



HRO News

Maine National Guard

COL MacLaughlin
Human Resources Officer
207-430-6010

LTC Tibbetts
Deputy HR Officer
207-430-6011

LtCol Dawson
Classification
207-430-6012

LTC Jordan
Employee Benefits
207-430-6016

Mrs. Leet
Equal Employment
207-430-6014

Chief Guesman
Labor / Conduct Mgt
207-430-6015

CPT Snow
Employee Development
207-430-6013

MSG Bailey
Staffing Specialist
207-430-6017

SGT MacVane
Staffing Assistant
207-430-6019

Mrs. Varney
Employee Benefits
207-430-6020

MSgt Hunter
Information Systems
207-671-6021

Ms. Smith
Information Sys Assistant
207-430-6022

CW3 Perry
AGR Manager
207-430-6023

SFC Richardson
AGR NCOIC
207-430-6025

SGT Stacy
AGR NCO
207-430-6026

SGT McIntire
Classification Assistant
207-430-6024

Issue 2

February 2013

Fiscal Uncertainties What They Mean To Federal Employees

Fiscal Uncertainties is the term being used to describe the current financial environment of the federal Government. Like Dorothy and the Scarecrow, who faced lions and tigers and bears along the Yellow Brick Road, we have three financial creatures to worry about.

Continuing Resolution (CR) – Washington has not passed annual appropriations bills to fund the government. Instead we are operating on a CR authority which essentially means we can spend up to the amount we did the previous year. The CR has been extended until 27 March and, if nothing is done, the federal government will have no authority to spend money beginning on the March 28th. While we have not received any instructions from National Guard Bureau (NGB) past history says AGRs would continue to work (but not be paid until the situation is resolved) as would “essential” technician employees. Non-essential employees would be furloughed indefinitely. In the past, furloughed employees have been paid for the time off, but that is decided by Congress each time this happens.

Sequester – As a result of the failed budget super-committee Congress and the President pledged to work on a budget plan covering the next 10 years. To encourage everyone to work together a set of cuts were imposed and postponed until 2 January, then postponed again until 1 March. These postponed cuts are the “sequester” and are fast approaching. For DoD this amounts to just under 8%, but with half the fiscal year already gone managers are faced with cutting about 16% from the remaining budget. NGB has not provided a specific plan to address the sequester, but other parts of DoD have. Some of the steps taken by other departments include delaying purchases, hiring freezes, suspension of overtime, suspension of incentive awards and cuts in training and travel. While furloughs of civilian employees are a last resort the press is reporting discussion of “discontinuous furloughs” of as much as 1 day per week for most of the remainder of the fiscal year. Commentators say few if any employees will be exempted as essential.

Debt Ceiling – When the government reaches the borrowing limit set by Congress it can no longer borrow money to finance operations. Revenues coming in amount to approximately 57% of operating expenses and the government would have to immediately reduce outlays by 43%. The President would prioritize payments and it is believed large numbers of employees would be furloughed indefinitely. This would work similar to the CR, except that essential employees that are working would be paid on time (or with slight delays) rather than wait until the situation is resolved; or so the theory goes. No one knows how well the Treasury Department can handle operating on a cash flow basis because it has not been done.



This information is mostly from the open press and is evolving quickly. What is written on Wednesday can be overcome by events on Friday.



An ongoing dialogue and feedback are essential throughout an appraisal period. Part of this process is the *interim review*. The interim review will be prepared at the midpoint of the appraisal period (April). The supervisor (or rating official) will provide the interim review of the Technician’s performance with **narrative information** written for each critical element in the performance plan. A *rating of record* (table completion) is not required.

The supervisor and Technician will sign/date completion of an interim review on form MENG 430-1. A copy will be provided to the Technician and one copy retained in the Supervisor’s Work Folder. Copies of the interim review DO NOT need to be forwarded to HRO.

Supervisors shall record the Technician’s receipt of the interim review on the NGB Form 904-1.

For more information, reference HRR 430-C1, Para 2-7,b. or LTC Lydia Jordan at 430-6016.



Training



Per NGB memorandum dated 31JAN2013; Subject: Fiscal Year 2013 Near-Term Actions to Handle Budgetary Uncertainty, the Human Resources Office (HRO) will be curtailing travel and temporary duties (TDY) that are not mission critical. Attendances at conferences (or hosting conferences),

training seminars, informational meetings or site visits are NOT mission critical. Attendance at formal schools, direct mission support, training activities and support to operational missions ARE mission critical. Technician Personnel Regulation 400 also assists our determination of mission critical training. Priority 1 training will be deemed mission critical. Priority 1 training is defined as training that must be accomplished or it will have an adverse impact on the mission and/or will result in a violation of law. It includes mandatory training and development required by statute, presidential directive, CFR, DOD, NGB or state law.

