



SOUTHWEST CIVILIAN PERSONNEL ADVISORY CENTER

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To reach the SWCPAC: <https://www.swf.usace.army.mil/swd-cpac> (TOLL FREE) 800-453-8907
819 Taylor St., Rm 2A14, Fort Worth, TX 76102-0300

Steven G. Crawford, Director, Southwest Civilian Personnel Advisory Center

The "National Defense Authorization Act for Fiscal Year 2010", Public Law 111-84, provides for the following benefits changes under FERS.

Section 1904 – Authority to deposit refunds 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 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. OPM will issue new regulations and revised forms prior to the redeposit's being accepted.

Section 1904 applies to individuals who are employed under FERS on or after October 28, 2009. Individuals retiring on or after October 28, 2009, and employed under FERS will be given the opportunity to make the redeposit upon the adjudication of their benefit.

POC: Catherine Rhodes (817-886-1190)

Federal Employees Health Benefits (FEHB) Significant Changes Coming in 2011

On March 23, 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 January 1, 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)

New Employee Automatic Enrollment in the TSP

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. This change will apply to all FERS and CSRS employees who are newly hired or rehired after the first full pay period in August, 2010. 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 during in processing 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>.

POC: Catherine Rhodes (817-886-1190)

RETIREMENT/BENEFITS

The ABC website has established two new briefings to assist employees with their benefits and retirement application for both CSRS and FERS employee. To view these briefings log on to the ABC website @ <https://www.abc.army.mil>. The New Employee Orientation Briefing is online under "What's Hot". The retirement application is also online through the ABC

website under "Announcements". The retirement application is a step by step tool that will assist employees on how to complete their retirement package. If you have any questions about completing your retirement package you can contact ABC @ 1-877-276-9287 or Catherine Rhodes CPAC office @ 817-886-1190.

EBIS ACCESS

The Employee Benefits Information System (EBIS) has been CAC enabled. You can now log into EBIS using your Common Access Card (CAC) and CAC PIN. Click on "Employee Benefits Information System (EBIS)", and select the "CAC Employee Login" option. You are still required to enter your SSN and ABC PIN to access your personal information.

POC: Catherine Rhodes (817-886-1190)

OPM Final Regulations on Definitions of Family Member, Immediate Relative, and Related Terms

In addition to personal medical needs, employees may use sick leave for the care of a family member; for purposes related to the adoption of a child; make arrangements necessitated by the death of a family member or attend the funeral of a family member.

The Office of Personnel Management (OPM) has issued final regulations that modifies the definitions of family member and immediate relative for the use of sick leave, funeral leave, voluntary leave transfer, voluntary leave bank and emergency leave transfer in 5 Code of Federal Regulations (CFR) 630. These changes implement Section 1 of the President's June 17, 2009, Memorandum on Federal Benefits and Non-Discrimination and help ensure that agencies consider the needs of a diverse workforce and provide employees the broadest possible support to help them balance their work, personal, and family obligations.

The new and expanded definitions now cover grandparents and grandchildren, same-sex and opposite-sex domestic partners, step parents, step children, foster, guardianship, and similar relationships. The following definitions for family member, parent, son/daughter, domestic partner, and committed relationship were effected on July 14, 2010 as incorporated in the OPM final regulations.

Family member means an individual with any of the following relationships to the employee:

- (1) Spouse, and parents thereof;
- (2) Sons and daughters, and spouses thereof;
- (3) Parents, and spouses thereof;
- (4) Brothers and sisters, and spouses thereof;

(5) Grandparents and grandchildren, and spouses thereof;

(6) Domestic partner and parents thereof, including domestic partners of any individual in paragraphs (2) through (5) of this definition; and

(7) Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

Parent means--

(1) A biological, adoptive, step, or foster parent of the employee, or a person who was a foster parent of the employee when the employee was a minor;

(2) A person who is the legal guardian of the employee or was the legal guardian of the employee when the employee was a minor or required a legal guardian;

(3) A person who stands in loco parentis to the employee or stood in loco parentis to the employee when the employee was a minor or required someone to stand in loco parentis; or

(4) A parent, as described in paragraphs (1) through (3) of this definition, of an employee's spouse or domestic partner.

Son or daughter means--

(1) A biological, adopted, step, or foster son or daughter of the employee;

(2) A person who is a legal ward or was a legal ward of the employee when that individual was a minor or required a legal guardian;

(3) A person for whom the employee stands in loco parentis or stood in loco parentis when that individual was a minor or required someone to stand in loco parentis; or

(4) A son or daughter, as described in paragraphs (1) through (3) of this definition, of an employee's spouse or domestic partner.

Domestic partner means an adult in a committed relationship with another adult, including both same-sex and opposite-sex relationships.

Committed relationship means one in which the employee, and the domestic partner of the employee, are each other's sole domestic partner (and are not married to or domestic partners with anyone else); and share responsibility for a significant measure of each other's common welfare and financial obligations. This includes, but is not limited to, any relationship between two individuals of the same or opposite sex that is granted legal recognition by a State or by the District of Columbia as a marriage or analogous relationship (including, but not limited to, a civil union).

The regulations were effective as of July 14, 2010 and are available at <http://www.opm.gov/fedregis> for further reading and explanation of the changes. Fact sheets on the federal leave programs are located at <http://www.opm.gov/oca/leave/HTML/factindx.asp> (note-

the new definitions may not have been changed in the fact sheets as of this date).

