal Employees Retirement System (FERS) *Employees who applied for and received a refund of FERS deductions during a period of separation can now make a redeposit under FERS.*

Since FERS was enacted, the law has provided that individuals who took refunds of their FERS employee contributions irrevocably lost service credit for the period of service covered by the refund. Section 1904 of the National Defense Authorization Act for FY 2010 permits individuals who are subsequently reemployed to make a redeposit of the amount refunded, plus interest, and to have credit for the service reinstated. For the purpose of survivor annuities, redeposit may also be made by survivors.

Interest will be based upon the same basic rules applicable to CSRS. Section 1904 applies to individuals who are employed under FERS on or after 28 Oct 2009.

ABC-C is now accepting applications to deposit a FERS refund - for more information visit <https://www.abc.army.mil/retirements/FERSDepositService.htm>.



Federal Employees Retirement System (FERS) *Credit for Unused Sick Leave under FERS*

Unused sick leave will be used as service credit in the computation of benefits under FERS, but not for determining eligibility for a retirement annuity. Sick leave will be used in the computations in the same manner it is used in CSRS computations. Effective 28 Oct 2009, individuals separating with entitlement to an immediate annuity or who die leaving a survivor eligible for a survivor annuity will be entitled to credit for 50 percent of their unused sick leave. Effective for separations and deaths occurring on or after 1 Jan 2014, 100 percent of the unused sick leave will be used.

The provisions apply to unused sick leave to the individual's credit under a formal leave system and for which the employee has not received payment. In the case of individuals who have annuities computed under the provisions of both CSRS and FERS, only sick leave not included in the CSRS part of the calculation will be available under FERS.

ARMY BENEFITS CENTER-CIVILIAN (ABC-C)

Employees now have the option to access the ABC-C web-based application using their CAC.

When the CAC is in the CAC reader, the employee can access EBIS without using their AKO username and password.

Users will still click on the tab "Employee Benefits Information System (EBIS)" to access EBIS, but now have the option of clicking on "CAC Employee Login", and then entering their CAC PIN.

There is a new tab located under the "EBIS" heading on the web site to provide EBIS CAC login instructions and information on registering CAC certificates. This section is labeled "Problems accessing EBIS? Click here for information and assistance."

SUPERVISORY TRAINING

In addition to the Human Resources (HR) Supervisory Training that CPAC conducts for new supervisors, additional supervisory training on a wide range of topics can be set up and tailored to meet the specific needs/concerns of your organization. Some of the topics include:



- Helping Supervisors Understand the EEO Process and their Rights/Responsibilities and the Rights/Responsibilities of an Employee when Engaged in EEO Activity
- Labor Management Training
- Training regarding Disciplinary/Adverse Actions & Leave Abuse & Conducting Effective Investigations
- Training on Various Leave Acts available to Employees
- Handling Requests for Reasonable Accommodations and Light Duty/Medical Issues

To arrange for supervisory training, please contact Ms. Francine Taliaferro, Labor Relation/Management Employee Relations Office, CPAC, at (757) 878-3245.

FACTS ALL EMPLOYEES NEED TO KNOW ABOUT LEAVE

Rule #1: An employee does not “take leave.” Leave must be properly requested and properly used for the type of leave being requested.

Rule #2: Employees must ensure requested leave is approved prior to beginning any period of leave. Notification alone does not constitute “approval.”

Rule #3: An employee may use annual leave for vacations, rest and relaxation, and personal business or emergencies. Sick leave is for: (1) Incapacitation for duty by illness/injury; (2) Care of an ill/injured family member; (3) Make arrangements for or attend the funeral of a family member; (4) Receive optical, dental, or medical treatment/examination (does not always mean a full-day of sick leave is needed); (5) Exposure to a contagious disease; and (6) Adoption of a child. Annual leave can be requested and used for sick leave purposes when needed but sick leave cannot be used for annual leave purposes. Regardless of the type of leave, leave is to be requested as far in advance as possible when the need for leave is foreseeable.



Rule #4: An employee is not automatically entitled to Leave without Pay (LWOP). The approval of LWOP is a matter of administrative discretion and employees may not demand that they be granted LWOP as a matter of right because they have exhausted their annual and sick leave.

Rule #5: Employees are not entitled to “advanced” annual or sick leave.

Rule #6: Managers have the right to request documentation in support of a request for leave under certain situations when there is sufficient reason to doubt the validity of the leave.

All employees should be aware of the various leave acts available to them in case of a medical emergency. A good source of information regarding the administration of leave can be located on the Office of Personnel Management’s web page at: <http://www.opm.gov/oca/leave/index.asp>. If you have specific questions, please feel free to contact the Employee Relations/Labor Relations Office, CPAC.

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.

The CPAC uses the Interactive Customer Evaluation (ICE) and we would appreciate you taking the time to rate us and provide feedback on the service you receive from our office. Just click on the following website: http://ice.disa.mil/index.cfm?fa=site&site_id=439