

WELCOME BACK

Benefit Information and Checklist for National Guard Technicians

Returning from Active Military Duty

Revised APRIL 2012
(Previous editions are obsolete.)

1. RESTORATION RIGHTS:

To exercise your Technician restoration rights you must submit a signed SF-52 (Request for Personnel Action) along with this memorandum through your Technician supervisor documenting the effective date you elect to return to Technician duty. By law, your request to reemploy must be made within the following time limits:

<u>Length of Military Service</u>	<u>Time Limit</u>
More than 180 days	Within 90 days
More than 30-less than 181	Within 14 days
Less than 30 days	First full regular workday

2. LEAVE:

Any leave accrued and unused prior to entering into leave without pay (LWOP) status will be available for your use upon return to Technician duty.

3. 5 DAYS EXCUSED ABSENCE:

The President has directed federal agencies grant 5 days of excused absence to eligible Technicians returning to civilian employment from active military service of at least 42 consecutive days in support of the continuing Global War on Terrorism (GWOT).

You are entitled to this benefit of 5 days of excused absence only once in a 12-month period. The 12-month period begins on the first day of excused absence (return to duty) and ends 365 days later. If you are called to active duty on multiple occasions, you are entitled to receive 5 days of excused absence as long as the service meets the 42 consecutive days standard and does not end within the 12-month limitation.

Upon return to Technician duty, you will immediately be placed in an excused absence status (LV) for 5 consecutive workdays. The commencement of the 5 days of excused absence represents a return to federal civilian employment and you are obligated to report for work at the end of the 5-day period.

I understand my "**5-days of excused absence**" (if eligible) begins immediately upon my return to Technician duty. I will coordinate both the return to duty date and eligibility for the 5

days of excused absence with my Technician supervisor for time and attendance (T&A) purposes.

4. **FEDERAL EMPLOYEES GROUP LIFE INSURANCE (FEGLI):**

Upon return to Technician duty, your FEGLI coverage automatically resumes at the same level of coverage that was in effect prior to your nonpay status regardless of any terminations, changes, declination of coverage, reductions, etc.

5. **FEDERAL EMPLOYEES HEALTH INSURANCE (FEHB):**

ACTIVE DUTY IN SUPPORT OF A CONTINGENCY OPERATION: Upon the date of your return to Technician duty from military service in support of a contingency operation during which your health insurance continued and the premium (both employer and employee portion) was fully paid for by the federal government, you will again be responsible for the employee portion of the premium.

If you terminated your FEHB enrollment during your period of military service, your terminated enrollment will automatically be reinstated on the Notice of Change in Health Benefits Enrollment Form (SF-2810), effective on the day you return to civilian duty.

You have 60 days from your return to duty date to complete by utilizing EBIS or IVERS a SF-2809 to enroll, cancel, or make any permitted enrollment change which includes (but is not limited to) the right to cancel your FEHB enrollment to take advantage of any transitional TRICARE benefits you may be eligible for. The effective date of any change is the beginning of the pay period following the one in which the SF-2809 is received. It is your responsibility to complete a SF-2809 to re-elect FEHB prior to the expiration of TRICARE benefits to avoid any lapse in health insurance coverage.

ACTIVE DUTY IN SUPPORT OF A NON-CONTINGENCY OPERATION: If you terminated your FEHB enrollment during your period of military service, your terminated enrollment will automatically be reinstated on the Notice of Change in Health Benefits Enrollment Form (SF-2810), effective on the day you return to civilian duty. Preparation of the form is an HRO responsibility.

You may change your reinstated enrollment from self only to self and family, and to either option of any plan available, within 60 days after you return to civilian service.

If you weren't enrolled when you entered military duty, you may enroll within 60 days after your return to civilian service. Your election becomes effective on the first day of the pay period that begins after HRO receives your completed enrollment request (SF-2809) and that follows a pay period during any part of which you were in pay status.

You may waive your right to immediate reinstatement of FEHB to take advantage of transitional TRICARE benefits. It is your responsibility to complete a SF-2809 to request reinstatement of your FEHB benefits prior to the expiration of TRICARE to avoid any lapse in coverage. Your election becomes effective on the first day of the pay period that begins after HRO receives your completed request (SF-2809) and that follows a pay period during any part of which you were in pay status.

6. **FLEXIBLE SPENDING ACCOUNT (FSA):**

Your return to Technician status following military duty is a Qualifying Life Event (QLE) that allows you an opportunity to open a FSA. You have 60 days from your return to duty to enroll. Contact FSAFEDS at <https://www.fsafeds.com/fsafeds/index.asp> and click on the *Qualifying Life Event Form* on the homepage. Elections to open a new FSA must be received NLT 1 October each year. This is due to the limited number of pay periods remaining in the calendar year. On or after October 1 of any Benefit Period, only those QLEs resulting in a decrease in the annual election will be considered.

7. **THRIFT SAVINGS PLAN (TSP):**

You have 60 days from the date of your return to Technician duty to make the following TSP requests on the attached form entitled TSP ELECTIONS FOLLOWING ACTIVE MILITARY DUTY:

(1) You may request to make retroactive TSP contributions to your civilian TSP account. Contributions made to your military TSP account while performing active duty will reduce (offset) the amount of retroactive contributions that may be made to your civilian TSP. Your request must be accompanied by copies of all military leave and earnings statements OR contain a statement that no contributions were made to your military TSP account while on active duty.