The new definitions do not apply to the Family and Medical Leave Act (FMLA). The situations in which employees can invoke FMLA leave and the individuals for whom an employee can provide care under FMLA were not modified. The FMLA regulations under 5 CFR 630 Subpart L are located at <http://www.opm.gov/oca/leave/html/fmlaregs.htm>

POC: Marie Manrique (817-886-1192)

WITHIN GRADE INCREASE

Now that we have converted back to the General Schedule (GS) System, permanent employees may be eligible to a Within Grade Increase. A within-grade-increase (WGI) is an increase in the employee's rate of basic pay by advancement from one step of his/her grade to the next after meeting requirements for length of service and satisfactory performance. Within-grade increases (WGIs) or step increases are periodic increases in a General Schedule (GS) employee's rate of basic pay from one step of the grade of his or her position to the next higher step of that grade. An employee's rate of basic pay is the rate of pay fixed by law or administrative action for the position held by the employee before any deductions and exclusive of additional pay of any kind. Employees who occupy permanent positions earn WGIs upon meeting the following three requirements established by law:

1. The employee's performance must be at an acceptable level of competence.
2. To meet this requirement, an employee's most recent performance rating of record must be at least Level 3 ("Fully Successful" or equivalent).
3. The employee must have completed the required waiting period for advancement to the next higher step.

Note: Employees who have reached the Step 10 or on retained pay with a "00" in their step/rate block on their Standard Form 50 are not eligible to receive a within grade increase.

The waiting periods required to move from one step to the next for General Schedule employees are:

- For advancement to steps 2, 3, & 4 - 52 calendar weeks
- For advancement to steps 5, 6, & 7 - 104 calendar weeks
- For advancement to steps 8, 9, & 10 - 156 calendar weeks

POC: JACQUIE LESHAY (817-886-1193)

Personnel Security Investigations Portal (PSIP)

The Army recently implemented The Personnel Security Investigation Portal process to coordinate security requirements for new personnel. The CPAC still makes the official offer to all selectees just as before, but we now require the following documents before establishing an effective date:

- The OF-306 Declaration for Federal Employment
- The Form I-9 Employment Eligibility Verification
- 2 forms of government issued IDs, i.e. Passport, driver's license & social security card
- Fingerprints

Once the CPAC obtains these documents, we initiate a request in the PSIP website to the Center of Excellence and a copy of the obtained documents is sent to them as required by OPM to conduct the background investigation. The employee receives automated emails containing instructions in completing the electronic SF-85 in the E-Qip database. The hardcopy SF-85 is no longer required. Once the SF-85 is submitted electronically, the Center of Excellence verifies the form for accurate completion and then forwards to OPM to begin the background investigation.

If the employee follows the PSIP instructions, the SF-85 can be submitted faster, allowing for quicker access to government databases/systems. Through utilization of the PSIP process, the Army is experiencing a decrease in the amount of time required to conduct background investigations.

POC: KATIE BLASINGAME (817-886-1172)

SCEP HIRING PROCESS

The SCEP acronym stands for Student Career Experience Program. This is an employment program that offers students career related employment and valuable work experience in their career field. Students must be at least 16 year of age to be appointed and must be pursuing any of the following education programs:

- (1) High School Diploma or GED;
- (2) Vocational/Technical Certificate;
- (3) Associate Degree;
- (4) Baccalaureate Degree;
- (5) Graduate Degree or
- (6) Professional Degree.

Student is defined as an individual who is enrolled or accepted for enrollment as a degree seeking student and is taking at least half-time academic/vocational/or technical courses in an accredited school. Half-time usually is enrollment in at least 6 semester hours.

This is a year-round program and appointments may be made at any time during the year, including summer. It is expected that students accepted into the Student program

will at all times either be working at the agency, enrolled in classes or both. It is up to the supervisor if they want to approve a "break in program", if this is done the student will be placed on leave without pay and the supervisor will not be able to fill behind the student while the student is on leave without pay.

Since students under SCEP appointments are in the Excepted Service, supervisors are not required to announce these positions. They may recruit them from various sources including high schools, colleges and universities. They may name request these students on the RPA that is submitted. The student must provide a current resume, proof of enrollment in school and official transcripts before they can be hired. They must also meet minimum qualifications for the position being filled. Once hired, the student must submit proof of enrollment in school and/or transcripts each semester in order to be eligible to remain in the program. The SCEP program requires a written agreement and must be signed by a school representative, the student, their supervisor, Commander and an HR specialist. The agreement is maintained in the Human Resources Office.

SCEP employees are eligible to earn annual and sick leave. They are covered by the Federal Employees Retirement System (FERS) and they are entitled to life insurance and health benefits coverage.

Students who have graduated and met all the requirements of the program may be non-competitively converted to a career or career-conditional appointment to the grade level for which they qualify under the OPM Qualification Standards. Conversions must be to an occupation directly related to the student's academic training and career related experience. Students are eligible for conversion when they have:

1. Completed, within the preceding 120 days, at an accredited school, course requirements conferring a diploma, certificate or degree;
2. Completed at least 640 hours of career related work before completion of, or concurrently with, the course requirements.
3. Been recommended by the employing agency in which the career-related work was performed; and
4. Met the qualification standards for the targeted position to which the student is appointed.
5. Must be a U.S. citizen

POC: BRENDA MAXWELL (817-886-1182)

Send comments or suggestions to:
<mailto:laverne.scruggs@us.army.mil>