Prior to submitting an SF 182 for training or a DTS authorization for travel, you must ask yourself: "Is it mission critical?!"



The Right To Representation

At all levels of supervision, there are moments when tending to issues with Technicians that require us to contact the Labor Organization. This is the first in a series of articles designed to clarify when that happens, who initiates the call to Labor, and the potential consequences if we fail to do so.

In this article we explore the Technician's right to representation or "*Weingarten rights*" during investigative interviews. This type interview occurs only when a supervisory official questions a Technician to obtain information about their conduct or the conduct of other personnel, which could be used as a basis for disciplinary action. The supervisor is not required to inform the employee of their *Weingarten* rights; it is the employee's responsibility to understand and request when appropriate. The circumstances surrounding a line of questioning and the possibility, not the inevitability of future discipline, determine whether it is reasonable for an employee to fear their answers might lead to discipline.

If the employee has a reasonable belief that disciplinary action, as defined in NGB-TPR 752, dated 27 August 2010, may result from what they say during the interview, the employee can request representation from the Labor Organization. It's at this point the supervisor must discharge their obligation and contact labor. Always consult the applicable labor agreement, either Article 17, section 17.3 - 17.3.3 (for MEARNG Technicians) or Article 20, paragraph 20.2 - 20.2.3.4 (MEANG Technicians). For more information on what to do when the Technician invokes this right and who to call. Contact CMSgt Jeff Guesman, 207-430-6105, DSN 626-6015, or e-mail jeffrey.a.guesman.mil@mail.mil if you have any questions.

In the next newsletter we'll discuss the "*formal meeting*" and scenarios that require contacting labor.



TSP



It's Important to Participate

The Thrift Savings Plan (TSP) is a retirement savings and investment plan for Federal employees. Congress established the TSP in the Federal Employees Retirement System (FERS) Act of 1986. The purpose of the TSP is to provide retirement income. The TSP offers Federal employees the same type of savings and tax benefits that many private corporations offer their employees under "401 (k)" plans.

The retirement income that you receive from your TSP account will depend on how much you (and the agency, for FERS employees) have contributed to the TSP account during your working years, plus the earnings on those contributions. **The earlier you begin to contribute, the better.**

Contributions to the TSP account are voluntary and are separate from contributions to the FERS or CSRS retirement fund. For FERS employees, the Government will contribute to your TSP account each pay period, an amount equal to 1% of your basic pay. This is called the agency automatic 1% contribution, and happens regardless of whether you contribute your own money or not. In addition, FERS employees who contribute up to 5% of their own money will receive agency matching contributions. Any amount a FERS employee contributes over 5% is not matched. However, the entire amount contributed is in "before-tax" dollars, reducing your taxable income. Recently a Roth option was added and that amount is "taxed."

For FERS employees, TSP is an integral part of your retirement package, along with the FERS basic annuity and Social Security.

Currently 71% of MENG Technicians are contributing at a point to receive the full government matching contributions. All technicians are encouraged to look at how they are planning for retirement and utilizing this primary benefit.



Tenure and Status

There have been many questions concerning tenure and what status a technician is in. The HRO and employees use terminology that has specific meaning and rights associated with each. The following does not exhaust everything about the subject, but it is a good starting point:

PERMANENT (Tenure 1): Employee who has served a 1 year trial/probationary period to see if they are suited for federal employment. Afforded first opportunity for open Technician job vacancies within the Service branch they are in. Can only be separated for conduct or performance with specific protections and appeal rights. Offered full benefits and pay.

PERMANENT (Tenure 2): Employee who was hired into a permanent position, but who is currently serving a 1 year trial/probationary period. Supervisors must decide during the 9-10 months of hire whether to retain as a federal employee. Afforded first opportunity for open Technician job vacancies within the Service branch they are in. Can be separated with little protections or appeal rights. Offered full benefits and pay.

INDEFINITE (Tenure 3): Employee who was hired into a long term project/work identified by management. Afforded first opportunity for open Technician job vacancies within the Service branch they are in. Can be separated after receiving a 30 day notice of termination based upon lack of work or lack of funding. Offered full benefits and pay.

TEMPORARY (Tenure 0): Employee who was hired into a short term employment with a projected end date. Afforded second opportunity for open Technician job vacancies within the Service branch they are in. Can be separated at any moment of the appointment due to lack of work or lack of funds. Only offered pay.