(2) (**FERS only**) You may request agency matching contributions (up to 5%) be deposited to your civilian TSP account based on military contributions made while performing active duty. Your request must be accompanied by copies of all military leave and earnings statements documenting TSP contributions made while performing active military duty.

8. **MILITARY SERVICE CREDIT DEPOSITS:**

The following military deposit rules apply for your period of active duty service to be creditable towards civil service retirement:

Upon return to duty, you request to make a service credit deposit for the period of active duty. A DD 214 must be provided to HRO documenting the period of service. The required deposit will equal the lesser of 7% (CSRS) or 3% (FERS) of the military basic pay, OR 7% (CSRS) or 0.8% (FERS) of the civilian pay. If the deposit is paid within three years from return to Technician duty, no interest is charged.

9. **NATIONAL GUARD ASSOCIATION OF THE UNITED STATES (NGAUS) INSURANCE:**

If you were not previously enrolled, you are eligible to enroll in the NGAUS Technician Insurance Program provided you make your election within 31 days of your return to Technician duty. During this 31-day window, you may apply for the group Term Life insurance (up to \$50,000) and/or the group Long Term Disability (LTD) plan on a guaranteed issue basis. No medical examinations are required. Contact HRO to make an election.

I understand I have a 31 day window to make a NGAUS election.

Note: As a minimum, this memorandum must be accompanied by a signed, SF-52 documenting the date you elect to return to Technician Duty. All other elections must be made within the applicable timeframes outlined above.

10. RESERVIST DIFFERENTIAL PAY

Federal employees called/ordered to active duty under one of the following authorities may be eligible for Reservist Differential (RD), if they also have USERRA rights:

10 U.S.C. 331
10 U.S.C. 332
10 U.S.C. 333
10 U.S.C. 688
10 U.S.C. 12301(a)*
10 U.S.C. 12302
10 U.S.C. 12304
10 U.S.C. 12305
10 U.S.C. 12406

* Only **(a)** is qualifying. However, an employee called under one of these nine authorities whose authority changes to 10 U.S.C. 12301(h) due to a **combat injury** continues to be eligible for RD.

Reservist Differential is the difference between your adjusted basic pay (basic pay plus locality) and your military pay and allowances, including basic allowance for housing (BAH), basic allowance for subsistence (BAS), family separation allowance (FSA), hostile fire pay (HFP), etc.

If the employee believes he/she may be due RD, he/she must provide copies of military and civilian leave and earning statements (LES) to the local HRO.

A form is available on the HRO website: <http://www.me.ngb.army.mil/dhr/default.htm>

CONTACT A MEMBER OF YOUR SERVICE BENEFITS TEAM IN HRO IF YOU NEED HELP WITH YOUR ELECTIONS OR HAVE QUESTIONS REGARDING BENEFITS.

<p>LTC Lydia A. Jordan, Comm 430-6016 (DSN: 626) Esther Varney, Comm 430-6020 (DSN: 626)</p>
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TSP ELECTIONS
FOLLOWING ACTIVE MILITARY DUTY

NAME: _____ SSN: _____
PLEASE PRINT

I am a (FERS) Technician who entered into leave-without-pay (LWOP) status to perform active military duty on _____ and returned to Technician duty (RTD) on _____.

_____ Please grant **Agency Automatic (1%) Contributions** to my TSP Account.

_____ I wish to make retroactive contributions to my Civilian TSP Account. Please calculate the amount.

_____ I do not wish to make retroactive contributions to my Civilian TSP Account.

_____ While on active duty I **did not** participate in the Military Uniformed Services Thrift Savings Plan.

_____ While on active duty I **did** participate in the Military Uniformed Services Thrift Savings Plan. Please post Agency Matching Contributions to my Civilian TSP Account. **I have attached copies of my military leave and earnings statements (LES's) documenting TSP contributions made while on active military duty.**

This request is made within the required **60 days** of my return to Technician duty.

Signature: _____ Date: _____

RETURN TO DUTY BENEFIT COUNSELING AND ELECTIONS

I _____ have read the information and the preceding pages and understand the following statements as indicated by my initial before each statement and signature below.

___ I understand the process and time limits to request reemployment via a SF52.

___ I understand my “**5-days of excused absence**” (if eligible) begins immediately upon my return to Technician duty. I will coordinate both the return to duty date and eligibility for the 5 days of excused absence with my Technician supervisor for time and attendance (T&A) purposes.

___ I understand I have 60 days from my return to duty to complete by utilizing EBIS or IVRS a SF-2809 to enroll, cancel, or make any permitted FEHB enrollment changes I am eligible to make as a result of return to Technician duty from active military duty.

___ I understand I have 60 days from my return to duty to request to open a Flexible Spending Account (FSA).

___ I understand I have 60 days from my return to duty to make any TSP requests I am eligible for.

___ I understand the military deposit rules. I also understand that I must provide a DD 214 for the period of active duty to HRO whether or not I elect to make a deposit at this time.

___ I understand I have a 31 day window to make a NGAUS election.

___ I understand that if I believe I am eligible for Reservist Differential Pay I must contact HRO and provide for accurate computation to determine if Reservist Differential Pay is due.

TECHNICIAN SUPERVISOR'S NAME: _____

PLEASE PRINT

TECHNICIAN SIGNATURE AND DATE: _____